

**SEVENTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, October 12, 2016**

The Genesee County Legislature met in Regular Session on Wednesday, October 12, 2016 at 5:30PM at the Old County Court House, Batavia, New York. Legislator Torrey assisted with the audit. Prayer was offered by Legislator Bausch followed by the Pledge to the Flag.

The minutes of the September 28, 2016 Legislature meeting were approved upon motion of Legislator Stein seconded by Legislator Bausch carried unanimously.

Legislator Stein reported she attended the Annual RSVP recognition lunch hosted by the Office for the Aging and noted the thousands of hours Genesee County senior citizens volunteer at various locations. She commended OFA Director Spink for the time and effort she and her staff put into the RSVP Program. Legislator Stein stated the Inter County meeting in October is hosted by Genesee County at Mercy Grove in LeRoy on October 21, 2016. Cost is \$20 and reservations are due to Clerk LaGrou by 10/14/16. Chair Cianfrini will provide a welcome along with two guest speakers scheduled to speak before lunch. Chair Cianfrini commented the incoming County Attorney Kevin Earl was present and is slated to take office January 1, 2017.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 366 CONTRACT– HEALTH DEPARTMENT/PRESCHOOL
SUPPORTIVE HEALTH SERVICES PROGRAM –
APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Public Health Director did present a contract for the provision of related services to eligible children in the Preschool Supportive Health Services Program, and
WHEREAS, The Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute a contract with Cantalician Center for Learning, 2049 George Urban Boulevard, Depew, NY 14043 for the provision of **Related Services** in the Preschool Supportive Health Services Program (PSSHSP) for the period September 1, 2016 through June 30, 2017 per the 2015-2017 PSSHSP rate schedule.

Budget Impact: Revenue and expenses are included in the 2016 A 2960 3-5 Preschool Program Budget and will be included in the 2017 Program Budget. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment on Medicaid eligible children.

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

**RESOLUTION NO. 367 CONTRACT EXTENSION – HEALTH
DEPARTMENT/ PARATRANSIT SERVICES –
APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, Resolution No. 251-13 did establish a contract with Genesee County Chapter NYSARC for the provision of paratransit services for the Early Intervention and Preschool Supportive Health Services Programs, and

WHEREAS, Resolution No. 316-16 did extend that contract for the period September 1, 2016 through September 30, 2016, and

WHEREAS, The Public Health Director did present a request for extension of Paratransit Services for Children with Disability for Genesee and Orleans County Health

Departments, RFP 2013-112 contract, for the period October 1, 2016 through October 31, 2016 to ensure smooth and continued client service transition to Student Transport Inc. (DBA: WNY Bus Co.) resultant from RFP 2016-109 award, and

WHEREAS, Both parties agree to extend the contract for an additional one month period, upon mutual written agreement between both parties and under the same conditions as the original Agreement, 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 execute an extension of a contract with Genesee County Chapter NYSARC for the provision of paratransit services for the Early Intervention and Preschool Supportive Health Services Program for the period October 1, 2016 through October 31, 2016 at the following rates as bid:

Per child, per day, round trip WITHIN Genesee/Orleans County	\$ 53.13/day
Per child, per day, round trip OUTSIDE Genesee*	\$239.32/day
Per child, per day, round trip OUTSIDE Orleans*	\$293.61/day
Per child, per day, round trip OUTSIDE Genesee & Orleans County**	\$293.61/day
Additional child to established out of Genesee/Orleans County, round trip	\$6.98/child/day
Round trip for one attendant	\$ 62.23
Round trip for an one to one nursing/medical assistant	\$ 77.72

**Where a one-way trip is ten (10) miles or more outside of the County Lines*

***These routes include children from both Genesee and Orleans County on the same run. Costs will be allocated by splitting the initial per day charge equally, and then either county will be charged per their number of additional children on the run.*

Budget Impact: Estimated annual expenses in the 2016 A 2960 Preschool Supportive Health Services budget are \$250,000. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment for Medicaid eligible children.

Budget Impact: Estimated annual expenses in the 2016 A4059 Early Intervention budget are \$40,640.

Expenses are offset, up to 100% by revenue generated from Medicaid. New York State is liable for 49% of any non-reimbursed expenditure.

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

**RESOLUTION NO. 368 CONTRACT- HEALTH DEPARTMENT/
PARATRANSIT SERVICES – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, Genesee County must provide transportation services for the Early Intervention and Preschool Supportive Health Services Program, and

WHEREAS, The Public Health Director did receive proposals for the provision of this service, 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 a contract with Student Transport, Inc. (DBA: WNY Bus Co.), 79 Sheldon Avenue, Depew, NY 14043 for the provision of paratransit services for the Early Intervention and Preschool Supportive Health Services Programs for the period of November 1, 2016 through August 31, 2017 at the following rates as bid:

Per child, per day, round trip WITHIN Genesee/Orleans County	\$ 48.45/day
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Per child, per day, round trip OUTSIDE Genesee*	\$238.45/day
Per child, per day, round trip OUTSIDE Orleans*	\$238.45/day
Per child, per day, round trip OUTSIDE Genesee & Orleans County**	\$238.45/day
Additional child to an established out of Gen/Orleans Co, round trip	\$ 18.50/child/day
Round trip for one attendant	\$ 98.75
One on one nursing/medical assistant (minimum of 4 hours)	\$ 44.00/hour

*Where a one-way trip is ten (10) miles or more outside of the County Lines

**These routes include children from both Genesee and Orleans County on the same run. Costs will be allocated by splitting the initial per day charge equally, and then either county will be charged per their number of additional children on the run.

Budget Impact: Estimated annual expenses in the 2013 A 2960 Preschool Supportive Health Service budget are \$250,000. These services qualify for NYS reimbursement at the rate of 59.5% less any Medicaid payment for Medicaid eligible children.

Budget Impact: Estimated annual expenses in the 2013 A 4059 Early Intervention budget are \$43,000. Expenses are offset, up to 100% by revenue generated from Medicaid. New York State is liable for 49% of any non-reimbursed expenditure.

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

RESOLUTION NO. 369 RESOLUTION AMENDMENT 319-2016 - COMMUNITY MENTAL HEALTH SERVICES/SPECIALIST-OUTPATIENT CLINIC-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the recently approved Resolution No. 319-2016 Specialist – Outpatient Clinic, this title was eliminated in error to the Community Mental Health Department, And

WHEREAS, The Director of the Community Mental Health Services did request that this error be changed to reflect the elimination of Specialist – Case Management and reinstatement of Specialist – Outpatient Clinic to the Community Mental Health Department, 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 Human Resources Director is hereby authorized and directed to amend the 2016 Employee Schedule by eliminating one (1) Specialist-Case Management, Management Grade 5 and create one (1) Specialist-Outpatient Clinic, Management Grade 5 to the Community Mental Health Services Department, effective October 13, 2016.

Budget Impact Statement: No budget amendment required. No additional county cost.

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

RESOLUTION NO. 370 2016 BUDGET TRANSFER/COMMUNITY MENTAL HEALTH SERVICES/COURT COMMITMENT – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of Community Mental Health Services did request a budget transfer to the 2016 Genesee County Budget to accommodate the transfer of funds from Mental Health Department to the Court Commitments Department to pay for additional Court Commitments ordered by Genesee County 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 the 2016 Genesee County Budget by

TO	A4311.4600.0000	Contracted Other	\$1,226
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AND

FROM A.4310.4600.0000 Contracted Other \$1,226

Budget Impact Statement: \$1,226.00 County expense.

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

**RESOLUTION NO. 371 OFA/MEALSITE AGREEMENT – CORFU
PRESBYTERIAN CHURCH --AND ADDITIONAL
INSURED-APPROVAL OF**

Legislator Davis offered the following resolution:

WHEREAS, The Genesee County Office for the Aging desires to continue the congregate mealsite program at the Corfu Presbyterian Church location at an annual stipend rate of \$600 per year, and the Committee on Human Services does recommend approval at this time; and

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars naming Corfu Presbyterian Church, 63 Allegheny Road, Corfu, New York 14036 as additional insured, and the Committee on Human Services 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 documents to renew a contract with Corfu Presbyterian Church, 63 Allegheny Road, Corfu, New York 14036 for the provision of using designated space within the church facility to hold a once weekly congregate meal site operated by the Genesee County Office for the Aging, at the stipend rate of \$600 for the period January 1, 2017 through December 31, 2017; and may it further be

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Corfu Presbyterian Church, 63 Allegheny Road, Corfu, New York 14036 as additional insured from January 1, 2017 – December 31, 2017.

Budget Impact: This stipend rate remains the same at \$600 per year; is covered by Federal NSIP (Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), Title IIC-1 Federal Older Americans Act funds, contributions received from participants; and is included in the 2017 proposed budget.

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

**RESOLUTION NO. 372 OFA/MEALSITE AGREEMENT – EAST BETHANY
PRESBYTERIAN CHURCH – AND ADDITIONAL
INSURED-APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, the Genesee County Office for the Aging desires to continue the congregate mealsite program at the East Bethany Presbyterian Church location at an annual stipend rate of \$600 per year, and the Committee on Human Services does recommend approval at this time; and

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars naming East Bethany Presbyterian Church, 5735 Ellicott Street Road, E. Bethany, New York 14054 as additional insured, and the Committee on Human Services 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 documents to renew a contract with East Bethany Presbyterian Church, 5735 Ellicott Street Road, E. Bethany, New York 14054 for the provision of using designated space within the church facility to hold a once weekly congregate meal site operated by the Genesee County Office for the Aging, at the stipend rate of \$600 for the period January 1, 2017 through December 31, 2017, and may it further be

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name East Bethany Presbyterian Church, 5735 Ellicott Street Road, E. Bethany, New York 14054 as additional insured from January 1, 2017 – December 31, 2017.

Budget Impact: This stipend rate remains the same at \$600 per year; is covered by Federal NSIP (Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), Title IIIC-1 Federal Older Americans Act funds, contributions received from participants; and is included in the 2017 proposed budget.

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

**RESOLUTION NO. 373 CONTRACT RENEWAL - OFA/LEISURETIMERS APTS
MEAL SITE AGREEMENT - AND ADDITIONAL
INSURED-APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract renewal for the provision of a two (2) day per week meal site for senior citizens at Leisuretimers Apartments and the Committee on Human Services does recommend approval at this time; and

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars naming People Inc./Leisuretimers Residential Services, 364 Bloomingdale Road, Akron, NY 14001 as additional insured. 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 People Inc./Leisuretimers Residential Services, 364 Bloomingdale Road, Akron, NY 14001 to host a meal site meal twice per week for Genesee County Office for the Aging congregate meal program for the period of January 1, 2017 through December 31, 2017 at a stipend rate of \$450.00 per year; and may it further be

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name People Inc./Leisuretimers Residential Services, 364 Bloomingdale Road, Akron, NY 14001 as additional insured from January 1, 2017 – December 31, 2017.

Budget Impact Statement: This stipend rate remains the same at \$450 per year; is covered by Federal NSIP (Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), Title IIIC-1 Federal Older Americans Act funds, contributions received from participants; and is included in the 2017 proposed budget.

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

**RESOLUTION NO. 374 CONTRACT-OFA/NUTRITION PROGRAM MEAL SITE –
HAVENWOOD CONGREGATE APARTMENTS-AND
ADDITIONAL INSURED-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract for the provision of meal site operation, and the Committee on Human Services does recommend approval at this time; and

WHEREAS, The Director of the Office for the Aging did request a proof of insurance indicating general liability insurance in the amount of at least one million dollars naming Genesee Valley Rural Preservation Council, Inc., 5861 Groveland Station Road, Mount Morris, NY 14510 as additional insured, and the Committee on Human Services 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 any and all agreements with the Genesee Valley Rural Preservation Council, Inc. 5861 Groveland Station Road, Mount Morris, NY 14510, for a senior mealsite

operation at Havenwood Congregate Apartments under the terms and conditions of the agreement for the period of January 1, 2017 – December 31, 2017, with no payment to Genesee Valley Rural Preservation Council, Inc. for services rendered or received. Participant contributions will be forwarded to the Office for the Aging for meals provided; and may it further be

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Genesee Valley Rural Preservation Council, Inc, 5861 Groveland Station Road, Mount Morris, NY 14510 as additional insured in the amount of at least one million dollars.

Budget Impact Statement: Neutral. Contributions received from participants, Federal NSIP (Nutrition Service Incentive Program), NY State WIN (Wellness in Nutrition), and Title IIIC-1 Federal Older Americans Act grant funds will pay for the costs of providing meals at this meal site.

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

RESOLUTION NO. 375 CONTRACT RENEWAL ROOM SET UP – OFA/GENESEE COUNTY CHAPTER NYSARC INC. - APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract renewal with Genesee ARC, a Chapter of NYSARC, Inc. for the provision of labor and supervision to set up rooms at the Office for the Aging for various meeting and activities for recreation, education and health promotion programs and services held in the 2 Bank Street facility; with the rate of \$25 per day for a morning and/or mid-day set up depending on the needs of the Office for the Aging activity schedule; and the Committee on Human Services 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 necessary documents to renew a contact with Genesee County Chapter NYSARC Inc./Genesee ARC, 64 Walnut Street, Batavia, N.Y. 14020, at a rate of \$25 per day, not to exceed \$4,200 for the period of January 1, 2017 – December 31, 2017.

Budget Impact: \$4,200 expense is included in the proposed 2017 Office for the Aging Recreation Program budget. Same rate and total contract amount as 2016.

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

RESOLUTION NO. 376 CONTRACT RENEWAL– OFFICE FOR THE AGING/GENESEE YMCA – FITNESS PROGRAM – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract renewal for 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 renew 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 \$60 per class session; and at a cost not to exceed \$3,600.00 for the period January 1, 2017 through December 31, 2017.

Budget Impact Statement: \$3,600 contract is paid for by Federal Title III-D Health Promotion grant funds (\$3,255) and participant contributions. These funds are incorporated in the 2017 county budget to fully cover this

expense

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

RESOLUTION NO. 377 BUDGET AMENDMENT – CENTRAL SERVICES – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Resolution No. 181, adopted May 25, 2016, did establish a Capital Project for County Building #2 Flood Damage Restoration, and

WHEREAS, Central Services has depleted its 2016 overtime budget due to the cleanup of County Building #2, and has now received reimbursement for overtime worked by county custodial employees for County Building #2 Flood Damage from the Capital Project in the amount of \$3,182.00 as an unanticipated revenue, and, the overtime budget needs to be replenished for the remainder of the year, 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 2016 budget as follows:

Increase Revenue	A1610 1289	General Department Income	\$3,182.00
Increase Expense	A1610 1020 0000	Over-Time Salaries	\$3,182.00

Budget Impact: Increase in Central Services appropriations of \$3,182.00, offset in increase in revenue in a like amount.

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

RESOLUTION NO. 378 CAPITAL PROJECTS/AUTHORIZATION TO CLOSE/ESTABLISH/BUDGET TRANSFER – APPROVAL OF

Legislator Davis offered the following resolution:

WHEREAS, The County Manager and County IT Director did recommend a Capital Project to replace two access control system panels at the Sheriff’s Office Building that are malfunctioning which compromises the safety and security of the facility , and

WHEREAS, The Genesee County Manager and County Treasurer reported that certain Capital Projects have been completed and have recommended that said Capital Projects be closed at this time, and

WHEREAS, The Committee on Ways and Means have reviewed the requests and recommend that said Capital Projects be established and closed respectively at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Treasurer be and hereby authorized and directed to establish a new Capital Project, Information Technology, Sheriff’s Office-Access Control System, and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby authorized and directed to transfer \$10,077 from Capital Project, IT Telephone System upgrade to Capital Project, Information Technology, Sheriff’s Office – Access Control System, and Be it further

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

\$16,587.10	from Capital Project, Facilities Management, Old Courthouse Roof and Cupola
\$10,390.00	from Capital Project, Facilities Management, County Building #2 Fire Alarm
\$7,144.00	from Capital Project, Facilities Management, Man Lift
\$1,911.51	from Capital Project, Facilities Management, Building #1 – St. Mary’s Parking lot
\$1,008.77	from Capital Project, Highway Fuel Farm
\$45,000.00	from Capital Project, Central Services, Fixed Assets

\$7,790.43 from Capital Project, Sheriff, Upgrade Security Surveillance System
 \$5,682.00 from Capital Project, Facilities Management –Sheriff Admin Sprinkler Repairs
 \$29,476.65 from Capital Project, IT, Telephone System upgrade
 to Building and Equipment Reserve and Be it further

RESOLVED, That the Genesee County Treasurer be and hereby is authorized and directed to close the following completed Capital Projects:

- Facilities Management, Old Courthouse Roof and Cupola
- Facilities Management, County Building #2 Fire Alarm
- Facilities Management, Man Lift
- Facilities Management, Jail, AC Cold Water Chiller
- Facilities Management, Building #1 – St. Mary’s parking lot
- Facilities Management, Sheriff Admin Sprinkler Repairs
- Highway, Fuel Farm
- Central Services, Fixed Assets
- Sheriff’s Office, Upgrade Security Surveillance System
- Sheriff’s Office, Public Safety Answering Point Sustainment
- Sheriff’s Office, Upgrade of Civil Bureau Software
- Information Technology, Telephone System upgrade

Budget Impact Statement: No impact on 2016 County Budget; \$124,990.46 being transferred to Building and Equipment. Balance after transfer is \$676,388.90

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

RESOLUTION NO. 379 COUNTY AUDIT – OCTOBER 12 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Torrey did review the following claims:

2016 General Fund	\$	693,088.83
2016 Highway		47,869.70
2016 Nursing Home		211,641.40
2016 Self Insurance		11,730.29
DSS Abstracts		539,980.90

2016 Capital Projects:

DeWitt Park Utility Extensions/Security Improvements	8.91
Emergency Management Public Water Lines	46,480.00
Sheriff 800MHZ Radio System Upgrade	583,591.64
Sheriff/Jail Upgrade of Jail Camera/Recording System	24,892.46
Facility Mgt. County Bldg#2 Flood Damage Restoration	13,450.64
Treasurer’s Office Enhanced Security	6,848.00
Co Manager Bldg#2 Security Updates	6,985.00
Highway 2016 Highway Overlay	5,628.00
Highway 2016 Bridge Construction	11,050.24
Highway 2015 Bridge Construction	2,621.14
Highway River Street Bridge	5,798.62
Payroll – General & Nursing Home	
September 30, 2016	1,280,789.94

Medicaid

October 4, 2016	178,282.00
October 11, 2016	<u>178,282.00</u>

Total Audit

\$ 3,849,019.71

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 Davis seconded the resolution which was adopted by 326 votes.

At 5:45 PM the meeting was adjourned upon motion of Legislator Stein seconded by Legislator Deleo carried unanimously.