

**NINETEENTH DAY
GENESEE COUNTY LEGISLATURE
Thursday, November 12, 2015
Batavia, New York**

The Genesee County Legislature met in Regular Session on Thursday, November 12, 2015 at 5:30pm at the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator Stein followed by the Pledge to the Flag.

The minutes of the October 28, 2015 meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Stein.

Legislature Stein commented that she and Legislator Torrey were involved in a long process in finding a new Soil & Water Conservation District Director. He is Greg Tessman, he came from Natural Resources Conservation Service (NRCS).

Legislature Stein commented on that Wolcott School received the National School of Character Award this week.

Legislature DeJaneiro shared information on Lighthouse Wind and Energy in Orleans County. He has documents to share, if anyone wishes to see them.

Legislature Bausch thanked the Veterans for services which were held at the County Park at the Veteran Memorial Site.

Clerk proceeded with reading of the resolutions as follows

RESOLUTION NO: 381 CONTRACT RENEWAL – NURSING HOME / PHARMACY SERVICES/JAIL – APPROVAL OF

Legislator Ferrando offered the following resolution

WHEREAS, Resolution No.413 duly adopted on November 14, 2012, did authorize a contract with Omnicare of Western New York for the provision of pharmacy services for the Genesee County Nursing Home and the Genesee County Jail, and

WHEREAS, During the first of the additional one-year contract renewal periods (1/01/15 through 12/31/15), this contract was amended to include an increase of \$0.20 per occupied bed, and

WHEREAS, Resolution No. 9 confirmed the adoption of this contract amendment on January 14, 2015, becoming effective March 1, 2015, and

WHEREAS, It is the mutual desire of both the Nursing Home Administrator and the Genesee County Sheriff to renew said contract for the second of three additional one-year periods under the same terms and conditions of the amended contract of March 1, 2015, and the Committee on Human Services does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew the contract with Omnicare of Western New York, 2410 North America Drive, West Seneca, New York, 14224, under the same terms and conditions of the amended contract of March 1, 2015. The contract renewal will commence on January 1, 2016 and continue in effect until December 31, 2016.

Budget Impact: Pharmacy costs have been budgeted for in 2016

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

RESOLUTION NO. 382 CONTRACT EXTENSION –NURSING HOME/DIETARY SERVICES-APPROVAL OF

Legislator Stein offered the following resolution

WHEREAS, The contract with Morrison Senior Dining (now known as “Morrison Community Living”) For Dietary Services at the Genesee County Nursing Home will expire on December 31, 2015, and

WHEREAS, After conferring with Morrison and County officials, the Nursing Home Administrator wishes to extend the current contract with Morrison on a month-by month basis, and the Committee on Human Services does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to Execute the necessary documents to extend the current contract with Morrison Community Living, 5801 Peachtree Dunwoody Road, Atlanta, Georgia, 30342, on a month-by-month basis with no change to the current Management fee. Either party may terminate the contract with 30 days prior written notice to the other party. This extended contract will become effective January 1, 2016.

Budget Impact: Dietary services have been budgeted for in the 2016
Legislature Stein seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 383 SALARY SCHEDULE AMENDMENT – NURSING
HOME/FULL TIME SENIOR CLERK TYPIST –
APPROVAL OF**

Legislator Young offered the following resolution

WHEREAS, A position of PT Financial Clerk is about to be vacated, due to a resignation from The Nursing Home Business Office, and

WHEREAS, It would be beneficial to the Home to create a new FT Senior Clerk position, and

WHEREAS, This creation of a new Senior Clerk position can be afforded within the proposed 2016 budget by eliminating three part time positions, and

WHEREAS, This combination of jobs would capitalize on the talents of an existing Clerk Typist, expand her duties and avoid the time and expense of recruiting and training a new part-time employee; therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to create a new full-time Senior Clerk position from two existing positions (Clerk-Typist, Financial Clerk Typist), effective November 15, 2015.

Budget Impact: Eliminate one PT Clerk/Typist position:	Save: \$ 14,345
Eliminate one PT Financial Clerk/Typist:	Save: \$ 15,768
Dollars budgeted in error for a PT Activities Aide position previously eliminated	<u>Save: \$ 11,495</u>
	Total \$ 41,617

Create one FT Senior Clerk:	\$ 41,314
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Save:	\$ 303
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Legislature DeJaneiro seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 384 2015 BUDGET AMENDMENT – MENTAL HEALTH
SERVICES /INSURANCE REIMBURSEMENT -
APPROVAL OF**

Legislator Davis offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2015 Genesee County Budget to accommodate the Department's need to purchase injectable medications to meet client needs, the cost of which are reimbursable through the NYS Insurance Buy and Bill Program, 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 Genesee County Budget by increasing Appropriation A 4310 4700.0420 Mental Health, Medical Supplies in the amount of \$50,000 to be offset by an increase in Revenue A 4310.1620.1300 Medical Reimbursements, in the amount of \$50,000.

Budget Impact: Increasing expenses from \$75,000 to \$125,000 and increasing medical reimbursement revenue from \$75,000 to \$125,000. No net deficit increase to the County.

Legislature DeJaneiro seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 385 2015 – BUDGET AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES / CAZENOVIA RECOVERY SYSTEMS, INC.– APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2015 Mental Health budget for Cazenovia Recovery Systems, Inc., 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 Genesee County Budget by:

Increasing A4314.4660.0000, Contracted Other, by \$80,386.00

AND

Increasing A4314.4488. Federal Aid, OASAS \$80,386.00

Budget Impact: Gross Budget increased by \$80,386.000

Legislature Davis seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 386 2015 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/REGISTERED PROFESSIONAL NURSE -APPROVAL OF

Legislator Clattenburg 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 one (1) Full-time, Community Mental Health Nurse in CSEA-General, Grade 18N, and creating (1) Full-time, Registered Professional Nurse, 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 Genesee County Treasurer is hereby authorized and directed to amend the 2015 Employee Salary Schedule by eliminating one (1) Full-time, Community Mental Health Nurse in CSEA-General, Grade 18N, and creating one (1) Full-time, Registered Professional Nurse, in CSEA-General, Grade 16N effective November 12, 2015.

Budget Impact: Net County Annualized Savings: \$24,000.00

Legislature Ferrando seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 387 2015 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/MENTAL HEALTH CLINICAL THERAPIST & THERAPEUTIC ACTIVITIES AIDE-APPROVAL OF

Legislator Torrey 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 one (1) Full-time, Assistant Social Worker in CSEA-General, Grade 15, and creating (1) Part-time, Mental Health Clinical Therapist, in CSEA-General, Grade 19, and creating (1) Part-time, Therapeutic Activities Aide 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) Full-time, Assistant Social Worker in CSEA-General, Grade 15, and creating one (1) Part-time, Mental Health Clinical therapist, in CSEA-General, Grade 19, and creating (1) Part-Time, Therapeutic Activities Aide in CSEA-General, Grade 9 effective November 12, 2015.

Budget Impact: Net County Annualized Savings: \$30,000.00

Legislature Bausch seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 388 GRANT AMENDMENT – HEALTH
DEPARTMENT/CHILDREN WITH SPECIAL HEALTH
CARE NEEDS PROGRAM COST OF LIVING
ADJUSTMENT – APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County’s Children with Special Health Care Needs Program contract is eligible for a Cost of Living Adjustment (COLA) in the amount of \$1,479, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Children with Special Health Care Needs Program Cost of Living Adjustment during the 2013-14 State fiscal year in the amount of \$1,479, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$1,479 to offset program expenditures made between April 1, 2015 and March 31, 2016.

Legislature Stein seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 389 GRANT AMENDMENT – HEALTH
DEPARTMENT/RABIES PROGRAM COST OF LIVING
ADJUSTMENT - APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County’s Rabies Program contract is eligible for a Cost of Living Adjustment (COLA) in the amount of \$1,159, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Rabies Program Cost of Living Adjustment during the 2015-16 State fiscal year in the amount of \$1,159, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$1,159 to offset program expenditures made between April 1, 2015 and March 31, 2016.

Legislature DeJaneiro seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 390 GRANT AMENDMENT - HEALTH DEPARTMENT/ LEAD POISONING PREVENTION PROGRAM COST OF LIVING ADJUSTMENT - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Lead Poisoning Prevention Program contract is eligible for a Cost of Living Adjustment (COLA) in the amount of \$3,008, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, and

WHEREAS, The Committees on Human Services did review this request 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 execute the Agreement with the New York State Department of Health for the acceptance of the Lead Poisoning Prevention Program Cost of Living Adjustment during the 2015-16 State fiscal year in the amount of \$3,077, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$3,008 to offset program expenditures of \$710.98 in 2015 and \$2,297.02 in 2016.

Legislature Davis seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 391 GRANT AMENDMENT - HEALTH DEPARTMENT/ IMMUNIZATION ACTION PLAN PROGRAM COST OF LIVING ADJUSTMENT - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that Genesee County's Immunization Action Plan Program contract is eligible for a Cost of Living Adjustment (COLA) in the amount of \$2,409, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Immunization Action Plan Program Cost of Living Adjustment during the 2015-16 State fiscal year in the amount of \$2,409, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$2,409 to offset program expenditures made between April 1, 2015 and March 31, 2016.

Legislature Stein seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 392 GRANT AMENDMENT - HEALTH DEPARTMENT/
TOBACCO ENFORCEMENT PROGRAM COST OF
LIVING ADJUSTMENT - 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 Tobacco Enforcement Program contract is eligible for a Cost of Living Adjustment (COLA) in the amount of \$2,459, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used for the reimbursement of expenditures associated with the recruitment and retention of staff or other critical non-personal service costs, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Agreement with the New York State Department of Health for the acceptance of the Tobacco Enforcement Program Cost of Living Adjustment during the 2015-16 State fiscal year in the amount of \$2,459, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue in the amount of \$2,459 to offset program expenditures in 2015 of \$712.65 and in 2016 of \$1746.35.

Legislature Ferrando seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 393 CONTRACT RENEWAL- HEALTH
DEPARTMENT/MEDICAL CONSULTANT SERVICES -
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

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

WHEREAS, Based upon the current organizational structure of the Health Department medical consultation services must be available as outlined in the New York State Codes, Rules, and Regulations, 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 renewal with Alan Barcomb, M.D., 1 Dennis Drive, Batavia, NY 14020 for the provision of Medical Consultant services for the Genesee County Health Department at the all-inclusive rate of \$2,500/annually, paid in quarterly installments of \$625.00 for the period January 1, 2016 through December 31, 2016.

Budget Impact: Anticipated expense for this contract is \$2,500/year. Expenses related to this contract are eligible for full reimbursement under Article 6 - State Aid for General Public Health Works.

Legislature Bausch seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 394 CONTRACT RENEWAL - HEALTH
DEPARTMENT/LABORATORY SERVICES - APPROVAL
OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for the provision of Clinical and Environmental Laboratory 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 the necessary documents to renew a contract with Erie County Public Health Laboratory, 503 Kensington Avenue, Buffalo, New York 14214 to provide Clinical and Environmental Laboratory Services for the period of January 1, 2016 through December 31, 2016 at the rates as outlined in the agreement.

Budget Impact: Revenue and expenses are included in the 2016 A 4010 Public Health Program Budget. Anticipated expenses are reimbursed through State Aid and Private Pay Fees.

Legislature Clattenburg seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 395 CONTRACT RENEWAL– HEALTH DEPARTMENT/ 3-5
PRESCHOOL SPECIAL EDUCATION PROGRAM-
COMMITTEE ON PRESCHOOL SPECIAL EDUCATION
(CPSE) MUNICIPALITY REPRESENTATIVE –
APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Public Health Director did present a contract renewal for the provision of municipality representative on the Committee on Preschool Special Education (CPSE) of the Genesee County School Districts, and

WHEREAS, The Committee on Human Services did review the contract 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 renewal with Laura Calla, 34 South Main Street, Oakfield, NY 14125 at the rate of \$40.00 per hour plus mileage, at the current IRS rate, for the provision of municipality representative on the Committee on Preschool Special Education (CPSE) in the 3-5 Preschool Special Education Program for the period January 1, 2016 through December 31, 2016.

Budget Impact: Expenses for this service are included in the 2016 A 2960 3-5 Preschool Program budget. Genesee County receives annual state aid reimbursement of \$75 per child for the administrative costs of the program.

Legislature Ferrando seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 396 CONTRACT RENEWAL– HEALTH DEPARTMENT/ 3-5
PRESCHOOL SPECIAL EDUCATION PROGRAM-
COMMITTEE ON PRESCHOOL SPECIAL EDUCATION
(CPSE) MUNICIPALITY REPRESENTATIVE
– APPROVAL OF**

Legislator Torrey offered the following resolution:

WHEREAS, The Public Health Director did present a contract renewal for the provision of municipality representative on the Committee on Preschool Special Education (CPSE) of the Genesee County School Districts, and

WHEREAS, The Committee on Human Services did review the contract 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 renewal with Amy Wolter, 3652 Orangeport Road, Gasport, NY 14067 at the rate of \$40.00 per hour plus mileage, at the current IRS rate, for the provision of municipality representative on the Committee on Preschool Special Education (CPSE) in the 3-5 Preschool Special Education Program for the period January 1, 2016 through December 31, 2016.

Budget Impact: Expenses for this service are included in the 2016 A 2960 3-5 Preschool Program budget. Genesee County receives annual state aid reimbursement of \$75 per child for the administrative costs of the program. Legislature Stein seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 397 CONTRACT RENEWAL – HEALTH DEPARTMENT/COURIER SERVICES – APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal with 3D Delivery Inc. for the provision of courier 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 renew a contract with Genesee 3D Delivery Inc., 58 Kingsbury Avenue, Batavia, New York, 14020, for the provision of courier services at the rate of \$1.70 per mile, for the period January 1, 2016 through December 31, 2016.

Budget Impact: Anticipated expense for this contract is \$3,300. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Funding for General Public Health Works

Legislature DeJaneiro seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 398 CONTRACT RENEWAL – HEALTH DEPARTMENT/ MEDICAL SERVICES – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Section 2140 through 2145 of New York State Public Health Laws give primary responsibility for the control and suppression of rabies to local health departments (LHDs), and

WHEREAS, The Director of Public Health did present a new contract renewal for provision of Medical Services as outlined in the contract, and does recommend approval at this time, 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 renew a contract with Genesee Medical, PLLC (dba Genesee Urgent Care), 35 Batavia City Centre, Batavia, New York 14020 to provide Medical Services for the period January 1, 2016 through December 31, 2016.

Budget Impact: Total expense for this contract is not expected to exceed \$5,500. Expenses related to this contract are eligible for 100% reimbursement under Article 6 – State Aid Funding for General Public Health Works

Legislature Davis seconded the resolution which was adopted by 326 votes

.RESOLUTION NO.399 CONTRACT RENEWAL – HEALTH/ENVIRONMENTAL HEARING OFFICER – THOMAS GRAHAM - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for the provision of Environmental Hearing Officer services, and

WHEREAS, New York State Public Health Law does allow the Genesee County Board of Health to appoint one or more health officers to hold and conduct hearings for fact finding and recommendations to the board, 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 renewal with Thomas Graham, 32 Farnsworth Avenue, Oakfield, NY 14125 for the provision of hearing officer services for the Public Health Department at the

all-inclusive rate of \$25.00 per hour for the period January 1, 2016 through December 31, 2016, in accordance with the terms of the contract.

Budget Impact: Anticipated expense for this contract is \$400. Expenses related to this contract are eligible for full reimbursement under Article 6 – State Aid for General Public Health Works.

Legislature Stein seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 400 CONTRACT RENEWAL– HEALTH
DEPARTMENT/CLINICAL LABORATORY AND
MEDICAL TREATMENT SERVICES – APPROVAL OF**

Legislator Davis offered the following resolution:

WHEREAS, The Director of Public Health did present a contract renewal for provision of Clinical Laboratory and Medical Treatment 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 the necessary documents to renew a contract with United Memorial Medical Center, 127 North Street, Batavia, New York 14020 to provide Clinical Laboratory and Medical Treatment Services for the period of January 1, 2016 through December 31, 2016.

Budget Impact: Anticipated expenses in the amount of \$5,500 have been built into the 2016 A 4010 Public Health Department Budget

Legislature Clattenburg seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 401 CONTRACT RENEWAL- OFFICE FOR THE
AGING/TRANSPORTATION – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of the Office for the Aging has requested the continuing of a transportation contract with RTS-GENESEE that includes both Office for the Aging Medical Transportation and County Rural Transportation services within Genesee County to expand public transportation service for both older adults and rural Genesee County residents; 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 the contract between RTS-GENESEE @ RTS, 1372 East Main Street, Rochester, NY 14609 and the County of Genesee for the provision of medical transportation for the elderly and rural transportation program, for a combined cost of \$56,531 for the period January 1, 2016 through December 31, 2016.

Budget Impact: Total 2016 contract is \$56,531, no change from 2015 contract amounts. Included in 2016 county budget. Rural Transportation cost is \$28,473 and OFA Medical Transport is \$28,058.

Legislature Davis seconded the resolution which was adopted by 326 votes

**RESOLUTION NO. 402 AWARD OF CONTRACT – OFA & DSS – CONSENT TO
ASSIGNMENT/ASSUMPTION – APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Director of the Office for the Aging and the Commissioner of the Department of Social Services did present a request for approval for sign off on Genesee County's Form required for Consent to Assignment and Assumption of Personal Emergency Response System (PERS) Services RFP 2011 – 102 due to the sale of M. Sauer Co. – Security Unlimited PERS; and Connect America, LLC; and

WHEREAS, All rates, terms and conditions agreed to as a result of RFP 2011 – 102 remain the same, at the previously negotiated rate of \$25.00 per installation of each unit and ongoing monthly charge of \$21.95 per unit arising out of or in connection with the Agreement

commencing July 1, 2015 – June 30, 2016; with no (0) additional renewal periods remaining; and

WHEREAS, Genesee County Office for the Aging and Department of Social Services are authorized to provide these services through a contract with a PERS provider and are in agreement with assignment and assumption of this contract due to the sale of the service; Now, Therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Consent to Assignment and Assumption of Personal Emergency Response System Services RFP 2011 – 102 document required by Genesee County to approve the transfer assignment from M. Sauer Co. – Security Unlimited, 3106 Pinkney Road, Baltimore, MD 21215 to Connect America, LLC One Belmont Avenue, Suite 1205, Bale Cynwyd, PA 19004.

Budget Impact: Neutral. Same contract rates, terms and conditions, just transferring assignment to the company's new owner.

Legislature Ferrando seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 403 CONTRACT-OFFICE FOR THE AGING/ SOCIAL ADULT DAY CARE – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a contract for the provision of social adult day care for older adults to provide respite service under the federally funded New York State Family Elder Caregiver Support Program and to provide the ancillary service of Social Adult Day Service for older adults enrolled in the Expanded In-Home Services for the Elderly Program, and the Committee on Human Service does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into agreement with the Tender Loving Family Care, Inc., 97 West Avenue, Brockport, NY 14420 for social adult day care services at the rate of \$72.50 for a 5 Hour Block during the day; \$80 per day for a full day, 9 a.m. – 4 p.m.; and \$112 for an Extended Day, 7 a.m. – 6 p.m. not to exceed \$14,500 for the period January 1, 2016 through June 30, 2016.

Budget Impact: The \$14,500 budgeted for this contract is already included in the 2016 budget with \$7,500 under Title III-E Respite grant and \$7,000 from Expanded In-Home Services for the Elderly grant.

Legislature Clattenburg seconded the resolution which was adopted by 326 votes

RESOLUTION NO: 404 2015 BUDGET TRANSFER – COUNTY MANAGER – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The County Manager's Department has been working with an outside consultant to perform corporate compliance risk assessments throughout the County, and

WHEREAS, The funds for these expenditures were originally budgeted in the Mental Health budget during the 2015 budget adoption, but after discussions with Mental Health Administration it was determined these expenditures were better suited to come out of the department where the Corporate Compliance Officer resides, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2015 budget transfers:

\$7,500.00	from	A.4310.4660.0000	Mental Health, Contracted Other
\$7,500.00	to	A.1230.4660.0000	County Manager, Contracted Other

Budget Impact: No net budget impact as the money for corporate compliance services were already budgeted for in the 2015 budget.

Legislature Davis seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 405 CONTRACT RENEWAL- SAFETY CONSULTANT SERVICES – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Genesee County retained the services of a safety consultant for the Genesee County Self Insured Workers Compensation Plan to assist with development and implementation of comprehensive safety and training programs, and

WHEREAS, A Request for Proposals #2014-115 was issued in 2014 for said services and Occupational Safety and Environmental Associates Inc. was awarded the contract, and

WHEREAS, The Request for Proposals allowed for four additional one year renewals and the Assistant County Manager has recommended that the contract be renewed for the first one year renewal, 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 a contract by and between the County of Genesee and Occupational Safety and Environmental Assoc., Inc. (OSEA), 3730 A California Road, Orchard Park, New York 14127 for Safety Consultant Services at a rate of \$120 per hour for 300 hours equaling \$36,000 effective January 1, 2016 – December 31, 2016.

Budget Impact: The Genesee County Self Insured Workers Compensation Plan incorporated \$40,000 in the 2016 budget to cover this expense.

Legislature Stein seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 406 CONTRACT EXTENSION - THIRD PARTY ADMINISTRATION SERVICES - GENESEE COUNTY SELF INSURANCE PLAN - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Self-Insurance Plan did contract with first Niagara Risk Management, Inc. for third party administration services for the period January 1, 2013 through December 31, 2015 at the rate of \$45,600 for 2013 and \$46,500 for the years 2014 and 2015, and

WHEREAS, Said Contract did allow for an extension for two one-year periods upon mutual agreement at the same terms and conditions, and

WHEREAS, The Genesee County Self-Insurance and First Niagara Risk Management have agreed to a one-year renewal at the rate of \$46,500.00, and

WHEREAS, The Executive Secretary of the Self-Insurance Plan does recommend extending the contract through December 31, 2016 and the Committee on Ways and Means does concur.

Now, therefore, Be it

RESOLVED, That the chair of the Genesee County Legislature is hereby authorized and directed

to execute a one-year contract extension with First Niagara Risk Management for third party administration services for the Genesee County Self-Insurance Plan for the period January 1, 2016 through December 31, 2016 at the rate of \$46,500.

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

Legislature Torrey seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 407 SURPLUS EQUIPMENT – CENTRAL SERVICES/MAIL MACHINE – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did request the following equipment be declared surplus property, and

WHEREAS, The Committee on Ways and Means did review this list and does recommend this equipment be declared surplus property at this time. Now, therefore, Be it,

RESOLVED, That the Genesee County Legislature does hereby declare the following as surplus property to be disposed of at auction.

Pitney Bowes DM1000 Mail Machine with Scale – Serial Number 4222565

Budget Impact: Revenue for Central Services

Legislature Stein seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 408 CONTRACT RENEWAL – CENTRAL SERVICES/WORK CLOTHING & UNIFORMS – APPROVAL OF

Legislator Ferrando offered the following resolution:

WHEREAS, The County of Genesee does contract with Coyne Textile Services for uniform service, and

WHEREAS, Said contract does provide for four additional one-year renewal options with the same terms and conditions as allowed in the original agreement, and

WHEREAS, The Purchasing Director does recommend the contract be renewed for the second of the one-year periods 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 one year contract with Coyne Textile Services for the provision of uniform services for the period January 1, 2016 through December 31, 2016.

Budget Impact: Central Services and the Highway budget for this contract in their operating budget based on the current number of employees. The contract allows for additions and deletions based on current employee status.

Legislature Davis seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 409 CONTRACT RENEWAL – CENTRAL SERVICES/GARBAGE/REFUSE REMOVAL – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The County of Genesee does contract with Waste Management of New York, LLC for the removal of garbage and refuse from various county facilities, and

WHEREAS, Said contract does provide for three additional one-year renewal options with the same terms and conditions as allowed in the original agreement, and

WHEREAS, The Purchasing Director does recommend the contract be renewed for the second one-year period 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 one year renewal with Waste Management of New York, LLC for the removal of garbage and refuse from various county facilities for the period January 1, 2016 through December 31, 2016.

Budget Impact: Central Services, Highway Department, Airport, County Parks and Nursing Home budget for this contract in their operating budgets.

Legislature Clattenburg seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 410 SET PUBLIC HEARING – LOCAL LAW INTRODUCTORY NO. 3 YEAR 2015 A LOCAL LAW TO AMEND THE TAX

**LAWS OF GENESEE COUNTY PURSUANT TO SECTION
421-f OF THE NEW YORK STATE REAL PROPERTY TAX
LAW -APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, There is hereby introduced to the Genesee County Legislature a proposed Local Law Introductory No 3, Year 2015 entitled “**A LOCAL LAW TO AMEND THE TAX LAWS OF GENESEE COUNTY PURSUANT TO SECTION 421-f OF THE NEW YORK STATE REAL PROPERTY TAX LAW, and**

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

RESOLVED, That a public hearing shall be held on proposed Local Law Introductory No 3, Year 2015, by the Genesee County Legislature on the 23rd day of November, 2015 at 5:30 p.m. at the Old Courthouse, 7 Main Street, Batavia, New York.

Legislature Bausch seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 411 SET PUBLIC HEARING – LOCAL LAW INTRODUCTORY NO. 4 YEAR 2015 A LOCAL LAW TO AMEND THE TAX LAWS OF GENESEE COUNTY PURSUANT TO SECTION 485-a OF THE NEW YORK STATE REAL PROPERTY TAX LAW -APPROVAL OF

Legislator Davis offered the following resolution:

WHEREAS, There is hereby introduced to the Genesee County Legislature a proposed Local Law Introductory No 4, Year 2015 entitled “**A LOCAL LAW TO AMEND THE TAX LAWS OF GENESEE COUNTY PURSUANT TO SECTION 485-a OF THE NEW YORK STATE REAL PROPERTY TAX LAW, and**

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

RESOLVED, That a public hearing shall be held on proposed Local Law Introductory No 3, Year 2015, by the Genesee County Legislature on the 23rd day of November, 2015 at 5:30 p.m. at the Old Courthouse, 7 Main Street, Batavia, New York.

Legislature Torrey seconded the resolution which was adopted by 326 votes

RESOLUTION NO. 412 COUNTY AUDIT – NOVEMBER 12 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Stein did review the following claims:

2015 General Fund	\$	356,898.34
2015 Highway		111,645.05
2015 Nursing Home		106,876.19
2015 Water		461,740.00
2015 Self Insurance		41,848.44
2015 DSS Abstracts		452,224.94

2015 Capital Projects:

IT Telephone System Upgrade	212,245.82
Facility Management-Animal Shelter Improvements	1,920.00
Facility Management-Sheriff Admin. Sprinkler Repairs	5,400.00
Facility Management-Co Building #1, St Mary’s Parking Lot Resurface	29,595.38
DeWitt Park Utility Extensions/Security Improvements	139.00
Highway Garage Ventilation/Air Quality	1,641.31
Highway CR #1 Stroh Road	7,178.01

Highway 2014 Highway Recycling	3,150.00
Highway Comprehensive Bridge Culverts	40,248.32
Highway 2015 Bridge Construction	15,089.33
Airport Construct New Terminal & Maintenance Hangar	65,371.33
Airport Construct T-Hangar Taxiway Apron Phase III	2,176.16
GCC Wellness & Event Center	175,994.57
Payroll – General & Nursing Home	
October 30, 2015	1,255,553.28
Medicaid	
November 3, 2015	177,425.00
November 10, 2015	<u>177,425.00</u>
Total Audit	\$ 3,701,785.47

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 326 votes

RESOLUTION NO. 413 BUDGET FOR 2016 - SETTING PUBLIC HEARING

Legislator Bausch offered the following resolution:

WHEREAS, The Tentative Budget for 2016 is being prepared by the Genesee County Budget Director and will be duly filed with the Clerk of the County Legislature, and

WHEREAS, The Committee on Ways and Means does recommend setting a public hearing for the 2016 Budget. Now, therefore, Be it

RESOLVED, That a Public Hearing on the 2016 Genesee County Budget will be held on Monday, November 23, 2015 at 5:30 p.m. at the Old County Courthouse, 7 Main Street, in the City of Batavia, New York.

Budget Impact Statement: None

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

The meeting adjourned at 6:00PM upon motion of Legislator Bausch seconded by Legislator Clattenburg