

**FIFTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, September 11, 2019**

The Genesee Legislature met in Regular Session on Wednesday September 11, 2019 at 5:30 pm at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Maha assisted with the audit. Prayer was offered by Legislator Clattenburg with special remembrance of the date 9/11 and those who lost their lives and the tragedy our nation suffered. Pledge to the Flag followed the prayer.

Legislator Gordon Dibble presented a resolution to Retired Public Employees Association representatives Jan Beutner and local member Suzette Langston commemorating the fifty year anniversary of Incorporation. Ms. Beutner stated that RPEA is a not-for-profit advocacy agency that works on behalf of public retirees.

Minutes of the August 28, 2019 Legislature Meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Torrey, carried unanimously.

Legislator Maha attended the Criminal Justice Advisory Council meeting where it was reported that 77 males are currently housed in the jail and 18 female prisoners are boarded out at other jails. Chairman Bausch announced that the NYS Department of Transportation recently announced the planned round-about for Route 77 & Ledge Road in the Town of Alabama has been changed to a light upon hearing opposition from residents and local officials. Chair Bausch attended the open house hosted by Excelsior Energy regarding the proposed 280 megawatt solar array proposed for Byron. Legislator Stein attended the evening session open house. Both sessions had many in attendance. Chairman Bausch stated four names will be submitted to the Governor on September 23, 2019 for consideration on the Public Siting Board.

An out-of-state travel request for Kerry Ohlson of the Health Department to attend a TB Intensive Workshop September 24-27, 2019 in Newark, NJ with a County cost of \$28 was approved upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.

An out-of-state travel request for Jocelyn Sikorski, Youth Bureau Director to attend 2019 Youth Thriving Convention and National Meeting on Social Policy for Youth November 10-13, 2019 in New Orleans, LA County with a County cost of \$308 was approved upon motion of Legislator Maha seconded by Legislator Torrey, carried unanimously.

County Manager Jay Gsell explained that County Probation Officers have a secured cabinet used for demonstration purposes with a toy gun and a real gun. They are working to educate the public on the similarities in terms of appearance. He asked that anyone interested in scheduling a demonstration for their group should contact Probation.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 326 2019 SALARY SCHEDULE AMENDMENT - COMMUNITY
MENTAL HEALTH SERVICES/TEMPORARY
REGISTERD PROFESSIONAL NURSE -APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, one full-time Registered Professional Nurse at Community Mental Health Services in the Continuing Day Treatment department, has recently resigned leaving an emergent need for coverage, and

WHEREAS, The Interim Director of the Community Mental Health Services is requesting an amendment to the 2019 CSEA Employee Salary Schedule to create one (1) Temporary Part-

Time Registered Professional Nurse, in the CSEA-General, Grade 16-5N, to cover the duties of the Registered Professional Nurse one day a week during physician time in the Continuing Day Treatment 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 and Human Resources Director are hereby authorized and directed to amend the 2019 CSEA Employee Salary Schedule by **creating** one (1) Temporary Part-time Registered Professional Nurse, in the CSEA-General, Grade 16-5N Salary Schedule, effective September 16, 2019 and ending December 31, 2019.

Budget Impact Statement: No Budget impact due to current vacancy.

Legislator Young seconded the resolution which passed by 326 votes.

RESOLUTION NO. 327 MEMORANDUM OF AGREEMENT – COMMUNITY MENTAL HEALTH SERVICES/COORDINATED CARE SERVICES, INC.-APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, Genesee County Community Mental Health currently has a contract with Coordinated Care Services, Inc. (CCSI), Resolution No. 460-2018, for various services, and

WHEREAS, This Memorandum of Agreement between CCSI and Genesee County Community Mental Health will be to cover specific services described in the attached Memorandum of Agreement for the Suicide Prevention Coalition Coordinator, and

WHEREAS, Genesee County Department of Mental Health agrees to pay CCSI for an estimated 5 hours per week at a rate of \$25.00 per hour for this position plus an Administrative fee of 10% of the costs, and

WHEREAS, the acting Director of Mental Health is recommending an agreement with CCSI and the County Attorney has reviewed said agreement, and

WHEREAS, The Committees on Human Services and Ways & Means did review this request and do concur. Now, therefore be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute an agreement with Coordinated Care Services, Inc., 1099 Jay Street, Bldg. J, Rochester, NY 14611 for the provision of the Suicide Prevention Coalition Coordinator for the period of September 12, 2019 through December 31, 2019 in an amount not to exceed the current contract between CCSI and Genesee County Department of Mental Health for 2019.

Budget Impact: Funds have been budgeted in the 2019 mental health budget for the existing contract with Coordinated Care Services, Inc..

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 328 CONTRACT COMMUNITY MENTAL HEALTH SERVICES/TEMITOPE OYEGBILE, M.D. - 2019 - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, The Committees on Human Services and Ways & Means do recommend approval of a contract with Temitope Oyegbile, M.D. as presented by the Interim Director of Community Mental Health Services. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature be and hereby is authorized and directed to execute the necessary documents to implement a contract between the County of Genesee and Temitope Oyegbile, M.D. for the provision of consulting psychiatric services at a rate of \$250 per hour for a maximum of 500 hours for the period of August 1, 2019 through December 31, 2019 in accordance with the terms of said contract.

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 331 2019 BUDGET ITEM TRANSFER - MENTAL HEALTH - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, the position of Director of Mental Health was vacant and was temporarily filled by Augusta Welsh and now temporarily filled with Mark O'Brien, and the Temporary Director of Mental Health is requesting a budget item transfer to cover those costs, and

WHEREAS, The Temporary Director of Mental Health does recommend a budget item transfer be completed to properly charge the expenses by moving monies from Personnel Services to the Contractual lines, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to transfer funds from A.4310.1010 Personnel Services in the amount of \$15,000 to A.4310.4650.0003 Contracted Services in a like amount.

Budget Impact: To properly charge \$15,000 for administration.

Legislator Deleo seconded the resolution which passed by 326 votes.

RESOLUTION NO. 332 REAPPOINTMENT – STOP-DWI ADVISORY BOARD – APPROVAL OF

Legislator Maha offered the following resolution:

WHEREAS, The term of office has expired for Ellen Bachorski, citizen member of the STOP-DWI Advisory Board and she has indicated a desire and ability to continue service, and

WHEREAS, The Genesee County STOP DWI Advisory Board approved the recommendation to reappoint Ellen Bachorski to the Advisory Board, and

WHEREAS, The Committee on Ways and Means does recommend the reappointment of citizen Ellen Bachorski. Now, therefore, Be it

RESOLVED, That Ellen Bachorski of Batavia, New York be reappointed as a citizen member of the Genesee County STOP-DWI Advisory Board to serve another term effective January 1, 2019 through December 31, 2021

Budget Impact: None – these are volunteer Board Members

Legislator Clattenburg seconded the resolution which passed by 326 votes.

RESOLUTION NO. 333 2019 BUDGET ITEM TRANSFERS – JUSTICE FOR CHILDREN ADVOCACY CENTER - APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Justice for Children Program Coordinator did receive approval for grant budget modifications from the New York State Office of Children and Family Services and New York State Office of Victim Services grants for the contract period running from October 1, 2018 through September 30, 2019; and

WHEREAS, These budget modifications were requested due to the fact that there was staff turnover in 2018 which resulted in significant surplus in expenses related to staffing; and

WHEREAS, The Justice for Children Program Coordinator has made a request to modify the 2018 Justice for Children Advocacy Center County Budget to reflect the changes in expense related to these adjustments; and

WHEREAS, The Public Service and Ways and Means Committees 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 2019 Budget Item Transfers:

FROM:

A.3152 1010.0000	Personal Services	\$13,680
A.3152 4110.0011	Copier Cost/Copy	\$ 250
A.3152 4130.0000	Paper	\$ 50
A.3152 4140.0000	Postage	\$ 100
A.3152 4150.0000	Printing	\$ 150
A.3152 4160.0000	Publications	\$ 150
A.3152 4290.0300	Long Distance	\$ 75
A.3152 4290.0400	Ny Phone-Basic Srvc	\$ 20
A.3152 4800.0018	Prog Exp-Client Ins	\$ 75
A.3152 8010.0000	Social Security Tax	\$ 847
A.3152 8011.0000	Medicare Tax	\$ 198
A.3152 8020.0000	Retirement	\$ 1,530
A.3152 8030.0000	Medical	\$25,280
A.3152 8040.0000	Dental	\$ 330
A.3152 8070.0000	Vision	\$ 72
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		\$42,807

TO:

A.3152 2010.0020	Desks	\$ 1,500
A.3152 2010.0023	Waiting Room Furn	\$13,020
A.3152 4110.0000	Gen Office Supplies	\$ 200
A.3152 4240.0000	Facility Gas	\$ 200
A.3152 4550.0000	Pers. Training	\$ 2,800
A.3152 4660.0000	Contractual	\$ 500
A.3152 4800.0000	Program Expense	\$23,287
A.3152 8030.0001	Medical BuyBack	\$ 1,250
A.3152 8040.0001	Dental BuyBack	\$ 50
		<hr/>
		\$42,807

Budget Impact: Appropriations to the 2019 Justice for Children Advocacy Center budget are offset by revenue from the New York State Office of Victim Services and New York State Office of Children and Family Services.

Legislator Dibble seconded the resolution which passed by 326 votes.

RESOLUTION NO. 334 2020 BUDGET & APPORTIONMENT – GENESEE COUNTY SELF-INSURANCE – APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Executive Secretary of the Genesee County Self-Insurance Plan did submit the Budget and Apportionment of Expenses for fiscal year 2020, and

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

RESOLVED, That the Budget and Apportionment of the Genesee County Self-Insurance Plan, as submitted, is hereby adopted for the year 2020, and Be it further

RESOLVED, That a certified copy of the budget and resolution be forwarded to all participants of the Genesee County Self-Insurance Plan.

Budget Impact: All costs are apportioned to the participants.

Legislator Hilchey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 335 CONTRACT – SELF INSURANCE/EXCESS INSURANCE – APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Self Insurance Plan did purchase excess insurance through Midwest Employers Casualty Company through July 31, 2019, and

WHEREAS, The County Manager’s Office did submit a proposal for continuing this coverage through July 31, 2020, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into a contract with Midwest Employers Casualty Company, 14755 North Outer Forty Drive, Chesterfield Missouri, 63017 to provide Excess Insurance for the Genesee county Self Insurance Plan effective August 1, 2019 through July 31, 2020 for a total premium of \$138,409

Budget Impact: \$61,738 premium reduction over the 2018-2019 policy due to the County choosing a higher deductible plan option

Legislator Torrey seconded the resolution which passed by 326 votes.

RESOLUTION NO. 336 MEMORANDUM OF UNDERSTANDING – GENESEE/ORLEANS SHARED SERVICES – DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES - APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, Genesee County executed a 90 day contract for services with Mark O’Brien, Orleans County Director of Mental Health Services for interim management action to comply with New York State OMH statutory provisions, and

WHEREAS, Mark O’Brien is still an employee of the County of Orleans and they would like affirmation of same by Genesee County per the attached Memorandum of Understanding, and

WHEREAS, The Genesee County Attorney has reviewed the Memorandum of Understanding and does approve as to form, and

WHEREAS, The Ways and Means Committee did review the Memorandum of Understanding and does recommend approval at this time, Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to enter into the Memorandum of Understanding with the County of Orleans for the Shared Services of the Director of Community Mental Health Services.

Legislator Maha seconded the resolution which passed by 326 votes.

RESOLUTION NO. 337 COUNTY AUDIT –SEPTEMBER 11 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Maha, did review the following claims:

General Fund	\$	437,102.64
Water Fund		62,089.50
Highway		215,005.23

DSS Abstracts		525,936.07
Capital Projects		
Highway-Searls Road Bridge/Spring Creek	\$	16,023.24
Highway-Large Span Culverts		143,652.29
Highway-Pratt Road Bridge Over Tonawanda Creek		453,394.05
Highway-Highway Chip Seal		525,515.87
Highway-Highway Overlay		21,435.74
Highway-Highway Surface Treatment		12,016.00
Park-Area "D" Shelter Improvements		1,577.96
Payroll – General		
August 30, 2019		1,159,392.31
Medicaid		
September 3, 2019		177,332.00
September 10, 2019		<u>177,332.00</u>
Total Audit	\$	3,927,804.90

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 Young seconded the resolution which passed by 326 votes.

At 5:47 PM the meeting adjourned upon motion of Legislator Stein seconded by Legislator Deleo, carried unanimously.