

**SEVENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, April 11, 2018**

The Genesee County Legislature met in Regular Session on Wednesday, April 11, 2018 at 5:30PM at the Old Courthouse 7 Main Street, Batavia, New York. Legislator Young assisted with the audit. Prayer was offered by Legislator Dibble followed by the Pledge to the Flag.

Legislature Vice Chair Clattenburg presented County Manager Jay Gsell and Youth Bureau Director Jocelyn Sikorski with a County Government Month proclamation. Ms. Sikorski announced the Youth Bureau is hosting Family Game Night on Thursday, April 19, 2018 at County Building #2 where families can learn about county services, play games, have supper and leave with a new board game.

The minutes of the March 28, 2018 Legislature Meeting were approved upon motion of Legislator Stein seconded by Legislator Maha, carried unanimously.

Legislature Chairman Bausch reported that it is Crime Victims Week and locally, Genesee County hosted Criminal Justice Day with two dynamic speakers who focused on Trauma. Legislator Stein announced that Soil & Water received notice that Part C funding in the amount of \$87,000 is awarded and will go to the Village of LeRoy toward replacement of Dam gates.

County Manager Jay Gsell announced that Congressman Collins is hosting FCC Chairman on 4/20/18 here at the Old Courthouse. This is a rural broadband discussion where the Commissioner will provide an update and participants can offer feedback.

Chairman Bausch also reported that a Committee of the Whole is scheduled for Wednesday, April 18, 2018 following Ways & Means with Raise the Age update and discussion on the agenda.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 107 PETTY CASH FUND INCREASE–DEPARTMENT OF
SOCIAL SERVICES/LEGAL SERVICES –
APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Genesee County Commissioner of Social Services did request an increase of petty cash in the amount of \$850, and

WHEREAS, this will allow for expedited payment of legal services as required in court proceedings for expenses including, but not limited to, summons and witness fees for court proceedings related to Child Support and/or Child Welfare cases, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to increase petty cash administered by the Department of Social Services in the amount of \$850.00 effective immediately.

Budget Impact: All utilized funds are eligible for State and Federal reimbursement up to 100%.

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

RESOLUTION NO. 108 GRANT ACCEPTANCE – HEALTH DEPARTMENT/IMMUNIZATION ACTION PLAN – 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 the Genesee County’s Lead Immunization Action Plan contract has been approved in the amount of \$31,050, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Immunization Action Plan Activities, and

WHEREAS, The Committees on Human Services 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 and directed to execute the agreement with the New York State Department of Health for the acceptance of the Immunization Action Plan contract for the period April 1, 2018 through March 31, 2019 in the amount of \$31,050, and to execute any and all other documentation related to this funding

Budget Impact: \$31,050 is included in the 2018 Dept. 4010 – Health Department Budget.

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

RESOLUTION NO. 109 GRANT ACCEPTANCE – HEALTH DEPARTMENT/LEAD POISONING PREVENTION PROGRAM – APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health that the Genesee County’s Lead Poisoning Prevention Program contract has been approved in the amount of \$39,383, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support local Lead Poisoning Prevention Activities, and

WHEREAS, The Committees on Human Services 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 and directed to execute the agreement with the New York State Department of Health for the acceptance of the Lead Poisoning Prevention Program contract for the period October 1, 2017 through September 30, 2018 in the amount of \$39,383, and to execute any and all other documentation related to this funding

Budget Impact: \$39,383 is included in the 2018 Dept. 4010 – Health Department Budget. \$0 cost to county as revenue and expense will offset

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

RESOLUTION NO. 110 GRANT ACCEPTANCE - HEALTH DEPARTMENT/ TOBACCO ENFORCEMENT PROGRAM- APPROVAL OF

Legislator Hilchey offered the following resolution:

WHEREAS, The Genesee County Public Health Director has received notification from the New York State Department of Health Bureau of Community Environmental Health and Food Protection that Genesee County’s Tobacco Enforcement contract will be awarded in the total amount of \$32,360, and

WHEREAS, The Public Health Director has requested that the County accept this funding which stipulates that this revenue will be used to support the program goals of the Tobacco Enforcement Program, 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 contract for the period April 1, 2018 through March 31, 2019 in the amount of \$32,360, and to execute any and all other documentation related to this funding.

Budget Impact: Revenue and expenses, in the amount of \$32,360, has been appropriated in the 2018 Dept. 4010 – Health Department Program budget.

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

**RESOLUTION NO. 111 PERFORMANCE INCENTIVE ACCEPTANCE/BUDGET
AMENDMENT – HEALTH DEPARTMENT – APPROVAL
OF**

Legislator Young offered the following resolution:

WHEREAS, The Public Health Department participated in the 2018 Local Health Department Performance Incentive Program and produced a composite score of 16 out of 21 during the performance period, and

WHEREAS, The New York State Department of Health has awarded the Genesee County Public Health Department \$30,500 to use this funding to support costs associated with Article 6 eligible services 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 \$30,500 as specified in the Local Health Department Incentive Program description and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2018 Genesee County Budget by increasing Appropriations A4010 4550.0000 Personnel Training by \$3,000 and A4010 4800.0000 Program Expense by \$27,500 to be offset by an increase of \$30,500 in A4010 3401 State Aid, Public Health.

Budget Impact: An increase in expenditures in the amount of \$30,500 to be offset by revenue of \$30,500. No county cost.

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

**RESOLUTION NO. 112 AFFILIATION AGREEMENT – HEALTH
DEPARTMENT/DAEMEN COLLEGE - APPROVAL OF**

Legislator Dibble offered the following resolution:

WHEREAS, The Public Health Director did present an affiliation agreement with Daemen College, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into an affiliation agreement with Daemen College, having its principal place of business located at 4380 Main Street, Amherst, NY 14226, New York 12246, effective March 1, 2018 - December 31, 2022.

Budget Impact: There is no direct cost associated with this agreement.

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

**RESOLUTION NO. 113 AFFILIATION AGREEMENT – HEALTH DEPARTMENT/
STATE UNIVERSITY OF NEW YORK AT BUFFALO -
APPROVAL OF**

Legislator Hilchey offered the following resolution:

WHEREAS, The Public Health Director did present an affiliation agreement with the State University of New York at Buffalo, and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to enter into an affiliation agreement with the State University of New York at Buffalo, having its principal place of business located at University Plaza, Albany, New York 12246, effective May 1, 2018 – December 31, 2021.

Budget Impact: There is no direct cost associated with this agreement.

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

**RESOLUTION NO. 114 ADVISORY COUNCIL APPOINTMENT-OFFICE FOR THE
AGING -APPROVAL OF**

Legislator Dibble 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, Members in good standing may serve a maximum of three (3) consecutive terms with each term being three (3) years in length, for a total of nine (9) consecutive years; and

WHEREAS, A vacancy has occurred and we offered invitation to an individual to fill the vacancy based on NYSOFA regulations regarding OFA Aging Advisory Council composition; and

WHEREAS, The Committees on Human Services and Ways & 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 a three year term effective May 1, 2018 through December 31, 2020.

Community Member:

Maureen Jonathan-Corfu- May 1, 2018-December 31, 2020

Budget Impact Statement: None

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

**RESOLUTION NO. 115 SERVICE AGREEMENT/ CERTIFICATE OF INSURANCE/
BUDGET AMENDMENT– OFA/P2 COLLABORATIVE OF
WNY (DBA POPULATION HEALTH COLLABORATIVE)/
AGING IN MASTERY PROGRAM– APPROVAL OF**

Legislator Deleo offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a Service Agreement in the amount of up to \$30,000 for the period of May 15, 2018-May 15, 2020 with the P2 Collaborative of WNY, dba Population Health Collaborative, for Genesee County Office for the Aging to develop and deliver Aging in Mastery Program (AMP) sessions; and

WHEREAS, The National Council on Aging’s (NCOA) Aging in Mastery Program offers interactive classes for adults 55 and older encouraging development of sustainable behaviors that lead to health improvements, stronger economic security, enhanced well-being, and increased participation in society to help them make the most of their “gift of longevity”; and

WHEREAS, The Population Health Collaborative would be the Health Foundation for Western and Central New York grant recipient and this agreement would establish the terms and liability insurance requirements for which the Office for the Aging would receive funding for providing AMP classes; and

WHEREAS, A budget amendment is necessary for an additional \$7,465 revenue to be incorporated in the 2018 County Budget; and

WHEREAS, the Committees on Human Services and Ways & Means did review this request and do recommend approval of this request. Now, Therefore, Be it

RESOLVED, That the Genesee County Attorney is hereby authorized and directed to execute the necessary document to name Population Health Collaborative, 355 Harlem Rd, Bldg. C, 2nd Floor, West Seneca, NY 14224 as additional insured in the amount of at least one million dollars per occurrence with a two million dollars aggregate no less than \$2 Million per occurrence and \$4 Million in the aggregate, with a \$1 Million umbrella policy that extends beyond the parameters of the Agreement; and, Be it further

RESOLVED, That the Genesee County Legislature does hereby authorize and direct the Chairperson of the Genesee County Legislature to execute the necessary documents to sign an agreement with Population Health Collaborative, 355 Harlem Rd, Bldg. C, 2nd Floor, West Seneca, NY 14224 and that the Genesee County Treasurer is hereby authorized and directed to amend the 2018 Budget by adjusting Office for the Aging Appropriations and Revenues by the following amounts:

Revenues:

1000.6772.1972.2	OFA-Genesee Area Comm Fou	\$	7,465
		\$	7,465

Appropriations:

6772.1010.0000	Personal Services	\$	3,726
6772.4110.0000	General Office Supplies	\$	20
6772.4110.0011	Copier Cost/Copy	\$	50
6772.4130.0000	Paper	\$	20
6772.4140.0000	Postage	\$	225
6772.4540.0000	Personnel Mileage	\$	275
6772.4700.0000	Specialized Supplies	\$	2,275
6772.8010.0000	Social Security Tax	\$	75
6772.8011.0000	Medicare Tax	\$	17
6772.8020.0000	Retirement	\$	191
6772.8030.0000	Medical	\$	579
6772.8040.0000	Dental	\$	10
6772.8070.0000	Vision	\$	2
		\$	7,465

Budget Impact: Neutral. Expenses are fully funded with +\$7,465 and are being incorporated into the 2018 County Budget. Remaining funds up to \$22,535 will be incorporated into 2019 and 2020 County Budgets to deliver services throughout the May 15, 2018-May 15, 2020 agreement period.

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

RESOLUTION NO. 116 2018 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/INTAKE CLERK -APPROVAL OF

Legislator Dibble offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2018 Employee Salary Schedule to create one (1) Intake Clerk F.T., 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 Human Resources Director and Treasurer is hereby authorized and directed to amend the 2018 Employee Salary Schedule by **creating** one (1) Intake Clerk F.T., in CSEA-General, Grade 7, effective July 2, 2018.

Budget Impact Statement: No Budget impact due to current vacancies; ongoing funding proposed from OMH after 2018.

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

RESOLUTION NO. 117 2018 BUDGET AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/WESTERN REGION CONSORTIUM – APPROVAL OF

Legislator Young offered the following resolution:

WHEREAS, New York State Office of Mental Health Services is encouraging regional value-based managed care project development, and

WHEREAS, The acceptance of OMH funds for this program initiates the development of a not-for-profit entity representing the Regional County Mental Health Provider Consortium, and

WHEREAS, Once received, Genesee County is in need of a mechanism for the funds to be distributed to Integrity Partners, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2018 Genesee County Budget by

Increasing A. 4315	.2022.0001	Computers	\$ 40,000.00
Increasing A. 4315	.2070.0081	Appliances	\$ 10,000.00
Increasing A. 4315	.4660.0000	Contracted Other	\$500,000.00

AND

Increasing A.4315	.3490	State Aid	\$550,000.00
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Budget Impact Statement: No County Budget Impact due to the offset of State Aid.

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

RESOLUTION NO. 118 FUNDING AGREEMENT -GENESEE COUNTY CHAMBER OF COMMERCE AGREEMENT/BUSINESS EDUCATION ALLIANCE - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The 1989 “Genesee 2000” strategic planning process resulted in the formation of

the Business Education Alliance as an adjunct of the Genesee County Chamber of Commerce, and

WHEREAS, The Business Education Alliance provides services and programs that promote the formation of partnerships among businesses and schools for the continuous improvement of education and employment readiness within Genesee County, and

WHEREAS, The County is desirous of supporting such a program, and

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

RESOLVED, That the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute an agreement by and between the County of Genesee and the Genesee County Chamber of Commerce, 8276 Park Road, Batavia, NY for the Business Education Alliance program during the contract term of January 1, 2018 through December 31, 2018 in the amount of \$3,107.00.

Budget Impact Statement: \$3,107 appropriation in the 2018 budget
 10% reduction in funding; \$3,107 appropriated in 2017
 \$3,452 appropriation in the 2016 budget
 \$3,452 appropriation in the 2015 budget
 \$3,452 appropriation in the 2014 budget
 \$3,452 appropriation in the 2013 budget
 5% reduction in funding; \$3,452 appropriated in 2012 budget
 15% reduction in funding; \$3,634 appropriated in 2011 budget; first funded in 2000.
 5% reduction in funding; \$4,275 appropriated in 2010 budget; first funded in 2000.
 2005 – 2009 funding = \$4,500/year
 2000 – 2004 funding = \$5,000/year

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

**RESOLUTION NO. 119 COOPERATIVE AGREEMENT –TOWN OF
 BATAVIA FUEL FARM/HIGHWAY – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did request approval of a cooperative agreement with the Town of Batavia for use of their Fuel Farm located at 3833 West Main Street Road, and

WHEREAS, the Fuel Farm is presently utilized by the County, Town, City of Batavia and various other agencies for refueling of vehicles and equipment; and

WHEREAS; the Committee on Public Services did review this request and does recommend approval of this lease agreement. Now, therefore, Be it

RESOLVED, That the Chairman of the Genesee County Legislature is hereby authorized and directed to execute the necessary document to sign a cooperative agreement with the Town of Batavia, 3833 West Main Street Road, Batavia, N.Y. 14020, pending their approval for use of their fuel farm for a term of five years from the date of execution, and shall automatically renew for additional five year periods thereafter.

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

**RESOLUTION NO. 120 DESIGNATION OF MASTER PLAN – COUNTYWIDE
 WATER PROGRAM – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent identified a need to increase public water supply within the County, and

WHEREAS, The Genesee County Water Resources Agency, at its meeting on April 3, 2017, recommended that the Genesee County Legislature award an engineering contract to update master planning efforts regarding the Countywide Water Program, and

WHEREAS, The Genesee County Legislature approved consultant agreements with Clark Patterson Lee for the development of a Master Plan and preliminary engineering for additional public water supply, and

WHEREAS, Clark Patterson Lee has completed the update to the Engineering Report for the Genesee County Water Supply Program and the Genesee County Legislature wishes to designate the update as the Master Plan for the Countywide Water Program, and

WHEREAS, The need for a Master Plan has been identified in the Genesee County Amended and Restated Water Supply Agreements (hereinafter “Agreements”) and that it shall be updated every two years as provided in these Agreements, and

WHEREAS, The Master Plan – Phase 2 is the basis for securing an additional 2.4 million gallons per day of water to address immediate public water supply needs and Phase 3 planning, SEQR, funding and engineering will also begin immediately to increase capacity to approximately 17.6 million gallons per day. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby designate the “Amendment No. 2: +2.4 MGD Phase 2 to the Engineering Report For Genesee County Water Supply Program” as its County Water Master Plan, as required by these Agreements, and be it further

RESOLVED, That the County Water Master Plan will be updated on a two-year basis to reassess the needs of the Countywide Water Program, and that the planning, engineering and approval process for the Phase 3 capacity increase indicated in the 2018 County Water Master Plan, will begin posthaste.

Budget Impact Statement: The goal of the Countywide Water Program is to have “Water Pay for Water” through the collection of water surcharge on water users. The projected water surcharge increase required for Phase 2 is approximately \$0.75 per thousand gallons of water consumed, but will be determined prior to construction based on actual costs and receipt of outside aid. Phase 3 capacity increase of 11 million gallons per day will necessitate another surcharge adjustment of approximately \$1.50 - \$1.80/1,000 gallons

Prior to the vote, Chairman Bausch emphasized that this is a plan and that he has made that point with those he has and will be speaking to about the Countywide Master Water Plan.

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

RESOLUTION NO. 121 COUNTY AUDIT –MARCH 28 - APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, Legislator Young, did review the following claims:

General Fund	\$ 3,977,497.31
Nursing Home	23,937.00
Highway	638,325.80
DSS Abstracts	387,913.25

Capital Projects

Airport-Reconstruct Runway 10-28	\$ 2,940.87
Highway-Large Span Culverts	68,437.38
Sheriff’s-800 Mghts Radio System Upgrade	69,230.00

Payroll – General

March 30, 2018	\$ 1,066,207.19
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Medicaid

April 3, 2018	177,332.00
April 10, 2018	<u>177,332.00</u>

Total Audit \$ 6,589,152.80

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 Deleo seconded the resolution which was adopted by 326 votes.

The meeting adjourned at 6:00 PM upon motion of Legislator Young seconded by Legislator Stein, carried unanimously.