

**TWENTIETH DAY
GENESEE COUNTY LEGISLATURE
Batavia, NY
Wednesday, November 8, 2017**

The Genesee County Legislature met in Regular Session on Wednesday, November 8, 2017 at 5:30PM at the Old Courthouse, 7 Main Street, Batavia, New York. Legislator Deleo assisted with the audit. Prayer was offered by Legislator DeJaneiro followed by the Pledge to the Flag.

Minutes from the October 25, 2017 Legislature Meeting were approved upon motion of Legislator Clattenburg seconded by Legislator Bausch, carried unanimously.

Legislator Bausch reported on his attendance at CJAC meeting where the committee got an update on the Jail Study. Inmate population is down slightly with the female inmate population currently at 20. Legislator Stein reported on her attendance at the American Farmland Trust Meeting where Genesee County was well represented. Genesee County is a leader in Farmland Protection practices due to the work of dedicated local leaders. Chairman Cianfrini stated the 2018 Budget Hearing is scheduled for 6:30 PM following the Legislature Meeting.

County Manager Jay Gsell spoke about the space analysis of the jail and how that is only one component of the study. Inmates needs have changed over the years with many requiring mental health and addictions services. With the closure of ninety percent of inpatient mental health beds being closed by the state, counties are affected and see an increase in inmates with mental health diagnosis. Mr. Gsell explained that CJAC needs to remain fully engaged.

The Clerk proceeded with the resolutions:

**RESOLUTION NO. 399 CONTRACT FOR OFFICE FOR THE AGING-
GENESEE SENIOR FOUNDATION, INC. SALARY,
GENERAL AND MAINTENANCE, AND MEALS ON
WHEELS SUPPORT-APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present an agreement with the Genesee Senior Foundation, Inc., to accept revenue to provide clerical and administrative salary, general and maintenance support for activities of the Genesee Senior Foundation, Inc., a not-for-profit foundation serving seniors in Genesee County and meals on wheels support, 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 enter into an agreement with the Genesee Senior Foundation, Inc., to accept revenue of up to \$5,450 for clerical and administrative support services rendered from January 1, 2018 – December 31, 2018.

Budget Impact: This \$5,450 in revenue is included in 2018 county budget. No change from 2017 revenue. Revenue will go towards offsetting existing salary expenses for the Senior Financial Clerk Typist, Services Administrator, and Director positions, office expenses, and support for the Meals on Wheels program.

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

**RESOLUTION NO. 400 CONTRACT RENEWAL- OFFICE FOR THE
AGING/TRANSPORTATION – APPROVAL OF**

Legislator Deleo 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 Office for the Aging Medical,

Western New York Alzheimer's Caregiver Partnership (WNYACP) grant, 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 at 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 \$57,531 for the period January 1, 2018 through December 31, 2018.

Budget Impact: Total 2018 contract is \$57,531 and is included in 2018 county budget. Rural Transportation cost is \$28,473; OFA Medical Transport is \$28,058; and WNYACP Transport is up to a maximum of \$1,000.

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

**RESOLUTION NO. 401 RENEWAL OF CONTRACT – OFA/TENDER
LOVING FAMILY CARE – APPROVAL OF**

Legislator Young offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a renewal of contract resulting from RFP 2014-111 which took effect January 1, 2015 renewable for four (4) one-year (1) periods upon mutual, written consent of both parties and in the best interest of Genesee County for the provision of in-home health care needs to senior citizens for the NYS Expanded In-home Services for the Elderly Program, the New York State Elder Caregiver Support Respite Care Program, and the New York State Department of Health Western New York Alzheimer's Caregiver Collaborative Grant; and

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

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to award a contract with Tender Loving Family Care, Inc. 122 West Avenue, Brockport, NY 14420 for the provision of in-home health care at a rate of \$27.00 per hour for Housekeeping/Chore (PC Level 1); \$30.00 per hour for Personal Care/Homecare (PC Level 2) and \$157.00 per visit for Aide/Nursing Supervision; or the 2018 Medicaid approved rate for Tender Loving Family Care (TLFC) or, if TLFC does not set rates with NYSDOH, rates not to exceed the highest rate authorized for any licensed home care agencies established for Genesee County by NYSDOH (**whichever is less**); not to exceed \$95,568 for the period January 1, 2018 – December 31, 2018. If actual 2018 approved Medicaid rate is less than the RFP proposed 2018 renewal rate, the rate charged for 2018 would be the lower of the two and would be applied retroactively back to January 1, 2018. The actual 2018 Medicaid rates are not known at this time.

Budget Impact: Total contract for 2018 not to exceed \$95,568 and is included in the 2018 county budget.

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

**RESOLUTION NO. 402 CONTRACT RENEWAL – OFA/COMMUNITY
CARE OF WESTERN NEW YORK – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Director of the Office for the Aging did present a renewal of contract resulting from RFP 2014-111 which took effect January 1, 2015 renewable for four (4) one-year (1) periods for the provision of in-home health care needs to senior citizens for the NYS Expanded In-home Services for the Elderly Program, the New York State Elder Caregiver Support Respite Care Program, and the New York State Department of Health Western New York Alzheimer's Caregiver Collaborative Grant; and

WHEREAS, The Committee on Human Services did review this request and does recommend approval of this contract at this time. Now, therefore, Be it **RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to award a contract with Community Care of Western New York, Inc. dba Home Care & Hospice, 1225 W. State Street, Olean, NY 14760 for the provision of in-home health care at the rate of \$25.35 per hour for Housekeeping/Chore (PC Level 1); \$25.67 per hour for Personal Care/Homecare (PC Level 2); and \$85.07 for Nursing Supervision; or at the 2018 Medicaid approved base rates established for any licensed agencies to provide these specified services in Genesee County by New York State Department of Health (NYSDOH) (whichever rates are most current and reflect language of prior agreements and resolutions); not to exceed \$95,568 for the period January 1, 2018 – December 31, 2018. The actual 2018 Medicaid rates are not known at this time, but would be applied retroactively back to January 1, 2018.

Budget Impact: Total contract for 2018 not to exceed \$95,568 and is included in the 2018 county budget. Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 403 MENTAL HEALTH/NYS OFFICE OF MENTAL HEALTH (OMH)/ATTESTATION/BEHAVIORAL HEALTH CARE COLLABORATIVE – 2017 - APPROVAL OF

Legislator Deleo offered the following resolution:

WHEREAS, The Genesee County Mental Health Director is working with Six Counties to set up a Regional Collaborative and has the opportunity to become the lead agency in a Behavioral Health Care Collaborative, And

WHEREAS, The Value Based Payment Readiness Program will change the way NYS makes payments from a pay for service to a value based payment, And

WHEREAS, The Lead Applicant Provider Attestation is a requirement for Genesee County Mental Health to apply to NYS Office of Mental Health (OMH) to become the Lead Agency, And

WHEREAS, The Genesee County Community Services Board has reviewed the requirements and is supportive of the Attestation, the County Attorney has approved as to form, 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 authorized and directed to execute the necessary documents for Genesee County Mental Health Services to apply to become the lead agency in the application for funding from the New York State Behavioral Health Value Based Payment Readiness Program and will be responsible for receiving and distributing funds to the network providers.

Budget Impact Statement: There is no County cost in accordance with the terms of the attestation. Legislator Davis seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 404 2017 BUDGET TRANSFER – OFFICE FOR THE AGING – APPROVAL OF

Legislator Torrey offered the following resolution:

WHEREAS, The Director of the Office for the Aging did request a budget amendment to certain 2017 OFA County Budget appropriations due to increase in demand for home delivered meals nutrition program and to replace the refrigerator for the 2 Bank Street building congregate meals nutrition program; and

WHEREAS, personnel and fringe appropriations are reduced due to position vacancy; and

WHEREAS, the Ways and Means Committee did review this request and does recommend approval of this budget amendment. Now, Therefore, Be it

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following transfer to the 2017 budget:

Increase Appropriations:	A6772 2070.0081 Appliances	\$1,795.00
	A6772 4660.0457 Cont Svc-Food	\$16,081.00
Decrease Appropriations:	A6772 1010.0000 Pers Services	\$14,000.00
	A6772 2010.0020 Desk	\$990.00
	A6772 8010.0000 Fica	\$822.00
	A6772 8011.0000 Medicare	\$192.00
	A6772 8020.0000 Retirement	\$1,872.00

Budget Impact: Neutral

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

**RESOLUTION NO. 405 AUTHORIZING GENESEE COUNTY LEGISLATURE
CHAIR TO SIGN/WORKFORCE DEVELOPMENT
BOARD-GLOW LOCAL PLAN**

Legislator Bausch offered the following resolutions:

WHEREAS, The Federal Workforce Innovation and Opportunity Act of 2014, requires each local Workforce Development Board to develop and submit to the State a comprehensive local plan with the appropriate Chief Elected Officials. And,

WHEREAS, The State will be submitting, a new Plan to USDOL for PY2017. As such, the local Workforce Development Boards are to submit a new local plan to NYSDOL for PY2017, in order to be eligible to receive WIOA funds for administering the One Stop System and delivering services to its customers. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby authorizes the Chair of the Genesee County Legislature to sign the GLOW Local Plan on behalf of Genesee County for the period July 1, 2017 through June 30, 2021.

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

**RESOLUTION NO. 406 RENEWAL OF CONTRACT – HEALTH BENEFITS/THIRD
PARTY ADMINISTRATOR/DENTAL – APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, Resolution No. 481 duly adopted on December 11, 2014 did award a contract to Health Economics Group, Inc. for third party administration services for the County's self-funded dental benefits plan, and

WHEREAS, The RFP issued in 2014 and the 2014 Resolution No. 481 did allow for four one year renewals under the same terms and conditions and the Genesee County Human Resources Director has recommended the renewal of this contract for 2018, and

WHEREAS, The Committee on Ways and Means 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 the third of four one-year renewal contracts with Health Economics Group, 1050 University Avenue, Rochester, NY for the provision of third party administration services at the following rates effective January 1, 2018 through December 31, 2018.

Summary Plan Document Production Fee at County cost and

Dental Administration Fee Per Member Per Month: \$2.35

COBRA Administration Per COBRA Participant Per Month: \$0.90 + 2% of premium

Budget Impact Statement: No increase in the Administration Fee. Annual cost estimated to be \$21,500.

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

**RESOLUTION NO. 407 RENEWAL OF CONTRACT – FLEXIBLE BENEFITS
MANAGEMENT/ ADMINISTRATOR – APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did issue a Request for Proposals, 2015-106 for administration services for the County’s Flexible Benefits Plan, and

WHEREAS, As a result of a review of the proposals submitted the County entered into an Agreement with Health Economics Group for administration services for the County’s Flexible Benefits Plan and it is the recommendation of the County Manager and Human Resources Director to continue this arrangement with Health Economics Group, and

WHEREAS, The Committee on Ways and Means 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 the first of three one-year renewal contracts with Health Economics Group, 1050 University Avenue, Rochester, NY for the provision of Flexible Benefits Program Administration effective January 1, 2018 through December 31, 2018 under the same terms and conditions upon mutual consent between the parties.

Flexible Benefits Program Administration Fee Per Member Per Month: \$2.50

Debit Card Administration \$1.00

Budget Impact Statement: Flex Plan Administration costs are paid utilizing the County’s FICA savings generated by employee participation in the flexible benefits program.

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

**RESOLUTION NO. 408 AWARD OF CONTRACT – THIRD PARTY
ADMINISTRATOR OF SELF-FUNDED HEALTH
PLAN/INDEPENDENT HEALTH – APPROVAL OF**

Legislator Davis offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did issue a Request for Proposals, 2017-110 for Third Party Administrators for the County’s Self-Funded Health Plan, and

WHEREAS, The Genesee County Health Benefits Review committee in conjunction with the County’s Health Plan Consultants reviewed and analyzed the third party administrators for continuation of the County’s Self-Funded Health Plan, and

WHEREAS, The Genesee County Health Benefits Review committee does recommend that Independent Health be awarded the contract to provide third party administration for the Genesee County self-funded medical benefits plan, and

WHEREAS, The Committee on Ways and Means 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 Independent Health, 511 Farber Lakes Drive, Buffalo, New York for the provision of third party administration services for the County’s Self-Funded Health Plan effective January 1, 2018 through December 31, 2018 with a provision of two additional one-year periods.

2018 Medical/Vision and COBRA Administration Fee: Per Member Per Month
\$37.25

2019 Medical/Vision and COBRA Administration Fee: Per Member Per Month
\$38.50

Per Member Per Month

2020 Medical/Vision and COBRA Administration Fee: \$39.75

Budget Impact Statement: \$310,000 is budgeted in the 2018 budget for the Self Funded Health Plan
Legislator Clattenburg seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 409 AWARD OF CONTRACT – THIRD PARTY
ADMINISTRATOR OF SELF-FUNDED PHARMACY
BENEFIT MANAGER SERVICES/INDEPENDENT
HEALTH/PHARMACY BENEFIT DIMENSIONS, LLC –
APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Purchasing Director did issue a Request for Proposals, 2017-110 for Pharmacy Benefit Manager for the County’s Self-Funded Prescription Drug plan, and

WHEREAS, The Genesee County Health Benefits Review committee in conjunction with the County’s Health Plan Consultants reviewed and analyzed the proposal for Pharmacy Benefit Manager for continuation of the County’s Self-Funded Prescription Drug Plan, and

WHEREAS, The Genesee County Health Benefits Review committee does recommend that Independent Health/Pharmacy Benefit Dimensions be awarded the contract to provide Pharmacy Benefit Manager services for the Genesee County self-funded Prescription Drug plan, and

WHEREAS, The Committee on Ways and Means 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 Independent Health/Pharmacy Benefit Dimensions, LLC., 511 Farber Lakes Drive, Buffalo, New York for the provision of Pharmacy Benefit Manager services for the County’s Self-Funded Health Plan effective January 1, 2018 through December 31, 2018 with a provision of two additional one-year period.

Per Prescription

Pharmacy Administration Fee: \$1.00

Budget Impact Statement: \$34,500 is budgeted in the 2018 budget for the Self-Funded Health Plan
Legislator Deleo seconded the resolution which was adopted by 326 votes.

**RESOLUTION NO. 410 GRANT ACCEPTANCE/2017 BUDGET AMENDMENT –
STOP-DWI/SHERIFF – APPROVAL OF**

Legislator Young offered the following resolution

WHEREAS, The Genesee County STOP-DWI program did apply for and has been approved to receive grant funding from the Governor’s Traffic Safety Council for a High Visibility Road Check/Saturation Patrols/DRE Call Out program in the amount of \$10,000, and

WHEREAS, the grant period runs October 1, 2017 through September 30, 2018

WHEREAS, local police agencies will coordinate special crackdown details to receive the additional funding, and

WHEREAS, since the grant period runs October 1, 2017 through September 30, 2018, the additional funding to reimburse the STOP-DWI program for the expense of the special detail was not budgeted for in the current year and is above the budgeted revenue for the STOP-DWI program, and

WHEREAS, The Ways and Means Committee 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 2017 budget by

Increasing	A.3315.4660.0502 (Enforcement Nights - Sheriff)	\$1,931
	A.3315.4660.0503 (Enforcement Nights – City Police)	\$1,395

A.3315.4660.0504 (Enforcement Nights – LeRoy Police) \$ 424
to be offset by an increase in revenue account A.3315.3389.2 (St Aid -Govt Traffic Safety Council) in the amount of \$3,750 and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2017 budget by increasing Sheriff’s account A.3110.1020.0150 (Overtime DWI) in the amount of \$1,931 to be offset by an increase in revenue account A.3110.2804 (Shared Services) in the amount of \$1,931.

Budget Impact Statement: No impact on County Budget. Increase in revenue and expense funded by GTSC grant
Legislator Stein seconded the resolution which was adopted by 326 votes.

RESOLUTION NO. 411 RATIFICATION OF/BUDGET TRANSFER - DEPUTY SHERIFFS’ ASSOCIATION UNION CONTRACT FOR 2017 THROUGH 2019– APPROVAL OF

Legislator Clattenburg offered the following resolution:

WHEREAS, The Genesee County Manager and Human Resource Director did present a successfully completed Collective Bargaining Agreement with the Deputy Sheriffs’ Association which was ratified by a vote of the Union Membership, and

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

RESOLVED, That the Genesee County Legislature does hereby ratify and approve the terms and conditions of said Agreement by and between the Genesee County Deputy Sheriffs’ Association, the Genesee County Sheriff and the County of Genesee for the period January 1, 2017 through December 31, 2019, and, Be it further

RESOLVED, That the Genesee County Legislature does hereby authorize the Genesee County Treasurer to make the following 2017 budget transfers:

\$ 70,326.00 from Contingency A.1990.4800.0000 Program Expense

\$ 65,327.00 to A.3110.1010.0000 Personal Services

\$ 4,051.00 to A.3110.8010.0000 Social Security Tax

\$ 948.00 to A.3110.8011.0000 Medicare

Budget Impact Statement: Additional costs associated with contract settlement were included in the 2017 Adopted Budget.

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

RESOLUTION NO. 412 COUNTY AUDIT – NOVEMBER 8 - APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, Legislator Deleo, did review the following claims:

General Fund	\$	487,519.05
Water		5,500.00
Highway		91,940.17
Self Insurance		46,512.73
Nursing Home		542.00
DSS Abstracts		143,419.20
Capital Projects:		
Highway – 2017 Highway Bridge Construction	\$	3,126.23
Highway – River Street Bridge Construction		45,428.34
Highway – 2017 Large Span Culverts		58,835.00
Highway – Searls Road Bridge over Spring Creek		25,050.63
Park – Genesee County Pak Boardwalk		68.70
Park – DeWitt Improvement Phase IV		1,410.28
Airport – On Airport Obstruction Removal		358.34
Sheriff’s – Sheriff’s 800 Mghtz Radio Upgrade		600.00
Fac Mgmnt – Genesee Justice Stone Work		1,764.33
GCC Wellness & Event Center		1,086,080.76
Payroll – General		
October 27, 2017		1,491,881.98
Medicaid		
October 31, 2017		179,222.00
November 7, 2017		<u>179,222.00</u>
Total Audit	\$	3,848,481.74

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.

Prior to the vote Legislator DeJaneiro commented on bridge expenses and that the River Street Bridge repairs are nearly complete. Legislators commented they hope he is the first to drive across the bridge when it reopens.

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

The meeting adjourned at 5:48 PM upon motion of Legislator Clattenburg seconded by Legislator Deleo, carried unanimously.