

**THIRTEENTH DAY
GENESEE COUNTY LEGISLATURE
Batavia, New York
Wednesday, July 8, 2009**

The Genesee County Legislature met in Regular Session on Wednesday July 8, 2009 at 7PM in the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Chair Hancock, followed by the Pledge to the Flag. All members were present.

County Elections Commissioners Siebert and Cassidy and the Elections Staff Members announced that their office had received an American Flag flown on board a C-17A aircraft on missions over Iraq and Afghanistan. The flag was received from Sgt. Paul R. Dillon of LeRoy in recognition of the Genesee County Board of Elections for consistently insuring the receipt of his absentee ballots while he is on duty with the Air Force. He received timely ballots while being stationed in Florida, Afghanistan and Iraq. Chair Hancock noted that many servicemen and women from some counties did not receive their absentee ballots in a timely manner and this issue has been discussed by NYSAC. Commissioner Siebert thanked the Legislature for their support over the years and appropriating additional funds as necessary to insure that all Genesee County citizens were insured that their vote would be counted. He noted that the "green lever machines" would be used again this election cycle with a pilot program in one town using the new machines. Legislator Cianfrini complimented and congratulated the Elections Board. He is the father of a son who served in Iraq and will be heading to Afghanistan. He voiced his thanks to the servicemen and women.

Legislator Grasso assisted with the presentation of a Proclamation honoring the Genesee County Probation Department in honor of Probation, Parole and Community Supervision Week. This Department supervises 700 offenders. They will be holding an Open House on July 20, 2009 from 6-7:30PM and the public is encouraged to attend. The Proclamation was accepted by Probation Director Smith and several employees of her Department.

Legislator Upson assisted with the presentation of a Proclamation honoring Godfrey's Pond 100th Anniversary Year which was accepted by Ken Alfes.

Legislator Hodgins assisted with the presentation of a Proclamation on the retirement of GO-Art Director Linda Blanchet honoring her 22 years of service and contributions to the quality of life within our community. Mrs. Blanchet noted that she was especially proud to have been a part of the Comprehensive Plan Steering committee and appreciated the opportunity to work with such committed and knowledgeable people.

The minutes of the June 24, 2009 meeting were approved upon motion of Legislator Zambito seconded by Legislator Lawrence.

Legislator Upson reported that he attended the gathering for out-going Museum Director Patrick Weissend. He is happy for Mr. Weissend's opportunity and he will be greatly missed by the Museum.

Chair Hancock announced that she will be accepting a nomination from each Legislator for a member of the Legislature Study Committee she is establishing to study the topics of Legislator term lengths, staggered term considerations, and the ideal number of Legislators for the Board. She will be making appointments in August. She is hopeful

the Committee will report back to the Legislature towards the end of the year. She would like them to explore the issues thoroughly.

Chair Hancock reported on the Jobs available in Genesee County. There are 61 jobs listed at the Genesee County Career Center and she highlighted 21 opportunities with salaries ranging from minimum wage to \$80,000. There are jobs available in Genesee County and she urged anyone interested to contact the Career Center.

Legislator Hodgins noted the Arts Center developed by Mrs. Blanchet was originally a Bank, then an exclusive businessman's Club, and now the Arts Center. Mrs. Blanchet was the driving force behind this wonderful renovation of a historic building in downtown Batavia. He noted the generosity of so many public and private individuals in ensuring the accomplishment and noted that it has been named Seymour Place in honor of Richard and Kathy Seymour. Legislator Grasso stated he has just returned from a visit to a large urban area and as he listened to the Proclamations this evening he is so very glad to be home in Genesee County. There are many and good positive opportunities here and feels very fortunate to be a resident. Legislator Upson stated he would like to add his commendations to the Elections Board. He is very pleased our County Department did such a good job as they should on behalf of the registered voters.

County Manager Gsell reported that the borrowing for the GCC capital project has been given a boost by the upgrade in our Standard and Poor rating. The County's rating was elevated two notches to an AA-. The rate secured was 3.81% while 4.25% was originally estimated.

The Clerk proceeded with the reading of the resolutions as follows:

RESOLUTION NO. 215 CONTRACT RENEWAL – MEDICARE PART B PROGRAM - NURSING HOME – APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Genesee County Nursing Home does contract with Health Systems Services of Niagara Falls, N.Y. for the provision of prosthetic devices and all applicable medical supplies covered under the Medicare Part B Program through August 8, 2009, and

WHEREAS, The Nursing Home's Administrator has recommended that the contract be renewed for the second of four, one-year renewal periods, and the Committee on Human Services does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the necessary documents to renew the contract for the provision of prosthetic devices and all applicable medical supplies covered under the Medicare Part B Program with Health Systems Services of Niagara Falls, N.Y. for the period of August 9, 2009 through August 8, 2010 at the same terms and conditions.

Budget Impact: No cost to the County; we are required to provide this service

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

RESOLUTION NO. 216 CONTRACT RENEWAL – NURSING HOME/ LAUNDRY AND LINEN SERVICE – APPROVAL OF

Legislator Hodgins offered the following resolution:

WHEREAS, Resolution No. 254, adopted July 10, 2008, did authorize a contract with Angelica Textile Services for the provision of laundry and linen services for the Genesee County Nursing Home for the period of September 1, 2008 through August 31, 2009 with the option of four, one-year renewals, and

WHEREAS, The Administrator of the Nursing Home does recommend the contract be extended for the first of these one-year renewals through August 31, 2010, 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 enter into contract with Angelica Textile Services, 1-3 Apollo Drive, Batavia, New York for laundry and linen services at the Genesee County Nursing Home, effective September 1, 2009 and continue for a one-year period ending August 31, 2010 at a renegotiated rate increase of 3.2% for this period.

Budget Impact: For the remainder of 2009, the increase will be \$3,145. For 2010, the amount will be budgeted for.

Legislator Upson seconded the resolution which was adopted by 298 votes. Legislator DeJaneiro (28) abstain.

RESOLUTION NO. 217 REAPPOINTMENT - COMMISSIONER OF SOCIAL SERVICES-APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, The appointment of Eileen Kirkpatrick does expire July 30, 2009, and

WHEREAS, The Committee on Ways and Means does recommend that Eileen Kirkpatrick be reappointed to the position of Commissioner of Social Services. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby reappoint Eileen Kirkpatrick as Commissioner of Social Services effective July 31, 2009 through July 30, 2014 at Grade 10 on the Genesee County Management Salary Schedule.

Budget Impact: Position budgeted in 2009 DSS budget.

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

Prior to roll call on the above resolution Legislator DeJaneiro noted he was on the Legislature when Mrs. Kirkpatrick was appointed to fill the vacancy created by the resignation of long time DSS Director Sprague. She appeared before the Legislature requesting the opportunity to serve and she has filled those shoes and more. Commissioner Kirkpatrick is doing a great job. Legislator Grasso noted that the Legislators often receive calls from constituents about the Social Services Department and can always get the answers from the Commissioner and her staff. That speaks well for the way the Department is being administered. They are continually asked to do the job and more with fewer resources in these changing times.

RESOLUTION NO. 218 AWARD OF BID- HIGHWAY/FEDERAL STIMULUS PROJECTS CONSTRUCTION – APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, Genesee County entered into a Master Agreement with the State of New York for the rehabilitation of Assemblymen R. Stephen Hawley Drive and Batavia-Stafford Townline Road under the American Recovery and Reinvestment Act of 2009, and

WHEREAS, The Genesee County Highway Superintendent publicly opened and reviewed bids for these pavement rehabilitation projects and does recommend an award at this time, and

WHEREAS, The Committee on Public Service did review this recommendation 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 approve a contract with Keeler Construction, of W. Lee Road Albion, NY 14411 for the paving of the Assemblyman R. Stephen Hawley Drive and Batavia-Stafford Townline Road in an amount not to exceed \$283,290.00.

Budget Impact: A capital project has been established for this project. The American Recovery and Reinvestment Act of 2009 (ARRA) provides 100% federal aid on this project.

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

RESOLUTION NO. 219 AGREEMENT –YOUTH BUREAU/ WESTERN NEW YORK AMERICORPS VISTA-APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Genesee County Youth Bureau has applied and been accepted by Western New York AmeriCorps to host a VISTA member, and

WHEREAS, The Youth Bureau Director did present an agreement with Western New York AmeriCorps that would provide an individual to assist with Genesee AmeriCorps community service projects, emergency preparedness awareness, and various development activities for the department, and

WHEREAS, The Committee of 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 is hereby authorized and directed to execute the agreement and all necessary documents with Western New York AmeriCorps for a Vista Member that will serve at the Genesee County Youth Bureau during the period of August 1, 2009 through July 31, 2010 at the cost of \$4,000 to be paid in quarterly installments

Budget Impact: There are sufficient funds in the approved 2009 AmeriCorps department budget to cover the first two quarters (\$2,000). The remaining two quarters will be included in the department's 2010 budget request. All expenses will be offset by revenue.

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

Prior to roll call on the above resolution Legislator Leadley noted this is a win-win situation.

RESOLUTION NO. 220 GRANT ACCEPTANCE/BUDGET AMENDMENT-YOUTH BUREAU/USTA EASTERN GRANT FOR TENNIS-APPROVAL OF

Legislator Upson offered the following resolution:

WHEREAS, The Executive Director of the Genesee County Youth Bureau did receive notice of the award of grant funding in the amount of \$700 from the United States Tennis Association to provide tennis programming for municipal recreation programs in Genesee and Orleans Counties, and

WHEREAS, The Executive Director of the Youth Bureau did request an amendment to the 2009 Youth Bureau Budget to accept said funding, and

WHEREAS, The Committee on Human Services and Ways and Means reviewed the 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 2009 Genesee County Budget by increasing Revenue Account A.1000.7310.2070 – Private Agency in the amount of \$700 to be offset by an increase in Contractual Accounts as follows

A 7310 4540 0000 Mileage	350.00
A 7310 4800 0000 Program Expense	350.00

Budget Impact: All increased appropriations accompanied by matching increased revenue. No net county cost.

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

RESOLUTION NO. 221 AMENDMENT TO GENESEE COUNTY YOUTH BOARD BY-LAWS-APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Genesee County Youth Board conducted a review of the current constitution and by-laws, and

WHEREAS, The Genesee County Youth Board has recommended revisions to this document pertaining to roles, responsibilities and membership, and

WHEREAS, The Committee on Human Service and Ways and Means does recommend the changes be made at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby approve the changes to the Genesee County Youth Bureau by-Laws, as recommended by the Youth Board.

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

Prior to roll call on the above resolution Legislator Lawrence noted that the change in by-laws consolidated some of the townships. She asked Legislators to contact the Youth Director about vacancies in their areas. Three new appointments are needed. She noted that with the change in by-laws if transportation is a problem, members can attend by conference call.

RESOLUTION NO. 222 ACCEPTANCE OF NYS DOH FUNDING- YOUTH BUREAU/REALITY CHECK YOUTH ACTION PROGRAM — APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, The Executive Director of the Genesee County Youth Bureau did receive notice of the award of grant funding in the amount of \$162,000 from the NYS Department of Health for the Reality Check Youth Action Program, and

WHEREAS, The Committees on Human Services and Ways and Means did review the grant agreement and 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 and all necessary documents with the NYS Department of Health for the Reality Check Youth Action Program in Genesee, Orleans and Wyoming Counties for the period of August 1, 2009 through June 30, 2010 with a continuation of four additional years.

Budget Impact: Appropriation and offsetting revenue were set forth in the approved 2009 Youth Bureau Budget. There is no net county cost. Operating costs and revenue for the remainder of the grant year will be included in the 2010 Youth Bureau budget request.

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

Chair Hancock noted that the Youth Director should be commended for receiving this very competitive funding. Youth Director Kerr-Rosenbeck noted that the Department was originally selected as one of the 48 Programs statewide. This round of funding was received by 16. She is proud to receive and commends her staff for their great job.

RESOLUTION NO. 223 GRANT ACCEPTANCE/BUDGET AMENDMENT - DISTRICT ATTORNEY/VIDEO RECORDING OF STATEMENTS EQUIPMENT -APPROVAL OF

Legislator Cianfrini offered the following resolution:

WHEREAS, The Genesee County District Attorney has received notification from the New York State Division of Criminal Justice Services that the Byrne Jag Grant for Genesee County's Video Recording of Statements Equipment Grant application has been awarded in the amount of \$15,000, and

WHEREAS, The District Attorney has requested that the County accept this grant which stipulates that these grant funds will be used for the purchase of Video Recording Equipment for use by the Genesee County Sheriff's Office, Batavia City Police Department and the LeRoy Village Police Department, and

WHEREAS, The Committee on Ways and Means 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 New York State Division of Criminal Justice Services for the acceptance of the Byrne JAG Video Recording of Statements Equipment Grant funding for the period August 1, 2009 through August 31, 2009 in the amount of \$15,000, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2009 Genesee County Budget by increasing District Attorney Appropriations A.1165.2060.0600 Audio Visual Equipment in the amount of \$15,000 to be offset by an increase in District Attorney Revenue A 1000.1165.4389.1 Federal Aid – Video Recording Equipment in the amount of \$15,000.

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

RESOLUTION NO. 224 BUDGET AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/EQUIPMENT- APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2009 Mental Health budget for equipment, 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 2009 Genesee County Budget by

Increasing A4310.2010.0025	Files, by	\$1,850.00
Increasing A4310.2080.0600	MH Equipment, by	\$1,335.00

AND,

Decreasing A.4310.2022.0001	Micro Computers, by	\$1,310.00
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Increasing A1000.4310.3490.00	MH State Aid, by	\$1,875.00
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Budget Impact: Gross Budget increased by \$1,875.00; No Increase to County cost.

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

RESOLUTION NO. 225 2009 SALARY SCHEDULE AMENDMENT - COMMUNITY MENTAL HEALTH SERVICES/MENTAL HEALTH CLINICAL SOCIAL WORKER-APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request an amendment to the 2009 CSEA Salary Schedule to eliminate two (2) Mental Health Clinical Therapist Grade 19 and create positions of two (2) Mental Health Clinical Social Worker Grade 19 to the Community Mental Health Department, and

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

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to amend the 2009 Salary Schedule by eliminating two (2) positions of Mental Health Clinical Therapist and to create two (2) positions of Mental Health Clinical Social Worker to Community Mental Health Services Department, in CSEA Employee Salary Schedule Grade 19 effective July 8, 2009.

Budget Impact Statement: No budget amendment required. No changes in expenses and revenue.

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

Mental Health Director noted that the State Office of Mental Health and State Office of Education have indicated a preference for this title to qualify for diagnosis approval under Federal Laws.

RESOLUTION NO. 226 2009 BUDGET TRANSFER –SHERIFF/ NETWORK SERVER WARRANTY EXTENSION– APPROVAL OF

Legislator Grasso offered the following resolution:

WHEREAS, Genesee County did purchase network servers from Dell on New York State Contract for its Emergency Communications Center and the warranties require extension, and

WHEREAS, After careful review by the Sheriff, Director of Information Technology, and the Director of Emergency Communications, it is recommended that the County approve the warranty extension at a cost not to exceed \$7,662.23 (seven thousand, six hundred, sixty-two dollars and twenty-three cents), and

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

RESOLVED, The Genesee County Treasurer is hereby authorized and directed to make the following budget amendment:

\$7,663 to Sheriff's Communications appropriation A3020.4410.0000 (Equipment Maintenance and Repair), to be offset by an increase in revenue account A1000.3020.1590.911WD (E911 Wireless From Deferred), with funds to come from E911 Wireless Surcharges.

Budget Impact: Increase in Sheriff's Communications appropriations of \$7,663, to be offset by an increase in revenue in a like amount, with funds to come from the E911 Wireless Surcharges.

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

RESOLUTION NO. 227 CONTRACT – SHERIFF/ONTARIO COUNTY – APPROVAL OF

Legislator Zambito offered the following resolution:

WHEREAS, The Sheriff did present a contract with Ontario County for the housing of prisoners in the Ontario County Jail, and

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

RESOLVED, That the Chair of the Genesee County Legislature and the Genesee County Sheriff are authorized and directed to execute a contract by and between Genesee County and Ontario County for the provision of Jail space in the Ontario County Jail at a rate of \$85.00 per day for each prisoner for the period January 1, 2009, through December 31, 2009, automatically renewed on a year-to-year basis if neither party requests renegotiation.

BUDGET IMPACT: Funds have been appropriated to the 2009 budget.

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

Prior to roll call on the above resolution Legislator Upson noted that he remembers attending an InterCounty meeting and hearing about Ontario County's plans to build the facility and asked how it was working. County Manager Gsell noted it was a pod system and built with the ability to increase capacity as needed. They currently have not expanded it completely. Legislator DeJaneiro noted that he was pleased that we could travel to neighboring counties when needed. He asked if the County had additional liability for prisoners housed outside the County. Sheriff Maha replied that before an inmate can be housed outside the County they need a Substitute Jail Order from Albany. County liability is not increased.

**RESOLUTION NO. 228 2009 BUDGET TRANSFER –
SHERIFF/CONSOLIDATION OF DISPATCH
SERVICES/VILLAGE OF LEROY – APPROVAL OF**

Legislator Grasso offered the following resolution:

WHEREAS, Genesee County is in the process of consolidating Village of LeRoy dispatch services with the County's system, and Genesee County and the Village of LeRoy have submitted a New York State Local Government Efficiency Grant for funding to cover the cost of implementing this consolidation and a decision on grant award is pending State legislative action, and

WHEREAS, Genesee County and the Village of LeRoy plans are to have the consolidation of dispatch services occur by September 1, 2009 and the required technological infrastructure needs to be purchased and installed to accommodate this process, and

WHEREAS, Genesee County is responsible for \$113,850 (one hundred thirteen thousand, eight hundred, fifty dollars) of the remaining cost of this project, and is requesting a budget transfer from the general contingency fund to cover this expense with those funds to be replenished if the State grant funding is awarded, and

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

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

\$113,850.00 from Contingency A1990.4800.0000 Program Expense

\$113,850 to A3020.4800.0130 Communications, Village of LeRoy Dispatch Consolidation

Budget Impact: Increase in Sheriff's Communications appropriations of \$113,850, with money to be transferred from the General Contingency Fund; funds will be returned to Contingency should State grant be awarded.

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

Prior to roll call on the above resolution Legislator Cianfrini asked if State Grants are available to pay back this charge to contingency. County Manager Gsell reported that the Government is in the processing of announcing grant recipients. Genesee County should know the status of its application in the next 10 days. We are anticipating an award. The resolution is being presented at this time to ensure that we are ready for the October 1, 2009 switchover to countywide dispatch. Legislator Grasso stated he would like to thank everyone involved over the years. This project has been given careful consideration and will offer better service and protection for all county residents.

RESOLUTION NO. 229 2009 SALARY SCHEDULE AMENDMENT/BUDGET TRANSFER – SHERIFF/PART-TIME DISPATCHER POSITION – APPROVAL OF

Legislator Grasso offered the following resolution:

WHEREAS, The Director of Emergency Communications is requesting the addition of one part-time Emergency Services Dispatcher position to handle the increased demands to result from the consolidation of dispatch services between Genesee County and the Village of LeRoy, and

WHEREAS, After review by the Sheriff and the E911 Operations Board, it is recommended that the Genesee County Legislature create one part-time Emergency Services Dispatcher position to take effect on or about July 18, 2009, at a cost of approximately \$13,144, and

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

RESOLVED, The Genesee County Sheriff is hereby authorized and directed to create one part-time, non-benefited Emergency Services Dispatcher position effective July 18, 2009, and Be it further

RESOLVED, That the Genesee County Treasurer is hereby authorized and directed to make the following 2009 budget transfers:

\$13,144.00 from Contingency A1990.4800.0000 Program Expense

\$11,324 to A3020.1010.0000 Communications, Personal Services

\$ 702 to A3020.8010.0000 Communications, FICA

\$ 164 to A3020.8011.0000 Communications, Medicare Tax

\$ 804 to A3020.8020.0000 Communications, Retirement

\$ 150 to A3020.4580.0000 Communications, Personnel Uniforms

Budget Impact: Increase in Sheriff's Communications appropriations of \$13,144, with money to be transferred from the General Contingency Fund.

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

RESOLUTION NO. 230 CONTRACT RENEWAL – PROBATION/ PROBATION ELIGIBLE DIVERSION PROGRAM - APPROVAL OF

Legislator Zambito offered the following resolution:

WHEREAS, The Division of Probation and Correctional Alternatives does allocate State Aid funds for the Probation Eligible Diversion Program, and

WHEREAS, The Genesee County Probation Department was notified on June 19, 2009 that they have been allocated State Aid of \$25,192.00 for the Probation Eligible Diversion Program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, The Probation Director has requested that the County accept this funding. This is used annually to support the Probation Department budget as a revenue account, and

WHEREAS, The Ways & Means Committee did review this funding and does recommend the acceptance of these funds. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to accept this funding contract for the period January 1, 2009 through December 31, 2009 in the amount of \$25,192.00 and to execute any and all documents related to this funding.

Budget Impact: Adopted Budget reflected anticipated revenue of \$26,800.00. Acceptance of this funding will decrease revenue A.1000.3140.3310.33 to \$25,192.00. This reflects a shortage in revenue of \$1,608.00

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

RESOLUTION NO. 231 BUDGET TRANSFER -GENESEEE JUSTICE PROGRAM-APPROVAL OF

Legislator Zambito offered the following resolution:

WHEREAS, The Director of Genesee Justice requests an appropriation transfer to expend funds on two grants with contract end dates of September 30, 2009, and

WHEREAS, The Committee on 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 amend the 2009 Genesee Justice Budget by increasing the following line items in the noted amounts:

\$500	A 3151 2024.0005 (Database Software)
\$175	A 3151 2040.0050 (Phones)
\$2,000	A 3151 4110.0000 (Supplies)
\$240	A 3151 4160.0000 (Publications)
\$944	A 3151 4290.0000 (Facility Telephone)
\$3,250	A 3151 4660.0000 (Contracted Other)
\$2,014	A 3151 4800.0000 (Program Expense)

to be offset by a decrease in the following line items in the noted amounts:

\$7,950	A 3151 1010.0000 (Personal Services)
\$493	A 3151 8010.0000 (FICA)
\$116	A 3151 8011.0000 (Medicare)
\$564	A 3151 8020.0000 (Retirement)

Budget Impact: An increase of 3% was figured for 2009 for CSEA personnel with coinciding fringes when we prepared our NYS Crime Victims Board grant and NYS Office of Children & Family Services Grant. These grants will expire on 9/30/09 and monies must be moved to accommodate full expenditure. Further, monies were reallocated in our NYS Division of Probation & Correctional Alternatives grant to allow for purchasing database software.

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

RESOLUTION NO. 232 CONTRACT – HEALTH DEPARTMENT/3-5 PRESCHOOL SPECIAL EDUCATION PROGRAM RELATED SERVICE PROVIDERS - APPROVAL OF

Legislator Hodgins offered the following resolution:

WHEREAS, The Interim Director of Public Health does recommend contracting with the providers listed below for the provision of Related Services in the 3-5 Preschool Special Education Program, and

WHEREAS, The Committee on Human Services did review the recommendations and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to sign contracts for the provision of Related Services in the 3-5 Preschool Special Education Program for the period September 1, 2008 through June 30, 2009. Rates are set by Genesee County and reimbursement is at the rate of 59.5% with the funds coming from Medicaid and the State Education Department.

Budget Impact Statement: The revenues and expenses are included in the 2009 budgets. Anticipated 2009 expenses for these contracts are \$ 3,000.

The following rates will be paid for the services listed below unless another rate is listed:

RATES: Individual

Speech Therapy

Cost/ 30 minute session \$64.00

RELATED SERVICES PROVIDERS

Pisarek-Freatman, Susan; Speech Language Pathologist; North Tonawanda

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

RESOLUTION NO. 233 CONTRACT – HEALTH DEPARTMENT/3-5 PRESCHOOL SPECIAL EDUCATION PROGRAM RELATED SERVICE PROVIDERS - APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, The Director of Public Health does recommend contracting with the providers listed below for the provision of Related Services in the 3-5 Preschool Special Education Program, and

WHEREAS, The Committee on Human Services did review the recommendations and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to sign contracts for the provision of Related Services in the 3-5 Preschool Special Education Program for the period July 1, 2009 through June 30, 2010. The contract may be renewed for two (2) additional one year periods upon mutual agreement between both parties, and must be in the best interest of Genesee County.

Rates are set by Genesee County and reimbursement is at the rate of 59.5% with the funds coming from Medicaid and the State Education Department.

Budget Impact Statement: The revenues and expenses are included in the 2009 budget. Anticipated 2009 expenses for these contracts are \$ 585,000.

RATES:

Individual	Individual	Individual
Group		
Cost/ 30 minute session (2 or more students)	/45 minute session	/60 minute session
(30 minute session)		
Speech Therapy, Teacher of the Deaf, Teacher of the Visually Impaired & Autism Consultant		
\$63.00 (1.5% decrease)	\$79.00 (no change)	\$100.00 (no change)
\$33.00 (3% increase)		
Occupational & Physical Therapy, Counseling & Psychological services		
\$59.00 (1.5% decrease)	\$79.00 (no change)	\$100.00 (no change)
\$31.00 (3% increase)		
Family Training & Assistive Technology Services, Music Therapy		
\$57.50 (no change)	\$79.00 (no change)	\$100.00 (no change)
\$30.00 (4% increase)		
Bilingual Therapy (any type)		
\$80.00 (no increase)	NA	NA
\$42.00 (5% increase)		
Interpreter/Translator		

\$21.00 (5% increase) NA NA
NA

1:1 Teacher Aid

\$8.75 (3% increase) NA NA
NA

1:1 Teacher Assistant

\$10.00 (new service) NA NA
NA

RELATED SERVICES PROVIDERS

Speech Language Pathologist (all can provide Assistive Technology Services & Family Training)

County School Districts: Alexander, Attica, Batavia, Byron-Bergen, Elba, Leroy, Oakfield/Alabama Pavilion, Pembroke

Building Blocks Comprehensive Services, Inc., Canandaigua, NY

Buffalo Hearing & Speech Center, Buffalo, NY (new)

Child Pro Educational Services, Lackawanna, NY (doing business under Baker Victory)

Communications Center of Hearing and Speech, Rochester, NY

Comprehensive Therapy Services, Leicester, NY

DeVoe, Sandra, Alexander, NY

Erie County Medical Center, Buffalo, NY

Hearing & Speech Center of Western New York, Williamsville, NY

Integrated Therapy Services, Batavia, NY

KidStart, ARC INC of Livingston-Wyoming Counties, Geneseo, NY

Little Faces Early Intervention Services, Fairport, NY

Ohlson, Lisa, Buffalo, Ny

Rainbow Preschool, ARC INC of Orleans County, Albion, NY

Rochester Hearing & Speech Center, Rochester, NY

Smith Jessen, Brooktondale, NY

Summit Educational Resources, Tonawanda, NY

Time to Grow, North Tonawanda, NY

Tuites, Elizabeth, Batavia, NY

Von Sanden, Jody, Pavilion, NY

Wyoming County Community Health System, Warsaw, NY

Occupational Therapist (all can provide Assistive Technology Services & Family Training)

County School Districts: Alexander, Attica, Batavia, Byron-Bergen, Elba, Leroy, Oakfield/Alabama Pavilion, Pembroke

Building Blocks Comprehensive Services, Inc., Canandaigua, NY

Child Pro Educational Services, Lackawanna, NY (doing business under Baker Victory Services)

Communications Center of Hearing and Speech, Rochester, NY

Comprehensive Therapy Services, Leicester, NY

Erie County Medical Center, Buffalo, NY

Integrated Therapy Services, Batavia, NY

KidStart, ARC INC of Livingston-Wyoming Counties, Geneseo, NY

Little Faces Early Intervention Services, Fairport, NY
Rainbow Preschool, ARC INC of Orleans County, Albion, NY

Rochester Hearing & Speech Center, Rochester, NY

Summit Educational Resources, Tonawanda, NY

Time to Grow, North Tonawanda, NY

Wyoming County Community Health System, Warsaw, NY

Physical Therapist (all can provide Assistive Technology Services & Family Training)

**County School Districts: Alexander, Attica, Batavia, Byron-Bergen, Elba,
Leroy, Oakfield/Alabama Pavilion, Pembroke**

Building Blocks Comprehensive Services, Inc., Canandaigua, NY

Child Pro Educational Services, Lackawanna, NY (doing business under Baker
Victory Services)

Communications Center of Hearing and Speech, Rochester, NY

Comprehensive Therapy Services, Leicester, NY

Erie County Medical Center, Buffalo, NY

Physical Therapist (continued)

Integrated Therapy Services, Batavia, NY

KidStart, ARC INC of Livingston-Wyoming Counties, Geneseo, NY

Little Faces Early Intervention Services, Fairport, NY

Rainbow Preschool, ARC INC of Orleans County, Albion, NY

Rochester Hearing & Speech Center, Rochester, NY

Summit Educational Resources, Tonawanda, NY

Time to Grow, North Tonawanda, NY

Wyoming County Community Health System, Warsaw, NY

Individual Counseling

**County School Districts: Alexander, Attica, Batavia, Byron-Bergen, Elba,
Leroy, Oakfield/Alabama Pavilion, Pembroke**

KidStart, ARC INC of Livingston-Wyoming Counties, Geneseo, NY

Nelson, Karen, Byron, NY

Pembroke Central School District, Corfu, NY

Rainbow Preschool, ARC INC of Orleans County, Albion, NY

Psychological Services (all can provide Assistive Technology Services & Family
Training)

**County School Districts: Alexander, Attica, Batavia, Byron-Bergen, Elba,
Leroy, Oakfield/Alabama Pavilion, Pembroke**

Rainbow Preschool, ARC INC of Orleans County, Albion, NY

Summit Educational Resources, Tonawanda, NY

Teacher of the Deaf (all can provide Assistive Technology Services & Family Training)

Integrated Therapy Services, Batavia

Roberts, Theresa

Teacher of the Visually Impaired (all can provide Assistive Technology Services &
Family Training)

Fisher, Amy, East Rochester, NY

Integrated Therapy Services, Batavia, NY

Music Therapy (all can provide Assistive Technology Services & Family Training)

Integrated Therapy Services, Batavia, NY

Rainbow Preschool, ARC INC of Orleans County, Albion, NY
1:1 Aide & Assistant

Integrated Therapy Services, Batavia, NY
Rainbow Preschool, ARC INC of Orleans County, Albion, NY

Interpreter/Translator

Rainbow Preschool, ARC INC of Orleans County, Albion, NY
Autism Consultant

Rainbow Preschool, ARC INC of Orleans County, Albion, NY
Integrated Therapy Services, Batavia, NY
Summit Educational Resources, Tonawanda, NY

Bold line currently provides services in Genesee County

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

Prior to roll call on the above resolution Chair Hancock thanked all Department Heads for their participation and attendance at the meeting. They are an important resource for the Legislature as they move through these deliberations. She appreciates the fact that they are here to answer any questions which may be raised.

RESOLUTION NO. 234 COUNTY AUDIT – JULY 8 - APPROVAL OF

Legislator Zambito offered the following resolution:

WHEREAS, Legislator Hollis Upson did review the following claims:

2009 General Fund Accounts Payable	\$ 2,111,308.75
2009 Highway Accounts Payable	46,160.52
2009 Nursing Home Accounts Payable	253,244.05
DSS BICS & Manual Payments	483,423.30

2009 Capital Projects:

Airport Construct R/W 10-28 Runway Safety Area Imp.	2,577.84
IT- Departmental Computer Replacement	15,978.00
IT- GIS	128.12
Highway Pavement Widening CR21	1,075.40

Payroll – General & Nursing Home

July 2, 2009	1,795,577.86
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Medicaid

June 30, 2009	150,329.00
July 07, 2009	<u>150,329.00</u>

Total Audit	\$ 5,010,131.84
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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 Grasso seconded the resolution which was adopted by 326 votes.

The meeting was adjourned at 8:00 PM upon motion of Legislator Cianfrini seconded by Legislator Lawrence.

