

SIXTH DAY

GENESEE COUNTY LEGISLATURE

Batavia, New York

Wednesday, March 27, 2013

The Genesee County Legislature met in Regular Session on Wednesday, March 27, 2013 at 7PM at the Old Courthouse, 7 Main Street, Batavia, New York. Prayer was offered by Legislator Lawrence followed by the Pledge to the Flag. Legislators Bausch, Ferrando and Clattenburg were absent.

The minutes of the March 13, 2013 meeting were approved upon motion of Legislator Stein seconded by Legislator Lawrence.

Legislator Stein invited all the Legislators to attend the GCEDC annual budget report and financial report review, which was being held at the Med Tech Building during their regular meeting. They would be three levels of review that the year end financials go through.

Legislator Lawrence reported that the Genesee County Youth Board met and did a review of the Youth Leadership Quorum. Seventh and eighth graders from the County went to Albany to attend the conference where the topic discussed was bullying. They also met with state elected leaders and talked about what the Youth Bureau does. Legislator Lawrence also reported that the Youth Bureau along with GCC was in the process of resurrecting the Leadership Program that was previously offered at Cornell Cooperative Extension. It is set to begin in August and run through May. Participation in the program will be good for one college credit hour and the cost to participate is \$50.00. It is anticipated that there will be 2-3 kids per school district and there may be some who participate from outside the county. They hope the program will develop in them things they will put to real life use. Legislator Lawrence is hoping that they will attend quarterly Legislature meetings to have an idea how our local government works.

Legislator Leadley commented that she would like there to be a scholarship option available. Legislator Lawrence commented that she would look into it.

Legislator DeJaneiro attended the Water Resources Board along with Chair Hancock. There are eight water districts in the Oakfield Alabama area currently and a recently new district in the Town of Alexander. The Water Resources Board agreed that it would be helpful that future water districts follow a procedure set by the County so as to have less confusion and better planning. There was a discussion regarding the STAMP project and that once they are underway there water usage would be approximately 12 million gallons a day so there is a need for a lot of water. This type of infrastructure is something that we have to look at in the future and it is a way that the County can prosper in business and living conditions. Legislator DeJaneiro pointed out that water is not a luxury and it is costly what a cluster of homes needs to pay for a water district. It was also decided that the board would meet more often due to increasing water districts.

Chair Hancock added that funding sources have changed and for a while funding for rural areas was not available, it is more available now than it used to be. This is the need to meet more often.

Legislator Leadley reported that there were two Legislature breakfasts recently. One was the Mental Health Legislature Breakfast and also the Independent Living breakfast. The Mental Health breakfast informed County Legislators and State Elected Officials about the programs available in Genesee County. The County is being looked at as a model as

doing something new and better. The Independent Living breakfast discussed that it is currently advocating for more handicapped parking spots on Center and Main Street. Legislator Leadley also reported that the last InterCounty meeting was held in Wyoming County at Beaver Hollow which is the newest Biggest Loser location. After the InterCounty meeting they took a tour of the impressive facility. Leadership Genesee is planning a Leadership Genesee week this year running from May 13-17, 2013. Legislator Leadley has expressed to the Leadership Genesee group that the Legislature would be willing to present them with a Proclamation to honor them during that week. Legislator Leadley wanted to thank everyone involved with the water agreement with the Town of Alexander. She feels that a more efficient procedure should be used in the future which will help with better planning.

Chair Hancock gave the job openings within the County report. There are 432 openings currently in Genesee County which is down from 542.

An out of state travel request for Tim Hens, Highway Superintendent to travel to Des Moines, IA was approved by Legislator DeJaneiro seconded by Legislator Cianfrini. County Manager Gsell reported that the State budget is out and will most likely be voted on this week. There are improvements on mandates within this budget however there is still not mandate relief. CHIPS funding has gone up 19% for the County. The Salary Supplement for the District Attorney was included in the State budget and will be paid by the state.

Chair Hancock reported that Mayday for Mandate will happen again this year. It was successful last year and did change the attitudes of some regarding the needed mandate relief.

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

RESOLUTION NO. 121 RESTORATION OF A TAX PARCEL - REAL PROPERTY/LEROY -APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, Resolution No. 44 of 2011 cancelled tax liens on Tax Map # 7.-1-112 in the Village of LeRoy and exempted the property from taxation due to potential environmental issues and

WHEREAS, The parcel is currently under the ownership of the Village of LeRoy, therefore remains exempt, but should the parcel sell to a private concern, the parcel should once again be taxable, and

WHEREAS, It is the recommendation of the County Treasurer and the Ways and Means Committee concurs that the property be restored to the tax roll. Now, therefore, Be it

RESOLVED, That Tax Map # 7.-1-112 in the Village of LeRoy is hereby restored to the tax roll per Article 11 of the Real Property Tax Law effective immediately.

Budget Impact: Will add to the total assessed valuation in LeRoy and Genesee County should the parcel be sold.

Legislator Leadley seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

RESOLUTION NO. 122 RATIFICATION-TREASURER/GENESEE COUNTY SALE OF COUNTY OWNED PROPERTY-APPROVAL OF

Legislature Cianfrini offered the following resolution:

WHEREAS, Bontrager Real Estate and Auction Services, Inc., on behalf of Genesee County, conducted a sale of county-owned property on Saturday, March 16, 2013, at 10:00 a. m. at 8974 Wortendyke Road, Batavia, New York, at which time county-owned property was sold to the

highest bidder, and

WHEREAS, The Committee on Ways and Means did review the bids and does recommend ratification of the sale at this time, Now, therefore, Be it

RESOLVED, That the Genesee County Legislature hereby ratifies and confirms the sale of the properties listed below to the following:

<u>Purchaser</u>	<u>Parcel</u>	<u>Tax Map #</u>	<u>Town</u>	<u>Price</u>
Patrick Mandia & Carrie A Lindberg	#1	10.-2-43.121	Batavia	\$5,100
Jeramy Bernardoni & Robert Van De Mark	#2	13.-1-106, 13.-1-107	Elba LeRoy	\$1,300 \$1,500
Donald Scott	#3	23.-1-61.2	LeRoy	\$13,000
Jeffrey Freeman	#4	29.-1-83	Pavilion	\$600
E Properties, LLC	#6	12.-1-22	Pembroke	\$6,800
Kenneth Falker	#7	16.-1-19.2	Pembroke	\$33,000
William J Pearse	#8	17.-1-14	Pembroke	\$18,000
Kenneth Lipinski	#9	24.-1-38	Pembroke	\$300
Michael Metz	#10	2.-1-22.2	V/Alexander	

Budget Impact: Total sale of properties exceeds outstanding taxes owed by an estimate of approximately \$48,000.00.

Legislator Lawrence seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

RESOLUTION NO. 123 2013 BUDGET AMENDMENT-COMMUNITY MENTAL HEALTH SERVICES/COMPUTER EQUIPMENT- APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Director of the Community Mental Health Services did request a Budget Amendment to the 2013 Mental Health budget to acquire Computer Hardware and Software, and

WHEREAS, The Committees on 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 2013 Genesee County Budget by

Increasing A4310.2022.0001 Micro Computers, by \$ 53,225

AND,

Increasing A4310.3490.0000 State Aid Mental Health by \$ 53,225

Budget Impact: Gross Budget increased by \$53,225; No Increase to County cost due to being offset by Health Information Technology (HIT) Funds.

Legislator Leadley seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

RESOLUTION NO. 124 AGREEMENT RENEWAL – SHERIFF’S OFFICE/ POLICERREPORTS.US-ONLINE REPORT DISTRIBUTION SYSTEM – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Sheriff is requesting to renew the Agreement with PoliceReports.US, LLC, P.O. Box 4087, Mooresville, NC 28117, for Internet integration to the motor vehicle accident files, to provide an online report distribution system which allows the public to request and receive copies of accident reports electronically, and

WHEREAS, This service is provided to the County at no cost, with the County receiving

\$6.00 per report that is distributed, and

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

RESOLVED, That the Genesee County Sheriff is authorized and directed to enter into an agreement with PoliceReports.US, LLC, P.O. Box 4087, Mooresville, NC 28117, for Internet integration to provide an online report distribution system, for the period of January 1, 2013 through December 31, 2013.

Budget Impact: There is no cost to the County for this service. The County will receive \$6.00 for each report that is distributed through this online report distribution system.

Legislator Stein seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

**RESOLUTION NO. 125 WORK PERMITS ON STATE HIGHWAYS-
APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, The County Highway Superintendent has requested the Genesee County Legislature's approval authorizing the Chair of the Legislature to sign an undertaking with the New York State Department of Transportation, and

WHEREAS, The Undertaking on file with the NYSDOT eliminates the need for proof of insurance and performance bonds for municipalities when working within the State Right-of-Way, and

WHEREAS, The Committee on Public Service did review this request and does concur. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized to sign an undertaking with the New York State Department of Transportation.

Budget Impact: None.

Legislator Stein seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

**RESOLUTION NO. 126 SHERIFF'S OFFICE – BUDGET AMENDMENT –
ANIMAL SHELTER STERILIZER REPAIR**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The sterilizer at the Animal Shelter is in need of repairs, that will cost approximately \$1,000, and

WHEREAS, The Sheriff is requesting to use funds available in the deferred revenue account for Animal Shelter donations to pay for the repairs, and

WHEREAS, The Committees on Public Service 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 2013 budget by increasing Animal Control account A3510.4410.0000 (Equipment Maintenance and Repair) in the amount of \$1,000, to be offset by an increase in revenue account A3510.2705 (Gifts and Donations) in a like amount, with funds to come from deferred revenue for Animal Shelter donations.

Budget Impact: Increase in Animal Shelter appropriations of \$1,000, offset by increase in revenue in a like amount, with funds to come from deferred revenue for Animal Shelter donations.

Legislator Cianfrini seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

RESOLUTION NO. 127 CLARIFICATION-GENESEE COUNTY SOIL &

WATER CONSERVATION DISTRICT MEETING STIPEND POLICY-APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, Soil & Water Conservation District Law states that meeting reimbursement amounts are to be set by counties, and

WHEREAS, Two other County Boards receive meeting stipends and is the desire of the Legislature to mirror their reimbursement policy of \$40.00 per meeting. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby set the meeting reimbursement amount for the Soil & Water Board at \$40.00 per meeting attended, and confirms the practice of this payment being in lieu of mileage reimbursement, which will no longer be honored. Legislature liaisons will not be paid.

Legislator Stein seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

Prior to role call on the above resolution Legislator DeJaneiro asked how many times this Committee met a year. Legislator Stein replied that they meet monthly and that this now eliminates the reimbursement of mileage that was previously being paid along with the \$40.00 per meeting reimbursement. Legislator Stein also commented that this policy now falls in line with the policies of the Mental Health Board and Health Board.

RESOLUTION NO. 128 REAPPOINTMENT-SOIL & WATER-APPROVAL OF

Legislator Leadley offered the following resolution:

WHEREAS, A reappointment has been recommended on the Genesee County Soil & Water Conservation Board, and

WHEREAS, The Public Service and Ways & Means Committee does recommend a reappointment be made at this time. Now, therefore, Be it

RESOLVED, That Tadeus Konieczka of Elba, New York is hereby reappointed as a member of the Genesee County Soil & Water Conservation Board effective immediately through December 31, 2015.

Legislator Lawrence seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

RESOLUTION NO. 129 HOUSEHOLD HAZARDOUS WASTE COLLECTION CONTRACT-GLOW SOLID WASTE MGMT. COMMITTEE-APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The GLOW Region Solid Waste Management Committee (herein referred to as "GLOW") expect to be awarded funding from the New York State Department of Environmental Conservation in 2013 for a single Household Hazardous Waste Collection Program, and

WHEREAS, Environmental Enterprises, Inc. was awarded the contract for the 2011 collection, and

WHEREAS, This contract contained two one-year extension options, with pricing to remain the same, and

WHEREAS, GLOW exercised this option for the 2012 program, and

WHEREAS, GLOW desires to exercise the second option for the 2013 program with the revised price per pound of mercury collected, and

WHEREAS, the GLOW Committee has recommended that this option be exercised Now, therefore, Be It

RESOLVED, That the Genesee County Legislature authorizes the Chairperson to enter into an extension of this contract with the other GLOW Counties and Environmental Enterprises, Inc. for the GLOW Household Hazardous Waste Collection Program at a cost not to exceed \$29,575.

Budget Impact: Approximately half of the HHW Program is expected to be funded through a NYS DEC grant and the rest is funded through the three Counties contributions to GLOW. Genesee County's contribution for 2013 is \$25,805.

Legislator Stein seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

RESOLUTION NO. 130 CERTIFICATE OF INSURANCE- GLOW REGION SOLID WASTE MANAGEMENT COMMITTEE/ HEMLOCK LAKE UNION AG SOCIET – APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, The Recycling Administrator has been invited to participate in the Hemlock Fair by the Hemlock Lake Union Ag. Society for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

WHEREAS, The Committee on Public Service does concur with this recommendation. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in Hemlock Fair to be held in Hemlock, NY from July 16-20, 2013.

Budget Impact: The cost of booth space for event is \$135.00 is included in GLOW's 2013 Administrative Budget. One half of this amount is expected to be funded by an NYSDEC MWR&R grant.

Legislator Leadley seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

RESOLUTION NO. 131 CERTIFICATE OF INSURANCE– GLOW REGION SOLID WASTE MANAGEMENT COMMITTEE/ WYOMING COUNTY FAIR ASSOCIATION - APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Recycling Administrator has been invited to participate in Wyoming County Fair by the Wyoming County Fair Association for the purpose of providing education on waste reduction, recycling, reuse and composting and has requested approval to participate in this event, and

WHEREAS, The Committee on Public Service does concur with this recommendation. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature is hereby authorized and directed to issue a Certificate of Insurance for participation by GLOW Solid Waste Staff to participate in the Wyoming County Fair to be held in Pike, NY from August 10-August 17, 2013.

Budget Impact: The cost of booth space for event is \$180.00 and was prepaid and included in GLOW's 2013 Administrative Budget. One half of this amount is expected to be funded by an NYSDEC MWR&R grant.

Legislator DeJaneiro seconded the resolution which was adopted by 227 votes, Legislator

Bausch (45), Ferrando (26) and Clattenburg (28) absent.

**RESOLUTION NO. 132 SETTING PUBLIC HEARING ON INCLUSION OF
VIABLE AGRICULTURAL LAND INTO
AGRICULTURAL-DISTRICT NO. 1**

Legislator Stein offered the following resolution:

WHEREAS, The Genesee County Legislature established by Resolution No. 399 of 2003 the annual thirty-day period to consider inclusion of new parcels to existing Agricultural Districts to run from January 26th to February 24th, and

WHEREAS, During the 2013 Annual Enrollment Period one parcel in the Village of Alexander (Tax Map Parcel No. 3.-1-25.2) was requested to be included into Agricultural District No. 1, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-b specifies that the County Legislative Body shall hold a public hearing regarding the proposed request. Now, therefore, Be it

RESOLVED, That a Public Hearing shall be held on the request to be included into Agricultural District No. 3 on Wednesday, April 10, 2013 at 7:00 PM at the Genesee County Old Courthouse, Batavia, New York.

Budget Impact: The only direct budget impact will be the cost for printing the legal ad itself.

Legislator Cianfrini seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

**RESOLUTION NO. 133 GRANT ACCEPTANCE - EMERGENCY
MANAGEMENT SERVICES /FY2012 LOCAL
EMERGENCY MANAGEMENT PERFORMANCE
(LEMP) GRANT PROGRAM – APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, The Emergency Management Services Coordinator requests authorization to accept grant funding in the amount of \$26,947 from the New York State Division of Homeland Security and Emergency Services (DHSES), and

WHEREAS, The purpose of the Local Emergency Management Performance (LEMP) Grant is to provide a system of emergency preparedness for the protection of life and property in the United States from hazards and to jointly vest responsibility of emergency preparedness, and

WHEREAS, The Committee on Public 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 New York State Office of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY for the acceptance of FY12 Local Emergency Management Performance Grant (LEMP) in the amount of \$26,947, and to execute any and all other documentation related to this funding.

Budget Impact: None. Grant Funds offset the 2012 OEM operating expenses.

Legislator Stein seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

**RESOLUTION NO. 134 EQUIPMENT PURCHASE-HIGHWAY/
LIFTS-APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent reviewed the NYS bids on lifts for use at the County Highway Department and does recommend awarding the

purchase to Rotary Lift, Madison, IN, and

WHEREAS, The Committee on Public Service did review this recommendation and does concur. Now, therefore, Be it

RESOLVED, The Genesee County Highway Superintendent is hereby authorized and directed to purchase lifts from Rotary Lift, 2700 Lanier Dr., Madison, IN not to exceed \$19,131.91 be paid from Asset Acquisition.

Budget Impact: The 2013 Asset Acquisition has budgeted \$25,125 for the lifts

Legislator Lawrence seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

RESOLUTION NO. 135 SPECIAL EVENT-PARK - DeWITT RECREATION AREA- GENESEE CANCER ASSISTANCE 5K RUN/WALK-APPROVAL OF

Legislator DeJaneiro offered the following resolution:

WHEREAS, A Special Events application was received from the Genesee Cancer Assistance to use the DeWitt Recreation Area for a 5K trail run and walk fundraiser on June 1, 2013, and

WHEREAS, The Genesee County Parks Supervisor did review and recommends approval of, and

WHEREAS, The Committees on Public Service and Ways and Means do concur with this request. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby grant permission to the Genesee Cancer Assistance to use the DeWitt Recreation Area for a 5K trail run and walk fundraiser on June 1, 2013 as per the Special Events Policy and Procedures for Community Events for the Parks and Recreation Areas.

Budget Impact: None.

Legislator Leadley seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

RESOLUTION NO. 136 PURCHASE AUTHORIZATION – OFFICE OF EMERGENCY MANAGEMENT SERVICES/FIRE- RECORDS MANAGEMENT SYSTEM- APPROVAL OF

Legislator Lawrence offered the following resolution:

WHEREAS, The Genesee County Office of Emergency Management Coordinator received authorization to accept grant funding of FY11 State Homeland Security Program (SHSP funds) by resolution No 383 adopted on November 22, 2011, and FY12 State Homeland Security Program (SHSP funds) by resolution No 163 adopted on April 26, 2012, and

WHEREAS, A portion of FY11 and FY12 SHSP funds were allocated for the purchase of a County-wide fire records management system, and

WHEREAS, Based on the finding of the committee appointed by the Mutual Aid Fire Advisory Board, the recommendation of the Board and as a result of the Request for Proposal (RFP), The Genesee County Office of Emergency Management Coordinator issued a Request for Proposal (RFP) and as a result has selected ALPINE Software, PO Box 281, Pittsford, NY 14534 for the purchase of a fire records management system, and

WHEREAS, The Genesee County Office of Emergency Management Coordinator is requesting authorization to use FY11 and FY12 SHSP grant funds for the purchase of the County-wide fire records management system, and

WHEREAS, The Committee on Public Service has reviewed this request and does recommend approval at this time. Now, therefore, Be it

RESOLVED, That the Chair of the Genesee County Legislature does hereby authorize the purchase of a County-wide fire records management system at a cost of \$56,100.

Budget Impact: None. Offset by FY11 and 12 State Homeland Security grant funds.

Legislator Stein seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

Prior to roll call on the above resolution legislator Stein wanted to offer the thanks from the LeRoy Fire Department and the district for upgrading the system that should help out higher volunteers actually do their work.

RESOLUTION NO. 137 POLICY-TREASURER/ MEAL REIMBURSEMENT CHANGE-APPROVAL OF

Legislator Stein offered the following resolution:

WHEREAS, The Internal Revenue Service recently completed an examination of Genesee County for fiscal year 2009, which brought to light that Genesee County's process of reimbursing County employees was not completely in line with current IRS regulations, and

WHEREAS, The Internal Revenue Code provides that meals are non-deductible personal expenses, unless paid during overnight travel away from a taxpayer's (or employee's) ordinary place of business for a business purpose, and

WHEREAS, The Internal Revenue Code provides that when an employer pays an employee's meal while on business travel that does not include an overnight stay, in the form of actual cost reimbursement, the payment is deemed to be a payment of an employee's personal living expenses and thus a taxable fringe benefit. As a taxable fringe benefit, the payment is required to be included in the employee's wages for Federal employment tax purposes, and

WHEREAS, The County Treasurer & County Manager desire to bring the County's meal reimbursement policy into compliance with current IRS regulations, and

WHEREAS, The Committee on Ways & Means concurs. Now, therefore, Be it

RESOLVED, That effective January 1, 2013, the County Meal Reimbursement Policy is revised to read as follows, "All meal reimbursements that aren't associated with an approved overnight stay will be taxable wages to County employees. Reimbursements include but are not limited to, meals purchased on an approved County Purchasing Card, meals paid with an employee's personal funds, and meals paid with departmental petty cash. Meals purchased on the travel date to and from the location of an approved overnight stay will continue to be excluded from taxation."

Budget Impact: Employer share of Social Security and Medicare costs will increase due to this change in policy. The total impact to the County budget is projected to be less than \$1,000.

Legislator Leadley seconded the resolution which was adopted by 184 votes. Legislator Stein (43), no. Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

Prior to roll call on the above resolution Legislator Stein stated that she knows it is in the County's best interest to follow the guidelines of the IRS but she feels that this harms our staff that are sent out and directed to supervise others as part of their job. County Treasurer German stated that his office tried to find an exclusion to get around this but they were denied every time. Legislator Cianfrini and Lawrence also would like to vote no on this resolution but know that this policy will need to be reinforced regardless.

RESOLUTION NO. 138 COUNTY AUDIT – MARCH 27 APPROVAL OF

Legislator Stein offered the following resolution

WHEREAS, Legislator Stein did review the following claims:

2013 General Fund	\$ 793,620.64
2013 Highway	56,744.91
2013 Self Insurance	143,401.42
2013 Nursing Home	356,969.26
DSS Abstracts	309,837.72

2013 Capital Projects:

Highway – Horizontal Curve Study	7,349.70
Ariport – Terminal Apron Construction Phase II	3,089.28

Payroll – General & Nursing Home

March 22, 2013	1,714,904.38
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Medicaid

March 19, 2013	185,572.00
March 26, 2013	<u>185,572.00</u>

Total Audit	\$ 3,757,061.31
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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 Leadley seconded the resolution which was adopted by 227 votes, Legislator Bausch (45), Ferrando (26) and Clattenburg (28) absent.

The meeting was adjourned upon motion of Legislator Stein seconded by Legislator Cianfrini.