

**RESOLUTION NO. SETTING PUBLIC HEARING-PLANNING/
 AGRICULTURAL DISTRICT NO. 4 REVIEW-
 APPROVAL OF**

Legislator Stein offered the following resolution:

WHEREAS, The creation of Agricultural District No. 4 (temporarily known as No. 5) was approved by the Genesee County Legislature by Resolution No. 240 adopted September 24, 1980 and certified by the State of New York on December 26, 1980, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall hold a public hearing to review any modifications and recommendations proposed as a result of this review. Now, therefore, Be it

RESOLVED, That a Public Hearing shall be held as part of the eight-year review of Agricultural District No. 4 on Wednesday, June 26, 2013 at 7:00 PM at the Genesee County Old Courthouse, 7 Main Street, Batavia, New York.

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

	Y	N	Simple	2/3
1. Cianfrini			28	42
2. Bausch			45	55
3. Lawrence			43	51
4. Hancock			47	57
5. Stein			43	52
6. Leadley			38	45
7. Ferrando			26	38
8. Clattenberg			28	40
9. DeJaneiro			28	40
TOTALS			326	420
Roll Call				
Approval			164	280

**RESOLUTION NO. SETTING PUBLIC HEARING-PLANNING/
 AGRICULTURAL DISTRICT NO. 11 REVIEW AND
 TERMINATION-APPROVAL OF**

Legislator Leadley offered the following resolution:

WHEREAS, The creation of Agricultural District No. 11 was approved by the Genesee County Legislature by Resolution No. 320 adopted December 14, 1988 and certified by the State of New York on April 20, 1989, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter, and

WHEREAS, Consequent to its most recent review, Agricultural District No. 1 absorbed the great majority of the lands that compromised Agricultural Districts Nos. 7, 8, 10, and 11 in accordance with the Genesee County Agricultural Districts Consolidation Plan approved by the County Legislature by Resolution No. 418 adopted November 25, 2006, and

WHEREAS, the Genesee County Agricultural Districts Consolidation Plan and the Agricultural District No. 1 Review of 2007 each of which call for the termination of Agricultural District No. 11, and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law, Section 303-a specifies that the County Legislative Body shall hold a public hearing to review any modifications, including termination, proposed as a result of this review. Now, therefore, Be it

RESOLVED, That a Public Hearing shall be held as part of the eight-year review and termination of Agricultural District No. 11 on Wednesday, November 14, 2012 at 7:00 PM at the Genesee County Old Courthouse, 7 Main Street, Batavia, New York.

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

	Y	N	Simple	2/3
1. Cianfrini			28	42
2. Bausch			45	55
3. Lawrence			43	51
4. Hancock			47	57
5. Stein			43	52
6. Leadley			38	45
7. Ferrando			26	38
8. Clattenberg			28	40
9. DeJaneiro			28	40
TOTALS			326	420
Roll Call				
Approval			164	280

**RESOLUTION NO. 2012 BUDGET TRANSFER- PLANNING
DEPARTMENT – APPROVAL OF**

Legislator Bausch offered the following resolution:

WHEREAS, The Planning Department has notified the County Manager of insufficient funds in the Planning Department’s Medical and Dental accounts due to an error in the 2012 budget process, and

WHEREAS, There are no funds available within the Planning Department budget to cover the expenses and the County Manager has recommended using the 2012 General Contingency Fund, 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 make the following 2012 budget transfers:

\$11,960.00 from A.1990.4800.0000 Contingency, Program Expense
 \$11,630.00 to A.8020.8030.0000 Planning, Medical
 \$ 330.00 to A.8020.8040.0000 Planning, Dental

Budget Impact: Increase in the Planning Department’s appropriation of \$11,960 with money to be transferred from the General Contingency Fund

Y N Simple 2/3

1. Cianfrini			28	42
2. Bausch			45	55
3. Lawrence			43	51
4. Hancock			47	57
5. Stein			43	52
6. Leadley			38	45
7. Ferrando			26	38
8. Clattenberg			28	40
9. DeJaneiro			28	40
TOTALS			326	420
Roll Call				
Approval			164	280

**RESOLUTION NO. AMEND/CLOSE CAPITAL PROJECT-HIGHWAY/
LAW STREET BRIDGE, CITY OF BATAVIA -
APPROVAL OF**

Legislator DeJaneiro offered the following resolution:

WHEREAS, The County of Genesee entered into a master agreement with the State of New York to receive federal and state aid for the replacement of Law Street Bridge, in the City of Batavia, and

WHEREAS, A capital project has been established for the design and construction of this bridge, and

WHEREAS, The Highway Superintendent noted the project has been completed and all funding has been received but amendments are needed to close the capital project, and

WHEREAS, The Committees on Public Service and Ways and Means have reviewed these recommendations and do concur at this time. Now, therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby direct and authorize the County Treasurer to amend the capital project funding as follows and, Be it further

Increase	H.5197.4592	Federal Aid	\$7,694.00	for a total of \$756,000
Increase	H.5197.3501	State Aid	\$1,443.00	for a total of \$141,750
Decrease	H.5197.5031	Interfund Transfer	\$4,093.94	for a total of \$42,088.18
Decrease	H.5197.2080.0000		\$5,043.06	

RESOLVED, The County Treasurer is hereby directed to close the capital project and local share totaling \$5,043.06 be transferred to Capital Reserve.

Budget Impact: Project has been funded by 80% Federal, 15% State and Local 5%

Y N Simple 2/3

1. Cianfrini			28	42
2. Bausch			45	55
3. Lawrence			43	51
4. Hancock			47	57
5. Stein			43	52
6. Leadley			38	45
7. Ferrando			26	38
8. Clattenberg			28	40
9. DeJaneiro			28	40
TOTALS			326	420
Roll Call				
Approval			164	280

**RESOLUTION NO. CONSULTANT AGREEMENT – HORIZONTAL
CURVE STUDY - APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, Genesee County has been awarded a federal aid grant to perform a countywide horizontal curve study under the Unified Planning Work Program, and

WHEREAS, Genesee County has reviewed submitted proposals for this work, and

WHEREAS, The Committees on Ways and Means and Public Service have reviewed this request and do concur at this time. Now, therefore, be it

RESOLVED, That the Chairperson of the Genesee County Legislature is hereby authorized to approve a consultant agreement with Hunt Engineers, 4 Commercial St, Suite 300, Rochester, NY 14614-1008 for the performance of a Horizontal Curve Study on county highways for a cost not to exceed \$35,989.

Budget Impact: The agreement is for \$35,989. The capital project established for this survey has funds available for this agreement.

Y N Simple 2/3

1. Cianfrini			28	42
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4. Hancock			47	57
5. Stein			43	52
6. Leadley			38	45
7. Ferrando			26	38
8. Clattenberg			28	40
9. DeJaneiro			28	40
TOTALS			326	420
Roll Call				
Approval			164	280

RESOLUTION NO.

**AGREEMENT-AIRPORT-NYS GRANT
AGREEMENT (AIP 28-12)- APPROVAL OF**

Legislator Cianfrini offered the following resolution:

WHEREAS, The County Highway Superintendent is requesting the acceptance of this grant offer from the NYS Department of Transportation (NYSDOT) for work at the Genesee County Airport described as Construct Terminal Apron Phase II (AIP 28-12) NYS PIN 4902.58, and

WHEREAS, the County of Genesee has advanced the Project by committing funds for the local match, the funding shares for AIP 28-12 being Federal (FAA) \$721,800; State \$40,100; Local \$40,100; and Total \$802,000, and

WHEREAS, if the County of Genesee and/or the FAA notifies the NYSDOT that the County of Genesee has requested and received Federal funding for the Project and has authorized the proportionate increase in local funding, the State share noted above shall be increased proportionately up to a maximum increase of 15%. Now, therefore, be it

RESOLVED, that the Genesee County Legislature does hereby approve the above subject project, and it is hereby further

RESOLVED, that the Chair of the Genesee County Legislature be and is hereby authorized to execute all necessary agreements on behalf of the County of Genesee with NYSDOT in connection with the Project, and it is further

RESOLVED, that a Certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it further

RESOLVED, that this Resolution shall take effect immediately.

Budget Impact: Project has been funded by 90% Federal, 5% State and 5% Local.

	Y	N	Simple	2/3
1. Cianfrini			28	42
2. Bausch			45	55
3. Lawrence			43	51
4. Hancock			47	57
5. Stein			43	52
6. Leadley			38	45
7. Ferrando			26	38
8. Clattenberg			28	40
9. DeJaneiro			28	40
TOTALS			326	420
Roll Call				
Approval			164	280

**RESOLUTION NO. 2012 BUDGET AMENDMENT – AIRPORT-
FUEL - APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, Genesee County sells fuel at the Genesee County Airport and fuel sales have far outpaced budgeted expectations for 2012, and

WHEREAS, The County anticipates the sale of additional fuel within this budget year, and

WHEREAS, The County Superintendent of Highways has recommended an amendment to the 2012 Airport budget in order to purchase additional fuel products, and

WHEREAS, The Committee 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 make the following amendment to the 2012 Airport Budget:

Budget Amendment:

Increase Revenue	A.5610.1776.1	Sale of Gasoline	\$120,000
Increase Appropriation	A.5610.4700.1158	Fuel Purchase	\$120,000

Budget Impact: None – the budget increase brings in added revenue.

Y N Simple 2/3

1. Cianfrini			28	42
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6. Leadley			38	45
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8. Clattenberg			28	40
9. DeJaneiro			28	40
TOTALS			326	420
Roll Call				
Approval			164	280

RESOLUTION NO.

**REJECTION OF BIDS RECEIVED FOR FUEL
MANAGEMENT/LEAK DETECTION
SYSTEM-
HIGHWAY –APPROVAL OF**

Legislator Ferrando offered the following resolution:

WHEREAS, The Genesee County Highway Superintendent did review bids received for the purchase of a fuel Management/Leak Detection System for the County Highway’s fuel farm, and

WHEREAS, A more expedient cost effective repair to the leak detection system has been identified, and

WHEREAS, The Highway Superintendent recommends rejecting all bids at this time, 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 Genesee County Legislature does hereby reject all bids received for the provision of a Fuel Management/Leak Detection System for the Genesee County Highway Department, Bid #2012-18.

Budget Impact: None

	Y	N	Simple	2/3
1. Cianfrini			28	42
2. Bausch			45	55
3. Lawrence			43	51
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5. Stein			43	52
6. Leadley			38	45
7. Ferrando			26	38
8. Clattenberg			28	40
9. DeJaneiro			28	40
TOTALS			326	420
Roll Call				
Approval			164	280

RESOLUTION NO. 2012 GENESEE COUNTY CHARGEBACKS TO TOWNS AND CITY OF BATAVIA – TREASURER / REAL PROPERTY – APPROVAL OF

Legislator Bausch offered the following resolution:

WHEREAS, The Director of Real Property Tax Services has submitted a list of chargebacks to the Towns and City of Batavia for assessment rolls, tax rolls, tax bills, supplies, and update services, and

WHEREAS, The Committee on Ways & Means recommends apportionment of this expense. Now therefore, Be it

RESOLVED, That the Genesee County Legislature does hereby authorize the following amounts to be billed to the several Towns and City of Batavia:

2012 Chargebacks Applied to 2013 Town Budgets				
TOWN	PARCELS	ASSESSMENT ROLLS/BILLS	NYSORPTS LICENSE FEE	TOTAL
Alabama	1,131	\$3,110.25	\$1,000.00	\$4,110.25
Alexander	1,409	\$3,874.75	\$1,000.00	\$4,874.75
Batavia(T)	2,875	\$7,906.25	\$597.82	\$8,504.07
Bergen	1,623	\$4,463.25	\$1,000.00	\$5,463.25
Bethany	1,013	\$2,785.75	\$289.37	\$3,075.12
Byron	1,349	\$3,709.75	\$563.06	\$4,272.81
Darien	1,825	\$5,018.75	\$521.33	\$5,540.08
Elba	1,493	\$4,105.75	\$1,000.00	\$5,105.75
LeRoy	3,523	\$9,688.25	\$1,055.21	\$10,743.46
Oakfield	1,526	\$4,196.50	\$636.94	\$4,833.44
Pavilion	1,485	\$4,083.75	\$444.79	\$4,528.54
Pembroke	2,413	\$6,635.75	\$689.30	\$7,325.05
Stafford	1,546	\$4,251.50	\$1,000.00	\$5,251.50
Batavia'C'	5,541	\$15,237.75	\$1,152.18	\$16,389.93
TOTALS	28,752	\$79,068.00	\$10,950.00	\$90,018.00

and, Be it further

RESOLVED, That the amounts to be paid to the County Treasurer are credited to Revenue A.1325 2226 Tax and Assessment Sales and Supplies, in the current budget year.

Budget Impact Statement: Licensing fee revenue of \$10,950 is paid to the NYSORPTS for software licensing. Assessment services and roll / bill revenue of \$79,068 covers salary and all other expenses incurred in providing these services to the municipalities. The 2011 Chargebacks totaled \$89,748.50.

Y N Simple 2/3

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9. DeJaneiro			28	40
TOTALS			326	420
Roll Call				
Approval			164	280

RESOLUTION NO. BUDGET FOR 2013 - SETTING PUBLIC HEARING

Legislator Lawrence offered the following resolution:

WHEREAS, The Tentative Budget for 2013 is being prepared by the Genesee County Budget Director and will be duly filed with the Clerk of the County Legislature, and

WHEREAS, The Committee on Ways and Means does recommend setting a public hearing for the 2013 Budget. Now, therefore, Be it

RESOLVED, That a Public Hearing on the 2013 Genesee County Budget will be held on Thursday, November 8, 2012 at 7:00 p.m. at the Genesee County Office for the Aging, 2 Bank Street, in the City of Batavia, New York.

Budget Impact Statement: None

Y N Simple 2/3

1. Cianfrini			28	42
2. Bausch			45	55
3. Lawrence			43	51
4. Hancock			47	57
5. Stein			43	52
6. Leadley			38	45
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8. Clattenberg			28	40
9. DeJaneiro			28	40
TOTALS			326	420
Roll Call				
Approval			164	280