

**RESOLUTION NO. 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.

**RESOLUTION NO. RATIFICATION-TREASURER/GENESEE COUNTY SALE OF
COUNTYOWNED 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
Jeffrey Freeman	#2	13.-1-106, 13.-1-107	Elba	\$1,300
Donald Scott	#3	23.-1-61.2	LeRoy	\$1,500
Jeffrey Freeman	#4	29.-1-83	LeRoy	\$13,000
E Properties, LLC	#6	12.-1-22	Pavilion	\$600
Kenneth Falker	#7	16.-1-19.2	Pembroke	\$6,800
William J Pearse	#8	17.-1-14	Pembroke	\$33,000
Kenneth Lipinski	#9	24.-1-38	Pembroke	\$18,000
Michael Metz	#10	2.-1-22.2	V/Alexander	\$300

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

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

**RESOLUTION NO. AGREEMENT RENEWAL – SHERIFF’S OFFICE/
POLICEREPORTS.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.

**RESOLUTION NO. 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.

**RESOLUTION NO. 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 Statement: 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.

**RESOLUTION NO. 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.

**RESOLUTION NO. 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.

**RESOLUTION NO. HOUSEHOLD HAZARDOUS WASTE COLLECTION
CONTRACT-GLOW SOLID WASTE MGMT.
COMMITTEE-EXTENSION 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 Statement: 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.

**RESOLUTION NO. CERTIFICATE OF INSURANCE- HEMLOCK LAKE
UNION AG SOCIETY – GLOW REGION SOLID
MANAGEMENT COMMITTEE - 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 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.

**RESOLUTION NO. CERTIFICATE OF INSURANCE- WYOMING
 COUNTY FAIR ASSOCIATION – GLOW REGION
 SOLID MANAGEMENT COMMITTEE -
 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 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.

**RESOLUTION NO. 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.

**RESOLUTION NO. 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 Statement: None. Grant Funds offset the 2012 OEM operating expenses.

**RESOLUTION NO. 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

WHEREAS, The Committees on Public Service and Ways and Means did review this recommendation and do 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

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

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.

**RESOLUTION NO. 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 managements 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.

**RESOLUTION NO. 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 Statement: 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.