



LIVINGSTON COUNTY BOARD OF SUPERVISORS' MEETING NOTICE

Livingston County Government Center, Geneseo, New York 14454 585.243.7030

COMMITTEE: WAYS AND MEANS
DATE: TUESDAY, JANUARY 21, 2020
TIME: 1:30 P.M.

Committee Members
D. Pangrazio, Chairman
D. Knapp, Vice Chairman
D. Fanaro
E. Gott
W. Wadsworth
D. LeFeber
D. Mahus

PLEDGE OF ALLEGIANCE:

REVISED: COUNTY ATTORNEY

1:30 COUNTY TREASURER – AMY DAVIES (Attachment)

Pre-approved Informational Item(s) To Be Reported

1. KING COLE BEAN PROPERTIES UPDATE – COURT RULING

1:40 COUNTY ATTORNEY – SHANNON HILLIER

Action Item(s) To Be Reported

DISCUSSION ON THE INTRODUCTION AND A PUBLIC HEARING RESOLUTION OF LOCAL LAW – LOCAL LAW NO. A-2020 A LOCAL LAW ADOPTING THE LIVINGSTON COUNTY GUEST ROOM OCCUPANCY TAX LAW AND RESCINDING ALL PREVIOUS HOTEL AND MOTEL OCCUPANCY TAX LOCAL LAWS AND AMENDMENTS IN LIVINGSTON COUNTY (on desks for review)

1. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. A-2020 A LOCAL LAW ADOPTING THE LIVINGSTON COUNTY GUEST ROOM OCCUPANCY TAX LAW AND RESCINDING ALL PREVIOUS HOTEL AND MOTEL OCCUPANCY TAX LOCAL LAWS AND AMENDMENTS IN LIVINGSTON COUNTY

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on January 22, 2020, a proposed Local Law entitled Local Law No. A – 2020 a local law adopting the Livingston County guest room occupancy tax law and rescinding all previous hotel and motel occupancy tax local laws and amendments in Livingston County, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 12th day of February, 2020 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York and at least six (6) days notice shall be given by posting thereof on the bulletin board of the Government Center in this County and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

INTRODUCTION OF LOCAL LAW --- LOCAL LAW NO. B-2020 A LOCAL LAW AMENDING AND RESTATING LOCAL LAW NO. 7 OF THE YEAR 2012 SUPERCEDING CERTAIN PROVISIONS OF SECTION 3 OF THE PUBLIC OFFICERS LAW OF THE STATE OF NEW YORK

The Local Law Superceding Certain Provisions of Section 3 of the Public Officers Law of the State of New York, as enacted by Local Law 2012-7, is hereby amended and restated to read as follows:

A LOCAL LAW SUPERCEDING CERTAIN PROVISIONS OF SECTION 3 OF THE PUBLIC OFFICERS LAW OF THE STATE OF NEW YORK

BE IT ENACTED by the Board of Supervisors of the County of Livingston as follows:

Section 1. The Livingston County Board of Supervisors recognizes the need to retain qualified and experienced employees in public offices within the County of Livingston. The Livingston County Board of Supervisors further recognizes that to fulfill this need, it is occasionally necessary to employ individuals who do not reside within the County of Livingston during their term of office.



LIVINGSTON COUNTY BOARD OF SUPERVISORS' MEETING NOTICE

Livingston County Government Center, Geneseo, New York 14454 585.243.7030

Section 2. The Livingston County Board of Supervisors elects to supercede certain provisions of Section 3 of the Public Officers Law of the State of New York to the extent it is inconsistent with the terms of this local law.

Section 3. The individuals occupying the following public offices for the County of Livingston must be residents of the County of Livingston, or residents of a county adjoining the County of Livingston, during their term of office: Director of Nursing Services (CNR); Director of Social Work Services (CNR); Director of Patient Services (DOH); Highway Administrative Manager; Director of Community Mental Health Services; Deputy Director of Community Mental Health Services; Deputy Director of Long Term Care (CNR); Assistant Public Defender; Assistant District Attorney; Director of Veteran Services Agency; part-time Correction Officer and part-time Deputy Sheriff.

Section 4. This local law shall be effective upon its filing with in the Office of the Secretary of State.

Dated at Geneseo, New York
January 22, 2020(Introduced)
, 2020 (Adopted)

2. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. B-2020 AMENDING AND RESTATING LOCAL LAW NO. 7 OF THE YEAR 2012 SUPERCEDING CERTAIN PROVISIONS OF SECTION 3 OF THE PUBLIC OFFICERS LAW OF THE STATE OF NEW YORK

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on January 22, 2020, a proposed Local Law entitled Local Law No. B-2020 Amending and Restating Local Law No. 7 of the Year 2012 Superceding Certain Provisions of Section 3 of the Public Officers Law of the State of New York, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 26th day of February, 2020 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York and at least six (6) days' notice shall be given by posting thereof on the bulletin board of the Government Center in this County and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

1:50 REAL PROPERTY TAX SERVICES – BILL FULLER

Action Item(S) To Be Reported

1. CORRECTING TAX ROLL-VARIOUS TOWNS

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to five (5 parcels) applications for correction of the tax rolls, pursuant to the Real Property Tax Law, as prepared for the various towns on the tax rolls for the years hereinafter set forth, and

WHEREAS, said parcels were incorrectly assessed and/or taxed for reasons set forth in the applications for correction requested from the Director of Real Property Tax Services attached hereto, now, therefore, be it

RESOLVED, that the Director of Real Property Tax Services is authorized and directed to forward a copy of this resolution to the officer(s) having jurisdiction of the tax roll so that the roll(s) can be corrected; and a notice of approval to the applicant(s), and be it further

RESOLVED, that the County Treasurer and/or Town Tax Collector is hereby authorized to make the tax roll corrections and forward the corrected tax bills. The County Treasurer is authorized to issue refunds and/or make the appropriate chargebacks as hereinafter set forth for the application(s).

Year, Municipality	Owner(s)	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund to Owner	Chargebacks to Taxing Jurisdictions
1. 2020 Avon	Howlett Farms, Inc.	Livingston County Avon Town Tax	\$742.70 \$377.15	\$0.00 \$0.00	\$0.00 \$0.00	\$742.70 \$377.15



LIVINGSTON COUNTY BOARD OF SUPERVISORS' MEETING NOTICE

Livingston County Government Center, Geneseo, New York 14454 585.243.7030

Tax Map Number	Avon Fire 1	\$178.35	\$0.00	\$0.00	\$178.35
34.-1-3.32	Total	<u>\$1,298.20</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$1,298.20</u>
2. 2020 Conesus					
Candie, Edwin W.	Livingston County	\$1,571.33	\$986.32	\$0.00	\$585.01
Candie, Mylessia J.	Conesus Town Tax	\$1,438.81	\$903.13	\$0.00	\$535.68
Tax Map Number	Conesus Fire 1	\$144.17	\$90.49	\$0.00	\$53.68
129.-1-11.11	Total	<u>\$3,154.31</u>	<u>\$1,979.94</u>	<u>\$0.00</u>	<u>\$1,174.37</u>
3. 2020 Geneseo					
Gray, Richard A.	Livingston County	\$24.04	\$24.04	\$0.00	\$0.00
Tax Map Number	Geneseo Town Tax	\$9.84	\$9.84	\$0.00	\$0.00
100.-1-7	Geneseo Fire 1	\$1.39	\$1.39	\$0.00	\$0.00
	Water #5 Occupied	\$877.00	\$0.00	\$0.00	\$877.00
	Total	<u>\$912.27</u>	<u>\$35.27</u>	<u>\$0.00</u>	<u>\$877.00</u>
4. 2020 Lima					
Saunders, Robert J.	Livingston County	\$979.60	\$489.80	\$0.00	\$489.80
Tax Map Number	Lima Town Tax	\$561.58	\$280.79	\$0.00	\$280.79
27.-1-33	Lima Fire 3	\$67.96	\$33.98	\$0.00	\$33.98
	Total	<u>\$1,609.14</u>	<u>\$804.57</u>	<u>\$0.00</u>	<u>\$804.57</u>
5. 2020 Springwater					
Livingston County	Livingston County	\$417.76	\$0.00	\$0.00	\$417.76
Tax Map Number	Springwater Town Tax	\$496.42	\$0.00	\$0.00	\$496.42
138.-2-81.1	Springwater Fire 1	\$58.87	\$0.00	\$0.00	\$58.87
	Total	<u>\$973.05</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$973.05</u>

1:55 OTHER – IAN COYLE

Action Item(s) To Be Reported

1. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY WORKPLACE VIOLENCE PREVENTION COMMITTEE – PHYLLIS APPLIN & ROGER ERIC TOWNSEND

RESOLVED, that the following members are hereby appointed to the Livingston County Workplace Violence Prevention Committee for the term designated:

Livingston County Workplace Violence Prevention Committee			
Name	Address	Rep./Title	Term Expires
Phyllis Applin	7460 Barber Hill Road, PO Box 43, Groveland, NY 14462	Member	12/31/21
Roger Eric Townsend	25 Larrigan Crossing, Brockport, NY 14420	Member	12/31/21

2:00 COUNTY ADMINISTRATOR – IAN COYLE

Action Item(s) To Be Reported

1. APPROVING ABSTRACT OF CLAIMS #1B-JANUARY 22, 2020

Pre-approved Informational Item(s) To Be Reported

1. Discussion of BOE machine replacement recommendation & budget transfer
2. NYS Budget and State of the State
3. Strategic Planning Workshop
4. Sales Tax Report
5. Year-End Financials
6. W/C TPA Services

2:30 ADJOURNMENT



Mary F. Strickland, County Clerk
 Livingston County Government Center
 6 Court Street, Room 201
 Geneseo, New York 14454
 (585) 243-7010 ~ Fax (585) 243-7928

Livingston County Clerk Recording Page

Received From:

PHILLIPS LYTTLE LLP
 1400 FIRST FEDERAL PLAZA
 ROCHESTER, NY 14614

Return To:

Document Type: **CIVIL ACTION - MISC**

Document Desc: **ORDER GRANTING
 SUMMARY JUDGMENT AND AN AMENDED
 JUDGMENT OF FORECLOSURE**

Plaintiff
LIVINGSTON COUNTY TREASURER

Defendant
SEE DOCUMENT

Recorded Information:
Index #: 000825-2017

State of New York
 County of Livingston

Recorded on the 30th date of December, 2019
 at 10:17:01 AM.

Livingston County Clerk

This sheet constitutes the Clerk's endorsement required by section 319 of the Real Property Law of the State of New York

**Phillips Lytle LLP**

Via U.S. Mail

December 27, 2019

Livingston County Clerk's Office
Livingston County Government Center
6 Court Street, Room 201
Geneseo, New York 14454

Re: In the Matter of the Foreclosure of Tax Liens by Proceeding In Rem pursuant to
Article Eleven of the Real Property Tax Law by the County of Livingston
Index No. 000825-2017

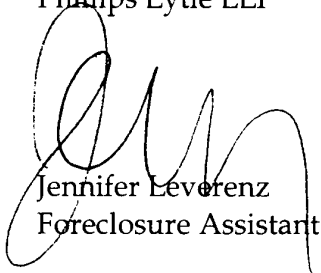
Dear Sir or Madam:

Please file the enclosed executed order granting summary judgment and an amended judgment of foreclosure, and time-stamp and return the copies to the undersigned in the enclosed self-addressed, stamped envelope provided herein.

Thank you for your prompt attention to this matter.

Very truly yours,

Phillips Lytle LLP



Jennifer Levoenz
Foreclosure Assistant

/J-L2

Enclosures

ATTORNEYS AT LAW

FIRST FEDERAL PLAZA 28 EAST MAIN STREET SUITE 1400 ROCHESTER, NY 14614-1935 PHONE 585 238 2000 FAX 585 232 3141
NEW YORK: ALBANY, BUFFALO, CHAUTAUQUA, GARDEN CITY, NEW YORK, ROCHESTER | WASHINGTON, DC | CANADA: WATERLOO REGION
PHILLIPSLYTTLE.COM

At a Term ____ of the Supreme Court,
held in and for the County of Livingston,
at the Court House thereof on the 12th
day of December, 2019.

PRESENT: HON. ROBERT B. WIGGINS, J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF LIVINGSTON

In the Matter of the Foreclosure of Tax Liens by
Proceeding In Rem pursuant to Article Eleven of the
Real Property Tax Law by the County of Livingston,

**ORDER GRANTING
SUMMARY JUDGMENT
AND AN AMENDED
JUDGMENT OF
FORECLOSURE**

Index No.: 000825-2017

Upon the Petition and Notice of Foreclosure (the "Petition") duly filed in this action in the Office of the Clerk of the County of Livingston on March 6, 2019, and on all proceedings thereon, and upon due proof that notice of such Petition was duly published, after the filing of such Petition, in each of three non-consecutive weeks in a two month period in the Genesee Country Express and the Livingston County News, newspapers duly designated for that purpose by the County of Livingston ("Petitioner"), and upon the filing of the affirmation in support of summary judgment and amended judgment of foreclosure of Chad W. Flansburg, of Phillips Lytle LLP, Counsel for the Petitioner, dated August 2, 2019; the affidavit of Amy L. Davies, Treasurer for the Petitioner, sworn to July 31, 2019, demonstrating the due publication of such Petition and of the due mailing thereof to the owners of the property affected thereby, and other parties in interest, and that no answer has been filed or served except as indicated therein; and upon proof that there has been due compliance by the County of Livingston with the provisions of Article 11 of the New York Real Property Tax Law (the "RPTL"); and upon proof that no other persons or parties are

entitled to notice of this application; and Phillips Lytle LLP, by Chad W. Flansburg, Esq. appearing for the Petitioner;

NOW, on a motion of Phillips Lytle LLP, by Chad W. Flansburg, Esq., it is

ORDERED AND ADJUDGED, that the Answer of respondent Harold Cole (“Mr. Cole”) and respondent King Cole Bean Company, Inc. (“King Cole”) (collectively, “Respondents”) be stricken and that summary judgment be granted as to all the facts and issues described in Petitioner’s Petition as to the following parcels 1) Wadsworth Avenue, Village of Avon, County of Livingston, New York and further identified as tax account number 34.6-1-20; 2) 99 West Main Street, Village of Avon, County of Livingston, New York and further identified as tax account number 34.6-1-26; 3) Rochester Street, Village of Avon, County of Livingston, New York and further identified as tax account number 34.6-1-77; 4) Wadsworth Avenue, Village of Avon, County of Livingston, New York and further identified as tax account number 34.9-1-61; and 5) 2907 York Road East, Town of York, County of Livingston, New York and further identified as tax account number 41.-1-67 (collectively, the “Tax Parcels”); and it is further

ORDERED, that the Judgment of Foreclosure previously entered herein on July 11, 2019 be amended to include the Tax Parcels; and it is further

ORDERED, ADJUDGED AND DECREED that the Treasurer of the County of Livingston shall prepare, execute and cause to be recorded a deed or deeds conveying to the County of Livingston, or its designee of the County of Livingston, full and

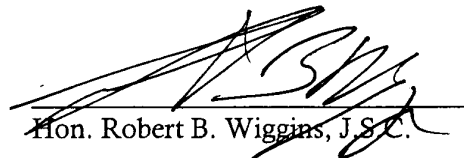
complete title to the Tax Parcels and upon execution of such deed or deeds the County of Livingston, or such designee, shall be seized of an estate in fee simple absolute in the Tax Parcels and all persons, including the state, infants, incompetents, absentees and non-residents who have, or may have had, any right, title, interest, claim, lien or equity of redemption in or upon the Tax Parcels shall be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of redemption; and it is further

ORDERED, ADJUDGED AND DECREED that the Tax Parcels may, at the discretion of the Treasurer of the County of Livingston, be excluded from such deed or deeds to the County of Livingston upon any of the grounds set forth in RPTL § 1138 or for other good cause; and it is further

ORDERED, ADJUDGED and DECREED that all of the remaining provisions of the Judgment of Foreclosure signed on July 5, 2019 and filed in the Livingston County Clerk's Office on July 11, 2019 shall remain in full force and effect.

Dated: December 12, 2019

ENTER:


Hon. Robert B. Wiggins, J.S.C.