

AGENDA DOCKET
LIVINGSTON COUNTY BOARD OF SUPERVISORS REGULAR BOARD MEETING
WEDNESDAY, JANUARY 26, 2021
1:30 P.M.



ROLL CALL

PLEDGE OF ALLEGIANCE

Sparta Supervisor Mark Schuster

APPROVAL OF MINUTES

Minutes of 1/12/22 Regular Meeting

PUBLIC HEARING

1. LOCAL LAW NO. A-2022 LOCAL LAW APPLYING THE ADOPTED 2022 SALARY REVISIONS TO ALL COUNTY OFFICERS SERVING FOR FIXED TERMS

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF LIVINGSTON AS FOLLOWS:

Section 1. LEGISLATIVE INTENT AND FINDINGS

The Board of Supervisors hereby finds and determines that the salaries of County Officer's serving for fixed terms of office may be changed and adjusted only by local law.

Section 2. COUNTY OFFICERS WITH FIXED TERMS

The annual salaries of all Livingston County officers serving for fixed terms are revised with the adoption of the 2022 salary schedule and are hereby established as follows:

<u>Title/Officer</u>	<u>2021</u>	<u>2022</u>
Democratic Commissioner of Elections, David M. DiPasquale	\$64,325.00	\$66,275.00
Republican Commissioner of Elections, Rebecca L. Schroeder	\$64,325.00	\$66,275.00
Commissioner of Social Services, Diane M. Deane	\$111,725.00	\$115,100.00
County Administrator, Ian M. Coyle	\$156,300.00	\$160,000.00
County Highway Superintendent, Jason Wolfanger	\$96,900.00	\$99,825.00
Director of Community Mental Health Services, Vacant	\$78,425.00	\$84,000.00
Director of Real Property Tax Services, William E. Fuller	\$80,425.00	\$82,850.00
Personnel Officer, Katie E. Hill	\$110,000.00	\$113,300.00
Public Health Director, Jennifer J. Rodriguez	\$108,925.00	\$112,200.00

Section 3. EFFECTIVE DATE

All salaries set forth herein shall be effective as of January 1, 2022. This Local Law shall become effective, subject to permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

COMMUNICATIONS

1. The next Conversation with the County will be held on Tuesday, February 1, 2022--7:00 p.m. at the Conesus Town Hall, 6210 South Livonia Rd, Conesus.

ABSTRACT OF CLAIMS

RESOLUTION NO. 2022-38 APPROVING ABSTRACT OF CLAIMS #1A-JANUARY 26, 2022

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #1B dated January 26, 2022 in the total amount of \$3,038,292.46.

Dated at Geneseo, New York

January 26, 2022

Ways and Means Committee

PRIVILEGES OF THE FLOOR

ANGELA ELLIS-DEPUTY CO. ADM. FOR PLANNING & SPECIAL PROJECTS
- BROADBAND UPDATE

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

Ways & Means Committee

1. ADOPTING 2022 OFFICIAL LIST OF COUNTY OFFICIALS REQUIRED TO FILE AN ANNUAL STATEMENT OF FINANCIAL DISCLOSURE UNDER SECTION 2F OF LOCAL LAW NO. 4 OF THE YEAR 1990

WHEREAS, the Ethics Board of Livingston County has recommended to the Chairman of the Board of Supervisors the 2022 Official List of County Officials required to file an annual statement of financial disclosure; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby adopts the list on file with the Clerk of the Board, which constitutes the 2022 Official List of County Officials required to file an annual statement of financial disclosure pursuant to the provisions of the Local Law No. 4 of the year 1990.

Dated at Geneseo, New York

January 26, 2022

Ways and Means Committee

2. RESOLUTION SUPPORTING THE ENACTMENT OF THE NEW YORK STATE BUY AMERICAN SALT ACT

WHEREAS, New York State has at least two salt mines within the state that provide rock salt for road deicing purposes and one of those mines is located right here in Livingston County, specifically in the Town of Groveland; and

WHEREAS, despite these two large Upstate New York mines offering good paying union jobs, competition with foreign salt operations recently harmed these mines. Alarmingly, in 2019 hundreds of workers employed by these mines were laid off when non-US companies were awarded over \$18.8 million in state contracts; and

WHEREAS, in addition to providing jobs, salt mined or harvested in New York State adds an estimated \$3.00 in tax revenue for every ton of salt produced providing a financial boon to the state and various counties. There is a clear fiscal and economic benefit to purchasing salt produced in the state; and

WHEREAS, New York State has previously prioritized the purchase of goods by focusing on a buy American strategy, most recently in 2017 when the Governor and Legislature agreed to prioritize American made steel in state contracts; and

WHEREAS, while purchasing American products does not necessarily mean New York products will be purchased, it does present a legal framework that still gives New York State mines an advantage over foreign competition; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby supports the passage of Senate Bill S3908A and Assembly Bill A07919 known as the Buy American Salt Act; and be it further

RESOLVED, that the Clerk of this Board of Supervisors shall forward this resolution to Senator George Borrello, Senator Patrick Gallivan, Assemblywoman Marjorie Byrnes, and all others deemed necessary and appropriate.

Dated at Geneseo, New York

January 26, 2022

Ways and Means Committee

DISCUSSION OF THE RESOLUTIONS ON PREFERRED AGENDA

MOTION TO MOVE THE RESOLUTIONS ON THE PREFERRED AGENDA AND DIRECT THE CLERK OF THE BOARD TO CALL THE ROLL CALL VOTE

RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE

WAYS & MEANS COMMITTEE

County Administrator/Budget Officer

3. AMENDING 2022 LIVINGSTON COUNTY BUDGET-OFFICE FOR THE AGING

RESOLVED, that the Livingston County Treasurer is authorized and directed to make the requested Budget Amendments per the Budget Amendment entries that have been approved by the Livingston County Administrator.

Dated at Geneseo, New York

January 26, 2022

Ways and Means Committee

4. AUTHORIZING TRANSFER OF FUNDS-ECONOMIC DEVELOPMENT

RESOLVED, that the Livingston County Treasurer is authorized and directed to make the requested transfers per the Budget Amendment entries that have been approved by the Livingston County Administrator.

Dated at Geneseo, New York

January 26, 2022

Ways and Means Committee

County Attorney

5. AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT TO AN ACTION RELATING TO THE OPIOID CRISIS – ALLERGAN

WHEREAS, there is pending the matter on behalf of Livingston County regarding the opioid addiction crisis in which Livingston County is the named plaintiff in the action (the “Action”); and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids, and chain pharmacies; and

WHEREAS, the Action alleges several causes of action against defendants Allergan Finance, LLC (f/k/a Actavis, Inc., which in turn was f/k/a Watson Pharmaceuticals, Inc.) and Allergan Limited (f/k/a Allergan plc, which in turn was f/k/a Actavis plc) (together referred to herein as “Allergan”), all of which relate to the creation of a public health crisis in Livingston County; and

WHEREAS, Allergan has offered to settle the claims of Livingston County against it by paying a one-time direct payment of approximately \$135,780.58 (assuming all incentives are met) and agreeing to implement injunctive relief under a controlled substance monitoring program; and

WHEREAS, it is in the best interest of Livingston County to resolve this matter with respect to Allergan without further litigation and enter into the proposed settlement agreement as it shall settle all allegations against Allergan and avoid protracted litigation; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby approves the proposed settlement agreement and authorizes the Chairman of the Board or his designee to execute said agreement and such other documentation as may be necessary and appropriate to effectuate the settlement with Allergan.

Dated at Geneseo, New York

January 26, 2022

Ways and Means Committee

Other

6. AUTHORIZING THE PURCHASE OF ONE (1) 2021 GRADALL XL3100 V FOR THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT-ALTA CONSTRUCTION EQUIPMENT NEW YORK LLC

RESOLVED, that the Livingston County Highway Department is hereby authorized to purchase through Sourcewell Excavator Contract #040319-GRD from Alta Construction Equipment New York LLC of 5985 Court St. Rd., Syracuse, NY, 13206, one (1) 2021 Gradall Model XL3100 V Excavator with a cost not to exceed \$332,517.64

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
2022 Liv. Co. Hwy. Equipment Fund Appropriations	100%	Yes X No

Dated at Geneseo, New York

January 26, 2022

Ways and Means Committee

7. AUTHORIZING A SUPPLEMENTAL PROFESSIONAL SERVICES CONTRACT FOR THE ENGINEERING, DESIGN, RIGHT-OF-WAY, CONSTRUCTION SUPPORT AND CONSTRUCTION INSPECTION PHASES OF A BRIDGE-NY CULVERT REPLACEMENT PROJECT: LIVONIA

CENTER ROAD (CR-39) OVER KINNEY CREEK, TOWN OF LIVONIA, PIN 4BNY.34 - LABELLA ASSOCIATES

WHEREAS, Livingston County Board of Supervisors’ Resolution No. 2019-277 authorized a professional services contract with LaBella Associates, D.P.C. for the engineering, design, construction support and construction inspection phases of the above-named project in the amount of Two Hundred Twelve Thousand Seven Hundred Dollars (\$212,700.00); and

WHEREAS, said contract was set to expire December 31, 2021; and

WHEREAS, a portion of the construction of said project has been delayed due to supply-chain and seasonal restrictions requiring further inspection services thereby necessitating the need to extend the contract term; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following supplemental Professional Services Contract, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
LaBella Associates, D.P.C 300 State Street, Suite 201, Rochester, NY 14614	8/14/19-06/30/22	Not to exceed \$212,700.00

For Supplemental contract for construction inspection and construction support services for above-noted Bridge-NY Project, Livonia Center Road over Kinney Creek PIN 4BNY.34.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Federal Highway, NYSDOT Marchiselli, Liv. Co. Hwy.	25%	Yes X No

Dated at Geneseo, New York

January 26, 2022

Ways and Means Committee

Personnel

8. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT CLARIFICATION WITH LIVINGSTON COUNTY ADMINISTRATOR IAN M. COYLE

RESOLVED, the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract clarification with Livingston County Administrator Ian M. Coyle relative to outside teaching and consulting opportunities, subject to review by the County Attorney.

Dated at Geneseo, New York

January 26, 2022

Ways and Means Committee

Real Property Tax Services

9. CORRECTING TAX ROLL-VARIOUS TOWNS

WHEREAS, the Livingston County Real Property Tax Services Director has transmitted a written report of his investigation and recommendation with regard to five applications (5 parcels) for correction of the tax rolls, pursuant to the Real Property Tax Law, as prepared for the Towns of Groveland, Mount Morris, North Dansville, Ossian and York 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 Livingston County Real Property Tax Services Director, now, therefore, be it

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

Year, Municipality				Refund	Chargebacks to
Owner(s)	Taxing	Original	Corrected	to	Taxing
Tax Map Number	Jurisdiction	Tax Bill	Tax Bill	Owner	Jurisdictions
1. 2022 Groveland	Livingston County	\$1,327.36	\$579.61	\$0.00	\$747.75
Merkel, Justin	Groveland Town Tax	\$555.08	\$242.38	\$0.00	\$312.70

Tax Map Number	School Relevy	\$3,084.65	\$1,346.96	\$0.00	\$1,737.69
100.-1-43	Groveland Fire 1/Amb	<u>\$72.26</u>	<u>\$31.55</u>	<u>\$0.00</u>	<u>\$40.71</u>
	Total	\$5,039.35	\$2,200.50	\$0.00	\$2,838.85
2. 2022 Mt. Morris	Livingston County	\$529.95	\$0.00	\$0.00	\$529.95
Land Bank	Mount Morris Town Tax	\$198.63	\$0.00	\$0.00	\$198.63
Corporation	School Relevy	\$1,774.57	\$0.00	\$0.00	\$1,774.57
Tax Map Number	Village Relevy	\$1,300.00	\$0.00	\$0.00	\$1,300.00
106.14-2-27	Joint Fire District	<u>\$58.32</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$58.32</u>
	Total	\$3,861.47	\$0.00	\$0.00	\$3,861.47
3. 2022 N. Dansville	Livingston County	\$333.59	\$0.00	\$0.00	\$333.59
Land Bank	N. Dansville Town Tax	\$101.70	\$0.00	\$0.00	\$101.70
Corporation	School Relevy	\$982.46	\$0.00	\$0.00	\$982.46
Tax Map Number	Village Relevy	<u>\$766.91</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$766.91</u>
203.10-2-55	Total	\$2,184.66	\$0.00	\$0.00	\$2,184.66
4. 2022 Ossian	Livingston County	\$206.69	\$77.92	\$0.00	\$128.77
Bancroft, Charles	Ossian Town Tax	\$252.73	\$95.28	\$0.00	\$157.45
Tax Map Number	Ossian Fire 1	<u>\$11.63</u>	<u>\$4.38</u>	<u>\$0.00</u>	<u>\$7.25</u>
212.-1-6	Total	\$471.05	\$177.58	\$0.00	\$293.47
5. 2022 York	Livingston County	\$164.30	\$164.30	\$0.00	\$0.00
Hanley, Patrick	York Town Tax	\$81.80	\$81.80	\$0.00	\$0.00
Tax Map Number	York Fire 1	\$15.06	\$15.06	\$0.00	\$0.00
51.10-1-4.111	York Swr Dist #1	\$916.06	\$50.00	\$0.00	\$866.06
	Consolidated Wtr	<u>\$619.17</u>	<u>\$67.87</u>	<u>\$0.00</u>	<u>\$551.30</u>
	Total	\$1,796.39	\$379.03	\$0.00	\$1,417.36

Dated at Geneseo, New York
January 26, 2022
Ways and Means Committee

CLOSE PUBLIC HEARING

MOTION TO MOVE LOCAL LAW NO. A-2022 LOCAL LAW APPLYING THE ADOPTED 2022 SALARY REVISIONS TO ALL COUNTY OFFICERS SERVING FOR FIXED TERMS

VOTE ON LOCAL LAW

OTHER BUSINESS

1. CHAIRMAN APPOINTMENTS

Genesee Finger Lakes Regional Planning Council

Name	Address	Title/Represents	Term Expires
Michael Falk	P.O. Box 6A, Lima, NY 14485	Chairman Designee	12/31/22
Gregory Horr	48 Seward Street, Dansville, NY 14437	Member	12/31/22
Bonnie Taylor-Davis	410 North Avenue, Avon, NY 14414	Member	12/31/22
Angela Ellis	6 Court Street, Geneseo, NY 14454	Ex-officio Member	12/31/22
William Bacon	6 Court Street, Geneseo, NY 14454	Ex-officio Member	12/31/22

Genesee Transportation Council

Name	Address	Title/Represents	Term Expires
David LeFeber	6 Court Street, Geneseo, NY 14454	Chairman	12/31/22
Angela Ellis	6 Court Street, Geneseo, NY 14454	Alternate	12/31/22

Genesee Transportation Council – Planning Committee

Name	Address	Title/Represents	Term Expires
Zachary Cracknell	4389 Gypsy Lane, Mt. Morris, NY 14510	Alternate	12/31/22
Angela Ellis	6 Court Street, Geneseo, NY 14454	Representative	12/31/22
Jason Wolfanger	4389 Gypsy Lane, Mt. Morris, NY 14510	Alternate	12/31/22

GLOW Solid Waste Committee

Name	Address	Title/Represents	Term Expires
Daniel L. Pangrazio	531 Feeley Road, Caledonia, NY 14423	Chairman Designee	12/31/22
Michael J. Falk	P.O. Box 6A, Lima, NY 14485	Member	12/31/22
Donald Wester	5891 Clark Road, Conesus, NY 14435	Member	12/31/22
Catherine VanHorne	1707 Parkside Place, Lima, NY 14481	Alternate	12/31/22

ADJOURNMENT