



**LIVINGSTON COUNTY BOARD OF SUPERVISORS' MEETING NOTICE**

Livingston County Government Center, Geneseo, New York 14454 585.243.7030

**TENTATIVE AGENDA**

COMMITTEE: WAYS AND MEANS  
DATE: TUESDAY, FEBRUARY 22, 2022  
TIME: 1:30 P.M.

<u>Committee Members</u>
D. Knapp, Chairman
W. Wadsworth, Vice Chairman
D. Fanaro
E. Gott
D. Babbitt Henry
D. LeFeber
D. Pangrazio

**PLEDGE OF ALLEGIANCE:**

**1:30 PERSONNEL ISSUES**

**1. COUNTY ADMINISTRATOR – IAN COYLE**

**APPOINTING COMMISSIONER OF SOCIAL SERVICES-TRACY MCCAUGHEY**

WHEREAS, the office of Commissioner of Social Services shall become vacant on February 27, 2022 at 11:59 p.m. due to the retirement of Commissioner of Social Services Diane Deane;

WHEREAS, the County Administrator has recommended the appointment of a successor Commissioner of Social Services pursuant to his powers and duties as specified in Section 4 (C) of Local Law E-2007; and

WHEREAS, the Ways and Means Committee has reviewed the recommendation of the County Administrator, concurs with it, and likewise recommends to the Board of Supervisors said appointment; and

WHEREAS, the Board of Supervisors wishes to make appointment consistent with these recommendations; now, therefore, be it

RESOLVED, that the 2022 Department Head Salary Schedule is amended as follows:

**Department of Social Services**

Appoint Tracy McCaughey of 50 Westview Crescent, Geneseo, New York to the position of Commissioner of Social Services for a term commencing February 28, 2022 at 12:00 a.m. and terminating May 31, 2026, at an annual salary of \$112,000.00.

**AMENDING THE 2022 LIVINGSTON COUNTY SALARY SCHEDULE: COUNTY ADMINISTRATOR**

RESOLVED, that the 2022 Livingston County Salary Schedule is amended as follows:

**County Administrator:**

- Convert one full-time Records Inventory Supervisor position to a part-time position at an hourly wage rate of \$25.82/hour effective immediately.

For: Position needed due to upcoming retirement of Records Inventory Clerk.

**2. ECONOMIC DEVELOPMENT – BILL BACON**

**AMENDING THE 2022 LIVINGSTON COUNTY SALARY SCHEDULE: ECONOMIC DEVELOPMENT**

RESOLVED, that the 2022 Livingston County Salary Schedule is amended as follows:

**Economic Development:**

- Convert one part-time Economic Development Assistant position to a full-time position at a Wage Grade 11 CSEA Contract effective 4/1/22.

For: Position duties have changed to involve a heavier volume of bookkeeping and administrative work necessary to accommodate the growing needs of the Economic Development Office.

**1:35 COUNTY TREASURER – AMY DAVIES**

**Action Item(s) To Be Reported**



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**1. AMENDING THE INVESTMENT POLICY FOR LIVINGSTON COUNTY**

WHEREAS, it has been recommended that the Investment Policy for Livingston County be amended; and

WHEREAS, the Ways and Means Committee has reviewed the recommendations and has approved incorporating those amendments into the Investment Policy for Livingston County; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby adopts the attached Investment Policy for Livingston County, effective immediately, said policy to supersede the existing Investment Policy.

**1:45 COUNTY ATTORNEY – SHANNON HILLIER  
AUTHORIZING RENEWAL OF THE VERIZON WATER TOWER LEASE AGREEMENT -  
LIVINGSTON COUNTY MURRAY HILL CAMPUS, MT. MORRIS, NEW YORK**

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a renewal of the Verizon Water Tower Lease Agreement for a term commencing July 1, 2023 and terminating June 30, 2029, with automatic renewals for four (4) additional five (5) year terms, at an initial monthly rental amount of \$2,750.00 per month with a 2% annual rent increase every July 1<sup>st</sup> the lease agreement remains in effect, subject to review by the County Attorney and County Administrator.

**1:50 PLANNING – ANGELA ELLIS**

**Action Item(s) To Be Reported**

**1. AWARDING BID FOR THE PLANNING DEPARTMENT FOR THE LIVINGSTON COUNTY EMERGENCY COMMUNICATIONS SYSTEM UPGRADE PROJECT PHASE 6-CONTRACT 2: EQUIPMENT SHELTER: SABRE COMMUNICATIONS**

WHEREAS, after the proper legal advertisement seeking bids for the Livingston County Emergency Communications System Upgrade Project Phase 6 – Contract 2: Equipment Shelter, two bids were received and opened on February 8, 2022, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the following contract, which is hereby accepted as the lowest responsible bid, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Sabre Communications</b>	N/A	\$103,718.00
7101 Southbridge Drive		
Sioux City, IA 51111		
For: Purchase of equipment shelter for new emergency communications tower located at the Livingston County Emergency Operations Center		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS Division of Homeland Security and Emergency Services Statewide Interoperable Communications Grant Program	0%	Yes

**2. AWARDING BID FOR THE PLANNING DEPARTMENT FOR THE LIVINGSTON COUNTY EMERGENCY COMMUNICATIONS SYSTEM UPGRADE PROJECT PHASE 6-CONTRACT 3: STEEL MONOPOLE ANTENNA TOWER: SABRE COMMUNICATIONS**

WHEREAS, after the proper legal advertisement seeking bids for the Livingston County Emergency Communications System Upgrade Project Phase 6 – Contract 3: Steel Monopole Antenna Tower, two bids were received and opened on February 8, 2022, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the following contract, which is hereby accepted as the lowest responsible bid, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
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**Sabre Communications**

N/A

\$56,267.00

7101 Southbridge Drive  
Sioux City, IA 51111

For: Purchase of steel monopole antenna tower to be located at the Livingston County Emergency Operations Center

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS Division of Homeland Security and Emergency Services Statewide Interoperable Communications Grant Program	0%	Yes

Director's Comments: These resolutions authorize the purchase of equipment for developing the new emergency communications tower at the EOC.

**3. AUTHORIZING THE TRANSFER OF FUNDS FOR THE SECOND ROUND OF THE UNITED STATES DEPARTMENT OF AGRICULTURE RECONNECT PROGRAM**

WHEREAS, Livingston County Board of Supervisors' Resolution No. 2020-106 specifically authorized a public-private partnership with Empire Long Distance Corporation ("Empire") for purposes of a joint application to the United States Department of Agriculture (USDA) for the second round of the ReConnect Program to expand broadband service to rural areas that lack sufficient access to broadband; and

WHEREAS, Livingston County Board of Supervisors' Resolution No. 2020-105 authorized the Chairman to sign a professional services contract with Empire to formalize the public-private partnership referenced in the grant application and to provide for the actual implementation of the USDA ReConnect Award which was granted to Empire as the lead applicant on or about May 25, 2021; now, therefore, be it

RESOLVED, that per the requirements of the contract between Livingston County and Empire, the County Treasurer is hereby authorized to transfer \$3,768,081.00 from the General Fund to a dedicated account approved by the USDA Rural Utility Service per the ReConnect Program Grant and Security Agreement between Empire and the United States of America dated May 25, 2021.

**2:05 COUNTY ADMINISTRATOR – IAN COYLE (Attachments)**

**Action Item(s) To Be Reported**

**1. APPROVING ABSTRACT OF CLAIMS #2B-FEBRUARY 23, 2022**

**2. AMENDING 2022 LIVINGSTON COUNTY BUDGET- DEPARTMENT OF HEALTH**

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.

**3. AUTHORIZING TRANSFER OF FUNDS-DEPARTMENT OF HEALTH (2) & OFFICE FOR THE AGING (2)**

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.

**4. ESTABLISHING AN ACCOUNT-PLANNING**

RESOLVED, that the Livingston County Treasurer is authorized and directed to establish new accounts per the electronic entries that have been approved by the Livingston County Administrator.

**5. AMENDING RESOLUTION NO. 2012-392 - ELIMINATING THE JAIL DEBT RESERVE ACCOUNT**

WHEREAS, pursuant to New York State General Municipal Law §6-h, Livingston County Board of Supervisors' Resolution No. 2012-392 established Jail Debt Reserve Account A0899.3150 using income



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received from the Livingston County Jail boarding out-of-county inmates; and

WHEREAS, said reserve account was created for the specific purpose of paying the bonded indebtedness incurred from constructing the Livingston County Jail; and

WHEREAS, Livingston County Board of Supervisors' Resolution No. 2016-99 authorized the refinance of the original Public Improvement (Serial) Bonds-2009 used for paying the cost of the County Jail construction. The terms of that refinance specifically prohibits paying bond indebtedness using income generated by the County Jail boarding out-of-county inmates; now, therefore, be it

RESOLVED, that because the Jail Debt Reserve Account can no longer be used as intended, the Livingston County Board of Supervisors hereby authorizes the Livingston County Treasurer to eliminate Jail Debt Reserve Account A0899.3150 and further authorizes her to return the funds contained in that account to the General Fund balance.

## **6. RESCINDING RESOLUTION NO. 2022-52**

WHEREAS, Resolution No. 2022-52 authorized a resolution opposing Senate Bill S7885; and

WHEREAS, the Resolution did not accurately reflect the Bill's proposed changes to the existing Racing, Pari-mutuel Wagering and Breeding Law, specifically the changes to the membership of the Western Regional Off-Track Betting Corporation's Board of Directors; now, therefore, be it

RESOLVED, that Resolution No. 2022-52 is hereby rescinded.

## **7. RESOLUTION IN OPPOSITION TO SENATE BILL S7885 AS IT RELATES TO THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

WHEREAS, the Western Regional Off-Track Betting Corporation ("Corporation") is a public benefit corporation with headquarters located in Batavia, New York; and

WHEREAS, pursuant to existing New York State law, the Corporation is administered by a Board of Directors comprised of members from fifteen (15) Western New York counties and the Cities of Rochester and Buffalo. The governing body of each participating county/city directly appoints one member to the Board thereby allowing for equal and impartial representation of the participating municipalities that comprise the Corporation; and

WHEREAS, on July 11, 1973, the Livingston County Board of Supervisors passed a resolution authorizing Livingston County to participate in the operation of the Corporation which had been created pursuant to the New York State Racing, Pari-mutuel Wagering and Breeding Law signed by Governor Rockefeller; and

WHEREAS, the Corporation currently owns and operates eleven (11) off-track betting branches, twenty-seven (27) E-Z Bet locations, and a telephone wagering service in fifteen (15) Western New York counties, as well as Batavia Downs Gaming which is a standard bred racetrack and gaming facility; and

WHEREAS, since its inception, the Corporation has generated over \$250 million in operating and surcharge revenues for the taxpayers of the participating municipalities; and

WHEREAS, New York State Senator Timothy M. Kennedy (D-Buffalo) has recently proposed Senate Bill S7855 which seeks to amend the existing Racing, Pari-mutuel Wagering and Breeding Law in relation to the membership of the Corporation's Board of Directors. Specifically, Senator Kennedy's proposal calls for revising the composition of the Board to reflect:

- Three (3) members to represent the Counties of Monroe, Wyoming, and Orleans;
- One (1) member to represent the Counties of Chautauqua, Cayuga, Genesee, Livingston, Schuyler, and Seneca;
- Four (4) members to represent the County of Erie;
- One (1) member to represent the County of Niagara;
- One (1) member to represent Counties of Oswego, Cattaraugus, and Wayne;



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- One (1) member to represent the City of Buffalo;
- One (1) member to represent the City of Rochester;
- One (1) member appointed by the Governor;
- One (1) member appointed by the temporary President of the Senate; and
- One (1) member appointed by the Speaker of the Assembly; and

WHEREAS, proposed Senate Bill S7855 fails to incorporate representation of Steuben County on the Corporation's Board all together despite said County having been a member of the Board since 1973; and

WHEREAS, despite the Bill stating its intent is to provide more equal representation of the people of the area who benefit from the Corporation's proceeds, this legislation will in fact have the opposite effect. The proposed legislation will decimate the balanced representation formula previously provided by the State Legislature and the Governor as equitable and impartial due to affording each municipality that comprises the Corporation an equal voice in all Board matters; and

WHEREAS, the performance and accomplishments of the Corporation's current Board cannot be discounted when considering this drastic and overreaching legislation, including, but not limited to, the acquisition of an 84-room hotel on the grounds of Batavia Downs, and countless fundraising events for charitable organizations like Make-A-Wish, GLOW YMCA, the Food Bank of Western New York, and the Breast Cancer Coalition of Rochester; and

WHEREAS, in 2021, Batavia Downs once again shattered attendance and wager records with more than 625,000 attendees wagering nearly \$700 million leading to record earning distributions for the seventeen (17) participating municipalities that have come to rely on Corporation distributions; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby strongly oppose Senate Bill S7855 as it will cause irreparable harm to Livingston County and its economic interests in the Corporation; and be it further

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

Dated at Geneseo, New York

February 23, 2022

Ways and Means Committee

## **8. APPROVING THE 2022 NEW YORK STATE LEGISLATIVE AGENDA**

RESOLVED, that the Livingston County Board of Supervisors hereby approves the 2022 New York State Legislative Agenda as presented by the County Administrator.

### **Pre-approved Informational Item(s) To Be Reported**

1. Administration/Finance Updates
2. Follow Ups from Strategic Planning Workshop
3. CIP Transfer Update
4. ARPA Requests
5. NACo Legislative Conference Recap

## **2:30 ADJOURNMENT**



**2022 Budget Request - Amendment with Instance ID of 55965 from Health ,  
Department of - Awaiting Board Approval**

**lforms** to: MRees

02/15/2022 03:55 PM

**2022 Budget Request - Amendment** from **Health, Department of** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 2/15/2022

**Department:** Health, Department of **Program:**

**Type of Request:** Budget Request - Amendment

**Instance ID:** 55965

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** Immunization Grant  
179487.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** Immunization Grant  
179487.00

**Reason:** (if applicable)

**Source of Revenue:** Revenue for Dept 4095 CDVD needs to be changed to 4489 Other Federal Health (if applicable)

Click here to view the submission in a Web browser. After reviewing it, you can make your approval decision.

If Approved, please input the Resolution Number and attach the Resolution.



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**2022 Budget Request - Transfer with Instance ID of 55888 from Health, Department of - Awaiting Board Approval**

**lfforms** to: MRees

02/11/2022 09:19 AM

**2022 Budget Request - Transfer from Health, Department of** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 2/10/2022

**Department:** Health, Department of **Program:**

**Type of Request:** Budget Request - Transfer

**Instance ID:** 55888

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** Public Water Supply Enhancemnt  
3200.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** Public Water Supply Enhancemnt  
3200.00

**Reason:** Retirement funds available transferred to purchase commercial grade shredder and laptops / MS Office for Public Water Supply staff for ability to work remote when needed. Purchases for grant ending 3/31/22. (if applicable)

**Source of Revenue:** (if applicable)

Click here to view the submission in a Web browser. After reviewing it, you can make your approval decision.

If Approved, please input the Resolution Number and attach the Resolution.



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**2022 Budget Request - Transfer with Instance ID of 55940 from Health, Department of - Awaiting Board Approval**

**lfforms** to: MRees

02/15/2022 11:58 AM

**2022 Budget Request - Transfer from Health, Department of** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 2/15/2022

**Department:** Health, Department of **Program:**

**Type of Request:** Budget Request - Transfer

**Instance ID:** 55940

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** Public Health

1100.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** Public Health

1100.00

**Reason:** Transfer from 094.4010-4340 to 094.4010.1000-2050 to purchase a Nordic Track for Department of Health Exercise room. (if applicable)

**Source of Revenue:** (if applicable)

Click here to view the submission in a Web browser. After reviewing it, you can make your approval decision.

If Approved, please input the Resolution Number and attach the Resolution.



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**2022 Budget Request - Transfer with Instance ID of 55920 from Office for the Aging - Awaiting Board Approval**

**lforms** to: MRees

02/14/2022 11:37 AM

**2022 Budget Request - Transfer from Office for the Aging** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 2/14/2022

**Department:** Office for the Aging **Program:**

**Type of Request:** Budget Request - Transfer

**Instance ID:** 55920

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** MIPPA

2787.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** MIPPA

2787.00

**Reason:** Transfer funds from payroll to advertising. (if applicable)

**Source of Revenue:** (if applicable)

Click here to view the submission in a Web browser. After reviewing it, you can make your approval decision.

If Approved, please input the Resolution Number and attach the Resolution.



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**2022 Budget Request - Transfer with Instance ID of 55922 from Office for the Aging - Awaiting Board Approval**

**lforms** to: MRees

02/14/2022 11:36 AM

**2022 Budget Request - Transfer from Office for the Aging** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 2/14/2022

**Department:** Office for the Aging **Program:**

**Type of Request:** Budget Request - Transfer

**Instance ID:** 55922

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** ADRC

3405.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** ADRC

3405.00

**Reason:** Transfer all funds to Advertising for the year per state budget. (if applicable)

**Source of Revenue:** (if applicable)

Click here to view the submission in a Web browser. After reviewing it, you can make your approval decision.

If Approved, please input the Resolution Number and attach the Resolution.



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**2022 Budget Request - Establish Account with Instance ID of 56012 from Planning - Awaiting Board Approval**  
lfforms to: MRees

02/17/2022 10:17 AM

**2022 Budget Request - Establish Account** from **Planning** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 2/17/2022

**Department:** Planning **Program:**

**Type of Request:** Budget Request - Establish Account

**Instance ID:** 56012

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** FY 2020 SICG FORMULA GRANT  
612806.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** FY 2020 SICG FORMULA GRANT  
612806.00

**Reason:** (if applicable)

**Source of Revenue:** NYS DHSES GRANT FY20 SICG FORMULA GRANT FOR TOWER AT THE EOC. NO COUNTY COST. (if applicable)

Click here to view the submission in a Web browser. After reviewing it, you can make your approval decision.

If Approved, please input the Resolution Number and attach the Resolution.



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