

AGENDA DOCKET
LIVINGSTON COUNTY BOARD OF SUPERVISORS REGULAR BOARD MEETING
WEDNESDAY, MARCH 11, 2020
1:30 P.M.



ROLL CALL

PLEDGE OF ALLEGIANCE

William Relyea, Jr.

APPROVAL OF MINUTES

Minutes of 2/26/20 Regular Meeting

COMMUNICATIONS

1. The next Conversation with the County will be on April 23, 2020 @ 5:30 p.m.-Geneseo Town Hall.
2. Annual Cornell Cooperative Extension of Livingston County Event will be Wednesday, March 25, 2020 at 11:00 a.m. at the Interfaith Center. Please RSVP to Michele by March 11.
3. Receipt of letter from the Livingston County Board of Health regarding point of sale licensure and tobacco retailer location.
4. Receipt of notification from New York State Agriculture and Markets that 8 year review of Livingston County Agriculture District No. 1 is due.

ABSTRACT OF CLAIMS

RESOLUTION NO. 2020-83 APPROVING ABSTRACT OF CLAIMS #3A-MARCH 11, 2020

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #3A dated, March 11, 2020 in the total amount of \$2,033,315.62.

Dated at Geneseo, New York

March 11, 2020

Ways and Means Committee

PRIVILEGES OF THE FLOOR

BILL FULLER, DIRECTOR, REAL PROPERTY TAX SERVICES

- DEPARTMENTAL UPDATE

COMMITTEE OF THE WHOLE

1. RESOLUTION OPPOSING THE GOVERNOR'S PROPOSED MEDICAID COST-SHIFT AND CALLING ON THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO PRESERVE THE ZERO PERCENT MEDICAID GROWTH CAP

WHEREAS, Medicaid is one of the largest cost-centers in the 2020 Livingston County Budget, at \$9 million per year, an amount equivalent to 30% of the County's 2020 property tax levy; and

WHEREAS, Medicaid was created by the federal government in 1966 as a health insurance for the poor and disabled, and was intended to be funded by the federal and state governments; and

WHEREAS, New York State has continuously opted to force counties to pay a large percentage of the State's share of Medicaid costs; and

WHEREAS, the local share of Medicaid funding paid in New York is the highest in the United States; and

WHEREAS, the local share of Medicaid costs in New York is larger than what 43 individual states pay in their total state share of Medicaid costs; and

WHEREAS, in recognition of the fiscal burden that Medicaid costs have on county budgets and local taxpayers, in 2005 New York State leaders imposed a cap on the growth in local costs of the Medicaid program; and

WHEREAS, in 2015, as part of his signature property tax reduction agenda, Governor Andrew Cuomo established the zero percent Medicaid growth cap; and

WHEREAS, in recent years, in part due to rising costs of health services and pharmaceutical drugs, and to New York's expansion of Medicaid services and mandatory raises for health care workers affected by New York State minimum wage increases, the Medicaid budget is facing billions of dollars in annual deficits over the next several years; and

WHEREAS, the Governor is proposing a variety of ways to address this fiscal shortfall, including shifting the state's financial responsibilities onto county property tax payers by:

Capping Federal Enhanced Medicaid Match Savings that can accrue to counties, but not to the State;

Shifting full Medicaid Growth Payments onto counties that over-ride the property tax cap; and

Shifting local share of Medicaid growth above 3% to counties; and

WHEREAS, contrary to the Governor's recent assertion, Livingston County and other counties across New York do not have the tools, nor the authority to control local Medicaid costs and are not to blame for the State's inability to contain Medicaid cost growth; and

WHEREAS, the Governor's proposed remedies to contain local Medicaid cost growth have the potential to destabilize Livingston County's fiscal health; and

WHEREAS, shifting further Medicaid onto Livingston County will significantly impact the County's ability to both, provide for other New York State unfunded mandates and comply with the local property tax cap, thereby rendering the tax cap potentially inert; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors opposes the cost-shifts and the capping of Federal Medicaid Match funds as proposed by Governor Andrew Cuomo; and be it further

RESOLVED, that the Livingston County Board of Supervisors urges the Governor and legislative leaders to maintain the zero percent Medicaid growth cap for counties as they address state budget shortfalls in order to keep downward pressure on the local tax burden; and be it further

RESOLVED, that the Clerk of the Livingston County Board of Supervisors shall forward copies of this resolution to Governor Andrew Cuomo, Senator Patrick Gallivan, Senator George Borrello, Assemblywoman Marjorie Byrnes, Senate Majority Leader Andrea Stewart-Cousins, and Assembly Speaker Carl Heastie.

Dated at Geneseo, New York

March 11, 2020

Committee of the Whole

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

Human Services Committee

2. PROCLAIMING THE MONTH OF MARCH 2020 AS COLORECTAL CANCER AWARENESS MONTH

WHEREAS, the County of Livingston joins to support observances that raise awareness of health issues that affect people across our state, nation, and the world, such as the various types of cancer, including colorectal cancer; and

WHEREAS, colorectal cancer is a leading cause of cancer-related deaths among men and women in the United States; each year in New York State, more than 9,000 people develop colorectal cancer and more than 3,000 New Yorkers die from this disease; it is estimated that one in twenty people will develop colorectal cancer during their lifetime; and

WHEREAS, colorectal cancer occurs most often in older people; approximately 60% of people newly diagnosed with colon cancer are age 65 and older, and 90% of all colorectal cancers are diagnosed after age 50; and

WHEREAS, of the majority of colorectal cancer occurs in people who have no known risk factors; while the causes of colorectal cancer are not well understood, scientists agree that the following factors increase a person's risk of developing this disease: age, family history and hereditary conditions, personal health history, obesity, physical inactivity, diet, and other lifestyle factors such as cigarette smoking and excessive alcohol use; and

WHEREAS, those with a personal or family history of colon polyps, colorectal cancer, or a personal history of inflammatory bowel disease are at higher risk for developing colorectal cancer and should talk to their doctors about when to begin screening and how often to be screened; and

WHEREAS, men and women of any age with blood in their stool, unexplained weight loss, or a change in bowel habits including persistent aches and pains should talk to their doctor; and

WHEREAS, colorectal cancer often can be prevented through regular screenings that can detect small growths, called polyps, which can be removed before they develop into cancer; screening for colorectal cancer is a covered benefit through Medicaid as well as health plans participating in the New York State of Health, and the New York State Cancer Services Program offers colorectal cancer screening to eligible uninsured individuals in every county and New York City borough; and

WHEREAS, in 2019 Livingston County achieved the national goal to screen 80% of adults, aged 50 and older, being regularly screened for colorectal cancer; and

WHEREAS, New Yorkers and people everywhere are called upon to raise their awareness of colorectal cancer and take preventive steps to safeguard their health and that of loved ones from this disease; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors do hereby proclaim the month March 2020 as Colorectal Cancer Awareness Month in Livingston County.

Dated at Geneseo, New York

March 11, 2020

Human Services Committee

3. PROCLAIMING MARCH 29, 2020 AS VIETNAM WAR VETERANS DAY IN LIVINGSTON COUNTY

WHEREAS, countless brave Americans have answered the call to patriotic duty, including Vietnam veterans who endured unspeakable hardships and risked their lives fighting for the ideals of democracy; and

WHEREAS, American involvement in the Vietnam War was one of the longest military conflicts in America's history that escalated to staggering statistics: over 3.4 million deployed to Southeast Asia; 2.7 million served in the designated war zone; over 58,000 were killed in theater of operation; and 153,000 were non-mortally wounded; and

WHEREAS, the last 2,500 American combat troops were withdrawn from the battlefields of Vietnam on March 29, 1973; and

WHEREAS, 4,120 of the names listed on the Vietnam Memorial Wall in our nation's capital are those of courageous young New Yorkers who went off to fight half way around the world, never to return; and

WHEREAS, the Vietnam War Veterans Recognition Act of 2017 amended title 4 United States Code, Section 6(d) to include National Vietnam War Veterans Day as an important occasion on which the flag should be raised; and

WHEREAS, the Livingston County Board of Supervisors solemnly commemorates the anniversary of this day and reflect upon its significance for past, present, and future generations for we have not forgotten, nor will we ever forget, all of the men and women who served so honorably in the Vietnam War; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby proclaims March 29, 2020 as "Vietnam War Veterans Day" in Livingston County.

Dated at Geneseo, New York

March 11, 2020

Human Services Committee

Public Services Committee

4. A RESOLUTION OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS REQUESTING ARTICLE 10 SITING BOARDS(S) TAKE INTO ACCOUNT THE OVERALL IMPACT OF ANY PROPOSED LARGE-SCALE ENERGY GENERATING FACILITIES ON PRIME SOILS IN LIVINGSTON COUNTY

WHEREAS, agriculture is Livingston County's number one industry. Farms directly and indirectly provide valuable jobs, support local businesses, and are a critical component of our County and region's economy; and

WHEREAS, Livingston County contains a high concentration of prime agricultural soils that have the best combination of physical and chemical characteristics for producing food, feed and forage. Prime soils

developed over thousands of years and have the soil quality, growing season and moisture supply needed to produce economically sustained high yields of crops; and

WHEREAS, Article 10 of the New York State Public Service Law provides for the siting review of new and repowered or modified major electric generating facilities in New York State by the Board on Electric Generation Siting and the Environment (Siting Board) in a unified proceeding instead of requiring a developer or owner of such a facility to apply for state and local permits; and

WHEREAS, in 2006, the County completed the Livingston County Agricultural & Farmland Protection Plan. While this plan promotes on-farm profitability, internal development of secondary agricultural market opportunities, and the improvement of non-farm income sources, it also recognizes that conversion of highly productive farmland to other uses reduces the availability of land for farm operations; and

WHEREAS, in 1993, the County passed Resolution #93-158 establishing the Livingston County Agricultural & Farmland Protection Board to advise county, State and town and village agencies on issues relating to the protection of agriculture and farmland in Livingston County; and

WHEREAS, the Agricultural and Farmland Protection Board has expressed opposition to the conversion of highly productive land and the reduction of availability of land for farm operations resulting from large-scale commercial solar development; and

WHEREAS, large-scale solar projects permitted through Article 10 of the New York State Public Service Law are considered permanent land conversions by the New York State Department of Agriculture and Markets, New York State Real Property Tax Service, and the American Farmland Trust; and

WHEREAS, Article 10 provides for appointment of ad hoc public members of the Siting Board from the municipality where the facility is proposed to be sited; now, therefore, be it

RESOLVED, that this Board of Supervisors recognizes the importance of prime soils to the agricultural economy in the County; and be it further

RESOLVED, that this Board of Supervisors recommends to the Governor of New York State that Article 10 Public Service Law projects, given their significant scale and impact to the local community and regional economy, be required to secure state, county and local permits; and be it further

RESOLVED, that this Board of Supervisors requests that Article 10 Siting Board(s) take into account the overall impact of any proposed project on prime soils in the affected acreage of that project; and be it further

RESOLVED, that this Board requests that New York State comply with Article 10 Public Service Law and make proper appointments of ad hoc public members of the Siting Board from the municipality where the facility is proposed to be sited; and be it further

RESOLVED, that the Clerk of the Livingston County Board of Supervisors shall forward copies of this resolution to Governor Andrew Cuomo, Senator Patrick Gallivan, Senator George Borrello, Assemblywoman Marjorie Byrnes, New York State Department of Agriculture & Markets, and the New York State Department of Public Service.

Dated at Geneseo, New York

March 11, 2020

Public Services Committee

5. APPOINTING MEMBER TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD – LIAM COYNE

RESOLVED, that the following member is hereby appointed to the Livingston County Traffic Safety Board for the term designated:

Name	Address	Representing	Term
Liam Coyne	6005 E. Avon-Lima Road, Avon, New York 14414	Avon Alternate	1/1/20-12/31/20 D. Mazza term

and be if further

RESOLVED, that the Clerk of the Board of Supervisors shall forward a certified copy of this Resolution to the Livingston County Traffic Safety Board.

Dated at Geneseo, New York

March 11, 2020

Public Services Committee

Ways & Means Committee

6. DECLARING SURPLUS PROPERTY – HIGHWAY

WHEREAS, the County of Livingston owns surplus personal property that is no longer necessary for public use, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following item(s) as surplus property to be disposed of as determined by the County Administrator:

Highway Department

Quantity	Year, Make & Model	Mileage/Hours	Serial #
1	1998 Caterpillar Model 962G Wheeled Loader	5,000	N/A

Dated at Geneseo, New York
 March 11, 2020
 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

HUMAN SERVICES COMMITTEE

Center for Nursing and Rehabilitation

7. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION: CLINICAL STAFFING RESOURCES, INC., CROSS COUNTRY STAFFING, INC. & SHC SERVICES, INC.

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contracts for the Livingston County Center for Nursing and Rehabilitation and any future amendments to said contracts, according to the term(s) designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Clinical Staffing Resources, Inc. 420 Broadway, 3 rd Floor Brooklyn, NY 11211 For: Supplemental Staffing: RN, LPN, CNA’s	5/1/20-4/30/21	Fee Schedule

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Operating Budget	N/A	Yes

Cross Country Staffing, Inc. 5201 Congress Avenue, Suite 100 B Boca Raton, FL 33487 For: Supplemental Staffing Contract, RN, LPN, CAN	5/1/20-4/30/21	Fee Schedule
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<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Operating Budget	N/A	Yes

SHC Services, Inc. 1640 W. Redstone Center Drive, Suite 200 Park City, Utah 84098 For: Supplemental Staffing Contract, RN, LPN, CAN	5/1/20-4/30/21	Fee Schedule
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<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Operating Budget	N/A	Yes

Dated at Geneseo, New York
 March 11, 2020
 Human Services Committee
 Department of Health

8. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY

DEPARTMENT OF HEALTH: WYOMING PROPERTIES, LLC AND ACM MEDICAL LABORATORIES

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contracts for the Livingston County Department of Health, and any future amendments to said contract, according to the terms designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Wyoming Properties, LLC 2071 Crittenden Road Alden, NY 14004	3/1/20-2/28/21	\$500.00/month \$6,000.00/year

For: Warsaw WIC Clinic Lease Agreement

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS WIC Grant	0%	Yes

Director's Comments: This contract provides WIC with a clinic site in Warsaw, NY.

ACM Medical Laboratories 160 Elmgrove Park Rochester, NY 14624	3/1/20-2/28/22	Chlamydia/GC - \$39.00 HPV - \$39.00 Thin Prep - \$22.51
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For: Family Planning Laboratory Services Agreement

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Title X Family Planning Grant	0%	Yes

Dated at Geneseo, New York
March 11, 2020
Human Services Committee
Office for the Aging

9. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY OFFICE FOR THE AGING: AIM INDEPENDENT LIVING CENTER, INC., COMFORT KEEPERS, GENESEE REGION HOME CARE OF ONTARIO COUNTY, INC., D/B/A HOME CARE PLUS, GENESEE VALLEY RURAL PRESERVATION COUNCIL, INC., HOME AND HEALTH CARE SERVICES, INC., AND UNLIMITED CARE, INC.

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contracts for the Livingston County Office for the Aging, and any future amendments to said contracts, according to the terms designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
AIM Independent Living Center, Inc. 271 East First Street Corning, NY 14830	4/1/20-3/31/21 with two one-year options to renew	\$17.64 per hour Rates adjusted annually based on New York State approved rates.

For: Expanded In-Home Services for the Elderly
Consumer Directed In-Home Services

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS EISEP Funding	25%	Yes

Comfort Keepers 1163 Pittsford Victor Rd. Suite 215 Pittsford, NY 14534	4/1/20-3/31/21 with two one-year options to renew	\$27.00/hour PCI Rate schedule Rates subject to change annually
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For: Expanded In-Home Services for the Elderly
Non-medical in-home homemaker chore services

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS EISEP Funding	25%	Yes

Genesee Region Home Care of Ontario County, Inc.	4/1/20-3/31/21 with two one-year	\$24.55/hour PCII Rate schedule
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D/B/A Home Care Plus

3111 Winton Rd. South

Rochester, NY 14623

For: Expanded In-Home Services for the Elderly

Non-medical in-home personal care services

options to renew

Rates subject to
change annually

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS EISEP Funding	25%	Yes

Genesee Valley Rural Preservation Council, Inc.

5861 Groveland Station Rd.

Mt. Morris, NY 14510

For: Agreement for Congregate Meal Site at Wildbriar Estates

4/1/20-3/31/21

with two one-year

options to renew

N/A

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
N/A No funds being exchanged Meals funded through Federal IIIC-1	N/A	Yes

Home and Health Care Services, Inc.

City Hall

82 Main St., 3rd Floor

Hornell, NY 14843

4/1/20-3/31/21

with two one-year options

to renew

\$27.61/hour PCI

\$27.95/hour PCII

Rate Schedule

Rates subject to

change annually

For: Expanded In-Home Services for the Elderly

Non-medical personal care and homemaker chore services

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS EISEP Funding	25%	Yes

Unlimited Care, Inc.

1200 Jefferson Rd.

Suite 206

Rochester, NY 14623

For: Expanded In-Home Services for the Elderly

Non-medical personal care and homemaker chore services

4/1/20-3/31/21

with two one-year options

to renew

\$26.18/hour PCI and PCII

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS EISEP Funding	25%	Yes

Dated at Geneseo, New York

March 11, 2020

Human Services Committee

*Workforce Development/Youth Bureau***10. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY OFFICE OF WORKFORCE DEVELOPMENT: ARC OF LIVINGSTON/WYOMING**

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for the Livingston County Office of Workforce Development, and any future amendments to said contract, according to the term(s) designated, subject to review by the County Attorney and County Administrator:

Contractor**Arc of Livingston/Wyoming**Term

6/1/20-8/30/20

Amount

Up to \$15,00.00

For: Summer youth employment programs for youth with disabilities

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Temporary Assistance for Needy Families (TANF)	\$0	Yes

Dated at Geneseo, New York

March 11, 2020

Human Services Committee

PUBLIC SERVICES COMMITTEE

Central Services

11. **AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A PROFESSIONAL SERVICES CONTRACT FOR MECHANICAL EQUIPMENT DATA COLLECTION, PREVENTATIVE MAINTENANCE PROGRAM MODULE, AND WORK ORDER MODULE FOR LIVINGSTON COUNTY: Q WARE / C & S OPERATIONS, INC.**

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract, and any future amendments to said contract, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Q Ware / C & S Operations, Inc. 499 Col. Eileen Collins Blvd. Syracuse, NY 13212	3/1/20-2/28/22	\$22,720.00

For: Professional services for facilities work order tracking, mechanical equipment data collection along with a preventative maintenance tracking module.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
County Budget	100 %	Yes

Dated at Geneseo, New York
March 11, 2020
Public Services Committee

Highway

12. **APPROVING HOURLY RATE TO BE PAID FOR TOWN 10-WHEEL DUMP TRUCKS WHILE ENGAGED IN LIVINGSTON COUNTY HIGHWAY MAINTENANCE & CONSTRUCTION WORK THROUGH THE END OF 2020**

WHEREAS, the hourly reimbursement rate for the year 2019 for Town 10-Wheel Dump Trucks (including operator) was increased to \$93.00 (regular time) and \$104.00 (overtime), and,

WHEREAS, the 2020 Annual Equipment Rental bid prices for contractor 10-wheel dump trucks increased by an average of 6.3%, now, therefore be it

RESOLVED, that the hourly rate be increased to \$99.00 (regular time) and \$110.00 (overtime) for the year 2020 for reimbursement to Towns for use of all 10-Wheel Dump Trucks, including operator, while engaged in local County Highway maintenance and construction work, and, be it further

RESOLVED, that said hourly rate shall not apply to long-range hauling of materials to project sites from gravel, stone or asphalt sources, in which case a “per-ton” or “per-cubic-yard” price will be negotiated with the Town, based upon current Annual County Bid prices, and be it further

RESOLVED, that said hourly rates of \$99.00 (regular time) and \$110.00 (overtime) shall remain in effect through the end of 2020.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Various Livingston County Towns	3/11/20-12/31/20	As Required

For: Rental Rates for Town 10-Wheel Dump Trucks during 2020

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County Highway Budget Appropriations	100%	Yes

Dated at Geneseo, New York
March 11, 2020
Public Services Committee

13. **AUTHORIZING THE IMPLEMENTATION AND SUPPLEMENTAL #2 TO MASTER FEDERAL-AID/MARCHISELLI-AID AGREEMENT WITH NYS DEPARTMENT OF TRANSPORTATION FOR SCOPING, PRELIMINARY ENGINEERING, DESIGN, CONSTRUCTION AND CONSTRUCTION INSPECTION PHASES, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND NYS MARCHISELLI PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT (PIN 475552) AND APPROPRIATING FUNDS THEREFOR: BRIDGE REPLACEMENT PROJECT, RIX HILL ROAD OVER HEMLOCK LAKE OUTLET FOR THE LIVINGSTON COUNTY DEPARTMENT OF HIGHWAYS**

WHEREAS, a project for the replacement of Rix Hill Road Bridge over Hemlock Lake Outlet (BIN 3316410), Town of Livonia in Livingston County (NYSDOT PIN 475552) (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Livingston desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the cost of the Scoping, Preliminary Engineering, Design, Construction and Construction Inspection Phases of the Project, now, therefore, be it

RERSOLVED, that the Board of Supervisors, duly convened, does hereby approve the above-subject Project, and, be it further

RESOLVED, that the Board of Supervisors hereby authorizes the Chairman of the Board to pay in the first instance 100% of the Federal and non-Federal share of the cost of Scoping, Preliminary Engineering, Design, Construction and Construction Inspection Phases for the Project or portions thereof, and, be it further

RESOLVED, the total sum of One Million, Two Hundred and Eighty-Seven Thousand, Nine Hundred and Nineteen Dollars (\$1,287,919.00) is hereby appropriated from the Board of Supervisors and made available to cover participation in the specified phases of the Project, and be it further

RESOLVED, that in the event the full Federal and non-Federal share costs of the Project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon notification by the NYS Department of Transportation thereof, and, be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the NYS Department of Transportation in connection with the advancement or approval of the Project, and providing for the administration of the project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-Aid and State-Aid eligible Project costs and all Project costs within appropriations thereof that are not so eligible, and, be it further

RESOLVED, that a certified copy of this Resolution be filed with the NYS Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and, be it further

RESOLVED, that this Resolution shall take effect immediately.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
NYS Department of Transportation 50 Wolf Road Albany, NY 12232	11/2/16-7/19/26	\$1,287,919.00

For: Supplemental Agreement #2 with NYSDOT, covering all phases of this Bridge replacement project.

Current Local Share is 5% (\$64,396).

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
FHWA, NYS Marchiselli Program, Livingston County Highway Budget	5 %	Yes

Dated at Geneseo, New York

March 11, 2020

Public Services Committee

14. AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE-AID ELIGIBLE COSTS, OF A FEDERAL-AID AND/OR STATE-AID TRANSPORTATION PROJECT, AND APPROPRIATING FUNDS THEREFORE – DOW ROAD OVER BIDWELL CREEK BRIDGE REHABILITATION PROJECT, TOWN OF YORK, BIN 3316270, PIN 4LV0.03 AND RESCINDING RESOLUTION 2019-341

WHEREAS, Sponsor will design, let and construct the "Project", and

WHEREAS, a Project for the Rehabilitation of Dow Road over Bidwell Creek Bridge, Town of York, BIN 3316270, P.I.N 4LV0.03 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Livingston desires to advance the Project by making a commitment of 100% of the Federal and non-Federal costs of Preliminary Engineering, Design and ROW Incidental Phases, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby approves the above-subject project, and it is hereby further

RESOLVED, that the Livingston County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to pay in the first instance 100% of the Federal and non-Federal share of the cost of Preliminary Engineering, Design and ROW Incidental work for the Project or portions thereof; and it is further

RESOLVED, that the Livingston County Board of Supervisors hereby agrees that the County of Livingston shall be responsible for all cost of the project which exceed the amount of the Federal funding awarded to the County of Livingston, and it is further

RESOLVED, that the sum of \$136,000.00 is hereby appropriated from Livingston County Budget Appropriations and made available to cover the cost of participation in the above phases of the Project, and it is further

RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Livingston County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Livingston County Highway Superintendent thereof, and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors be and is hereby authorized to execute all necessary Agreements and Supplemental Agreements, certifications or reimbursement requests for Federal-Aid and/or State-Aid on behalf of the County of Livingston with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, 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 is further

RESOLVED, this Resolution shall take effect immediately; and it is further

RESOLVED, that Resolution No. 2019-341 is hereby rescinded.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
NYS Department of Transportation	8/22/19-8/31/28	\$136,000.00
50 Wolf Road		
Albany, NY 12232		
For: State/Local Agreement for the Rehabilitation of Dow Road Bridge over Bidwell Creek, Town of York, BIN 3316270, PIN 4LV0.03 - Preliminary Engineering, Design and ROW Incidental Phases.		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
FHWA, Livingston County Highway Budget Appropriations	20%	Yes

Dated at Geneseo, New York
 March 11, 2020
 Public Services Committee

Planning

15. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY PLANNING DEPARTMENT: EMPIRE STATE URBAN DEVELOPMENT CORPORATION DBA EMPIRE STATE DEVELOPMENT AND SUNY RESEARCH FOUNDATION OF THE STATE OF NEW YORK

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contracts for the Livingston County Planning Department, and any future amendments to said contracts, according to the terms designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Empire State Urban Development Corporation	Per State Award	Not to exceed \$93,328.00

dba Empire State Development

633 Third Avenue

New York, NY 10017

For: Census 2020 Outreach Activities

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
2020 Complete Count Outreach Grant	0%	No

SUNY Research Foundation of the State of New York

4/1/20-2/18/21

Not to exceed \$25,000.00

P.O. Box 9

Albany, NY 12201-0009

For: Summer 2020 Conesus Lake water quality monitoring

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Finger Lakes/Lake Ontario Watershed Protection Alliance (CLAWS 29)	0%	Yes

Dated at Geneseo, New York

March 11, 2020

Public Services Committee

16. INITIATION OF SEQR PROCESS AND INTENT TO DECLARE LIVINGSTON COUNTY BOARD OF SUPERVISORS AS LEAD AGENCY FOR SEQR REVIEW OF THE EMERGENCY COMMUNICATIONS SYSTEM UPGRADE PROJECT: WILSON ROAD, TOWN OF GROVELAND, AND JAKMAN HILL, TOWN OF LIVONIA

WHEREAS, the Livingston County Board of Supervisors intends to implement necessary improvements to the existing Livingston County Emergency Communications System; and

WHEREAS, the project involves improvements to existing County Emergency Communications System equipment and infrastructure and replacement and improvement of two existing communications sites in Livingston County; and

WHEREAS, the proposed action is subject to review under 6 NYCRR Part 617, the New York State Environmental Quality Review (SEQR) Act; and

WHEREAS, under SEQR, a lead agency must be designated to conduct an environmental review of the proposed action known as the “Emergency Communications System Upgrade Project”; and

WHEREAS, a preliminary classification of the proposed action as An Unlisted Action has been made by Livingston County Planning department pursuant to 6 NYCRR 617.6(a)(1); and

WHEREAS, it has been determined that a Short Environmental Assessment Form (EAF) is most appropriate for the proposed action and must be completed prior to the Livingston County Board of Supervisors requesting Lead Agency status for the project; and

WHEREAS, the Livingston County Board of Supervisors, as an involved agency, intends to establish itself as Lead Agency for the purposes of fulfilling the SEQR requirements in connection with the proposed action, conducting the environmental review process, and making a Determination of Significance pursuant to 6 NYCRR 617.7; and

WHEREAS, all documentation associated with the Emergency Communications System Upgrade Project is subject to the review and approval of the Livingston County Administrator and the Livingston County Attorney; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors determines that the proposed Emergency Communications System Upgrade Project is an Unlisted Action under SEQR; and be it further

RESOLVED, that the Livingston County Board of Supervisors hereby requests Lead Agency status for this proposed action and authorizes and directs the Livingston County Deputy County Administrator for Planning and Special Projects to prepare a Short Environmental Assessment Form (EAF) for the proposed action, and to notify all Involved Agencies and other concerned parties of this Lead Agency request pursuant to 6 NYCRR 617.6(b)(3).

Dated at Geneseo, New York

March 11, 2020

Public Services Committee

WAYS & MEANS COMMITTEE
County Administrator/Budget Officer

17. AMENDING 2020 LIVINGSTON COUNTY BUDGET – SHERIFF’S OFFICE

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

Dated at Geneseo, New York

March 11, 2020

Ways and Means Committee

18. ESTABLISHING AN ACCOUNT – PLANNING DEPARTMENT

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

Dated at Geneseo, New York

March 11, 2020

Ways and Means Committee

19. AUTHORIZING COUNTY TREASURER TO PROCESS THE ANNUAL TRANSFER FOR THE LCSO TRAINING COMPLEX CAPITAL PROJECT

WHEREAS, Livingston County receives miscellaneous commissary income from inmates in the Livingston County Jail; and

WHEREAS, the Livingston County Board of Supervisors desires to use this income to support a capital project fund for payment of expenses to benefit the LCSO Training Complex, which will include direct benefits to the jail employees; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to process an annual transfer of commissary income received from county inmates in the Livingston County Jail from the General Fund to the LCSO Training Complex Capital Project H3152.2900.

Dated at Geneseo, New York

March 11, 2020

Ways and Means Committee

20. RESCINDING RESOLUTION NO. 2020-76 & RESOLUTION NO. 2020-77

WHEREAS, Resolution No. 2020-76 and Resolution No. 2020-77 were for the 2020 Budget to approve an amendment for the Sheriff’s Office and authorizing transfer of funds for the Department of Health; and

WHEREAS, the Sheriff’s Office amendment and the Department of Health transfers were authorized for the 2019 Budget by Resolution No. 2019-427 and Resolution No. 2019-428; now, therefore, be it

RESOLVED, that Resolution No. 2020-76 and Resolution No. 2020-77 are hereby rescinded.

Dated at Geneseo, New York

March 11, 2020

Ways and Means Committee

County Treasurer

21. AUTHORIZING CONVEYANCE OF COUNTY PROPERTIES ACQUIRED BY TAX DEEDS

WHEREAS, the County of Livingston acquired title to the following parcels of land:

Tax Map #	Formerly Owned /Assessed To	Conveyed to Purchaser	Village/Town	Price
34.6-1-26	King Cole Bean Co.	James T. Jerris	Village of Avon	\$43,000.00
34.9-1-61	King Cole Bean Co. Inc.	Guilian Farms LLC	Village of Avon	\$90,000.00
34.6-1-20	King Cole Bean Co. Inc.	Guilian Farms LLC	Village of Avon	Sold with above parcel
34.6-1-77	King Cole Bean Company	Livonia, Avon and Lakeville Railroad	Village of Avon	\$5,500.00

WHEREAS, the Livingston County Board of Supervisors' Ways and Means Committee has approved the sale of said parcels; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute the quit-claim deeds of conveyance and any and all related documents prepared by the County Attorney to complete the aforesaid conveyances.

Dated at Geneseo, New York

March 11, 2020

Ways and Means Committee

Other

22. AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR THE IMPLEMENTATION OF A UNITED STATES DEPARTMENT OF AGRICULTURE RECONNECT PROGRAM AWARD: EMPIRE ACCESS

WHEREAS, the County of Livingston solicited a Request for Proposal for a public-private partnership for application to the United States Department of Agriculture ReConnect Program to expand broadband service to rural areas that lack sufficient access to broadband, and one proposal was received; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract, which is determined to be the most qualified to provide said services, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Empire Access 34 Main Street P.O. Box 349 Prattsburgh, NY 14873	To be determined by USDA ReConnect Award	To be determined by USDA ReConnect Award
For: Implementation of USDA ReConnect Award for expanding broadband service to rural areas that lack sufficient access in the County		
<u>Funding Source</u>	<u>Local Share</u>	<u>Budgeted?</u>
Livingston County bond financing	TBD - Max 25%	No

Dated at Geneseo, New York

March 11, 2020

Ways and Means Committee

23. AUTHORIZATION TO SUBMIT A USDA RECONNECT APPLICATION FOR PURPOSES OF EXPANDING BROADBAND INFRASTRUCTURE THROUGHOUT LIVINGSTON COUNTY

WHEREAS, reliable, high-speed, affordable access to internet service is imperative for Livingston County residents, businesses, farms, schools, nonprofit organizations, and visitors; and

WHEREAS, investment in internet service will foster economic development, job growth, rural entrepreneurship, and innovative technologies; and

WHEREAS, Livingston County completed an engineering study and public input survey which concluded that internet service is either unavailable or of an inadequate quality for many residents, farms and businesses throughout the County; and

WHEREAS, Livingston County wants to prioritize the deployment of broadband infrastructure and wishes to pursue public-private partnerships and funding sources in an effort to effectively achieve greater access to reliable and affordable high-speed internet service throughout the County; and

WHEREAS, the United States Department of Agriculture (USDA) issued a solicitation of applications for the second round of the Rural e-Connectivity Pilot Program (ReConnect) to expand broadband service to rural areas that lack sufficient access to broadband; and

WHEREAS, Livingston County issued a Request for Proposals seeking a public-private partnership for purposes of applying to the USDA ReConnect program for eligible areas, and one proposal was received; and

WHEREAS, Empire Access was determined to be the most qualified to serve as the private partner; and

WHEREAS, should funding be awarded, Livingston County will seek general obligation infrastructure bond financing for purposes of funding the full cost of the broadband project; and

WHEREAS, the County will fully recover said bond funding over an agreed upon time period pursuant to a financial agreement with Empire Access; now, therefore, be it

RESOLVED, that Livingston County wishes to partner with Empire Access in jointly preparing an application to the USDA ReConnect Program and hereby fully supports Empire Access as the lead applicant; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to sign a letter to the USDA declaring the County's intent to partner with Empire Access and seek bond financing for the cost of the project, should funding be awarded.

Dated at Geneseo, New York

March 11, 2020

Ways and Means Committee

Personnel

24. AMENDING THE 2020 LIVINGSTON COUNTY SALARY SCHEDULE: CENTER FOR NURSING AND REHABILITATION & CENTRAL SERVICES

RESOLVED, that the 2020 Livingston County Salary Schedule is amended as follows:

Center for Nursing and Rehabilitation

- Create one full-time Assistant Director of Nursing position at the salary range of \$75,000-\$85,000 on the Department Head Salary Schedule effective immediately.

For: To align with the Agency's growing operational, regulatory, and clinical needs.

Central Services:

- Create one full-time Buildings and Grounds Working Foreman at the salary range of \$60,000- \$70,000 on the Department Head Salary Schedule effective 3/11/20.
- Delete one full-time Maintenance Person position at a Wage Grade 7 effective upon appointment of the newly created Buildings and Grounds Working Foreperson.

For: To enable Central Services to more efficiently coordinate and lead activities while addressing the County's current and future growth.

Dated at Geneseo, New York

March 11, 2020

Ways and Means Committee

Real Property Tax Services

25. CORRECTING TAX ROLL-TOWN OF GENESEO

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to two (2 parcels) applications for correction of the tax rolls, pursuant to the Real Property Tax Law, as prepared for the town of Geneseo 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) Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund to Owner	Chargebacks to Taxing Jurisdictions
1. 2020 Geneseo	Livingston County	\$2,108.67	\$1,676.35	\$432.32	\$432.32
Hofecker, Jr., Barry	Geneseo Town Tax	862.91	686.00	176.91	176.91
Smith, Lisa M.	Geneseo Fire 1	121.86	121.86	0.00	0.00
Tax Map Number 64.-2-21.241	Total	<u>\$3,093.44</u>	<u>\$2,484.21</u>	<u>\$609.23</u>	<u>\$609.23</u>
2. 2020 Geneseo	Livingston County	\$1,664.59	\$379.76	\$1,284.83	\$1,284.83
Kingston Farms	Geneseo Town Tax	681.18	155.41	525.77	525.77
Tax Map Number	Geneseo Fire 1	96.20	96.20	0.00	0.00

81.-2-40.112	Total	<u>\$2,441.97</u>	<u>\$631.37</u>	<u>\$1,810.60</u>	<u>\$1,810.60</u>
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Dated at Geneseo, New York
March 11, 2020
Ways and Means Committee

OTHER BUSINESS

1. Covid 19 Update

ADJOURNMENT