

AGENDA DOCKET
LIVINGSTON COUNTY BOARD OF SUPERVISORS REGULAR BOARD MEETING
WEDNESDAY, MAY 6, 2020
1:30 P.M.



ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Minutes of 4/8/20 Regular Meeting

COMMITTEE OF THE WHOLE

Center for Nursing and Rehabilitation

1. PROCLAIMING THE WEEK OF MAY 10-16, 2020 AS NURSING HOME WEEK IN LIVINGSTON COUNTY IN CELEBRATION OF OLDER AMERICANS MONTH

WHEREAS, we as Americans experience aging as the natural order of life, live longer than at any time in the past, and seek to maintain our highest level of physical function in periods of infirmity; and

WHEREAS, nursing homes at the local, state and national level provide skilled nursing and rehabilitative care for injured, disabled, or sick persons who require chronic or restorative nursing care; and

WHEREAS, the nursing homes in Livingston County provide a high quality of care and services to meet the needs of Livingston County residents and the greater community; and

WHEREAS, nursing homes are a vital component of the local economy providing employment and economic activity beneficial to the community; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors proclaims May 10-16, 2020 as Nursing Home Week in Livingston County in honor of the valuable contributions Livingston County's nursing homes and their staffs make to the quality of life in our county.

Dated at Geneseo, New York

May 6, 2020

Committee of the Whole

2. AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR FOOD SERVICES TO THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION & THE LIVINGSTON COUNTY OFFICE FOR THE AGING-MORRISON MANAGEMENT SPECIALISTS, INC.

WHEREAS, the County of Livingston solicited a Request for Proposal for Food Services to the Livingston County Center for Nursing and Rehabilitation and the Livingston County Office for the Aging, 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>
Morrison Management Specialists, Inc. 400 Northridge Road, Suite 600 Sandy Springs, GA 30350	6/1/20-5/31/23, with two 1 year renewals at the County's sole option, ending 5/31/25	Set by contract

For: Food Services Vendor

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Operating Budget	N/A	X Yes No

Dated at Geneseo, New York

May 6, 2020

Committee of the Whole

Department of Health

3. PROCLAIMING THE WEEK OF MAY 6 – 12, 2020 AS NATIONAL NURSES WEEK

WHEREAS, registered nurses in the United States constitute our nation's largest health care profession, and

WHEREAS, the registered nursing profession meets the different and emerging health care needs of the American population in a wide range of settings; and

WHEREAS, a renewed emphasis on primary and preventive health care will require better utilization of all of our nation's registered nursing resources; and

WHEREAS, the delivery of the best quality nursing care to all residents is the function of the Livingston County nursing staff; and

WHEREAS, the nurses in "our neighborhoods" are employed in a variety of areas where their expertise in specialized skilled nursing services provides Livingston County with the ability and knowledge to coordinate services to meet individual needs; and

WHEREAS, professional nursing has been demonstrated to be an indispensable component of preventative health and the safety and quality of care of hospitalized patients; and

WHEREAS, the demand for registered nursing services will be greater than ever because of the aging of the American population, the continuing expansion of life-sustaining technologies, and the explosive growth of home health care services; and

WHEREAS, the Adult Day Health Care, Center for Nursing and Rehabilitation, Hospice, Immunization Programs, Livingston County Jail, Mental Health, Lead Program, Early Intervention, Children with Special Health Care Needs, Maternal Child Health Team, Preschool, WIC Program, Foster Care, Communicable Disease and the Reproductive Health Center are the "neighborhoods" where nurses provide care to children, adolescents, adults, seniors, the sick, and the terminally ill; and

WHEREAS, the Livingston County Board of Supervisors salutes the LPNs, RNs, Nurse Practitioners, Nurse Midwives and Advanced Practice Nurses for their leadership and contributions to the health care of Livingston County residents; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors asks that all residents of Livingston County join us in honoring the registered nurses who care for all of us; and be it further

RESOLVED, that the residents of Livingston County celebrate registered nurses' accomplishments and efforts to improve our health care system, and show our appreciation for the nation's registered nurses not just during this week, but at every opportunity throughout the year.

Dated at Geneseo, New York

May 6, 2020

Committee of the Whole

4. PROCLAIMING MAY 2020 AS MENTAL HEALTH MONTH

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, promotion and prevention are effective ways to reduce the burden of mental health conditions; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, Livingston County commits to ending the stigma associated with behavioral health conditions by recognizing good mental health is as important as good physical health; and

WHEREAS, each business, school, government agency, faith-based organization, health care provider, and citizen has a responsibility to promote mental wellness and support prevention efforts; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors recognizes the importance of mental health treatment, prevention and awareness, and does hereby proclaim the month of May 2020, as Mental Health Month.

Dated at Geneseo, New York

May 6, 2020

Committee of the Whole

Emergency Medical Services

5. PROCLAIMING THE WEEK OF MAY 17-23, 2020 AS EMERGENCY MEDICAL SERVICES WEEK

WHEREAS, the Emergency Medical Services responders in Livingston County provide many hours to save lives and care for the ill and injured; and

WHEREAS, Emergency Medical Services are available 365 days a year; and

WHEREAS, the world is facing and fighting the COVID-19 pandemic; now therefore be it

RESOLVED, that the Livingston County Board of Supervisors does hereby proclaim the week of May 17-23, 2020 as Emergency Medical Services Week in Livingston County to honor EMS personnel and all of their partners on the COVID-19 frontlines including all law enforcement agencies, 911 dispatchers, fire departments, and emergency departments.

Dated at Geneseo, New York

May 6, 2020

Committee of the Whole

Planning

6. DESIGNATION OF SEQR LEAD AGENCY FOR EMERGENCY COMMUNICATIONS SYSTEM UPGRADE PROJECT FOR WILSON ROAD, TOWN OF GROVELAND, AND JAKMAN HILL ROAD, TOWN OF LIVONIA

WHEREAS, Livingston County is proposing to construct a 195' self-support emergency communications tower at 5129 Wilson Road in the Town of Groveland, including installation of a 34' x 34' foundation for the tower, and removal of the existing tower; and

WHEREAS, Livingston County is proposing to construct a 195' self-support emergency communications tower at 3380 Jakman Hill Road in the Town of Livonia, including installation of a 34' x 34' foundation for the tower, a fence expansion of 43' x 48', and removal of the existing tower; and

WHEREAS, as part of the emergency communications system upgrade project, Livingston County intends to declare exemption from local zoning; and

WHEREAS, Livingston County sent out letters to Involved and Interested Agencies on April 7, 2020, declaring the County's intent to be Lead Agency for this project; and

WHEREAS, Involved and Interested Agencies concurred with Livingston County's intent to declare Lead Agency; now therefore be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares that Livingston County is Lead Agency for the SEQR review of the proposed emergency communications system upgrade project in the Towns of Groveland and Livonia.

Dated at Geneseo, New York

May 6, 2020

Committee of the Whole

7. ADOPTING SEQR NEGATIVE DECLARATION FOR 2020-2021 NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION SNOWMOBILE TRAILS GRANT PROGRAM

WHEREAS, the Caledonia Trailblazers and the Hill and Valley Riders are seeking to utilize and maintain an approximately 70.4-mile snowmobile trail system; and

WHEREAS, Livingston County is applying to fund these proposed trails through the NYS Office of Parks, Recreation and Historic Preservation Snowmobile Grant-In-Aid and Trail Approval Program; and

WHEREAS, the maintenance activities and seasonal usage of the proposed trails will not significantly disturb the acreage along the trail route; and

WHEREAS, potential impacts on the environment have been identified and will not result in any large and important impacts; now therefore be it

RESOLVED, that the Livingston County Board of Supervisors, as Lead Agency, hereby classifies this project as an Unlisted Action pursuant to the State Environmental Quality Review Act; and be it further

RESOLVED, that the Livingston County Board of Supervisors does hereby determine that the proposed project will not have a significant effect on the environment, a draft Environmental Impact Statement will not be prepared, and the Livingston County Board of Supervisors does hereby adopt the Negative Declaration for

the project and authorizes the Chairman to sign the Environmental Assessment Form prepared for the project and file it according to law.

Dated at Geneseo, New York
May 6, 2020

Committee of the Whole

8. AUTHORIZING SUBMISSION OF TRAIL PLAN & TRAIL SYSTEM APPROVAL AND APPLICATION TO NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR SNOWMOBILE TRAILS GRANT PROGRAMS

WHEREAS, the Caledonia Trailblazers and Hill and Valley Riders have requested that Livingston County apply on behalf of the Caledonia Trailblazers and the Hill and Valley Riders to the New York State Office of Parks, Recreation and Historic Preservation for a Snowmobile Trail Grant now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to submit a snowmobile trail plan and trail system to the New York State Office of Parks, Recreation and Historic Preservation, and any amendments hereto; and be it, further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to submit an application to the New York State Office of Parks, Recreation and Historic Preservation for the Snowmobile Trails Grant Program.

**Snowmobile Trail Mileage
Livingston County
Proposed 2020-2021 Mileage**

<u>Trail</u>	<u>2019-2020</u>	<u>2020-2021</u>	<u>Responsible Club</u>
C3	21 miles	21 miles	Caledonia Trailblazers
C4F	3 miles	3 miles	Caledonia Trailblazers
S30	10 miles	10 miles	Caledonia Trailblazers
S40	5 miles	5 miles	Caledonia Trailblazers
S48	0 miles	4.5 miles	Caledonia Trailblazers
S49	3 miles	11.8 miles	Hill & Valley Riders
C4	7 miles	7 miles	Hill & Valley Riders
818	0 miles	8.1 miles	Hill & Valley Riders
Total	49 miles	70.4 miles	

Dated at Geneseo, New York
May 6, 2020

Committee of the Whole

County Administrator/Budget Officer

9. INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

WHEREAS, the New York State Legislature has authorized the County of Livingston to impose an additional 1% local sales and compensating use tax rate; and

WHEREAS, it is necessary for the County of Livingston to amend its existing Sales and Use Tax

resolution to impose such additional rate; now, therefore, be it

RESOLVED by the Livingston County Board of Supervisors, as follows:

SECTION 1. Section 4-A of Resolution No. 67-190, enacted by the Board of Supervisors of the County of Livingston on November 30, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes. Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2003, and ending November 30, 2023. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (B) of subdivision (1) of Section 11 of Resolution No. 67-190 enacted by the Board of Supervisors of the County of Livingston on November 30, 1967, imposing sales and use taxes, as amended, is amended to read as follows:

B) With respect to the additional tax of one percent imposed for the period beginning June 1, 2003, and ending November 30, 2023, in respect to the use of property used by the purchaser in this county prior to June 1, 2003.

SECTION 3. Subdivision (c) of section 14 of Resolution No. 67-190, enacted by the Board of Supervisors of the County of Livingston on November 30, 1967, imposing sales and use taxes, as amended, is amended to read as follows:

(c) Notwithstanding subdivision (a) or (b) of this section or any contrary provision of law, all net collections from the additional one percent rate of sales and compensating use taxes imposed for the period beginning June 1, 2003, and ending November 30, 2023, shall be used to pay the county's expenses for Medicaid. Such net collections shall be deposited in a special fund created by the County separate and apart from any other funds and accounts of the County. Any and all remaining net collections from such additional one percent tax, after the Medicaid expenses are paid, shall be deposited by the County in the general fund of the County for any county purpose.

SECTION 4. This enactment shall take effect December 1, 2020.

Dated at Geneseo, New York

May 6, 2020

Committee of the Whole

10. RESOLUTION CALLING ON THE STATE OF NEW YORK TO RELEASE ENHANCED FEDERAL MEDICAID MATCHING FUNDS TO COUNTIES AND NEW YORK CITY

WHEREAS, in response to the COVID-19 pandemic, Congress has enacted extraordinary measures to help states and localities with increased costs and lost revenues; and

WHEREAS, a key action enacted by the federal government was a 6.2 percent increase in the federal medical assistance percentage (FMAP); and

WHEREAS, Congress has used this mechanism to provide fiscal relief to states and their local government Medicaid funding partners to reduce the financial burden they often experience in an economic downturn; and

WHEREAS, counties and New York City are struggling with higher costs responding to COVID-19 and experiencing extensive revenue declines due to the shutdown of large swaths of the economy; and

WHEREAS, we project that each quarter of enhanced FMAP funding is worth hundreds of millions of dollars for counties and New York City; now, therefore, be it

RESOLVED, that the County of Livingston is respectfully requesting financial assistance through federal FMAP monies by reducing county weekly Medicaid payments retroactive to January 1, 2020 to provide some partial fiscal relief to the current conditions; and be it further

RESOLVED, we also respectfully request that the State provide a timeline to all counties on the release of the enhanced federal Medicaid matching funds related to the Affordable Care Act "reconciliation funds" that

have been withheld for over three years and the likely mechanism on how these funds will be delivered to counties and New York City; and be it further

RESOLVED, that the Clerk of the Livingston County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Congressional Delegation, the New York State Association of Counties, and all others deemed necessary and appropriate.

Dated at Geneseo, New York

May 6, 2020

Committee of the Whole

11. REQUESTING CONGRESS ACT TO PROVIDE MUCH NEEDED FEDERAL ASSISTANCE AND BUDGETARY RELIEF TO LIVINGSTON COUNTY

WHEREAS, it is vitally important that Congress debate and take up a measure to provide financial assistance and budgetary relief to Livingston County in order to address the budgetary and economic fallout caused by the COVID-19 pandemic; and

WHEREAS, the CARES Act recently passed by Congress provided much-needed financial assistance to local governments, but its onerous population requirement blocked Livingston County from receiving any funding; and

WHEREAS, the restrictions the Act placed on the use of funds also blocked local governments from being permitted to use the funds to make up for lost revenues; and

WHEREAS, the COVID-19 pandemic has the potential to severely impact Livingston County's two most important revenue drivers: sales tax and New York State aid to localities; and

WHEREAS, the New York State Association of Counties recently released economic impacts report estimates that Livingston County stands to lose \$1.3 million in sales tax revenue in a "mild scenario" and \$3.9 million in a "severe scenario" in the 2020 Fiscal Year; and

WHEREAS, sales tax revenue makes up nearly 20% of all revenues in Livingston County's 2020 Budget, so any significant decrease will negatively harm the County's ability to stay within its balanced budget; and

WHEREAS, the New York State Division of the Budget recently announced financial plan for the 2021 Fiscal Year noted Governor Cuomo's intention to cut aid to localities by \$8.2 billion. State aid to localities consistently provides Livingston County, as well as other counties across New York State, the funding necessary to provide essential services to the public, including Sheriff's road patrol, congregate meal services for seniors and medical services through the local department of health; and

WHEREAS, the current fiscal and budgetary health of Livingston County will strongly depend on the actions taken by the federal government in response to this pandemic. Without the necessary flexible funding to re-coup for lost revenues like sales tax and state aid, Livingston County risks having to choose between cutting appropriations for essential services or incurring significant deficits for current and future fiscal years; now, therefore, be it

RESOLVED, that the County of Livingston respectfully requests Congress act to provide much-needed federal financial assistance to the County through the next federal stimulus package and allow for a direct disbursement of funding to Livingston County; and be it further

RESOLVED, that the Clerk of the Livingston County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Congressional Delegation, the New York State Association of Counties, and all others deemed necessary and appropriate.

Dated at Geneseo, New York

May 6, 2020

Committee of the Whole

County Treasurer

12. AMENDING RESOLUTION NO. 2012-30

WHEREAS, Resolution No. 2012-30 established the last day to redeem property under the Real Property Tax Law Article 11 tax foreclosure process as the close of County business on June 15th, or the next business day if June 15th falls on a Saturday or Sunday; and

WHEREAS, said Resolution also established the date for the annual auction of properties acquired by the County through the tax foreclosure process as the fourth Thursday of July at 6:00 p.m.; and

WHEREAS, on or about March 20, 2020, New York State Governor Andrew M. Cuomo signed Executive Order 202.8 establishing a ninety (90) day moratorium on the enforcement of foreclosures related to any residential or commercial properties; and

WHEREAS, on or about March 15, 2020, Chief Administrative Judge Lawrence K. Marks issued an Administrative Order establishing operational protocols for all trial courts of the Unified Court System which included postponing all non-essential functions of the courts until further notice. Specifically, all foreclosure proceedings were stayed and foreclosure auctions were prohibited from being scheduled or held; and

WHEREAS, these Orders have drastically impacted the County's tax foreclosure process with respect to the unpaid 2018 Town and County taxes thereby requiring the Livingston County Board of Supervisors to establish a new date of redemption and a new auction date for this particular tax year; now, therefore, be it

RESOLVED, that the established last day to redeem property under the Real Property Tax Law Article 11 tax foreclosure process relative to the unpaid 2018 Town and County taxes shall be the close of County business on June 15, 2021; and be it further

RESOLVED, that the established date for the annual auction of properties acquired by the County through the tax foreclosure process relative to the unpaid 2018 Town and County taxes shall be July 22, 2021 at 6:00 p.m.; and be it further

RESOLVED, that Resolution No. 2012-30 is hereby amended.

Dated at Geneseo, New York

May 6, 2020

Committee of the Whole

Real Property Tax Services

13. CORRECTING TAX ROLL-TOWNS OF GROVELAND AND YORK

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 Towns of Groveland and York on the tax roll 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 Groveland	Livingston County	\$2,818.56	\$2,818.56	\$0.00	\$0.00
Prince, Jonathan M.	Groveland Town Tax	\$1,316.88	\$1,316.88	\$0.00	\$0.00
Prince, Jennifer	Groveland Fire 1/Amb	\$158.28	\$158.28	\$0.00	\$0.00
Tax Map Number	Groveland Light 2	\$3.90	\$3.90	\$0.00	\$0.00
136.-1-6.122	Unpd LCWSA WtrNoDist Rel.	\$160.00	\$0.00	\$160.00	\$160.00
	Total	<u>\$4,457.62</u>	<u>\$4,297.62</u>	<u>\$160.00</u>	<u>\$160.00</u>
2. 2020 York	Livingston County	\$4.29	\$4.29	\$0.00	\$0.00
Roffe, Brittany L.	York Town Tax	\$2.03	\$2.03	\$0.00	\$0.00
Tax Map Number	York Fire1	\$0.36	\$0.36	\$0.00	\$0.00
70.5-1-14.2	York Light 1	\$0.05	\$0.05	\$0.00	\$0.00
	York Swr Dist #1	\$305.05	\$50.00	\$255.05	\$255.05
	Consolidated Wtr	\$220.16	\$7.50	\$212.66	\$212.66
	Total	<u>\$531.94</u>	<u>\$64.23</u>	<u>\$467.71</u>	<u>\$467.71</u>

Dated at Geneseo, New York

May 6, 2020

Committee of the Whole

OTHER BUSINESS

1. CHAIRMAN APPOINTMENTS

GLOW Workforce Development Board			
Name	Address	Title/Represents	Term Expires
Mary Ellyn Merle	P.O. Box 37, Dansville, New York 14437	Private Sector -Business	4/8/20-4/8/22

2. COUNTY ADMINISTRATOR UPDATE

ADJOURNMENT