



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

Livingston County Government Center, Geneseo, New York 14454 585.243.7030

COMMITTEE: WAYS AND MEANS

DATE: SEPTEMBER 20, 2021

TIME: 1:30 P.M.

## Committee Members

D. Pangrazio, Chairman  
W. Wadsworth, Vice Chairman  
D. Fanaro  
M. Schuster  
D. Babbitt Henry  
D. LeFeber  
D. Mahus

## **PLEDGE OF ALLEGIANCE:**

### **1:30 HIGHWAY DEPARTMENT – JASON WOLFANGER**

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

1. **AUTHORIZING THE IMPLEMENTATION AND SUPPLEMENTAL AGREEMENT #3 WITH NYS DEPARTMENT OF TRANSPORTATION FOR PRELIMINARY ENGINEERING, DESIGN, ROW INCIDENTALS AND ROW ACQUISITION, CONSTRUCTION AND CONSTRUCTION INSPECTION PHASES AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFOR: COUNTY RD 62(BRONSON HILL RD) HIGHWAY REHABILITATION PROJECT, TOWNS OF AVON & LIVONIA, PIN 4LV0.02**

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

WHEREAS, a Project for the County Rd 62(Bronson Hill Rd) Highway Rehabilitation Project, Towns of Avon & Livonia, P.I.N. 4LV0.02 (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 non-federal share of the costs of Preliminary Engineering, Design, ROW Incidental and ROW Acquisition, Construction and Construction Inspection Phases; now, therefore, be it

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

RESOLVED, that the Livingston County 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 Preliminary Engineering, Design, ROW Incidental and ROW Acquisition, Construction and Construction Inspection Phases work for the Project or portions thereof; and be it further

RESOLVED, that the sum of \$3,874,988 is hereby appropriated from Livingston County Budget Appropriation and made available to cover the cost of participation in the above phase 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 Livingston County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Livingston County Highway Superintendent thereof; and be it further

RESOLVED, that the Chairman of the Board 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 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 be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of



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Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further  
RESOLVED, this Resolution shall take effect immediately.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Department of Transportation</b>	8/9/2019-8/9/2029	\$3,874,988.00

50 Wolf Road  
Albany, NY 12232

For: State/Local Agreement for Rehabilitation of Bronson Hill Rd- Towns of Avon & Livonia

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
FHWA, NYS Marchiselli Funds, Livingston County Highway Budget Appropriations	5.8%	Yes

## 2. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR SNOW AND ICE REMOVAL THROUGH THE 2021-2022 SEASON: ONTARIO COUNTY

WHEREAS, pursuant to section 135 of the NYS Highway Law, the County Highway Superintendent may contract with a Town/County and a Town/County Superintendent for the removal of snow and ice from County Roads; and

WHEREAS, Ontario County has proposed to enter into a contract with Livingston County for removal of snow and ice from a 0.44 mile section of County Road 36A, which is in Livingston County, for the period October 15, 2021 through October 14, 2022, at the rate of \$5,800.00 per centerline mile; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for the Livingston County Highway Department, according to the term designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Ontario County</b>	10/15/2021-10/14/2022	\$2,552.00

20 Ontario Street  
Canandaigua, NY 14424

For: 2021 – 2022 Snow & Ice Control on 0.44 miles of County Road 36A, Town of Springwater.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
County Highway Budget Appropriations	100%	Yes X No

### 1:35 COUNTY ADMINISTRATOR – IAN COYLE (Attachments)

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

#### 1. APPROVING ABSTRACT OF CLAIMS #9B-SEPTEMBER 22, 2021

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #9B dated September 22, 2021 in the total amount of \$2,656,281.71.

#### 2. AMENDING 2021 LIVINGSTON COUNTY BUDGET-HIGHWAY (2) & OFFICE FOR THE AGING (2)

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-CENTRAL SERVICES, ECONOMIC DEVELOPMENT & 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 – DEPARTMENT OF HEALTH

cc: BOS, Administration, Amy Davies, Jason Parker, Jennifer Damon, Bill Fuller



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

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

**5. ACCEPTING THE REPORT OF COMMITTEE ON WORKERS' COMPENSATION INSURANCE ESTIMATE AND APPORTIONMENT OF COUNTY SELF-INSURANCE FOR THE YEAR 2022**

**6. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY: LIVINGSTON COUNTY EDUCATION ALLIANCE, INC.**

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Livingston County Education Alliance, Inc.</b>	10/1/2021-9/30/2024	\$92,500.00

4635 Millennium Drive  
Geneseo, NY 14454

For: Nepris Platform Implementation-Career Awareness/Education-to-Employment Program

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>		
County Budget	100%	Yes	No	X

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

- 2022 Budget Discussion
- Sales Tax Update
- NYSAC Seminar Report

**2:00 COUNTY ATTORNEY – SHANNON HILLIER**

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

**1. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN AN AMENDMENT TO THE LEASE AGREEMENT WITH THE UNITED STATES GOVERNMENT FOR OFFICE SPACE – JUDGE RICHARD WESLEY**

WHEREAS, Resolution No. 2021-135 authorized the Chairman of the Livingston County Board of Supervisors to sign a lease agreement with the United States Government for office space for Judge Richard Wesley for a five (5) year period commencing on June 1, 2021, at an annual rental rate of \$58,880.24; and

WHEREAS, the United States Government is now seeking to amend the lease agreement for purposes of cancelling the routine cleaning and disinfecting requirements; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign an amendment to the lease agreement with the United States Government for purposes of eliminating the cleaning and disinfecting requirements thereby reducing the annual rental amount to \$58,348.75, subject to review by the County Attorney and County Administrator.

**2. AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT TO AN ACTION RELATING TO THE OPIOID CRISIS – BIG 3 DISTRIBUTORS**

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

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

WHEREAS, the Action alleges several causes of action against defendants McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Drug Corporation, PSS World Medical, Inc., Kinray, LLC, Bellico



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Drug Corporation, and American Medical Distributors, Inc. (the "Distributors") based on claims that the Distributors contributed to the opioid epidemic by failing to comply with their obligations under the federal Controlled Substances Act and the New York Controlled Substances Act to implement adequate measures to prevent diversion of the prescription opioids they distributed to pharmacies and others in Suffolk County, all of which contributed to a public health crisis in Livingston County; and

WHEREAS, the Distributors have offered to settle the claims of Livingston County against them by paying the sum of between approximately \$1,008,384.86 and \$1,781,297.41 over eighteen (18) years and agreeing to implement injunctive relief under a controlled substance monitoring program; and

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

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

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

1. Tax Auction/Special Board meeting discussion

**2:15 ADJOURNMENT**



**2021 Budget Request - Amendment with Instance ID of 52828 from Highway - Awaiting Board Approval**

**lfforms** to: MRees

09/13/2021 11:57 AM

**2021 Budget Request - Amendment** from **Highway** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 9/13/2021

**Department:** Highway **Program:**

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

**Instance ID:** 52828

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** Machinery Fund

0.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** Machinery Fund

752600.00

**Reason:** (if applicable)

**Source of Revenue:** Sale of gasoline to county and non-county departments for 2021 BOARD HAS ALREADY APPROVED TRANSFER 2021-299 (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.



[Click here to open this task in Forms.](#) ERP Budget Request Form.pdf



**2021 Budget Request - Amendment with Instance ID of 52829 from Highway - Awaiting Board Approval**

**fforms** to: MRees

09/13/2021 11:57 AM

**2021 Budget Request - Amendment** from **Highway** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 9/13/2021

**Department:** Highway **Program:**

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

**Instance ID:** 52829

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** Machinery Fund

0.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** Machinery Fund

135700.00

**Reason:** (if applicable)

**Source of Revenue:** Sale of diesel fuel to county and non-county departments for 2021 BOARD HAS ALREADY APPROVED TRANSFER 2021-299 (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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**2021 Budget Request - Amendment with Instance ID of 52827 from Office for the Aging - Awaiting Board Approval**

**lforms** to: MRees

09/13/2021 11:50 AM

**2021 Budget Request - Amendment** from **Office for the Aging** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 9/13/2021

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

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

**Instance ID:** 52827

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** IIIC -2

0.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** IIIC-2

49045.00

**Reason:** (if applicable)

**Source of Revenue:** Use federal funds carried over from 2020 to help with payroll 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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**To:** MRees@co.livingston.ny.us,  
**Cc:**  
**Bcc:**  
**Subject:** 2021 Budget Request - Amendment with Instance ID of 52683 from Office for the Aging - Awaiting Board Approval  
**From:** lforms@co.livingston.ny.us - Monday 09/13/2021 11:50 AM

1 attachment



ERP Budget Request Form.pdf

**2021 Budget Request - Amendment** from **Office for the Aging** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 9/3/2021

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

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

**Instance ID:** 52683

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** IIIC -1

0.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** IIIC-1

8356.00

**Reason:** (if applicable)

**Source of Revenue:** Use deferred revenue to purchase freezer and other equipment needed at meal sites

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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**2021 Budget Request - Transfer with Instance ID of 52704 from Central Services - Awaiting Board Approval**

**Ifforms** to: MRees

09/07/2021 11:22 AM

**2021 Budget Request - Transfer** from **Central Services** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 9/7/2021

**Department:** Central Services **Program:**

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

**Instance ID:** 52704

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** administration

75000.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** Central Services MM site

75000.00

**Reason:** Transfer from assigned fund balance per 9/7 email from I Coyle to W Mann for TransPro Consultants to Central Services account (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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**2021 Budget Request - Transfer with Instance ID of 52786 from Economic Development - Awaiting Board Approval**

**lforms** to: MRees

09/09/2021 02:51 PM

**2021 Budget Request - Transfer from Economic Development** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 9/9/2021

**Department:** Economic Development **Program:**

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

**Instance ID:** 52786

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** Economic Development  
12272.13

**To Appropriation**

**To Dept Code:**

**To Dept Description:** Economic Development  
12272.13

**Reason:** To cover 2021 expenses (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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**2021 Budget Request - Transfer with Instance ID of 52822 from Office for the Aging - Awaiting Board Approval**

**lforms** to: MRees

09/13/2021 11:50 AM

**2021 Budget Request - Transfer from Office for the Aging** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 9/13/2021

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

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

**Instance ID:** 52822

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** NY Connects EE  
6155.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** NY Connect EE  
6155.00

**Reason:** Use temporary earnings to pay for shortage in 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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**2021 Budget Request - Transfer with Instance ID of 52825 from Office for the Aging - Awaiting Board Approval**

**lfforms** to: MRees

09/13/2021 11:51 AM

**2021 Budget Request - Transfer from Office for the Aging** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 9/13/2021

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

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

**Instance ID:** 52825

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** HIICAP

9470.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** HIICAP

9470.00

**Reason:** Transfer personnel expense to agency contract as we will now be subcontracting HIICAP services (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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**2021 Budget Request - Establish Account with Instance ID of 52906 from Health, Department of - Awaiting Board Approval**

**lfforms** to: MRees

09/17/2021 12:48 PM

**2021 Budget Request - Establish Account** from **Health, Department of** has been approved by the County Administrator. This request requires board approval.

**Date of Request:** 9/15/2021

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

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

**Instance ID:** 52906

**From Appropriation / Revenue**

**From Dept Code:**

**From Dept Description:** ELC Schools Reopening

0.00

**To Appropriation**

**To Dept Code:**

**To Dept Description:** ELC Schools Reopening

144812.00

**Reason:** (if applicable)

**Source of Revenue:** Establish New Account 4020 ELC Schools Reopening Grant. Resolution 2021-290 approval. Center of Disease Control Funding (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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