

AGENDA DOCKET
LIVINGSTON COUNTY BOARD OF SUPERVISORS REGULAR BOARD MEETING
WEDNESDAY, OCTOBER 26, 2022
1:30 P.M.



ROLL CALL

PLEDGE OF ALLEGIANCE

US Army Veteran, Robert Wolter, Jr.

APPROVAL OF MINUTES

Minutes of 10/12/22 Regular Meeting

COMMUNICATIONS

1. Receipt of Summons and Complaint in the matter of Reverend Justin Bleuer, et al. vs. Kevin P. Bruen, NYS Police Superintendent, et al.
2. Additional municipal registration and attendance is needed - Livingston County is partnering with the Genesee/Finger Lakes Regional Planning Council to assist the County in being designated a Clean Energy Community for the NYSERDA Clean Energy Communities Program by holding five virtual training sessions on clean energy topics throughout the month of November. Please see the flyer on your desk for dates and contact Joe Gunther in Planning for additional information.

INTRODUCTION OF LOCAL LAWS

1. **LOCAL LAW NO. C-2022 OVERRIDING THE TAX LEVY LIMIT FOR LIVINGSTON COUNTY FOR THE 2023 FISCAL YEAR**

2. **LOCAL LAW D-2022 UPDATING APPORTIONMENT FOR THE LIVINGSTON COUNTY BOARD OF SUPERVISORS ON A WEIGHTED VOTE BASIS**

ABSTRACT OF CLAIMS

RESOLUTION NO. 2022-372 APPROVING ABSTRACT OF CLAIMS #10 B-OCTOBER 26, 2022

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #10B dated October 26, 2022 in the total amount of \$2,347,765.33.

Dated at Geneseo, New York

October 26, 2022

Ways and Means Committee

PRIVILEGES OF THE FLOOR

David Terry, Veteran Services Agency Director

- Departmental Update

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

Ways & Means Committee

1. **DECLARING SURPLUS PROPERTY: CENTRAL SERVICES**

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:

Central Services

Quantity	Year, Make & Model	Mileage/Hours	Serial #
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1	2008 Ford F-150	95,369	1FTRF14W67KD41797
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Dated at Geneseo, New York

October 26, 2022

Ways and Means Committee

2. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. C-2022 OVERRIDING THE TAX LEVY LIMIT FOR LIVINGSTON COUNTY FOR THE 2023 FISCAL YEAR

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on October 26, 2022, a proposed Local Law No. C-2022 entitled Overriding the Tax Levy Limit for Livingston County for the 2023 Fiscal Year; now, therefore, be it

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on November 16, 2022 at 1:35 p.m. in the Board of Supervisors Assembly Room located in the Livingston County Government Center, Geneseo, New York; and be it further

RESOLVED, that at least six (6) days' notice shall be given by posting thereof on the bulletin board of the Livingston County Government Center and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

October 26, 2022

Ways and Means Committee

3. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. D-2022 UPDATING APPORTIONMENT FOR THE LIVINGSTON COUNTY BOARD OF SUPERVISORS ON A WEIGHTED VOTE BASIS

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on October 26, 2022, a proposed Local Law entitled Local Law No. D-2022 Updating Apportionment for the Livingston County Board of Supervisors on a Weighted Vote Basis; now, therefore, be it

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on November 16, 2022 at 1:35 p.m. in the Board of Supervisors Assembly Room located in the Livingston County Government Center, Geneseo, New York; and be it further

RESOLVED, that at least six (6) days' notice shall be given by posting thereof on the bulletin board of the Livingston County Government Center and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

October 26, 2022

Ways and Means Committee

4. PROVIDING FOR PUBLIC HEARING ON PROPOSED LIVINGSTON COUNTY BUDGET FOR 2023 PURSUANT TO SECTION 359 OF THE NEW YORK STATE COUNTY LAW

RESOLVED, that the Livingston County Board of Supervisors, pursuant to Section 359 of the New York State County Law, will hold a public hearing on the proposed Livingston County Budget for the fiscal year 2023 at 1:35 p.m. on Wednesday, November 16, 2022 in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York; and, be it further

RESOLVED, that the Clerk of the Board will cause a Notice of Public Hearing to be published in the official newspaper of the County in a manner required by Section 359 of the County Law.

Dated at Geneseo, New York

October 26, 2022

Ways and Means Committee

DISCUSSION OF THE RESOLUTIONS ON PREFERRED AGENDA

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

RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE

HUMAN SERVICES COMMITTEE

Workforce Development/Youth Bureau

5.* AUTHORIZING PROFESSIONAL SERVICES CONTRACTS FOR YOUTH SPORTS OPPORTUNITY FUNDING: CAL MUM YOUTH BASKETBALL ASSOCIATION & GLOW YMCA

WHEREAS, the County of Livingston solicited a Request for Proposal for Youth Sports Opportunity Funding, and two (2) proposals were received; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contracts, and any future amendments to said contracts 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>
Cal Mum Youth Basketball	10/26/2022-12/31/2022	\$3,750.00
450 Barks Road		
Caledonia, NY 14423		
For: Youth sports equipment		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS Office of Children and Family Services	0%	Yes

GLOW YMCA	10/26/2022-12/31/2022	\$3,750.00
209 East Main Street		
Batavia, NY 14020		
For: Youth sports equipment		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS Office of Children and Family Services	0%	Yes

Dated at Geneseo, New York
October 26, 2022
Human Services Committee

WAYS & MEANS COMMITTEE
County Administrator/Budget Officer

6. AMENDING 2022 LIVINGSTON COUNTY BUDGET: PURCHASING & SHERIFF'S OFFICE

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

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

7. AUTHORIZING TRANSFER OF FUNDS: OFFICE FOR THE AGING

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

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

County Attorney

8. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A LEASE AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF EDUCATION (ACCES-VR)

RESOLVED, that the Livingston County Board of Supervisors finds that approximately 130 square feet located in the Livingston County Government Center, 6 Court Street, Room 105, Geneseo, New York is no longer necessary for Livingston County public purpose; and be it further

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to sign a lease with the New York State Department of Education (ACCES-VR) for said 130 square feet commencing January 1, 2023 and terminating December 31, 2025, at \$332.53 per month for the first year with a 3% annual escalator, said lease to be subject to the approval of the County Attorney and County Administrator.

Dated at Geneseo, New York

October 26, 2022
 Ways and Means Committee
 County Treasurer

9. AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR AUDIT SERVICES: THE BONADIO GROUP

WHEREAS, the County of Livingston solicited a Request for Proposal for audit services, and four (4) proposals were received on July 30, 2022; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract, and any amendments to said 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>
The Bonadio Group	FY 2022-FY2024	Per Rate Sheet
171 Sully's Trail, Suite 201	With option for two	
Pittsford, NY 14534	1 year renewals	
For: Auditing Services		

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

Dated at Geneseo, New York

October 26, 2022
 Ways and Means Committee
 Information & Technology Services

10. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING INTERGOVERNMENTAL AGREEMENT FOR THE LIVINGSTON COUNTY DEPARTMENT OF INFORMATION & TECHNOLOGY SERVICES: NYS OFFICE OF INFORMATION TECHNOLOGY SERVICES AND NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
NYS Office of Information Technology Services	11/1/22-10/30/25	\$0
Division of Legal Affairs		
Empire State Plaza		
P.O. Box 2062		
Albany, NY 12220-0062		
and		

NYS Division of Homeland Security and Emergency Services

Cyber Incident Response Team
 1220 Washington Avenue
 Building 7A
 Albany, NY 12226

For: CrowdStrike endpoint detection and response licensing. NYS JSOC participation

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
N/A	100%	Yes X No

Dated at Geneseo, New York

October 26, 2022
 Ways and Means Committee
 Other

11. AMENDING RESOLUTION NO. 2016-141: UNITED HEALTH CARE OF NEW YORK, INC. (OPTUM)

WHEREAS, Resolution No. 2016-141 authorized the Chairman of the Livingston County Board of

Supervisors to sign a contract with United Health Care Of New York, Inc. (Optum) establishing reimbursement rates for covered services to beneficiaries. Said contract has been renegotiated with increases in the rate schedule reimbursement amounts; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to sign a contract amendment with United Health Care Of New York, Inc. (Optum) to include the new reimbursement rate schedule, and any future amendments to said contract, according to the term designated, subject to review by the County Attorney and County Administrator; and be it further

RESOLVED, that Resolution No. 2021-417 is hereby amended accordingly.

Dated at Geneseo, New York

October 26, 2022

Ways and Means Committee

12. AUTHORIZING ALLOCATION OF AMERICAN RESCUE PLAN FUNDS: LIVINGSTON COUNTY WORKFORCE DEVELOPMENT

WHEREAS, pursuant to the Federal American Rescue Plan Act of 2021, county governments were provided fiscal recovery funds (“ARPA funds”) to support projects that will provide for economic resiliency and enhance communities that have been negatively impacted by the COVID-19 pandemic; and

WHEREAS, Livingston County was awarded \$12,200,000.00 in fiscal recovery funds through the American Rescue Plan; and

WHEREAS, the Ways and Means Committee recently considered a one-time ARPA fund request from the Livingston County Workforce Development Department for addressing the employment and job training needs of unemployed or underemployed Livingston County residents. After ample discussion, the Committee found that the Department would greatly benefit from the disbursement of a portion of the County’s awarded ARPA funds. The Workforce Development Department’s intended use of the funds meets the United States Department of Treasury’s guidelines as to how the ARPA funds are to be spent and granting a portion of these funds to this Department would provide great benefit to Livingston County residents; and

WHEREAS, the Ways and Means Committee specifically endorsed an allocation of \$100,000.00 of ARPA funds to the Livingston County Workforce Development Department for job training services for Livingston County residents; now, therefore, be it

RESOLVED, that in support of the Ways and Means Committee’s recommendations, the Livingston County Board of Supervisors hereby authorizes the disbursement of County ARPA Funds to the Livingston County Workforce Development Department for the amount requested and for the uses indicated in this Resolution; and be it further

RESOLVED, that the Livingston County Workforce Development Department shall be required to report all monies spent and submit backup documentation to the Livingston County Treasurer for purposes of mandated reporting to the Federal Government.

Dated at Geneseo, New York

October 26, 2022

Ways and Means Committee

13. AUTHORIZING USE OF AKZO NOBEL SETTLEMENT FUNDS: LEICESTER/YORK REGIONAL WATER SUPPLY EXPANSION PROJECT

WHEREAS, Livingston County Board of Supervisors' Resolution No. 2021-185 authorized the County Administrator to submit required documentation to the Office of the New York State Attorney General (“AG’s Office) and the New York State Department of Environmental Conservation (“DEC”) for the use of \$350,000.00 of Akzo Nobel Settlement Funds to secure a Planning and Engineering Report with preliminary design focused on improving public drinking water infrastructure in the Towns of Leicester and York due to the impacts of the 1994 Retsof Salt Mine Collapse; and

WHEREAS, Livingston County Board of Supervisors' Resolution No. 2022-201 authorized the County Administrator to submit additional documentation to the AG’s Office and the DEC for the use of \$700,000.00 of Settlement Funds to obtain further design and engineering work for the project; and

WHEREAS, on September 27, 2022, the AG's Office and the DEC formally approved the County Administrator's funding requests; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby authorize the use of a not to exceed amount of \$1,050,000.00 in Akzo Settlement Funds for the above-mentioned engineering and design

work as these initial stages of work are necessary to advance the overall Leicester/York Regional Water Supply Expansion Project.

Dated at Geneseo, New York

October 26, 2022

Ways and Means Committee

14. AUTHORIZATION TO SUBMIT A USDA RECONNECT ROUND 4 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 fourth 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 provide the 25% cost share grant funding match required under the terms of the Program with the understanding that the County will recover said contribution pursuant to the terms of a negotiated 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 Livingston County Board of Supervisors is hereby authorized to sign a letter to the USDA declaring the County's intent to partner with Empire Access and provide the required grant funding match for the cost of the project, should funding be awarded.

Dated at Geneseo, New York

October 26, 2022

Ways and Means Committee

Human Resources

15. AMENDING THE 2022 LIVINGSTON COUNTY SALARY SCHEDULE: CENTER FOR NURSING AND REHABILITATION

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

Center For Nursing And Rehabilitation:

- Create thirty (30) full-time Certified Nursing Assistant Trainee positions at Wage Grade 4 CSEA Contract effective immediately.

For: To allow for the ability to hire and train more expeditiously for transition to Certified Nursing Assistant positions upon the completion of training.

Dated at Geneseo, New York

October 26, 2022

Ways and Means Committee

16. AMENDING RESOLUTION NO. 2009-430 TO MODIFY THE FEE STRUCTURE FOR PARTICIPATION IN CIVIL SERVICE EXAMINATIONS BY WAIVING THE FEES FOR VETERANS TAKING NON-UNIFORMED AND UNIFORMED EXAMINATIONS

WHEREAS, By Resolution No. 2009-430, the Livingston County Board of Supervisors established fee structure for uniformed and non-uniformed Civil Service examinations; and

WHEREAS, Livingston County has taken steps to reduce barriers to employment for veterans, as they possess unique skills which would benefit the County; now, therefore, be it

RESOLVED, that Resolution No. 2009-430 is hereby amended to indicate that that fees charged by Livingston County for non-uniformed and uniformed Civil Service exams taken by military veterans be waived, and that any and all fees required to be paid to New York State shall by paid by Livingston County.

Dated at Geneseo, New York

October 26, 2022

Ways and Means Committee

17. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE HUMAN RESOURCES DEPARTMENT: GOVERNMENTJOBS.COM, INC. DBA NEOGOV

WHEREAS, the City of Athens, Texas awarded a contract for the purchase of services related to public sector applicant tracking, onboard management, and learning management subsequent to a competitive bidding process; and

WHEREAS, the Livingston County Director of Human Resources has determined that the pricing obtained through this contract will result in significant cost savings to Livingston County; and

WHEREAS, pursuant to the authority granted by Section 103 of the New York State General Municipal Law and the terms of the above City of Athens, Texas contract, Livingston County is authorized to purchase these services by piggybacking on the contract awarded by City of Athens, Texas; 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 hereby accepted as piggybacking on the contract awarded by the City of Athens, Texas, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Governmentjobs.com, Inc. dba NEOGOV	Initial Set Up	\$12,750.00
300 Continental Boulevard, Suite 565	Year 1 (1/1/23-12/31/23)	\$34,712.50
El Segundo, CA 90245	Year 2 (1/1/24 - 12/31/24)	\$48,597.50
	Year 3 (1/1/25 - 12/31/25)	\$69,425.00

For: Initial Setup and training; Insight License, Onboard License, Learn License, Government Jobs, New Hire Export (IN+ON Data) Subscription

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

Dated at Geneseo, New York

October 26, 2022

Ways and Means Committee

OTHER BUSINESS

1. CHAIRMAN APPOINTMENTS

GLOW Workforce Development Board

Name	Address	Title/Represents	Term Expires
Jennifer G. Wakefield	Best Center, Genesee Community College 1 College Road, Batavia, NY 14020	Higher Education	At Pleasure

ADJOURNMENT