

**AGENDA DOCKET**  
**LIVINGSTON COUNTY BOARD OF SUPERVISORS REGULAR BOARD MEETING**  
**WEDNESDAY, SEPTEMBER 11, 2019**  
**1:30 P.M.**



**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

Timothy Patrick Clark

**APPROVAL OF MINUTES**

Minutes of 8/28/19 Regular Meeting

**COMMUNICATIONS**

1. The next Conversation with the County will be on Monday, October 7, 2019 @ 5:30 p.m.-Caledonia Town Hall.
2. Receipt of demand for settlement documentation in the matter of a Livingston County transport of Sophia LaPiana.
3. The Department of Health Re-accreditation Luncheon will be held on September 25, 2019 @ 11:30 a.m.-Genesee River Restaurant, Mt. Morris is due by 9/13/19. Please let Michele know today if you plan to attend.
4. Receipt of a thank you note from Amie Alden and the Griffio family.
5. Receipt of an Application from Finger Lakes Soaring Club for a refund or credit of real property taxes.

**ABSTRACT OF CLAIMS**

**RESOLUTION NO. 2019-298      APPROVING ABSTRACT OF CLAIMS #9A-SEPTEMBER 11, 2019**

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #9A dated September 11, 2019 in the total amount of \$1,877,854.82.

Dated at Geneseo, New York

September 11, 2019

Ways and Means Committee

**PRIVILEGES OF THE FLOOR**

1. SUSAN PERRY, SPECIALIST – NY REGIONAL CENSUS CENTER PARTNERSHIP
  - 2020 CENSUS

**PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE**

**Human Services Committee**

1. **PROCLAIMING THE WEEK OF SEPTEMBER 15-21, 2019 AS ADULT DAY SERVICES WEEK IN LIVINGSTON COUNTY IN CELEBRATION OF NATIONAL ADULT DAY SERVICES WEEK**

WHEREAS, Adult Day Health Care Centers at the local, state and national level provide vital medical care, including medication monitoring, therapies, and health education, and provide invaluable opportunities and social interactions; and

WHEREAS, the 20-slot medical model Adult Day Health Care center, located at the Livingston County Center for Nursing and Rehabilitation, known as the Garden of Life, is the only adult day health care program in Livingston County and it provides a high quality of care and services to meet the needs of Livingston residents; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors proclaims September 15-21, 2019, as Adult Day Services Week in Livingston County in honor of the valuable contributions Livingston County Garden of Life Adult Day Health Care Program and its staff make to the quality of life in our county.

Dated at Geneseo, New York  
September 11, 2019  
Human Services Committee

**2. PROCLAIMING THE WEEK OF OCTOBER 23-31, 2019 AS RED RIBBON WEEK FOR LIVINGSTON COUNTY**

WHEREAS, drug abuse has reached epidemic stages in our nation; and

WHEREAS, it is crucial that communities take a visible stand against drugs and their devastating impact on society; and

WHEREAS, the Red Ribbon Campaign was founded in 1985 as a symbol of intolerance toward drugs and a commitment toward the creation of a drug-free America; and

WHEREAS, prevention education efforts are critical in presenting a unified and visible commitment toward a drug-free lifestyle; and

WHEREAS, the National Red Ribbon Campaign will be celebrated during “Red Ribbon Week”, October 23-31; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby proclaim the week of October 23-31 as Red Ribbon Week, and encourages its citizens to participate in drug prevention education activities.

Dated at Geneseo, New York  
September 11, 2019  
Human Services Committee

**3. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY YOUTH BOARD: HEATHER PERO & CORINNE DAVIS**

RESOLVED, that the following members be hereby appointed to the Livingston County Youth Board for the term designated:

<b>Livingston County Youth Board</b>			
Name	Address	Agency	Term
Heather Pero	5318 Ossian Hill Road, Dansville, NY 14437	Ossian	At Pleasure
Corinne Davis	159 Main Street, Mt. Morris, NY 14510	CASA	At Pleasure

Dated at Geneseo, New York  
September 11, 2019  
Human Services Committee

**4. PROCLAIMING THE MONTH OF SEPTEMBER 2019 AS HUNGER ACTION MONTH**

WHEREAS, food is the substance by which life is sustained; hunger is an issue of grave concern in the United States, the State of New York and the County of Livingston; and

WHEREAS, the type, quality and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and

WHEREAS, access to nutritious, wholesome food is the right of every individual; and

WHEREAS, the food insecurity rate in the County of Livingston is 11% of the total population or almost 7000 people and over 18%, or over 2000 children; and

WHEREAS, the County of Livingston is committed to working with Foodlink and local nutrition education and health focused public and private organizations; and

WHEREAS, Foodlink provided over 19 million pounds of food to vulnerable children, seniors, and adults in its 10-county service area throughout the Finger Lakes region; and

WHEREAS, the County of Livingston is committed to taking steps to raise awareness of the need to combat hunger in every part of our county; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors, does hereby proclaim the month of September 2019, HUNGER ACTION MONTH, in Livingston County and thanks Foodlink for their service to our community.

Dated at Geneseo, New York  
September 11, 2019  
Human Services Committee  
Public Services Committee

**5. APPOINTING MEMBER TO THE LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY, LIVINGSTON COUNTY DEVELOPMENT CORPORATION AND THE LIVINGSTON COUNTY CAPITAL RESOURCE CORPORATION – DAVID FANARO**

RESOLVED, that the following member is hereby appointed to the Livingston County Industrial Development Agency, Livingston County Development Corporation, and the Livingston County Capital Resource Corporation Community Services Board for the term designated:

**Livingston County Industrial Development Agency Board**

Name	Address	Rep./Title	Term
David Fanaro	2714 Cuylerville Road, Leicester, NY 14481	Member	At the pleasure

**Livingston County Development Corporation**

Name	Address	Rep./Title	Term
David Fanaro	2714 Cuylerville Road, Leicester, NY 14481	Member	At the pleasure

**Livingston County Capital Resource Corporation**

Name	Address	Rep./Title	Term
David Fanaro	2714 Cuylerville Road, Leicester, NY 14481	Member	At the pleasure

And be it further,

RESOLVED, that a copy of this resolution be sent to the Office of Secretary of State, Department of Miscellaneous Records, 99 Washington Avenue, 1 Commerce Plaza, 6<sup>th</sup> Floor, Albany, New York 12231.

Dated at Geneseo, New York

September 11, 2019

Public Services Committee

**6. DESIGNATING THE LIVINGSTON COUNTY AREA CHAMBER OF COMMERCE AS THE 2019 OFFICIAL TOURISM PROMOTION AGENCY**

WHEREAS, the New York State Grants Program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS, the Livingston County Area Chamber of Commerce qualifies as an official Tourism Promotion Agency; now, therefore, be it

RESOLVED, that the Livingston County Area Chamber of Commerce, be and hereby is designated by the Livingston County Board of Supervisors as their official Tourism Promotion Agency under this program and is authorized to make application for and receive grants on behalf of the County pursuant to the New York State Tourist Promotion Act; and be it further

RESOLVED, that a certified copy of this resolution be filed by the Clerk of this Board with the Livingston County Area Chamber of Commerce.

Dated at Geneseo, New York

September 11, 2019

Public Services Committee

**7.\* APPOINTING MEMBER TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD- GARY SPARKS**

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

Name	Address	Rep./Title	Term
Gary Sparks	6175 Elm Street, Conesus, NY 14435	Conesus Rep.	9/11/19-12/31/20 (Steenblok term)

Dated at Geneseo, New York

September 11, 2019

Public Services 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**

**PUBLIC SERVICES COMMITTEE**

*Central Services*

**8. RESOLUTION REJECTING ALL BIDS RECEIVED FOR THE LIVINGSTON COUNTY GOVERNMENT CENTER SECURE ENTRANCE MODIFICATION PROJECT**

WHEREAS, after the proper legal advertisement seeking bids for the Livingston County Government Center Secure Entrance Modification Project, three bids were received and opened on August 28, 2019; and

WHEREAS, all three bids received were significantly higher than budgeted using industry standard estimates; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors rejects all bids for the Livingston County Government Center Secure Entrance Modification Project opened on August 28, 2019.

Dated at Geneseo, New York

September 11, 2019

Public Services Committee

*Highway*

**9. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR SNOW AND ICE REMOVAL THROUGH THE 2019-2020 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, 2019 through October 14, 2020, 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>	10/15/19-10/14/20	\$2,552.00

20 Ontario Street  
Canandaigua, NY 14424

For: 2019 - 2020 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

Dated at Geneseo, New York

September 11, 2019

Public Services Committee

*Public Defender*

**10. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY PUBLIC DEFENDER'S OFFICE: NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES**

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for the Livingston County Public Defender's Office, 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>New York State Office of Indigent Legal Services</b>	1/1/19-12/31/21	\$101,601.00

William J. Leahy, Director  
A.E. Smith Building, 11<sup>th</sup> Floor

80 South Swan Street  
Albany, NY 12210  
For: Grant Distribution #9 (Contract # C900023)

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Grant – NYSOILS	No	Yes x No

Dated at Geneseo, New York

September 11, 2019

Public Services Committee

WAYS & MEANS COMMITTEE

*County Administrator/Budget Officer*

**11. AMENDING 2019 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH & SHERIFF'S OFFICE(2)**

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

September 11, 2019

Ways and Means Committee

**12. ESTABLISHING AN ACCOUNT – OFFICE FOR THE AGING**

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

Dated at Geneseo, New York

September 11, 2019

Ways and Means Committee

*County Attorney*

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

RESOLVED, that the Livingston County Board of Supervisors finds that approximately 541 square feet located in the Livingston County Government Center, 6 Court Street, 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 541 square feet located in the Livingston County Government Center commencing September 1, 2019 and terminating December 31, 2019, at \$1,266.20 per month, said lease to be subject to the approval of the County Attorney and County Administrator.

Dated at Geneseo, New York

September 11, 2019

Ways and Means Committee

*County Treasurer*

**14. AMENDING RESOLUTION NO. 2019-110**

WHEREAS, Resolution No. 2019-110 authorized the County Treasurer to establish Capital Project Account **H5113.2900** in the amount of \$200,000.00 to be funded from Interfund Transfers **H5113.5031** in the amount of \$200,000.00; and

WHEREAS, the Assigned Fund Balance Account number was incorrect; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to transfer budgeted funds from Fund Balance **D0914.09090** to Bridge Assigned Fund Balance Account **D0914.51170** in the amount of \$200,000.00; and be it further

RESOLVED, that Resolution No. 2019-110 is hereby amended.

Dated at Geneseo, New York

September 11, 2019

Ways and Means Committee

*Information And Technology Services*

**15. AMENDING RESOLUTION NO. 2017-307**

WHEREAS, the County of Livingston would like to amend the professional services contract to allow for additional services during the ERP project management and change management process increasing the total contract amount by \$143,000.00 plus travel expenses; now, therefore, be it

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

<u>Contractor</u> <b>Owen Lewis Consulting</b> PO Box 3634 Ann Arbor, MI 48106	<u>Term</u> Project Completion	<u>Amount</u> \$143,000.00
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For: Third party project management services to also include change management services during ERP Project implementation.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Project Funds	100%	Yes X No

And be it further,

RESOLVED, that Resolution 2017-307 is hereby amended.

Dated at Geneseo, New York

September 11, 2019

Ways and Means Committee

*Other*

**16. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING PILOT AGREEMENT FOR LIVINGSTON COUNTY: HELIOS ENERGY, LLC**

WHEREAS, Livingston County has received formal notice from Helios Energy, LLC (“Helios”) that it plans to build and operate a “Solar Energy System” as defined under New York Real Property Tax Law (“RPTL”) Section 487(1)(b) on land located on Rochester Street in the Town of Avon, more specifically known as tax map number 21.-2-9.123, which will have an expected nameplate capacity of approximately four (4) Megawatts AC; and

WHEREAS, Livingston County has not opted out of RPTL Section 487; and

WHEREAS, under the PILOT Agreement, Helios (or any successor owner of the project) shall be required to make payment in advance of the project to the County and said payments shall not exceed the amount that would otherwise be payable but for the RPTL 487 exemption; and

WHEREAS, the Agreement shall commence on the first taxable status date selected by Helios following commencement of the project construction and shall end the fifteenth (15) fiscal year thereafter. The single payment shall be in the amount of \$50,475.00 (\$841.25 per Megawatt AC of Capacity at 4 Megawatts (\$3,365.00) multiplied by the 15 year exemption period); and

WHEREAS, during the term of this Agreement, the project shall be subject to standard land taxes and applicable special district taxes. The improved property will be placed on the exempt portion of the assessment roll and Helios shall not be assessed for any statutory real property taxes for which it might otherwise be subjected under New York law; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign said PILOT agreement for Livingston County, and any future amendments to said Agreement, according to the term(s) designated, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

September 11, 2019

Ways and Means Committee

*Personnel*

**17. AMENDING THE 2019 LIVINGSTON COUNTY SALARY SCHEDULE: DEPARTMENT OF HEALTH**

RESOLVED, that the 2019 Livingston County Salary Schedule is amended as follows:

**Department of Health:**

Convert one part-time Mental Health Licensed Therapist position to a full-time position at a Wage Grade 16 per CSEA Contract effective 9/3/19.

For: This position is necessary to meet the increasing numbers of the Mental Health Clinic clientele.

Dated at Geneseo, New York  
 September 11, 2019  
 Ways and Means Committee  
 Real Property Tax Services

**18. CORRECTING TAX ROLL (INVALID) – TOWN OF NORTH DANSVILLE**

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to one (1 parcel) application for correction of the tax rolls, pursuant to the Real Property Tax Law, as prepared by a representative of the taxpayer within the Town of North Dansville on the tax roll for the year hereinafter set forth, and

WHEREAS, said investigation and recommendation state that the 2017, 2018 and 2019 North Dansville Town and County Tax Rolls are correct as originally printed and that a correction is not warranted; 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 owners and/or representatives of the parcels stating that the application for correction of the 2017, 2018 and 2019 tax rolls have been denied.

<b>Year, Municipality Owner(s) Parcel</b>	<b>Taxing Jurisdiction</b>	<b>Original Tax Bill</b>	<b>Corrected Tax Bill</b>	<b>Refund to Owner</b>	<b>Chargebacks to Taxing Jurisdictions</b>
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**1. 2017 North Dansville**

Finger Lakes Soaring Club, Inc.  
 Tax Map Number  
 189.18-1-31.2

*APPLICATION DENIED*

**2. 2018 North Dansville**

Finger Lakes Soaring Club, Inc.  
 Tax Map Number  
 189.18-1-31.2

*APPLICATION DENIED*

**3. 2019 North Dansville**

Finger Lakes Soaring Club, Inc.  
 Tax Map Number  
 189.18-1-31.2

*APPLICATION DENIED*

Dated at Geneseo, New York  
 September 11, 2019  
 Ways and Means Committee

**19. ESTABLISHING LIVINGSTON COUNTY REAL PROPERTY TAX SERVICES FEE SCHEDULE**

WHEREAS, the processing fee for school and village tax rolls and bills shall be increased to \$1.00 per parcel; and

WHEREAS, the minimum fee for processing school tax rolls and bills shall be increased to \$200; now, therefore, be it

RESOLVED, that the following schedule of fees for the Livingston County Real Property Tax Services, be modified to include these increases, effective January 1, 2020:

<b>LIVINGSTON COUNTY REAL PROPERTY TAX SERVICES FEE SCHEDULE</b>		
<b>Tax Maps:</b>	<b>Hardcopy:</b>	\$5.00 per 30" X 42" Sheet \$1.00 per photo copy (11 X 17)
	<b>Electronic:</b>	\$500.00 for entire county \$50.00 per town \$5.00 for individual map
<b>Reports:</b>		

Hardcopy:	\$25.00 set up charge \$0.25 per page additional
Electronic:	\$25.00 set up charge \$0.025 per parcel additional
Labels:	\$0.05 each \$25.00 minimum
Tax Rolls and Bills:	* \$1.00 per parcel for schools and villages * \$200.00 minimum

\*fee change

Dated at Geneseo, New York  
September 11, 2019  
Ways and Means Committee

**OTHER BUSINESS**

**ADJOURNMENT**