

**REGULAR BOARD MEETING
WEDNESDAY, SEPTEMBER 11, 2019
1:30 P.M.**

ROLL CALL

The roll was called showing all members present except Mr. DiPasquale (Mt. Morris), Mrs. Babbitt Henry (Springwater) and Mrs. Erdle (West Sparta).

PLEDGE OF ALLEGIANCE

The County Administrator introduced Timothy Patrick Clark:

Timothy Patrick Clark was born in Warsaw, New York and a graduate of Perry High School. Upon graduation he worked in a few places in the carpentry business and department stores. As we remember today, the September 11, 2001 terrorist attacks on our soil we recognize veterans such as Timothy who took it upon himself to take the oath of service to his country and community in the wake of a new type of war.

Timothy served in the United States Army delayed entry program from September 18 to October 30, 2001 before going into active duty. He served in the United States Army from October 31, 2001 until his Honorable discharge on April 30, 2006 at the rank of Army Specialist.

After basic training he completed his military occupational specialty (MOS), Thirteen-Delta-Ten and became a Field Artillery Tactical Systems Specialist assigned to Field Artillery Battery B Company 155MM (Field Howitzer) Forward Command out of Fort Benning, Georgia. He served in Kuwait and Iraq from January 7 to July 24, 2003 and again from January 16, 2005 to January 16, 2006.

For his military service, Timothy Clark received the United States Army/United States Air Force Presidential Unit Citation, Army Good Conduct Medal, National Defense Service Medal, Global War on Terrorism Service Medal, and Iraq Campaign Medal.

After his military service, Timothy worked with Warren's Carpet Cleaning Inc. in Warsaw, Seneca Foods in Mount Morris, Sedam Tire in Perry, two years with Markin Tubing LP in Wyoming before spending the last several years as a Supervisor with Pioneer Credit Recovery in Perry where he currently is employed. His hobbies include outdoor activities, hiking, and any activity with his kids. He volunteers for the York Junior Knights kid's sports program as a football game monitor and coached his daughter in little league. He participates with several activities in the York School District and also conducts the Pioneer's Veteran's Day recognition with their employees in front of their flag pole.

Timothy Clark resides in York with his wife Ashley and their four children.

Timothy Clark, led the Pledge of Allegiance.

The County Administrator and Chairman LeFeber, on behalf of the Livingston County Board of Supervisors, presented a Certificate of Appreciation to Timothy Clark. The audience presented a standing ovation.

APPROVAL OF MINUTES

Minutes of 8/28/19 Regular Meeting were approved as presented.

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.

Chairman LeFeber requested a show of hands for those Supervisors planning to attend the Department of Health Re-accreditation luncheon.

ABSTRACT OF CLAIMS

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

Mr. Pangrazio presented the following resolution and moved its adoption:

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

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

PRIVILEGES OF THE FLOOR

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

- 2020 CENSUS

Ms. Perry reviewed the schedule and design of the 2020 Census presentation. The Census Mission is to count everyone once, only once and in the right place. The Decennial census is mandated by U.S. Constitution. The Census is safe, easy and important. The census is essential when determining annual federal funding. An online response option will be offered for the first time. The data online is real-time data.

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

RESOLUTION NO. 2019-299 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

RESOLUTION NO. 2019-300 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

Public Services Committee

RESOLUTION NO. 2019-304 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

RESOLUTION NO. 2019-305 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

PREFERRED AGENDA VOTE

There being no further discussion on the foregoing resolutions, Chairman LeFeber asked for a motion to present the Preferred Agenda.

Motion made by Mr. Schuster and seconded by Mr. Davis to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE

Central Services

RESOLUTION NO. 2019-306 RESOLUTION REJECTING ALL BIDS RECEIVED FOR THE LIVINGSTON COUNTY GOVERNMENT CENTER SECURE ENTRANCE MODIFICATION PROJECT

Mr. Deming presented the following resolution and moved its adoption:

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

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

Highway

RESOLUTION NO. 2019-307 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

Mr. Deming presented the following resolution and moved its adoption:

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>
Ontario County 20 Ontario Street Canandaigua, NY 14424	10/15/19-10/14/20	\$2,552.00
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

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

Public Defender

RESOLUTION NO. 2019-308 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

Mr. Deming presented the following resolution and moved its adoption:

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>
New York State Office of Indigent Legal Services William J. Leahy, Director A.E. Smith Building, 11 th Floor 80 South Swan Street Albany, NY 12210	1/1/19-12/31/21	\$101,601.00
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

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

County Administrator/Budget Officer

RESOLUTION NO. 2019-309 AMENDING 2019 LIVINGSTON COUNTY BUDGET - DEPARTMENT OF HEALTH & SHERIFF'S OFFICE (2)

Mr. Pangrazio presented the following resolution and moved its adoption:

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

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

RESOLUTION NO. 2019-310 ESTABLISHING AN ACCOUNT – OFFICE FOR THE AGING

Mr. Pangrazio presented the following resolution and moved its adoption:

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

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

County Attorney

RESOLUTION NO. 2019-311 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A LEASE AGREEMENT WITH NEW YORK STATE DEPARTMENT OF EDUCATION (ACCES-VR)

Mr. Pangrazio presented the following resolution and moved its adoption:

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

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

County Treasurer

RESOLUTION NO. 2019-312 AMENDING RESOLUTION NO. 2019-110

Mr. Pangrazio presented the following resolution and moved its adoption:

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

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

Information And Technology Services

RESOLUTION NO. 2019-313 AMENDING RESOLUTION NO. 2017-307

Mr. Pangrazio presented the following resolution and moved its adoption: 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>	<u>Term</u>	<u>Amount</u>
Owen Lewis Consulting	Project Completion	\$143,000.00

PO Box 3634
Ann Arbor, MI 48106

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

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

Other

RESOLUTION NO. 2019-314 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING PILOT AGREEMENT FOR LIVINGSTON COUNTY: HELIOS ENERGY, LLC

Mr. Pangrazio presented the following resolution and moved its adoption: 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

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

Personnel

RESOLUTION NO. 2019-315 AMENDING THE 2019 LIVINGSTON COUNTY SALARY SCHEDULE: DEPARTMENT OF HEALTH

Mr. Pangrazio presented the following resolution and moved its adoption: 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

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

Real Property Tax Services

RESOLUTION NO. 2019-316 CORRECTING TAX ROLL (INVALID) – TOWN OF NORTH DANSVILLE

Mr. Pangrazio presented the following resolution and moved its adoption: 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.

Year, Municipality Owner(s) Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund to Owner	Chargebacks to Taxing Jurisdictions
1. 2017 North Dansville Finger Lakes Soaring Club, Inc. Tax Map Number 189.18-1-31.2					<i>APPLICATION DENIED</i>
2. 2018 North Dansville Finger Lakes Soaring Club, Inc. Tax Map Number 189.18-1-31.2					<i>APPLICATION DENIED</i>
3. 2019 North Dansville Finger Lakes Soaring Club, Inc. Tax Map Number 189.18-1-31					<i>APPLICATION DENIED</i>

Dated at Geneseo, New York

September 11, 2019

Ways and Means Committee

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

RESOLUTION NO. 2019-317 ESTABLISHING LIVINGSTON COUNTY REAL PROPERTY TAX SERVICES FEE SCHEDULE

Mr. Pangrazio presented the following resolution and moved its adoption:

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:

LIVINGSTON COUNTY REAL PROPERTY TAX SERVICES FEE SCHEDULE	
Tax Maps:	<p>Hardcopy: \$5.00 per 30" X 42" Sheet \$1.00 per photo copy (11 X 17)</p> <p>Electronic: \$500.00 for entire county \$50.00 per town \$5.00 for individual map</p>
Reports:	<p>Hardcopy: \$25.00 set up charge \$0.25 per page additional</p> <p>Electronic: \$25.00 set up charge \$0.025 per parcel additional</p>
Labels:	<p>\$0.05 each \$25.00 minimum</p>
Tax Rolls and Bills:	<p>* \$1.00 per parcel for schools and villages * \$200.00 minimum</p>

*fee change

Dated at Geneseo, New York
September 11, 2019

Ways and Means Committee

The roll was called as follows: Ayes-1,745; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Erdle, 41; Total 264; Adopted.

OTHER BUSINESS

County Administrator updates: Mr. Coyle reported that there was a discussion at Ways and Means this week on the Board of Elections budget, in particular the inspector salary increase because the polls are required to be opened at 6 a.m. for the primaries. There is no action necessary but we are going to leave them as presented in the budget for the time being. The impact ends up being at the town level. Ways and Means Committee did support the increase moving forward. The Worker's Comp Fund draft numbers have been received. The numbers were the same or slightly down with only one town up ~\$500. This is due to the ratios being 60/40; 60 assessment and 40 experience that is our latest iteration of the workers comp change downward to get to 50/50.

ADJOURNMENT

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, September 24, 2019 at 1:30 p.m. Carried.

The Board adjourned at 2:09 p.m.