

WAYS & MEANS COMMITTEE MEETING MINUTES
MONDAY, JANUARY 21, 2020
1:30 P.M.

PRESENT: D. Pangrazio, D. Knapp, D. Fanaro, E. Gott, W. Wadsworth, D. LeFeber, D. Mahus, Other M. Falk, I. Coyle, A. Ellis, B. Mann, S. Hillier, J. Barry, J. Gunther-Intern

Ways & Means Chair Dan Pangrazio asked Ossian Supervisor Dwight Knapp to lead the Pledge of Allegiance.

COUNTY TREASURER – AMY DAVIES

Pre-approved Informational Item(s) To Be Reported

1. KING COLE BEAN PROPERTIES UPDATE – COURT RULING

Mrs. Davis stated that we received the judgment which was in our favor. We need to now decide how we want to proceed with the five parcels; auction, silent sealed bid, special auction, etc.

There was discussion on the options and the committee agreed to holding a special auction at the Government Center. If the Board does not approve the sale then it can be added to the auction in June. Mr. Gott added that the auctioneers work on commission and that they should be paid for their services even if the Board does not approve the sale.

Motion: Mr. Gott moved and Mr. Fanaro seconded to approve holding a special auction with an agreement that the auctioneers will be paid for their services even if the Board does not approve the sale. Carried.

COUNTY ATTORNEY – SHANNON HILLIER

Action Item(s) To Be Reported

DISCUSSION ON THE INTRODUCTION AND A PUBLIC HEARING RESOLUTION OF LOCAL LAW – LOCAL LAW NO. A-2020 A LOCAL LAW ADOPTING THE LIVINGSTON COUNTY GUEST ROOM OCCUPANCY TAX LAW AND RESCINDING ALL PREVIOUS HOTEL AND MOTEL OCCUPANCY TAX LOCAL LAWS AND AMENDMENTS IN LIVINGSTON COUNTY (on desks for review)

County Attorney Shannon Hillier explained that this local law imposes a 3% tax upon the per diem rent received from an occupant of any short term rental in Livingston County, when said occupancy is under 14 days.

There was further discussion on the 3% tax rate. Mr. Gott suggested that we leave the tax at 3% and crack down on those that are not reporting like they should be. Mr. Coyle stated that we can increase communication to the public that we are going to be stricter on reporting. The Committee also asked for the present accounting on where our tourism dollars are spent. Mr. Coyle stated that he will look at the present accounting on the dollar amount we currently collect and where it goes. He will report back at the next meeting on his findings.

1. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. A-2020 A LOCAL LAW ADOPTING THE LIVINGSTON COUNTY GUEST ROOM OCCUPANCY TAX LAW AND RESCINDING ALL PREVIOUS HOTEL AND MOTEL OCCUPANCY TAX LOCAL LAWS AND AMENDMENTS IN LIVINGSTON COUNTY

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on January 22, 2020, a proposed Local Law entitled Local Law No. A – 2020 a local law adopting the Livingston County guest room occupancy tax law and rescinding all previous hotel and motel occupancy tax local laws and amendments in Livingston County, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 12th day of February, 2020 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York and at least six (6) days notice shall be given by posting thereof on the bulletin board of the Government Center in this County and by publishing such notice at

least one (1) time in the official newspapers of the County as provided by law.

Committee consensus was to table this local law until the next Ways and Means meeting.

INTRODUCTION OF LOCAL LAW - LOCAL LAW NO. B-2020 A LOCAL LAW AMENDING AND RESTATING LOCAL LAW NO. 7 OF THE YEAR 2012 SUPERCEDING CERTAIN PROVISIONS OF SECTION 3 OF THE PUBLIC OFFICERS LAW OF THE STATE OF NEW YORK

The Local Law Superceding Certain Provisions of Section 3 of the Public Officers Law of the State of New York, as enacted by Local Law 2012-7, is hereby amended and restated to read as follows:

A LOCAL LAW SUPERCEDING CERTAIN PROVISIONS OF SECTION 3 OF THE PUBLIC OFFICERS LAW OF THE STATE OF NEW YORK

BE IT ENACTED by the Board of Supervisors of the County of Livingston as follows:

Section 1. The Livingston County Board of Supervisors recognizes the need to retain qualified and experienced employees in public offices within the County of Livingston. The Livingston County Board of Supervisors further recognizes that to fulfill this need, it is occasionally necessary to employ individuals who do not reside within the County of Livingston during their term of office.

Section 2. The Livingston County Board of Supervisors elects to supercede certain provisions of Section 3 of the Public Officers Law of the State of New York to the extent it is inconsistent with the terms of this local law.

Section 3. The individuals occupying the following public offices for the County of Livingston must be residents of the County of Livingston, or residents of a county adjoining the County of Livingston, during their term of office: Director of Nursing Services (CNR); Director of Social Work Services (CNR); Director of Patient Services (DOH); Highway Administrative Manager; Director of Community Mental Health Services; Deputy Director of Community Mental Health Services; Deputy Director of Long Term Care (CNR); Assistant Public Defender; Assistant District Attorney; Director of Veteran Services Agency; part-time Correction Officer and part-time Deputy Sheriff.

Section 4. This local law shall be effective upon its filing with in the Office of the Secretary of State.

Dated at Geneseo, New York

January 22, 2020(Introduced)

County Attorney Shannon Hillier explained that this local law amendment expands the residency requirement for certain additionally named public officers and permits residency within the county or in any contiguous county.

Mr. Coyle stated that there has been discussion of residency being a challenge or an issue when filling new positions. Currently, everyone has to be a resident of the County unless we have a local law that exempts or excludes people.

There was discussion on the local law. The Committee agreed that these positions are justified. Mr. Coyle added that the Director of Veteran Services Agency should be removed from the local law as the Director has established residency.

2. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. B-2020 AMENDING AND RESTATING LOCAL LAW NO. 7 OF THE YEAR 2012 SUPERCEDING CERTAIN PROVISIONS OF SECTION 3 OF THE PUBLIC OFFICERS LAW OF THE STATE OF NEW YORK

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on January 22, 2020, a proposed Local Law entitled Local Law No. B-2020 Amending and Restating Local Law No. 7 of the Year 2012 Superceding Certain Provisions of Section 3 of the Public Officers Law of the State of New York, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 26th day of February, 2020 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York and at least six (6) days' notice shall be given by

posting thereof on the bulletin board of the Government Center in this County and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Motion: Mr. Wadsworth moved and Mr. Gott seconded to approve the foregoing resolution ... Carried.

REAL PROPERTY TAX SERVICES – BILL FULLER

Action Item(S) To Be Reported

1. CORRECTING TAX ROLL-VARIOUS TOWNS

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to five (5 parcels) applications for correction of the tax rolls, pursuant to the Real Property Tax Law, as prepared for the various towns on the tax rolls 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 Avon	Livingston County	\$742.70	\$0.00	\$0.00	\$742.70
Howlett Farms, Inc.	Avon Town Tax	\$377.15	\$0.00	\$0.00	\$377.15
Tax Map Number	Avon Fire 1	<u>\$178.35</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$178.35</u>
34.-1-3.32	Total	<u>\$1,298.20</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$1,298.20</u>
2. 2020 Conesus					
Candie, Edwin W.	Livingston County	\$1,571.33	\$986.32	\$0.00	\$585.01
Candie, Mylessia J.	Conesus Town Tax	\$1,438.81	\$903.13	\$0.00	\$535.68
Tax Map Number	Conesus Fire 1	<u>\$144.17</u>	<u>\$90.49</u>	<u>\$0.00</u>	<u>\$53.68</u>
129.-1-11.11	Total	<u>\$3,154.31</u>	<u>\$1,979.94</u>	<u>\$0.00</u>	<u>\$1,174.37</u>
3. 2020 Geneseo	Livingston County	\$24.04	\$24.04	\$0.00	\$0.00
Gray, Richard A.	Geneseo Town Tax	\$9.84	\$9.84	\$0.00	\$0.00
Tax Map Number	Geneseo Fire 1	\$1.39	\$1.39	\$0.00	\$0.00
100.-1-7	Water #5 Occupied	<u>\$877.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$877.00</u>
	Total	<u>\$912.27</u>	<u>\$35.27</u>	<u>\$0.00</u>	<u>\$877.00</u>
4. 2020 Lima	Livingston County	\$979.60	\$489.80	\$0.00	\$489.80
Saunders, Robert J.	Lima Town Tax	\$561.58	\$280.79	\$0.00	\$280.79
Tax Map Number	Lima Fire 3	<u>\$67.96</u>	<u>\$33.98</u>	<u>\$0.00</u>	<u>\$33.98</u>
27.-1-33	Total	<u>\$1,609.14</u>	<u>\$804.57</u>	<u>\$0.00</u>	<u>\$804.57</u>
5. 2020 Springwater	Livingston County	\$417.76	\$0.00	\$0.00	\$417.76
Livingston County	Springwater Town Tax	\$496.42	\$0.00	\$0.00	\$496.42
Tax Map Number	Springwater Fire 1	<u>\$58.87</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$58.87</u>
138.-2-81.1	Total	<u>\$973.05</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$973.05</u>

Motion: Mr. Fanaro moved and Mr. Gott seconded to approve the foregoing resolution Carried.

OTHER – IAN COYLE

Action Item(s) To Be Reported

1. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY WORKPLACE VIOLENCE PREVENTION COMMITTEE – PHYLLIS APPLIN & ROGER ERIC TOWNSEND

RESOLVED, that the following members are hereby appointed to the Livingston County Workplace Violence Prevention Committee for the term designated:

Livingston County Workplace Violence Prevention Committee			
Name	Address	Rep./Title	Term Expires
Phyllis Applin	7460 Barber Hill Road, PO Box 43, Groveland, NY 14462	Member	12/31/21
Roger Eric Townsend	25 Larrigan Crossing, Brockport, NY 14420	Member	12/31/21

Motion: Mr. Knapp moved and Mr. LeFeber seconded to approve the foregoing resolution Carried.

COUNTY ADMINISTRATOR – IAN COYLE

Action Item(s) To Be Reported

1. APPROVING ABSTRACT OF CLAIMS # 1B-JANUARY 22, 2020

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #1B dated January 22, 2020 in the total amount of \$1,506,642.85.

Motion: Mr. Mahus moved and Mr. Fanaro seconded to approve the foregoing resolution..... Carried.

Pre-approved Informational Item(s) To Be Reported

1. Discussion of BOE machine replacement recommendation & budget transfer – Mr. Coyle stated that Board of Elections put together a memo explaining the need for new voting machines. Mr. Gott stated that he appreciated the letter as it answered questions that they had from the last meeting. The Committee agreed that we should move forward with purchasing the machines. Mr. Coyle stated that the Department will have a resolution on their Public Services agenda for approval which will then be referred to the Ways and Means Committee.
2. NYS Budget and State of the State- Mr. Coyle reported that the budget was to be released at 1pm. He stated that he is waiting to see what the impact on Medicaid will be. Once he receives it he will report his findings.
3. Strategic Planning Workshop – On January 22nd at 10 AM at the Building #1 Conference Center we will hold the annual BOS Strategic Planning workshop. We will review what was accomplished this past year based on the SWOT analysis, upcoming projects, as well as hear feedback on what else we should be focusing on in the next 12-18 months.
4. Sales Tax Report – Mr. Coyle stated that we ended the year above last year’s amount. The amount would have been larger if it wasn’t for the AIM money contribution back to the towns. In addition we had a negative prior period adjustment in October of almost \$700,000 as well as another of almost \$500,000. Budget to actual performance we are going to be in the positive.
5. Year-End Financials – Mr. Coyle reported that he looks at retirement, health insurance, sales tax and jail revenues. Jail revenues are the highest they have ever been. We budgeted 1.85 million and revenues totaled approximately 2.114 million dollars.
6. W/C TPA Services – We received a 30 day notice that our third party administrator (TPA), UMR, is getting out of the Workers Compensation business. Mr. Coyle is working with the County Auditor and Consultants to find a new TPA.
7. County Highway Superintendent job vacancy- The job vacancy announcement is being advertised to start the process of finding a replacement for Don who plans to retire in a few months.
8. Pre-trial services – We received a letter from the Office of Court Administration regarding our position on

pre-trial services. It stated that each county shall have one. We didn't have one before and we don't wish to start one up and they are asking us to reconsider our position. Mr. Pangrazio stated we are not required by law to do so and there is also no NYS funding. This is OCA's issue to deal with. The Committee agreed on our position and that we can revisit this at a later date if necessary.

ADJOURNMENT

Mr. Wadsworth moved and Mr. Mahus seconded to adjourn at 2:14 p.m.

Respectfully submitted,
Ashley E. Scutt
Secretary to the County Administrator