

**REGULAR BOARD MEETING  
WEDNESDAY, FEBRUARY 24, 2021  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. DiPasquale (Mt. Morris).

Chairman LeFeber announced that today's Board of Supervisors meeting will be livestreamed on the County's YouTube channel: [Official Livingston County, NY](#). All livestreams will be accessible directly through the YouTube channel and on the County's website under the [Agendas, Minutes & Broadcasts](#) button. Livestreaming technology allows the online audience to see and hear those in the boardroom via video and audio. To provide the best audio experience possible, please be sure to position yourself close to the microphone when you are speaking.

**AND/OR**

Per State and Federal bans on large gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, including all subsequent extensions, "suspending law allowing the attendance of meetings telephonically or other similar service," the meeting today will be conducted in a hybrid manner both in person and remotely using Zoom teleconferencing. The public has been provided with the ability to hear today's Board of Supervisor meeting through Zoom and a transcript will be provided upon request. This meeting has been duly noticed by the Clerk of the Board and there is a quorum present. We have fulfilled our legal notice requirements by posting Notice on the County's home page of its website. Those in attendance today need to speak directly into their microphones so that they can be heard by the Zoom attendees. I ask that all attendees mute their phones until such time as they are asked to respond or present.

**PLEDGE OF ALLEGIANCE**

N. Dansville Supervisor Dennis Mahus led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Minutes of 2/10/21 Regular Meeting were approved as presented.

**PUBLIC HEARING**

**1. PROPOSED MODIFICATION OF AGRICULTURAL DISTRICT #1 IS REQUIRED BY NYS AGRICULTURE & MARKETS LAW SECTION 303-A**

Chairman LeFeber asked Deputy Planning Director Heather Ferrero to comment on the public hearing.

Ms. Ferrero thanked the Board of Supervisors for this privilege to present today. The public hearing is for the 8-year renewal of Agricultural District #1, which includes farmland in the towns of Caledonia, Leicester and York and Villages of Caledonia and Leicester. The total acreage of the current Agricultural District #1 is 55,843 acres. With this renewal and modification, Agricultural District #1 would contain 49,901.88 acres. This represents 271 property owners and 644 parcels. This renewal contains 5,952 fewer acres than the current Ag District. Two farms that have elected not to be in the District (Ceres Farm in Caledonia and the Gates Farm in York) make up 4,045 of those acres. Through conversations with farmers and Town Assessors, some farmers are not rejoining the district at this time because there is uncertainty with how being in the district may impede options to develop commercial solar on those farms. However, if a farmer wishes to join Agricultural District #1 in the future, the County allows farmers to petition to join the district every September through the 303-b process. There are still eight opportunities to join the ag district between now and the next renewal. Please note that there was a last-minute request by the Hillmans on Sand Hill Road in the Town of Caledonia to include a newly purchased 4.15-acre parcel and an adjacent 0.59-acre parcel to the Ag District. These two parcels were not included in the materials presented at the Public Services Committee meeting. The SEQR documentation and the Modification and Renewal Plan have been revised to reflect this small addition. Parcels are included in the District upon request of the landowner. The Planning Department worked in partnership with Cornell Cooperative Extension of Livingston County on this renewal, and we were very pleased with the results of this partnership. As the result of landowner interest, most of the viable and active farmland in the three towns is included in the District. 77% of the acreage to be included has an agricultural property class. Over 31,600 acres to be included in the renewed Agricultural District #1 (63%) contain prime soils or soils of statewide importance. The Livingston

County Agricultural and Farmland Protection Board reviewed the proposed modification at its meeting on January 21<sup>st</sup> and recommends to the Board of Supervisors that the District be renewed to reflect this landowner interest in support for the agricultural industry in Livingston County.

Chairman LeFeber declared the Public Hearing open and stated anyone from the public interested in speaking to please come forward and sign in at the podium. No one wished to speak. The Chairman asked if any Supervisor wished to comment. The Chairman announced that the public hearing would remain open until the end of the meeting.

**COMMUNICATIONS**

1. Receipt of Notice of Intention from Phillip Johnson.
2. Thank you note from Mark Schuster.
3. The County Administrator will be holding a virtual "Conversations with the County" event via Zoom on Thursday, February 25, 2021 at 6PM. Pre-registration is required.

**ABSTRACT OF CLAIMS**

**RESOLUTION NO. 2021-68            APPROVING ABSTRACT OF CLAIMS #2B-FEBRUARY 24, 2021**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #2B dated February 24, 2021 in the total amount of \$1,374,799.42.

Dated at Geneseo, New York

February 24, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,786; Noes-0; Absent-DiPasquale, 144; Babbitt Henry, 79; Total 223; Adopted.

**PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE**

**RESOLUTION NO. 2021-69            PROVIDING FOR PUBLIC HEARING ON PROPOSED LIVINGSTON COUNTY POLICE REFORM AND REINVENTION COLLABORATIVE PLAN**

WHEREAS, Livingston County is required to adopt a Police Reform and Reinvention Collaborative Plan as a result of the Governor Cuomo's Executive Order 203; and

WHEREAS, a public hearing on the proposed Livingston County Police Reform and Reinvention Collaborative Plan is required; now, therefore, be it

RESOLVED, that a public hearing shall be held on the proposed Livingston County Police Reform And Reinvention Collaborative Plan by this Board on the 10<sup>th</sup> day of March, 2021 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.

Dated at Geneseo, New York

February 24, 2021

Ways and Means 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. Pangrazio and seconded by Mr. Wester to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes-1,865; Noes-0; Absent-DiPasquale, 144; Adopted.

**RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE**

*County Administrator/Budget Officer*

**RESOLUTION NO. 2021-70            AMENDING 2021 LIVINGSTON COUNTY BUDGET-DEPARTMENT OF HEALTH**

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 that have been approved by the Livingston County Administrator.

Dated at Geneseo, New York

February 24, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,816; Noes-0; Absent-DiPasquale, 144; Carman, 49; Total 193; Adopted.

**RESOLUTION NO. 2021-71 AUTHORIZING TRANSFER OF FUNDS-PLANNING DEPARTMENT**

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

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

February 24, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,865; Noes-0; Absent-DiPasquale, 144; Adopted.

**RESOLUTION NO. 2021-72 A RESOLUTION ACCEPTING COMPLETION OF THE EMERGENCY OPERATION CENTER EXPANSION PROJECT**

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

RESOLVED, that the Livingston County Board of Supervisors hereby accepts completion of the Emergency Operation Center Expansion Project; and be it further

RESOLVED, that the Board hereby recommends and authorizes payment of final pay request received from contractors, subject to the approval of the project's engineer Clark Patterson Lee.

Dated at Geneseo, New York

February 24, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,865; Noes-0; Absent-DiPasquale, 144; Adopted.

**RESOLUTION NO. 2021-73 AUTHORIZING THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO ADOPT THE LIVINGSTON COUNTY CONTINUATION OF OPERATIONS DURING A PUBLIC HEALTH EMERGENCY PLAN**

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

WHEREAS, pursuant to recently enacted New York State Labor Law Section 27-c, public employers, including counties, towns and villages, are mandated to prepare and adopt a plan for the continuation of operations in the event the governor declares a public health emergency involving a communicable disease; and

WHEREAS, this new legislation signed by Governor Cuomo this past Labor Day, serves as a clear response to the effects of the sudden onset of the COVID-19 pandemic this past Spring and recognizes the essential role of public employees during a pandemic; and

WHEREAS, the plan must include a list of positions and titles considered essential and outline various workplace protocols including, but not limited to, specific protocols enabling non-essential employees to telecommute, procedures for staggering the work shifts of essential workers to reduce workplace density, and protocols to secure personal protective equipment for essential workers; and

WHEREAS, Labor Law Section 27-c also requires the plan, once drafted, to be provided to all duly recognized or certified representatives of the public employer's employees for purposes of review and comment; and

WHEREAS, Livingston County has successfully drafted a plan compliant with the specific mandates of the law and all collective bargaining units for Livingston County employees have had an opportunity to review said plan and provide recommendations; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby adopts the Livingston County Continuation of Operations During a Public Health Emergency Plan, to be effective immediately upon adoption of this resolution.

Dated at Geneseo, New York

February 24, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,865; Noes-0; Absent-DiPasquale, 144; Adopted.

*Other*

**RESOLUTION NO. 2021-74 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON**

**COUNTY CENTER FOR NURSING AND REHABILITATION: THE BONADIO GROUP & HEALTH SYSTEM SERVICES**

Mr. Pangrazio 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 contracts for the Livingston County Center for Nursing and Rehabilitation and any future amendments to said contract, according to the terms designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>The Bonadio Group</b>	2/25/21-2/24/22	Fee Schedule
171 Sully's Trail, Suite 201	With 1, one-year optional	
Pittsford, NY 14534	renewal.	

For: Professional Consulting Services –Funding Programs

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Operating Budget	N/A	No
<b>Health System Services</b>	N/A	\$29,500.00

6867 Williams Road  
Niagara Falls, NY 14304  
For: Ceiling track repairs – Various Locations

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Operating Budget	N/A	Yes

Dated at Geneseo, New York  
February 24, 2021  
Ways and Means Committee

The roll was called as follows: Ayes-1,865; Noes-0; Absent-DiPasquale, 144; Adopted.

**RESOLUTION NO. 2021-75 AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL**

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

WHEREAS, the New York State Office of Community Renewal (the “OCR”) has announced availability of funding under the NYS CDBG Microenterprise Program to provide resources to support and foster the development of microbusinesses by providing grants in conjunction with capacity building and entrepreneurial assistance; and

WHEREAS, the Livingston County Development Corporation (the “LCDC”) has requested that the County apply for and provide the OCR funding to the LCDC as a grant for the purpose of making deferred loans to microbusinesses; and

WHEREAS, the Project will result in substantial benefit to the County in the form of the creation or expansion of small businesses and the creation of jobs; and

WHEREAS, the County held a public hearing on February 10, 2021 to obtain citizens’ views regarding the CDBG program as administered by OCR; now therefore, be it

RESOLVED, that the Chairman is hereby authorized to submit a grant application to the OCR on behalf of the County in an amount not to exceed \$300,000 to support a Microenterprise Program; and be it further

RESOLVED, that the Chairman is hereby authorized to execute a grant agreement between the County and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with the LCDC for the implementation of the Project and administration of the OCR grant, all such documents to be subject to review and approval by the County Attorney; and be it further

RESOLVED, that the Chairman is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Microenterprise Program.

Dated at Geneseo, New York  
February 24, 2021  
Ways and Means Committee

The roll was called as follows: Ayes-1,865; Noes-0; Absent-DiPasquale, 144; Adopted.

**CLOSE PUBLIC HEARING**

Chairman LeFeber asked if anyone from the public wished to comment regarding the public hearing. No one wished to speak. The Chairman asked if any Supervisor wished to comment. No one wished to speak.

The Chairman declared the public hearing closed.

**RESOLUTIONS CONT.**

**RESOLUTION NO. 2021-76      ADOPTING SEQR NEGATIVE DECLARATION FOR THE EIGHT-YEAR MODIFICATION AND RENEWAL OF AGRICULTURAL DISTRICT #1**

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

WHEREAS, Section 303-A of the New York State Agriculture and Markets Law provides for the review, renewal, and modification of a certified agricultural district; and

WHEREAS, the Livingston County Board of Supervisors has reviewed the proposed modification and renewal of Livingston County Agricultural District #1 for lands in the Towns of Caledonia, Leicester, and York; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby determine that the proposed modification and renewal of Agricultural District #1 is an Unlisted Action pursuant to the State Environmental Quality Review Act; and be it further

RESOLVED, that it is hereby determined that the proposed modification and renewal of Agricultural District #1 will not have a significant effect on the environment, and that a Draft Environmental Impact Statement will not be prepared.

Dated at Geneseo, New York

February 24, 2021

Public Services Committee

The roll was called as follows: Ayes-1,865; Noes-0; Absent-DiPasquale, 144; Adopted.

**RESOLUTION NO. 2021-77      APPROVING EIGHT-YEAR MODIFICATION AND RENEWAL OF AGRICULTURAL DISTRICT #1**

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

WHEREAS, the eight-year anniversary of Agricultural District #1 was January 2, 2021; and

WHEREAS, the Livingston County Agricultural & Farmland Protection Board reviewed and recommended approval for the renewal and modification of District #1 at its meeting on January 21, 2021; and

WHEREAS, the Livingston County Board of Supervisors held a public hearing on Agricultural District #1 on February 24, 2021; and

WHEREAS, the Livingston County Board of Supervisors has determined, pursuant to the State Environmental Quality Review Act, that the proposed modification and renewal of Agricultural District #1 will not have a significant impact on the environment; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby makes the findings contained in the Renewal and Modification Plan for Agricultural District #1; and be it further

RESOLVED, that the proposed modification and renewal of Livingston County Agricultural District #1 is hereby approved and a copy of the proposed plan will be forwarded to the New York State Commissioner of Agriculture and Markets.

Dated at Geneseo, New York

February 24, 2021

Public Services Committee

The roll was called as follows: Ayes-1,865; Noes-0; Absent-DiPasquale, 144; Adopted.

**OTHER BUSINESS**

COUNTY ADMINISTRATOR UPDATES: Mr. Coyle reported that our active Covid case count is fewer than 100 for first time in some time. The annual Jail transfer for revenue from boarding in of inmates that is typically budgeted for ~ \$1M back to our reserves will be \$1M + for 2020. Mr. Coyle requested that the Supervisors send any comments to him on the draft strategic plan before they meet. The Bicentennial kickoff went well yesterday with a lot of press runs and kudos to the County Historian's Office on the programing. Mr. Coyle emailed stimulus information to the Supervisors listing out the individual town and village draft allocation amounts in the latest plan. It is a significant amount of dollars per municipality. As it stands right now, the House will probably vote this Friday with the Senate

voting next week. We are following this action because of the potential for the direct and flexible aid that would go to county and localities. Mr. Coyle reviewed the pop up vaccination clinics and reported that he just received word that there will be a rural pop up clinic for Livingston County in Mt. Morris as a Catholic Charities/Tri-County Family Medicine partnership targeting the homeless, migrant workers and ethnic minorities 9-12pm this Saturday. Mr. Coyle thanked Mt. Morris School District and Superintendent Greg Bump on answering the call to say an additional thank you to nursing home workers. They put together dozens of school kid generated artwork and thank you notes that Mr. Woodruff will be taking back to the facility today.

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, March 10, 2021 at 1:30 p.m. Carried.

The Board adjourned at 1:53 p.m.