

**REGULAR BOARD MEETING
WEDNESDAY, FEBRUARY 27, 2019
1:30 P.M.**

ROLL CALL

The roll was called showing all members present except Mr. Carman (Groveland) and Mrs. Babbitt Henry (Springwater).

PLEDGE OF ALLEGIANCE

The County Administrator introduced Gerald L. Smith:

Gerald Lynn Smith was born in Dansville, New York and graduated from Dansville Central School in 1961. He enlisted in the U.S. Army and served from October 17, 1962 until his honorable discharge on October 15, 1965 as a Specialist Fourth Class.

Upon completion of his basic training, Gerry continued his Army education from January to March of 1963 at Cryptologist School at Ft. Gordon, Georgia specializing as a Communication Center Specialist. The remaining time of his military service was completed at the classified facility at Vint Hill Farms Station, Warrenton, Virginia.

For his military service Gerry, was awarded the Armed Forces Expeditionary Medal and Expert Rifleman. Once he returned home, he started his career with Kodak, and worked in banking over 15 years enhancing his career to Vice President of the Genesee Valley National Bank and Trust Company. He became Bank Manager and oversaw the installation and running of the Bank of Castile in Retsof before his retirement.

As a public servant, Gerald Smith served as the Republican Election Commissioner for Livingston County in 2009 and two consecutive terms as Judge for the Town of Geneseo. He has found a passion as an avid collector of antique maps and enjoys spending time with family. Gerry currently resides in Geneseo with his wife Patricia. They have 4 children and 13 grandchildren.

Gerald L. Smith 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 Gerald L. Smith. The audience presented a standing ovation.

APPROVAL OF MINUTES

Minutes of 2/13/19 Regular Meeting were approved as presented.

COMMUNICATIONS

1. The next Conversation with the County will be on March 18, 2019 @ 5:30 p.m. at the Geneseo Town Hall.

ABSTRACT OF CLAIMS**RESOLUTION NO. 2019-73 APPROVING ABSTRACT OF CLAIMS #2B-FEBRUARY 27, 2019**

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 27, 2019 in the total amount of \$2,392,138.32.

Dated at Geneseo, New York

February 27, 2019

Ways and Means Committee

The roll was called as follows: Ayes-1,881; Noes-0; Absent-Carman, 49; Babbitt Henry, 79; Total 128; Adopted.

PRIVILEGES OF THE FLOOR

RYAN SNYDER, MAUREEN WHEELER & KAREN RUMFOLA, CO-CHAIRS

-UNITED WAY COUNTY WORKER CAMPAIGN KICKOFF

Ryan Snyder's comments: *Thank you Chairman for giving me the opportunity to address the Board this afternoon. It is my pleasure to be here today to commence the 2019 United Way Livingston County Employee Campaign. I'm pleased again to be joined by Maureen working on the campaign, although she was unable to be here today. We are joined today by several of the campaign coordinators from various County departments. The success of our County worker campaign is built upon the daily efforts of that group and we appreciate all of your efforts. Thank you for being*

here. We are also joined by Matt Cole, who is the Chairman of the United Way Board. This year we are celebrating a very significant milestone; United Way of Livingston County is celebrating 40 years of service to our community. County workers have aligned our campaign this year with a goal to match that longevity. Our goal this year is \$40,000 and it is the largest goal we have ever set. We believe this is obtainable due to the incredible kindness and generosity that has historically been shown by our County workers.

As you already know, the United Way of Livingston County is a very small agency operated with just one employee, its Region Director Karen Rumpfola. Karen coordinates the county-wide campaign for Livingston and Wyoming County as well as managing the allocations and resources of all the funded agencies for both counties. The current United Way supports 18 agencies in Livingston County. These all come from the proceeds of the county-wide campaign. These agencies depend on every dollar raised to meet the ever growing needs of their clientele. Today we are fortunate to have a representative from one of the funded agencies to talk about the significance of the campaign on their volunteer staffed agency.

Ryan Snyder introduced Linda Weaver, recently retired Executive Director for the Geneseo Parish Outreach Center since it was founded in 2004. Linda still remains in a consulting role for the organization.

Linda Weaver comments: Thank you, Ryan for inviting me here to today. The Geneseo Parish Outreach Center is a free and charitable clinic that offers free health care to children, women and men in Livingston County who have no insurance or are under insured. We are located in the Geneseo United Methodist Church. Our services are provided by a total voluntary staff. We are very grateful to the United Way for their grant of \$30,000 which helps to meet the needs of this population. For just a moment, imagine yourself having to decide between paying your household expenses or going to the doctor or paying for your medication. Many of our clients have neglected their health issues because they have to pay rent or buy food. United Way funds are used for medical, dental, vision, hearing, prescriptions, mental health and substance abuse counseling for the Livingston County underinsured and uninsured population. United Way funds are needed as many of our clients income are just over the 125% federal poverty level required for the large grant they receive and they use United Way funds to pay for services for that population. Without United Way support we would not be able to help those people in need. About half of our funds are used for dental expenses. They have people that have not been to the dentist in years and have crisis situations that need immediate attention. United Way funds are used to pay for dental fillings, X-rays, cleanings, extractions and dentures when needed. Many of the dentists who partner with us give us a 50% discount, yet dental is their biggest expense because of the severity and the conditions of our clients. Many people do not have dental insurance. We also use the United Ways funds for ultrasounds, diagnostic purposes, copays for prescriptions and doctor's visits. We pay for labs at Medicaid rates. We partnered with CASA to pay copay for follow up counseling, which ensures greater advocacy for treatment success. If not for United Way grants, these people would not get the counseling and have probable relapse in their condition.

Mrs. Weaver shared a particular story about a meeting after she leaves here today with a mom and her three children who were at the Stonybrook Pediatrics this morning and have all been diagnosed with the flu. The Geneseo Parish Outreach Center was contacted by Stonybrook Pediatrics to help with the prescription costs. The medication cost for the three children is \$600. Mrs. Weaver explained that they will be able to pay for the prescriptions because of the United Way grant.

Linda Weaver comments continued: It is through the assistance of United Way that we are able to help many more people in Livingston County with the medical care that they so desperately need. Thank you so much for this opportunity to talk today. There are brochures on your desks about this program. If you hear of anyone unable to pay for their prescriptions, give them our phone number and have them contact us for help.

Ryan Snyder comments continued: *Linda is just one of many volunteers within our community that has dedicated their life to helping others. Geneseo Parish Outreach Center depends on the support of the United Way to carry out its mission and I think it important to have one of these funded programs here to really help tell a story and put a face to the meaningfulness of these donations that we are being asked to give. Traditionally, at this point in the presentation we would announce the campaign goal and set it for the year; instead I am able to announce that is just a few weeks of the campaign this year, we have already received over one hundred employee donations and we have raised over*

\$20,000. Generally, we haven't even started the campaign but Maureen is incredibly organized and she got everything out very early this year. We have already seen 14 leadership givers, 14 donors combined to donate \$999. We are off to an incredible start. We already have 50% of our goal already reached. But we are still going to need everyone to help cross the finish line. It is a very lofty goal. For those employees unable to donate directly, we encourage them to participate in the weekly special events that are taking place across the County. All of the different agencies run different events and those smaller dollars amount activities bring in a lot of money. So far, we have raised over \$1,000 in special events. I look forward to returning to the meeting in April with Maureen and announcing that we have reached the \$40,000 goal. I asked that everyone let all of their employees know about the importance of these donations. Lastly, I would like to announce the winners of the first raffle that we do for donors. Heather Mitchell, Social Services, won an overnight stay at the Bed & Breakfast on Conesus Lake, Josh Tonra, District Attorney, won a gift certificate to The Oaks and the Grand Prize winner of two tickets to the United Way Gala go to Michele Rees.

COMMITTEE OF THE WHOLE

RESOLUTION NO. 2019-74 RESOLUTION URGING THE STATE TO ENACT LEGISLATION TO ENSURE A FAIR AND LEVEL PLAYING FIELD FOR ALL RETAILERS BY ADDRESSING SHORTFALLS IN INTERNET SALES TAX COLLECTION PRACTICES

WHEREAS, The State has identified significant loopholes in certain Internet-based sales tax collection practices and the State estimates that more than \$300 million annually in state and local sales taxes are not being collected; and

WHEREAS, The Governor has proposed legislation to correct this inequity by requiring marketplace providers that facilitate online transactions to collect the sales tax that is due on these transactions on behalf of vendors using these online portals, while not changing current rules regarding sales tax nexus; and

WHEREAS, Internet-based sales transactions through marketplace providers is estimated to be growing at annual rates of 15 percent; and

WHEREAS, Enacting such legislation will streamline sales tax collection practices and reduce burdens on small vendors and improve compliance; and

WHEREAS, A more efficient, modern, and fairer system of collecting sales tax owed under state law will provide critically important revenues for counties, towns, cities, villages and some school districts, and help local governments keep property taxes lower; and

WHEREAS, Providing an easy to use platform for large, highly experienced Internet transaction facilitators to collect sales tax on behalf of their participating vendors will create a fairer and more balanced marketplace for local "bricks and mortar" New York based retailers, as well as, New York based online vendors; and

WHEREAS, these improvements recognize the changing retail marketplace and will provide more stability in sales tax collections for the state and local governments while enhancing fairness in the overall retail market that supports locally owned and operated New York businesses; now therefore be it

RESOLVED, That the New York State Association of Counties (NYSAC) calls on the State to enact legislation that treats all marketplace providers as persons required to collect sales taxes, therefore reducing the need for many vendors to collect this tax on their own and creating a level playing field for retailers; and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall forward certified copies of this Resolution to the Governor of the State of New York Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Senator Patrick Gallivan, Senator Catharine Young, Speaker of the New York State Assembly Carl Heastie, Assemblywoman Marjorie Byrnes, Inter County Association of Western New York and New York State Association of Counties and all others deemed necessary and proper.

Dated at Geneseo, New York

February 27, 2019

Committee of the Whole

MOTION TO MOVE COMMITTEE OF THE WHOLE RESOLUTION

There being no further discussion on the foregoing resolution, Chairman LeFeber asked for a motion to present the Committee of the Whole Resolution.

Motion made by Mr. Pangrazio and seconded by Mr. Wadsworth to move Committee of the Whole Resolution. Carried.

The roll was called as follows: Ayes-1,881; Noes-0; Absent-Carman, 49; Babbitt Henry, 79; Total 128; Adopted.

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE**RESOLUTION NO. 2019-75 ADOPTING REVISIONS TO THE LIVINGSTON COUNTY CELLULAR TELEPHONE/WIRELESS NETWORK DEVICE POLICY**

WHEREAS, a review of the policy has been completed by the Information and Technology Services Director and certain revisions have been recommended; and

WHEREAS, the Ways and Means Committee has reviewed these recommendations and has approved incorporating those revisions into the Livingston County Cellular Telephone/Wireless Network Device Policy; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby adopts the attached Livingston County Cellular Telephone/Wireless Network Device Policy, effective immediately, said policy to supersede the existing Cellular Telephone/Wireless Network Device policy.

Dated at Geneseo, New York

February 27, 2019

Ways and Means Committee

RESOLUTION NO. 2019-76 A RESOLUTION OPPOSING THE PROPOSED AND AMENDED 2020 EXECUTIVE STATE BUDGET IMPACTING AID AND INCENTIVES TO MUNICIPALITIES AND STATE COST SHIFTS TO COUNTIES

WHEREAS, on February 15, 2019, Governor Cuomo announced a 30-Day Amendment to the 2020 Executive Budget making impacted towns and villages whole from changes to AIM funding by utilizing revenue from county sales tax; and

WHEREAS, instead of restoring AIM with State funding and signifying a desire by the State to act as partners with local governments, this budget amendment requires counties to make up for lost AIM funding with sales tax revenue, imposing a new mandate on counties; and

WHEREAS, already-existing unfunded State mandates are the cause of high local taxes in New York State; and

WHEREAS, counties were granted the authority to levy a local sales tax in the late 1960s to help pay for Medicaid, indigent legal defense services, and other state mandates on counties, and

WHEREAS, requiring counties to make up for the State's cut in AIM funding to villages and towns sets an unsustainable precedent and unnecessarily shifts the State's burden to local taxpayers who already pay some of the highest property taxes in the nation; and

WHEREAS, currently nine state mandated programs placed on counties equals more than 90 percent of the typical county property tax levy, and these mandated costs continue to grow; and

WHEREAS, cutting AIM funding in the first place is a tax-shift from broad-based State income taxes to regressive local property taxes, and

WHEREAS, replacing what had been State AIM assistance with funding from county revenues is simply a tax-shift that will ultimately result in higher property taxes; now therefore be it

RESOLVED, that the Livingston County Board of Supervisors supports the full restoration of this state aid program to local governments and urges the Governor and State Legislature to fully restore this state funding in the final 2019/2020 state budget; and be it further

RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall forward certified copies of this Resolution to the Governor of the State of New York Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Senator Patrick Gallivan, Senator Catharine Young, Speaker of the New York State Assembly Carl Heastie, Assemblywoman Marjorie Byrnes, Inter County Association of Western New York and New York State Association of Counties and all others deemed necessary and proper.

Dated at Geneseo, New York

February 27, 2019

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. Deming and seconded by Mr. Pangrazio to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes-1,881; Noes-0; Absent-Carman, 49; Babbitt Henry, 79; Total 128; Adopted.

RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE

County Administrator/Budget Officer

RESOLUTION NO. 2019-77 AMENDING 2019 LIVINGSTON COUNTY BUDGET-CONTINGENCY

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

February 27, 2019

Ways and Means Committee

The roll was called as follows: Ayes-1,881; Noes-0; Absent-Carman, 49; Babbitt Henry, 79; Total 128; Adopted.

RESOLUTION NO. 2019-78 INCREASING CAPITAL PROJECT ACCOUNT FOR THE YEAR 2019-AMBULANCE EQUIPMENT

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

RESOLVED, that the County Treasurer is authorized to increase Capital Project Account **H1629 .2900** in the amount of \$200,000.00 to be funded from Interfund Transfers **H1629.5031** in the amount of \$200,000.00, and it is further

RESOLVED, that the County Treasurer is hereby directed to transfer budgeted funds to the Ambulance Equipment Capital Project from Transfer to Capital Account **A9950.9000** in the amount of \$200,000.00.

Dated at Geneseo, New York

February 27, 2019

Ways & Means Committee

The roll was called as follows: Ayes-1,881; Noes-0; Absent-Carman, 49; Babbitt Henry, 79; Total 128; Adopted.

County Attorney

RESOLUTION NO. 2019-79 AUTHORIZING LEASE WITH CORNELL COOPERATIVE EXTENSION ASSOCIATION OF LIVINGSTON COUNTY

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

RESOLVED, that the Livingston County Board of Supervisors finds that approximately 8,335 square feet located at Building 3, Murray Hill Drive, Mt. Morris, 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 Cornell Cooperative Extension Association of Livingston County for 8,335 square feet at 3 Murray Hill Drive, Mt. Morris, New York 14510 commencing December 1, 2018 and ending November 30, 2021, a three-year term, at \$2,252.33 per month, with a 2% annual escalator, said lease to be subject to the approval of the County Attorney and County Administrator.

Dated at Geneseo, New York

February 27, 2019

Ways and Means Committee

The roll was called as follows: Ayes-1,881; Noes-0; Absent-Carman, 49; Babbitt Henry, 79; Total 128; Adopted.

Personnel

RESOLUTION NO. 2019-80 AMENDING THE 2019 SALARY SCHEDULE: INFORMATION & TECHNOLOGY SERVICES

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

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

Information & Technology Services:

- Convert one part-time Records Inventory Clerk position to full-time per CSEA Full-Time Contract effective March 4, 2019.

Dated at Geneseo, New York

February 27, 2019

Ways and Means Committee

The roll was called as follows: Ayes-1,881; Noes-0; Absent-Carman, 49; Babbitt Henry, 79; Total 128; Adopted.

OTHER BUSINESS

1. CHAIRMAN APPOINTMENTS

GLOW Workforce Development Board

Name	Address	Title/Represents	Term Expires
Heather Heineman	100 Horseshoe Blvd., Avon, NY 14414	Private Sector	3/20/19-3/20/21

2. County Administrator Updates: The resolution today on sales tax modernization/internet sales has a value to the County of \$750,000 in revenues that are supposedly out there that are not collected and the Board support is appreciated. The Legislative Agenda previously passed by the Board was submitted this week to our state reps asking for meetings on those subjects. We are working on plans for the Emergency Operations Center. We will be done with the plans in a few weeks and will be able to push that out for bids for the expansion project at Hampton Corners. Our shared services filing was about \$85,000 for grant writing services that we do at the County level with towns and villages and the draft filing is complete and we have a meeting to see if is going to pass muster with the state next week.

3. Portage Supervisor Ivan Davis questioned the high cost of prescriptions and if there is anything locally that we can do to get lower prices. The County Administrator explained that there is not a lot that we can do at the local level except get our voice heard at the various levels above us and put something on the record as to our displeasure and the impacts we are hearing locally for people that may not have the economic means to fill that gap.

ADJOURNMENT

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, March 13, 2019 at 1:30 p.m. Carried.

The Board adjourned at 1:54 p.m.