

**WAYS & MEANS COMMITTEE MEETING MINUTES**  
**MONDAY, MARCH 9, 2020**  
**1:30 P.M.**

PRESENT: D. Knapp, D. Fanaro, W. Wadsworth, D. LeFeber, D. Mahus, M. Falk, B. Mann, J. Barry, J. Gunther-Intern, M. Crowe, B. Bacon  
ABSENT: D. Pangrazio, E. Gott

Ways & Means Chair Dan Pangrazio asked North Dansville Supervisor Dennis Mahus to lead the Pledge of Allegiance.

**PERSONNEL ISSUES**

**1. CENTRAL SERVICES – WILLIAM MANN**

**AMENDING THE 2020 LIVINGSTON COUNTY SALARY SCHEDULE: CENTRAL SERVICES**

RESOLVED, that the 2020 Livingston County Salary Schedule is amended as follows:

**Central Services:**

- Create one full-time Buildings and Grounds Working Foreman, effective 3/11/20 on the Department Head Salary Schedule.
- Delete one full-time Maintenance Person position at a Wage Grade 7 effective upon appointment of the newly created Buildings and Grounds Working Foreperson.

For: This position will enable Central Services to more efficiently coordinate and lead activities while addressing the County's current and future growth.

Mr. Mann reviewed the duties for the new positions and how he is trying to prepare us moving into the future with the inclusion of the park, the ambulance building and the training complex. The funds are available in the current budget. The code enforcement stipend will be removed from Mr. Montesano and will become a task for one of the working foremen. This is a non-union noncompetitive position.

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

**2. CENTER FOR NURSING AND REHABILITATION – STEVE WOODRUFF**

**AMENDING THE 2020 LIVINGSTON COUNTY SALARY SCHEDULE: CENTER FOR NURSING AND REHABILITATION**

RESOLVED, that the 2020 Livingston County Salary Schedule is amended as follows:

**Center for Nursing and Rehabilitation**

- Create one full-time Assistant Director of Nursing position effective immediately on the Department Head Salary Schedule.

**Director's Comments:**

The current configuration of the administrative nursing team is comprised of the Director of Nursing Services and an Assistant Director of Nursing Services. This creation of this position is in alignment with the Agency's growing operational, regulatory, and clinical needs and is supported by recommendations received from Beacon Solutions, LLC, staffing assessment.

Mr. Woodruff explained that this is predicated upon industry standard pay scale is \$75,000-\$85,000.

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

**REAL PROPERTY TAX SERVICES – BILL FULLER**

**Action Item(s) To Be Reported**

**1. CORRECTING TAX ROLL-TOWN OF GENESEO**

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to two (2 parcels) applications for correction of the tax rolls, pursuant to the Real Property Tax Law, as prepared for the town of Geneseo 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).

<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>
<b>1. 2020 Geneseo</b>	Livingston County	\$2,108.67	\$1,676.35	\$432.32	\$432.32
Hofecker, Jr., Barry	Geneseo Town Tax	862.91	686.00	176.91	176.91
Smith, Lisa M.	Geneseo Fire 1	121.86	121.86	0.00	0.00
Tax Map Number 64.-2-21.241	<b>Total</b>	<u>\$3,093.44</u>	<u>\$2,484.21</u>	<u>\$609.23</u>	<u>\$609.23</u>
<b>2. 2020 Geneseo</b>	Livingston County	\$1,664.59	\$379.76	\$1,284.83	\$1,284.83
Kingston Farms	Geneseo Town Tax	681.18	155.41	525.77	525.77
Tax Map Number 81.-2-40.112	Geneseo Fire 1	96.20	96.20	0.00	0.00
	<b>Total</b>	<u>\$2,441.97</u>	<u>\$631.37</u>	<u>\$1,810.60</u>	<u>\$1,810.60</u>

Mr. Fuller reviewed the parcels for correction. Both parcels should have been granted the ag exemption and were not.

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

**COUNTY TREASURER – AMY DAVIES**

**Action Item(s) To Be Reported**

**1. AUTHORIZING CONVEYANCE OF COUNTY PROPERTIES ACQUIRED BY TAX DEEDS**

WHEREAS, the County of Livingston acquired title to the following parcels of land, and

WHEREAS, the Livingston County Board of Supervisors' Ways and Means Committee has approved the sale of said parcels, it is, hereby

<b>Tax Map #</b>	<b>Formerly Owned /Assessed To</b>	<b>Conveyed to Purchaser</b>	<b>Village/Town</b>	<b>Price</b>
34.6-1-26	King Cole Bean Co.	James T. Jerris	Village of Avon	\$43,000.00
34.9-1-61	King Cole Bean Co. Inc.	Guilian Farms LLC	Village of Avon	\$90,000.00
34.6-1-20	King Cole Bean Co. Inc.	Guilian Farms LLC	Village of Avon	Sold with above parcel
34.6-1-77	King Cole Bean Company	Livonia, Avon and Lakeville Railroad	Village of Avon	\$5,500.00

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute the quit-claim deeds of conveyance and any and all related documents prepared by the County Attorney to complete the aforesaid conveyances.

Ms. Davies reviewed the properties for conveyance. Mr. LeFeber explained that there is advertising of a massive warehouse sale by one of the new property owners. Calls have come in to the County Attorney that King Cole has been advertising an online sale of items in the buildings. The County does not take ownership of the properties nor do the new owners until the resolution goes through the Board and the paperwork is filed. The County Treasurer has informed the new owners that they do not own the property yet and should not be entering the properties. Ms. Davies hopes to have the closing early next week. There was discussion on any tenants within the buildings. The buyers have a period of time after the sale to move into the buildings. All three issues want to

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

**Pre-approved Informational Item(s) To Be Reported**

1. Petition and Notice of Foreclosure filed March 3, 2020. The list of parcels has been forwarded to the office of the Aging as well as copies to Town Supervisors, County Attorney and County Administrator. Ms. Davies distributed the list of properties.

**PLANNING – MEGAN CROWE**

**Pre-approved Informational Item(s) To Be Reported**

1. Broadband Expansion/USDA Grant Application Update with Megan Crowe.

Ms. Crowe updated the Committee on the broadband project activities over the last year. Ms. Crowe reviewed the distributed a map showing eligible locations for the USDA application and the fact sheet on the Light Up Livingston initiative, including the public survey results. The County contracted with Hunt Engineers to prepare a preliminary engineering report which essentially looked to map out the County population that could be eligible for a USDA grant, to start identifying who the service providers are, what the speeds are to those needing the service and also to look at other funding sources that the County may want to consider for expanding service in the County. That led us to continuing to work with Hunt Engineers looking more closely at an application to USDA for the Reconnect Program. The USDA grant program focuses on rurality and funding sources to areas that are at speeds of 10 mbps down and 1 up. A change since the last funding cycle is that it used to be 100% of a census block had to be all within that category and it is now changed to 90%, which improved the eligibility areas within the county. Another change, in the case of the USDA, is that the applicant needs to be the provider of the Internet service. This led us to issuing a Request for Proposals from interested Internet services providers (ISP). We targeted ~7 companies, but we advertised across New York State. A committee was put together that included Supervisors Falk, Fanaro and Pangrazio to meet with Empire Access Company to talk about their proposal to help us with the Light Up Livingston initiative. Empire Access is a local company moving in to Geneseo and Dansville. They provided us with a proposal that we vetted with them and decided would be a good company for us to further the discussion with to look at what type of partnership we could pull together for a USDA application.

Ms. Crowe reviewed the map showing the areas that we know are considered underserved or unserved by USDA Reconnect definition of Internet services. There are areas of the county now, which are not eligible because the eligibility criteria is based upon density of residences, the USDA rurality factor, and speed. The real purpose of the survey was so that we had better data about what our citizens are receiving for Internet speeds. Ms. Crowe explained that the FCC publishes maps and service providers offer a speed that you pay for as part of an Internet package and those speeds are not always exactly what you receive at your home. This data provides a better incite as to the Internet infrastructure within the county and will be helpful for future grant opportunities. If you are looking at a particular area today that is not in a USDA block, we are prepping ourselves for additional funding opportunities. The purpose of the USDA areas is to provide that robust broadband technology and that infrastructure will fuel that long-term economic development and opportunities within the county. The purpose of the USDA funding is rural economic development and quality of life. Ms. Crowe reviewed the map and explained that we are now able to see Internet speeds people are receiving, contact information for particular people and we are able to demonstrate the need for broadband infrastructure. We can see what people are receiving, rather than just what they are paying for as part of an Internet package. This distribution of results is promising and we are able to see the need for broadband services. USDA funding is only one opportunity and this can help form the beta data. The USDA eligible areas would serve approximately ~2,200 service locations, but we won't know the total number until it's refined through the grant process. It's important to note that, while it shows 2,200 service locations, it passes by another 3,500 locations totaling 5,500+ service locations where this grant will be able to help facilitate a connection to the home service. In terms of the overall cost of the project, the grant allows up to \$25M application at 75/25 share. The proposal that we received from Empire Access will be a total of \$17M project that would be approximately \$13M in USDA funds and a match. We are currently discussing how the company could reimburse the County for that 25% match over time. There are all sorts of questions on how that would work involving the public service commission and some of the other regulatory agencies. The company is very willing to work with us on

putting together a scenario that we hope will be acceptable to everybody involved. The County Administrator has had some conversations with the bonding company already trying to put together a funding scenario. The areas being served by Spectrum and others providers were intentionally pulled off of the map because they are already being served. There are two resolutions for consideration today, one to contract with Empire Access and one to show County support for the project. There was discussion on the map areas that show what areas will not be served.

**Action Item(s) To Be Reported**

**1. AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR THE IMPLEMENTATION OF A UNITED STATES DEPARTMENT OF AGRICULTURE RECONNECT PROGRAM AWARD: EMPIRE ACCESS**

WHEREAS, the County of Livingston solicited a Request for Proposal for a public-private partnership for application to the United States Department of Agriculture ReConnect Program to expand broadband service to rural areas that lack sufficient access to broadband, and one proposal was received, now, therefore, be it;

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract, which is determined to be the most qualified to provide said services, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Empire Access</b>	To be determined by	To be determined by
34 Main Street	USDA ReConnect Award	USDA
P.O. Box 349		Reconnect Award
Prattsburgh, NY 14873		

For: Implementation of USDA ReConnect Award for expanding broadband service to rural areas that lack sufficient access in the County

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County bond financing		No

Director's Comments: This resolution will authorize a contract with Empire Access, if the application to the USDA ReConnect Program is awarded funding. If awarded, the County would seek bond financing for the full cost of the project. ReConnect is a reimbursement-based program through which 75% of the project is reimbursed by USDA. The remaining 25% match requirement would be paid upfront by the County and reimbursed by Empire Access over an agreed upon time period which would be detailed in a finance agreement between the County and Empire Access.

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

**2. AUTHORIZATION TO SUBMIT A USDA RECONNECT APPLICATION FOR PURPOSES OF EXPANDING BROADBAND INFRASTRUCTURE THROUGHOUT LIVINGSTON COUNTY**

WHEREAS, reliable, high-speed, affordable access to internet service is imperative for Livingston County residents, businesses, farms, schools, nonprofit organizations, and visitors, and;

WHEREAS, investment in internet service will foster economic development, job growth, rural entrepreneurship, and innovative technologies, and;

WHEREAS, Livingston County completed an engineering study and public input survey which concluded that internet service is either unavailable or of an inadequate quality for many residents, farms and businesses throughout the County, and;

WHEREAS, Livingston County wants to prioritize the deployment of broadband infrastructure and wishes to pursue public-private partnerships and funding sources in an effort to effectively achieve greater access to reliable and affordable high-speed internet service throughout the County, and;

WHEREAS, the United States Department of Agriculture (USDA) issued a solicitation of applications for the second round of the Rural e-Connectivity Pilot Program (ReConnect) to expand broadband service to rural areas that lack sufficient access to broadband, and;

WHEREAS, Livingston County issued a Request for Proposals seeking a public-private partnership for

purposes of applying to the USDA ReConnect program for eligible areas, and one proposal was received, and;  
 WHEREAS, Empire Access was determined to be the most qualified to serve as the private partner, and;  
 WHEREAS, should funding be awarded, Livingston County will seek general obligation infrastructure bond financing for purposes of funding the full cost of the broadband project, and;  
 WHEREAS, the County will fully recover said bond funding over an agreed upon time period pursuant to a financial agreement with Empire Access; now, therefore, be it

RESOLVED, that Livingston County wishes to partner with Empire Access in jointly preparing an application to the USDA ReConnect Program and hereby fully supports Empire Access as the lead applicant; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to sign a letter to the USDA declaring the County’s intent to partner with Empire Access and seek bond financing for the cost of the project, should funding be awarded.

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

**COUNTY ADMINISTRATOR – DWIGHT KNAPP**

**Action Item(s) To Be Reported**

**1. APPROVING ABSTRACT OF CLAIMS #3A-MARCH 11, 2020**

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #3A dated, March 11, 2020 in the total amount of \$2,033,315.62.

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

**2. AMENDING 2020 LIVINGSTON COUNTY BUDGET – SHERIFF’S OFFICE**

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.

Mr. Knapp reviewed the amendment for approval.

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

**3. RESCINDING RESOLUTION NO. 2020-76 & RESOLUTION NO. 2020-77**

WHEREAS, Resolution No. 2020-76 and Resolution No. 2020-77 were for the 2020 Budget to approve an amendment for the Sheriff’s Office and authorizing transfer of funds for the Department of Health; and

WHEREAS, the Sheriff’s Office amendment and the Department of Health transfers were authorized for the 2019 Budget by Resolution No. 2019-427 and Resolution No. 2019-428; now, therefore, be it

RESOLVED, that Resolution No. 2020-76 and Resolution No. 2020-77 are hereby rescinded.

Mr. Knapp reviewed the

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

**4. DECLARING SURPLUS PROPERTY – HIGHWAY**

WHEREAS, the County of Livingston owns surplus personal property that is no longer necessary for public use, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following item(s) as surplus property to be disposed of as determined by the County Administrator:

**Highway Department**

Quantity	Year, Make & Model	Mileage/Hours	Serial #
1	1998 Caterpillar Model 962G Wheeled Loader	5,000	N/A

This item will be sold through public auction.

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

**5. ESTABLISHING AN ACCOUNT – PLANNING DEPARTMENT**

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

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

**6. AUTHORIZING COUNTY TREASURER TO PROCESS THE ANNUAL TRANSFER FOR THE LCSO TRAINING COMPLEX CAPITAL PROJECT**

WHEREAS, Livingston County receives miscellaneous commissary income from inmates in the Livingston County Jail; and

WHEREAS, the Livingston County Board of Supervisors desires to use this income to support a capital project fund for payment of expenses to benefit the LCSO Training Complex, which will include direct benefits to the jail employees; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to process an annual transfer of commissary income received from county inmates in the Livingston County Jail from the General Fund to the LCSO Training Complex Capital Project H3152.2900.

Director's Comments: This resolution will trigger an automatic annual transfer until rescinded.

Ms. Davies explained that these funds will be swept from Jail Commissions to the Training Complex account.

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

**7. COMMITTEE OF THE WHOLE RESOLUTION:  
RESOLUTION OPPOSING THE GOVERNOR'S PROPOSED MEDICAID COST-SHIFT AND  
CALLING ON THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO PRESERVE THE  
ZERO PERCENT MEDICAID GROWTH CAP**

WHEREAS, Medicaid is one of the largest cost-centers in the 2020 Livingston County Budget, at \$9 million per year, an amount equivalent to 30% of the County's 2020 property tax levy; and

WHEREAS, Medicaid was created by the federal government in 1966 as a health insurance for the poor and disabled, and was intended to be funded by the federal and state governments; and

WHEREAS, New York State has continuously opted to force counties to pay a large percentage of the State's share of Medicaid costs; and

WHEREAS, the local share of Medicaid funding paid in New York is the highest in the United States; and

WHEREAS, the local share of Medicaid costs in New York is larger than what 43 individual states pay in their total state share of Medicaid costs; and

WHEREAS, in recognition of the fiscal burden that Medicaid costs have on county budgets and local taxpayers, in 2005 New York State leaders imposed a cap on the growth in local costs of the Medicaid program; and

WHEREAS, in 2015, as part of his signature property tax reduction agenda, Governor Andrew Cuomo established the zero percent Medicaid growth cap; and

WHEREAS, in recent years, in part due to rising costs of health services and pharmaceutical drugs, and to New York's expansion of Medicaid services and mandatory raises for health care workers affected by New York State minimum wage increases, the Medicaid budget is facing billions of dollars in annual deficits over the next several years; and

WHEREAS, the Governor is proposing a variety of ways to address this fiscal shortfall, including shifting the state's financial responsibilities onto county property tax payers by:

Capping Federal Enhanced Medicaid Match Savings that can accrue to Counties, but not to the State;

Shifting full Medicaid Growth Payments onto counties that over-ride the property tax cap; and

Shifting local share of Medicaid growth above 3% to counties; and

WHEREAS, contrary to the Governor's recent assertion, Livingston County and other counties across New York do not have the tools, nor the authority to control local Medicaid costs and are not to blame for the State's inability to contain Medicaid cost growth; and

WHEREAS, the Governor's proposed remedies to contain local Medicaid cost growth have the potential to destabilize Livingston County's fiscal health; and

WHEREAS, shifting further Medicaid onto Livingston County will significantly impact the County's ability to both, provide for other New York State unfunded mandates and comply with the local property tax

cap, thereby rendering the tax cap potentially inert; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors opposes the cost-shifts and the capping of Federal Medicaid Match funds as proposed by Governor Andrew Cuomo; and be it further

RESOLVED, that the Livingston County Board of Supervisors urges the Governor and legislative leaders to maintain the zero percent Medicaid growth cap for counties as they address state budget shortfalls in order to keep downward pressure on the local tax burden; and be it further

RESOLVED, that the Clerk of the Livingston County Board of Supervisors shall forward copies of this resolution to Governor Andrew Cuomo, Senator Patrick Gallivan, Senator George Borrello, Assemblywoman Marjorie Byrnes, Senate Majority Leader Andrea Stewart-Cousins, and Assembly Speaker Carl Heastie.

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

**Pre-approved Informational Item(s) To Be Reported**

1. NACO Update
2. Budget Update
3. State Legislative Update

**ADJOURNMENT**

Mr. Wadsworth moved and Mr. Fanaro seconded to adjourn the meeting at 1:59 p.m.

Respectfully submitted,  
Michele R. Rees, IIMC-CMC  
Clerk of the Board