

**WAYS & MEANS COMMITTEE MEETING MINUTES  
MONDAY, MARCH 20, 2023  
1:30 P.M.**

PRESENT: D. Knapp, W. Wadsworth, D. DiSalvo, D. Fanaro, E. Gott, D. LeFeber, D. Pangrazio, G. Deming, M. Falk, M. Walker, D. Wester, I. Coyle, B. Mann, S. Hillier

Ways & Means Chair Dwight Knapp asked Livonia Supervisor Eric Gott to lead the Pledge of Allegiance.

**PERSONNEL ISSUES**

**1. CENTER FOR NURSING & REHABILITATION – SHARI HUTCHISON  
AMENDING THE 2023 LIVINGSTON COUNTY SALARY SCHEDULE: LIVINGSTON COUNTY  
CENTER FOR NURSING AND REHABILITATION**

RESOLVED, that the 2023 Livingston County Salary Schedule is amended as follows:

**Center for Nursing and Rehabilitation :**

- Create 16 full-time Certified Nursing Assistant Trainee positions. Certified Nursing Assistant Trainee full-time positions are a Wage Grade 4 CSEA Contract effective March 22, 2023.

For: These positions are for the purposes of recruiting and filling nurse aide training classes. Once students successfully complete the nurse aide training program, they will then transition into permanent nursing assistants. These additional positions will be used on a rotating basis to allow recruitment for current and upcoming scheduled classes.

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

**2. COUNTY ADMINISTRATOR – IAN COYLE  
AMENDING A PORTION OF RESOLUTION NO. 2022-422: ADOPTING THE 2023  
MISCELLANEOUS PAY RATES (BOE PRIMARY ELECTION INSPECTORS)**

WHEREAS, by Resolution No. 2022-422, the Livingston County Board of Supervisors established the 2023 miscellaneous pay rates; and

WHEREAS, the Elections Inspector: village and primary elections (e.g. 12P-9P) should only be for village elections; and

WHEREAS, the Elections Inspector: general election (e.g. 6 A-9 P) should include the primary election; now, therefore, be it

RESOLVED, that the Elections Inspector: primary election is now listed with Elections Inspector: general election; and be it further

RESOLVED, that a portion of Resolution No. 2022-422 is hereby amended.

Mr. Coyle reviewed the correction to the pay rates.

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

**PURCHASING – ASHLEY SCUTT**

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

**1. HOW TO DO BUSINESS WITH LIVINGSTON COUNTY - VIDEO**

Ms. Scutt reviewed the video presentation she created to help local business on the rules and requirements they need to follow to contract with the County.

**ECONOMIC DEVELOPMENT – BILL BACON**

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

**1. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY: LIVINGSTON COUNTY TOURISM, INC.**

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for Livingston County, 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>
-------------------	-------------	---------------

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Hotel/Motel Tax Revenue	100%	X Yes No

Mr. Bacon reviewed the contract for approval and gave a brief overview of tourism activities. Mr. Bacon reported that Kelly Burns has been hired as the new Tourism Director. The 4Q lodging tax receipts are in and there is a 15% increase in collected dollars or \$265,000 in 2021 to \$305,000 in 2022. This translates to ~\$10M in annual spending to our accommodations and lodging and ~\$28,000 per day. Mr. Bacon thanked the Board for reaffirming the County’s bed tax and shared some thoughts on a nationwide study of the average total tax is 13.5% across the United States. Mr. Bacon share the breakdown of some local tax collected. Mr. Bacon reported that he is seeking approval from the Tourism Board to enter into a contract with Granicus that would provide a myriad of services like helping us identify all of the operators within the County, sending educational mailings and other modules if desired.

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

Mr. Bacon gave a brief update on the Craig Station Creamery shut down and the IDA Board’s decision to enforce the recapture clause. It is important for assessors to keep up on annual evaluations whether there is a PILOT or not.

**HIGHWAY – JASON WOLFANGER**

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

**1. AWARDING BID AND AUTHORIZING CONSTRUCTION CONTRACT FOR CULVERT REPLACEMENT PROJECT, (CR #72) PRESBYTERIAN ROAD CULVERT OVER TRIBUTARY TO KESHEQUA CREEK TOWN OF MOUNT MORRIS, NYSDOT PIN 4BNY.43/L040606, FOR THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT: CP WARD, INC.**

WHEREAS, after proper legal advertisement seeking bids for the construction phase of the Presbyterian Road Culvert Replacement, Town of Mount Morris, three (3) bids were received and opened on March 8th, 2023, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the following contract, which is hereby accepted as the lowest responsible bid, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>CP Ward, Inc.</b> 100 River Road Scottsville, New York 14546	3/22/23-12/31/23	\$890,228.40

For: Explain the purpose of the contract

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS Bridge NY Program	22%	Yes X No

Director’s Comments: Bids came in roughly 12% over the engineers estimate. Therefore the local share is 22% or \$195.228.40 for the total project.

Mr. Wolfanger reviewed the bid for award and explained that the costs were slightly higher than anticipated.

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

**SHERIFF’S OFFICE – SHERIFF THOMAS DOUGHERTY**

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

**1. REQUESTING THE NEW YORK STATE SENATE AND THE NEW YORK STATE ASSEMBLY TO AUTHORIZE MICHAEL TELESKA TO TAKE THE COMPETITIVE CIVIL SERVICE EXAMINATION AND BE PLACED ON THE ELIGIBLE CIVIL SERVICE LIST FOR EMPLOYMENT AS A FULL-TIME DEPUTY FOR LIVINGSTON COUNTY SHERIFF’S OFFICE**

WHEREAS, a bill has been introduced in the New York State Senate (S.4087) and the New York State Assembly (A.4916) to allow Michael Telesca to take the competitive civil service examination and, contingent upon his score, be placed on the eligible civil service list for employment as a full-time Deputy Sheriff for Livingston County; and

WHEREAS, the Livingston County Board of Supervisors must make a Home Rule Request requesting the New York State Senate and the New York State Assembly to support this Home Rule; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby requests that the New York State Legislature adopt Senate Bill (S.4087) and Assembly Bill (A.4916) allowing Michael Telesca to take the competitive civil service examination and, depending upon his performance, be placed on the eligible civil service list for employment as a full-time Livingston County Sheriff's Deputy; and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors and the Clerk of the Board is hereby authorized to file the appropriate Home Rule Request with the New York State Senate and the New York State Assembly.

### **2/3 Vote**

Sheriff Dougherty reviewed Michael Telesca's employment history with the County and the Civil Service requirements for full time deputy sheriff positions. Mr. Telesca found that he could seek out a stand-alone bill for the age requirement to be waived. The Sheriff does support this action. Mr. Wester also recommends approval of this action.

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

## **COUNTY ATTORNEY – SHANNON HILLIER**

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

#### **1. AUTHORIZING AND APPROVING SETTLEMENT AGREEMENTS TO AN ACTION RELATING TO THE OPIOID CRISIS: CVS, WALGREENS, & WALMART**

WHEREAS, in late 2022, agreements were announced to resolve all opioid litigation brought by states and local political subdivisions with respect to three (3) major pharmacy chains, namely CVS, Walgreens, and Walmart; and

WHEREAS, in January 2023, each of these pharmacy chains confirmed a sufficient number of states agreed to the settlements to move forward. As with the numerous other national settlements, local governments that want to participate now have the opportunity to "opt in". The greater the level of participation, the more funds that will ultimately be paid out; and

WHEREAS, assuming maximum participation, the settlement agreements require the following:

- CVS to pay up to \$4.9 billion over 10 years;
- Walgreens to pay up to \$5.52 billion over 15 years;
- Walmart to pay up to \$2.74 billion with all payments made within 6 years; and

WHEREAS, it is in the best interest of Livingston County to resolve this matter with respect to these pharmacy chains by entering into the proposed settlement agreements as it will settle all allegations against these companies and avoid protracted litigation; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby approves the proposed settlement agreements and authorizes the Chairman of the Board or his designee to execute said agreements and such other documentation as may be necessary and appropriate to effectuate settlement with CVS, Walgreens, and Walmart.

Ms. Hillier explained that this is a continuation of the ongoing settlements in the opioid litigation. The number of counties that opt in determines the settlement that we will receive.

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

Mr. Coyle reviewed discussions at the internal strategy meeting on how we should spend this money.

## **COUNTY ADMINISTRATOR – IAN COYLE**

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

#### **1. APPROVING ABSTRACT OF CLAIMS #3B-MARCH 22, 2023**

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #3B dated March 22, 2023 in the total amount of \$2,704,380.59.

Mr. Coyle reviewed the abstract for approval.

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

**2. AMENDING 2023 LIVINGSTON COUNTY BUDGET: CENTRAL SERVICES (2), DEPARTMENT OF HEALTH (2) & SHERIFF’S OFFICE (2)**

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.

Mr. Coyle reviewed the amendments for approval.

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

**3. 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	2012 Freightliner M2-106 Flatbed	109,482 Miles	1FVACXDT2CHBE8944

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

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

1. Budget Update
2. NYSAC Chair/Admin Call re: NYS Budget
3. Legislative Happenings

Mr. Coyle gave an overview of the call today. The Assembly and Senate got together for a two-house package that is a lot different than the Governor’s budget. Michele will be sending another letter out for the Sales Tax home rule. The Chamber Forum event last week was well attended. It is the hope of all counties that Senator Schumer will need to step up again vocally against the Governor to push for eFMAP dollars going directly to counties.

**ADJOURNMENT**

Mr. Pangrazio moved and Mr. DiSalvo seconded to adjourn the meeting at 2:09 p.m.

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