

**REGULAR BOARD MEETING
WEDNESDAY, MARCH 22, 2023
1:30 P.M.**

ROLL CALL

The roll was called showing all members present except Mr. Gott (Livonia) and Mr. Schuster (Sparta).

PLEDGE OF ALLEGIANCE

York Supervisor Gerald Deming led the Pledge of Allegiance.

APPROVAL OF MINUTES

Minutes of 3/8/23 Regular Meeting were approved as presented.

COMMUNICATIONS

1. Local Law 4-2023 was filed by the Department of State on March 7, 2023.

ABSTRACT OF CLAIMS

RESOLUTION NO. 2023-118 APPROVING ABSTRACT OF CLAIMS #3B-MARCH 22, 2023

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

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.

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,308; Noes-0; Absent-Gott, 610; Schuster, 136; Total 746; Adopted.

PRIVILEGES OF THE FLOOR

1. Maureen Wheeler, Campaign Chair - United Way County Worker Campaign Kickoff

Maureen Wheeler reported that it's been over a year now since the United Way of Livingston County joined the counties of Genesee, Monroe, Ontario, Wayne, and Wyoming to create a powerful and aligned organization: United Way of Greater Rochester and the Finger Lakes.

With this merger came a breadth of hands on experience, in-depth understanding, and increased peoplepower to the expanded six-county footprint. Speaking of peoplepower, I would like to introduce you to our new Community Relationship Manager, Marc Anthony Bucci.

Mr. Bucci reported that 2023 is the 27th year that Livingston County has participated in the United Way campaign and shared how the power of just one donation can make our community stronger. The 2023 challenge to the Board of Supervisors is to have 100% participation this year. Mr. Bucci thanked the Board for having him here today to kick off the 2023 Campaign.

Maureen Wheeler reported that the payroll deduction campaign begins today running through the end of April. This year's payroll deduction campaign begins today and will run through the end of April. County employees can donate with ease through our online giving platform which will be emailed out this afternoon.

Following today's meeting, United Way Coordinators will be in the lobby area where you can come to pick up items to take back to share with your department. Incentive prizes were donated by local businesses. Dress Down stickers have already raised \$2,000 this year. Ms. Wheeler thanked all of the campaign coordinators and introduced those present today. I closing Ms. Wheeler shared the reminder that there is no gift too small. Through the power of collective giving, we can achieve what no individual or organization can do alone.

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

Ways & Means Committee

RESOLUTION NO. 2023-119 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

Dated at Geneseo, New York
 March 22, 2023
 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. DiSalvo and seconded by Mr. Wester to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes-4,308; Noes-0; Absent-Gott, 610; Schuster, 136; Total 746; Adopted.

RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE

WAYS & MEANS COMMITTEE

County Administrator/Budget Officer

RESOLUTION NO. 2023-120 MENDING 2023 LIVINGSTON COUNTY BUDGET: CENTRAL SERVICES (2), DEPARTMENT OF HEALTH (2) & SHERIFF'S OFFICE (2)

Mr. Knapp 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
 March 22, 2023
 Ways and Means Committee

The roll was called as follows: Ayes-4,308; Noes-0; Absent-Gott, 610; Schuster, 136; Total 746; Adopted.

County Attorney

RESOLUTION NO. 2023-120 AUTHORIZING AND APPROVING SETTLEMENT AGREEMENTS TO AN ACTION RELATING TO THE OPIOID CRISIS: CVS, WALGREENS, & WALMART

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

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.

Dated at Geneseo, New York
 March 22, 2023
 Ways and Means Committee

The roll was called as follows: Ayes-4,308; Noes-0; Absent-Gott, 610; Schuster, 136; Total 746; Adopted.

Human Resources

RESOLUTION NO. 2023-122 AMENDING THE 2023 LIVINGSTON COUNTY SALARY SCHEDULE: LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION

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

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.

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,308; Noes-0; Absent-Gott, 610; Schuster, 136; Total 746; Adopted.

RESOLUTION NO. 2023-123 AMENDING A PORTION OF RESOLUTION NO. 2022-422: ADOPTING THE 2023 MISCELLANEOUS PAY RATES (BOE PRIMARY ELECTION)

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

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.

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,308; Noes-0; Absent-Gott, 610; Schuster, 136; Total 746; Adopted.

Other

RESOLUTION NO. 2023-124 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY: LIVINGSTON COUNTY TOURISM, INC.

Mr. Knapp 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 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>
Livingston County Tourism, Inc. c/o Livingston County Economic Development 306 Court Street, Room 306 Geneseo, NY 14454	1/1/2023-12/31/2023	95% of prior year gross lodging tax revenues
For: Promotion of Tourism		

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

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

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The roll was called as follows: Ayes-4,308; Noes-0; Absent-Gott, 610; Schuster, 136; Total 746; Adopted.

RESOLUTION NO. 2023-125 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.

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

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>
CP Ward, Inc. 100 River Road Scottsville, NY 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

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,308; Noes-0; Absent-Gott, 610; Schuster, 136; Total 746; Adopted.

RESOLUTION NO. 2023-126 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 THE LIVINGSTON COUNTY SHERIFF'S OFFICE

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

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.

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

2/3 Vote

The roll was called as follows: Ayes-3,315; Noes-0; Absent-Gott, 469; Schuster, 100; Total 569; Adopted.

OTHER BUSINESS

1. CHAIRMAN APPOINTMENTS

Livingston County Youth Board

Name	Address	Title/Represents	Term Expires
Kelly Tonra	33 Spring Street, Avon, NY 14414	Town of Avon	At Pleasure

2. COUNTY ADMINISTRATOR UPDATES: There was a Chamber legislative event last week. The biggest item for us in Albany is the Medicaid state takeaway. It was a good meeting with our representatives working on our behalf. The Conversation with the County is tomorrow in the Town of York. We are putting the finishing touches on the strategic plan. Mr. Coyle has restarted Local Government 101 talks at local high schools to introduce students to what is going on in the County and, for seniors, what do they want to do when they get out of school. He has had many responses related to jobs at the County. In Opioid settlements, we are up to about \$1M now. Some of these are up front lump sums and some annually.

3. RETIREMENT RECOGNITION OF COMMISSIONER REBECCA SCHROEDER: Chairman LeFeber stated that Becky Schroeder is retiring on March 30 and today is her last Board meeting. Chairman LeFeber thanked Becky for her service to residents and the constituents in Livingston County. The ability to vote and the freedom that we have is so important. The State has made many changes and continues to make changes to the election laws to vote. In Becky's time with us we have initiated early voting and several other changes and he has never had any doubt that the residents of Livingston County have always been able to vote. Accuracy from both David DiPasquale and Becky Schroeder for the ability for everyone to vote and to be done fairly and equitably has never been of concern with 100% confidence level here in Livingston County that everything is done the way that it should be. On behalf of Board, other department heads and the residents of Livingston County, Chairman LeFeber thanked Becky for her years of service. Becky Schroeder shared that it has been her honor to be a part of the County Government at what she calls her end of her career job. It has been an honor and a privilege and thank you to all.

EXECUTIVE SESSION

Motion made by Mr. Pangrazio and seconded by Mr. Knapp that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing collective negotiations pursuant to Article 24 of the Civil Service law (the Taylor Law); and all Supervisors, County Administrator Ian Coyle and County Attorney Shannon Hillier remain present. Carried.

Mr. Pangrazio moved and Mr. DiSalvo seconded that the Board reconvened in regular session. The following report was presented.

REPORT OF EXECUTIVE SESSION

The Board of Supervisors having met in Executive Session hereby reports as follow:

No action taken.

Dated March 22, 2023

David L. LeFeber, Chairman

Ian M. Coyle, Deputy Clerk of the Board

ADJOURNMENT

Motion made by Mr. Pangrazio and seconded by Mr. Wester to adjourn until Wednesday, April 12, 2023 at 1:30 p.m. Carried.

The Board adjourned at 2:23 p.m.