

**REGULAR BOARD MEETING
WEDNESDAY, APRIL 28, 2021
1:30 P.M.**

ROLL CALL

The roll was called showing all members present except Mr. Fanaro (Leicester), Mr. Gott (Livonia) and Mrs. Babbitt Henry (Springwater).

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

Ossian Supervisor Dwight Knapp led the Pledge of Allegiance.

MOMENT OF SILENCE

Mr. LeFeber requested a moment of silence in honor of Lois Shero, long-time DMV employee, who passed away recently.

APPROVAL OF MINUTES

Minutes of 4/14/21 Regular Meeting were approved after a motion by Mr. Pangrazio and seconded by Mr. Wadsworth to amend the agenda correcting the date to the last meeting date.

COMMUNICATIONS

1. The next Conversation with the County will be held on Tuesday, May 11, 2021--6:30 p.m. at the Portage Town Hall, 2 North Church, Hunt, NY 14846.

INTRODUCTION OF LOCAL LAW NO. A-2021

A LOCAL LAW ADOPTING A YOUTH DEER HUNTING PILOT PROGRAM

BE IT ENACTED by the Livingston Board of Supervisors as follows:

Section 1. Legislative Intent

The intent of this Local Law is to authorize the expansion of youth hunting by allowing twelve (12) and thirteen (13) year old licensed hunters to participate in the new and safe hunting opportunities provided by New York State Environmental Conservation Law §11-0935. Said statute authorizes a pilot program to allow young licensed hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm or crossbow through 2023 within the boundaries of counties permitting such action by local law. In passing this Local Law, Livingston County recognizes hunting is a valued tradition for many families, and this new opportunity allows experienced adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

Section 2. Pilot Program Authorization

Pursuant to Environmental Conservation Law §11-0935, Livingston County elects to participate in the deer hunting pilot program to allow young licensed hunters, ages twelve (12) and thirteen (13), to hunt deer with a crossbow, rifle, shotgun or muzzle-loading firearm through 2023 when accompanied by a parent, legal guardian, or designated person.

Section 3. State Requirements Once Authorized

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer subject to the following requirements:

- All twelve (12) and thirteen (13) year old licensed hunters hunting deer with a crossbow, rifle, shotgun, or muzzle-loading firearm shall be accompanied by their parent or legal guardian, or by a person 21 years of age or older designated in writing by such parent or legal guardian on a form prescribed by the New York State Department of Environmental Conservation; and
- A parent, guardian, or designated person accompanying a twelve (12) or thirteen (13) year old licensed hunter shall have a valid hunting license and at least three (3) years of experience hunting deer; and
- A parent, guardian or designated person accompanying a twelve (12) or thirteen (13) year old licensed hunter shall maintain physical control over the youth at all times while hunting. For purposes of this paragraph "physical control" shall mean that the physical proximity of such youth to the parent, guardian, or designated person is such that the parent, guardian, or designated person is reasonably able to issue verbal directions and instructions, maintain constant visual contact, and otherwise provide guidance and supervision of the youth; and
- All twelve (12) and thirteen (13) year old licensed hunters and their accompanying parent, guardian, or designated person shall each display either a minimum total of two hundred fifty square inches of solid fluorescent orange or pink or patterned fluorescent orange or pink consisting of no less than fifty percent florescent orange or pink material worn above the waist and visible from all directions, or a hat or cap with no less than fifty percent of the exterior consisting of solid fluorescent orange or pink material and visible from all directions; and
- All twelve (12) and thirteen (13) year old licensed hunters and their accompanying parent, guardian, or designated person shall be required to remain at ground level at all times while hunting.

Section 4. Local Law Filing Requirements

A copy of this Local Law shall be sent to the New York State Department of Environmental Conservation as well as the New York State Department of State.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or part of this Local Law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

Chairman LeFeber asked the County Attorney to comment on the local law.

County Attorney Shannon Hillier explained that this local law establishes a PILOT program within Livingston County through 2023 allowing licensed hunters ages 12 and 13 to hunt deer using a cross bow or firearm. Youth hunters will be required to be accompanied by a parent, legal guardian or designated person who has a valid hunting license and at least three years' experience hunting deer.

ABSTRACT OF CLAIMS

RESOLUTION NO. 2021-137 APPROVING ABSTRACT OF CLAIMS #4B-APRIL 28, 2021

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #4A dated April 14, 2021 in the total amount of \$3,023,944.87.

Dated at Geneseo, New York

April 14, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

PRIVILEGES OF THE FLOOR

ANGELA ELLIS, DEPUTY CO. ADMINISTRATOR

- RECOGNITION OF DAVID SWANSON FOR 39 YEARS OF SERVICE TO THE EMC
- EMC ANNUAL EARTH DAY AWARD PRESENTATION

Angela Ellis comments:

Thank you for allowing privilege of the floor. It is an honor to be here today to represent the Livingston County Environmental Management Council for these special events.

In 1979, the Board of Supervisors created the Livingston County Environmental Management Council (EMC). Its charge is to work cooperatively with the Board of Supervisors, local municipalities, and citizens of the County on the protection, preservation, development and use of the County's natural resources. The Council currently consists of 10 volunteers representing three broad constituencies: agriculture, general citizens and industry-commerce.

Recognition of those EMC members present.

The EMC has completed their 2020 Annual Report. A copy is on your desk. It was also sent to you electronically via email this morning, and is available on the EMC webpage of the County's website.

Highlights included sponsoring/co-sponsoring 11 public educational workshops (9 of which were Watershed Education Center programs), and awarding the 22nd Annual EMC Earth Day Award.

Today we have two special events to present – First is the recognition of David Swanson for his years of service on the Council, and second is the 23rd Annual EMC Earth Day Award which this year will be presented to the Conesus Lake Association Water Quality Committee.

DAVID SWANSON RECOGNITION

This year the EMC has special member recognition to announce...David Swanson has decided to step down after 39 years of service to the EMC, representing the interests of farming and agriculture.

On behalf of the Environmental Management Council and the Planning Department, it is with great honor that I can join the Board of Supervisors today to recognize and thank Mr. Swanson for his service to the Council.

Unfortunately, Mr. Swanson is unable to make it today. He is getting his second COVID shot. We certainly understand. We do have a certificate for him – and will make sure that he gets this acknowledgement.

On the screen is a picture of Mr. Swanson and his daughter Colleen and son, Jeff at Osage Farm which is owned and operated by Mr. Swanson and his son.

The EMC and public had an opportunity a few years ago to tour the farm and see the Swanson Bur Oak Tree which is the NYS Co-Champion Bur Oak Tree and is listed on the DECS NYS big tree register.

Also, to bring your attention to the bottom corner you see a picture taken at Al Lorenz Park indicating "Future Home of Pollinator Garden."

The EMC members proposed doing this project in recognition of Mr. Swanson and his years of service. The pollinator garden will serve as a functional demonstration project that will be highly visible and accessible to foot traffic.

Those of you that know Mr. Swanson, know that he advocates for the installation of pollinator gardens for their benefit to plants and wildlife, food production, and the ecosystem in general.

Native flowering plants will provide blooms from early spring to late fall, providing habitat to a multitude of pollinator species. This project is a collaborative effort including involvement from EMC members, Planning Department staff, Central Services, and the Livingston County Soil & Water Conservation District who is providing the funding for the plants.

Now, I would like to say a few words in recognition of Mr. Swanson's service.

A farmer from Mt. Morris, Mr. Swanson is one of the longest-serving members of the Environmental Management Council. He was first appointed by the Board in February of 1982 as an agricultural representative – that's over 39 years of service to the Council and this County. That's an admirable amount of time, all volunteer service.

As many of you know, the EMC is charged with making recommendations to the Board of Supervisors on the protection, preservation, development and use of the County's natural resources. During Mr. Swanson's tenure, some highlights of the EMC work include:

- *Energy efficiency planning for county buildings*
- *Commenting on proposed local, county, state and federal laws on recycling, pesticide disposal, hazardous waste removal, and more*
- *Reviewing environmental and natural resource protection plans for Conesus and Hemlock lakes and state wildlife management areas, commenting on environmental impact statements for local development projects,*

and much more

- *Participating on the Local Emergency Planning Committee organized through the County Office of Emergency Management*
- *Members writing articles in the local newsletters – We all have fond memories of Jean Meekin's Ripples & Waves, David Parish's weekly columns in the Livingston County News and Bill McCLeary's articles on EMC environmental initiatives.*
- *Reviewing environmental impacts from the 1994 Retsof Salt Mine collapse and the proposed new Hampton Corners Mine later in the 90's.*
- *Recognizing that Livingston County has one of the highest levels of radon in the state and encouraging the County to make radon a health priority.*
- *Development of a County-wide Natural Resources Inventory*
- *And sponsoring hundreds of educational workshops over the years on pertinent environmental topics, including the popular annual summer tour of Letchworth State Park which has been an on-going event for over 20 years.*

These are only some highlights....The list of the EMC's work and accomplishments is long....and Mr. Swanson has been there for it all. When we asked David how he felt about his involvement with the EMC, he commented that some of his most important contributions included the review of the Salt Mine, advocacy for protection of farmland, and beautification of public lands. He felt that his 39 years was no more than what any volunteer should do for their community. He has provided countless contributions to the Council over the years and will be missed.

I feel privileged to be here today and on behalf of the Environmental Management Council and Planning Department staff, we thank David Swanson for his time, commitment and dedication to the environmental quality of life for all residents in Livingston County.

LIVINGSTON COUNTY EMC EARTH DAY AWARD

This year, the EMC recognized the 51st Anniversary of Earth Day, a global event celebrated annually on April 22 and aimed at inspiring awareness and protection of and appreciation for the Earth's environment. On the first Earth Day in 1970, an estimated 22 million Americans celebrated clean air, land, and water. Today, more than 1 billion people worldwide participate in Earth Day activities, making it one of the largest civic observances in the world.

Please see the screen for some pictures from this year's Annual Community Clean Up Event in recognition of Earth Day.

Last year we needed to cancel the event due to COVID 19. This year, the EMC and Planning Department encouraged socially distant or individual Cleanup events between April 22 – 26, 2021.

Notably, The Conesus Lake Association, and the community residents that gathered to "Take Pride in Hemlock" submitted their Community Cleanup Event photos to share. (represented on the slide)

Overall, the 2021 Annual Community Cleanup yielded positive results, remained constant to the mission given the pandemic restrictions, and the County looks forward to even more successful cleanups in the future.

Thanks to everyone that participated and did their part to help the environment.

Continuing its recognition of Earth Day.....The EMC established the annual Livingston County EMC Earth Day Award. The award is intended to recognize individuals, businesses, agencies, or organizations for outstanding achievements in preserving or improving the Livingston County environment or educating others about Livingston County's environment.

Today, we are celebrating the 23rd Anniversary of the EMC Earth Day Award and recognizing the Conesus Lake Association's Water Quality Committee for its achievements.

I would like to ask Gene Bolster, Chairman of the Conesus Lake Association's Water Quality Committee, and Committee representatives to join me at the podium.

Information about the Water Quality Committee and why the EMC selected the Committee as this year's award recipient --

The Committee is well-known for its long-term commitment to the health and protection of Conesus Lake and its watershed.

There are 35 dedicated, highly active members known for their numerous successful programs, including educational outreach, invasive species prevention, and scientific and analytic activities.

The WQC members utilize their diverse backgrounds and expertise in science, engineering, education and management in the development and implementation of programs and activities.

They are recognized in NYS and beyond for their collaboration with town, village, county, state, regional and educational/ intercollegiate partners.

They work hard on coordination of comprehensive and engaging public education on lake and watershed stewardship and best management practices, including the Conesus Stewardship Initiative and Watershed Education Center programs.

They demonstrate active participation and hands on approach to address water quality issues and concerns, from harmful algal blooms and Mussel monitoring, to Watercraft Steward and Macrophyte Survey Programs.

They are a creative and willing partner to engage other agencies and organizations to accomplish objectives, including maximizing the use of local groups, such as Chip Holt Nature Center, Boy/Girl Scouts, and SUNY partners.

They are known as a trail blazer and resource for their use of state-of-the art tools and instrumentation to monitor lake temperature profiles and provide research-quality meteorological data for Conesus Lake.

Quote from SUNY Geneseo faculty Dr. Sid Bosch:

“One of the greatest accomplishments of the Water Quality Committee has been in establishing the mindset that lake protection is up to all of US. By their support of practical measures to minimize user footprint, the coordination of educational programs in the Watershed [Education] Center and the implementation of citizen science programs, among other efforts, the Water Quality Committee has raised keen local awareness of lake issues and created a sense of ownership and synergy that is essential to any conservation effort”, Dr. Isidro Bosch, SUNY Geneseo

Watershed Education Center located at Vitale Park in Lakeville – A collaborative project that benefits all Livingston County residents. The Center would not include educational programming if not for the support of the Town of Livonia, in particular Supervisor Gott and his board, the Conesus Lake Association, agency partners, and many community and business partners and volunteers.

So, thank you for your good work! Your achievements have contributed to the protection and conservation of an important natural resource in Livingston County and to the quality of life for all our residents.

Now I will invite Mr. LeFeber, Chairman of the Board of Supervisors to the podium for the award presentation to Gene Bolster, Chairman of the Conesus Lake Association Water Quality Committee.

On behalf of the Livingston County Board of Supervisors and the residents of Livingston County, Chairman LeFeber presented the Earth Day Award to the Conesus Lake Association Water Quality Committee. “We certainly value the importance of the work they do. Conesus Lake is one of the truly natural resources of great value here in Livingston County and its’ protection and future use is ever so important to the County and its residents.” Chairman LeFeber thanked and congratulated the Conesus Lake Association Water Quality Committee.

Gene Bolster comments:

Mr. Bolster thanked Angela Ellis for her remarks and the EMC for presenting their annual Earth Day award to the Water Quality Committee. Without the committee members there would be no work done and there would be no results to show off. Mr. Bolster expressed his honor and privilege to be here today to accept this award on behalf of their work.

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

RESOLUTION NO. 2021-138 PROVIDING FOR A PUBLIC HEARING TO CONSIDER PUBLIC COMMENT ON THE COUNTY’S PROPOSAL TO SUBMIT A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL (SUPPORTING SMALL BUSINESSES TO PREVENT, PREPARE FOR, AND RESPOND TO COVID-19)

RESOLVED, that the Livingston County Board of Supervisors hereby schedules a public hearing to be held on May 26, 2021 at 1:35 PM in the Board of Supervisors Assembly Room, Livingston County Government Center, Third Floor, Geneseo, New York, with the purpose being to provide information to the public regarding the Community Development Block Grant COVID-19 Response (CDBG-CV) program and to consider citizen comments regarding the County’s proposal to submit a CDBG application to the NYS Office of Community Renewal to provide grants to support small businesses to prevent, prepare for, and respond to COVID-19, and at least seven (7) days’ notice shall be given by posting thereof on the County’s website and by publishing such notice at least one (1) time in the official newspaper of the County as provided by law.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

RESOLUTION NO. 2021-139 PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. A-2021 – A LOCAL LAW ADOPTING A YOUTH DEER HUNTING PILOT PROGRAM

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on April 28, 2021, a proposed Local Law entitled Local Law No. A-2021 – A Local Law Adopting a Youth Deer Hunting Pilot Program; now, therefore, be it

RESOLVED, that a public hearing shall be held on said proposed Local Law by this Board on the 12th day of May, 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

April 28, 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. Carman to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE

County Administrator/Budget Officer

RESOLUTION NO. 2021-140 AMENDING 2021 LIVINGSTON COUNTY BUDGET-HIGHWAY

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

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

RESOLUTION NO. 2021-141 AUTHORIZING TRANSFER OF FUNDS-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 transfers per the Budget Amendment entries, which have been approved by the Livingston County Administrator.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

County Administrator Coyle explained that the next nine resolutions on the agenda are the funding component for Capital Improvement Plan projects

RESOLUTION NO. 2021-142 ESTABLISHING CAPITAL PROJECT ACCOUNT FOR THE YEAR 2021-DOH FACILITY

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

RESOLVED, that the County Treasurer is authorized to establish Capital Project Account **H4010.2900** in the amount of \$150,000.00 to be funded from Interfund Transfers **H4010.5031** in the amount of \$150,000.00, and it is further

RESOLVED, that the County Treasurer is hereby directed to transfer budgeted funds to the DOH Facility Capital Project from Transfer to Capital Account **A9950.9000** in the amount of \$150,000.00.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

RESOLUTION NO. 2021-143 INCREASING CAPITAL PROJECT ACCOUNT FOR THE YEAR 2021-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

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

RESOLUTION NO. 2021-144 INCREASING CAPITAL PROJECT ACCOUNT FOR THE YEAR 2021-CAMPUS UPGRADES

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

RESOLVED, that the County Treasurer is authorized to increase Capital Project Account **H6121.2900** in the amount of \$100,000.00 to be funded from Interfund Transfers **H6121.5031** in the amount of \$100,000.00, and it is further

RESOLVED, that the County Treasurer is hereby directed to transfer budgeted funds to the Campus Upgrades Capital Project from Transfer to Capital Account **A9950.9000** in the amount of \$100,000.00.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

RESOLUTION NO. 2021-145 INCREASING CAPITAL PROJECT ACCOUNT FOR THE YEAR 2021-COURTHOUSE UPGRADES

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

RESOLVED, that the County Treasurer is authorized to increase Capital Project Account **H1625.2900** in the amount of \$100,000.00 to be funded from Interfund Transfers **H1625.5031** in the amount of \$100,000.00, and it is further

RESOLVED, that the County Treasurer is hereby directed to transfer budgeted funds to the Courthouse Upgrades Capital Project from Transfer to Capital Account **A9950.9000** in the amount of \$100,000.00.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

RESOLUTION NO. 2021-146 INCREASING CAPITAL PROJECT ACCOUNT FOR THE YEAR 2021-GOVERNMENT CENTER UPGRADES

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

RESOLVED, that the County Treasurer is authorized to increase Capital Project Account **H1628.2900** in the amount of \$750,000.00 to be funded from Interfund Transfers **H1628.5031** in the amount of \$750,000.00, and it is further

RESOLVED, that the County Treasurer is hereby directed to transfer budgeted funds to the Government Center Upgrades Capital Project from Unassigned General Fund Balance in the amount of \$750,000.00.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

RESOLUTION NO. 2021-147 INCREASING CAPITAL PROJECT ACCOUNT FOR THE YEAR 2021-

HIGHWAY UPGRADES

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

RESOLVED, that the County Treasurer is authorized to increase Capital Project Account **H5113.2900** in the amount of \$30,000.00 to be funded from Interfund Transfers **H5113.5031** in the amount of \$30,000.00, and it is further RESOLVED, that the County Treasurer is hereby directed to transfer funds to the Highway Capital Project from Unassigned General Fund Balance in the amount of \$30,000.00.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

RESOLUTION NO. 2021-148 INCREASING CAPITAL PROJECT ACCOUNT FOR THE YEAR 2021-ITS UPGRADES

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

RESOLVED, that the County Treasurer is authorized to increase Capital Project Account **H1680.2900** in the amount of \$400,000.00 to be funded from Interfund Transfers **H1680.5031** in the amount of \$400,000.00, and it is further

RESOLVED, that the County Treasurer is hereby directed to transfer funds to the ITS Upgrades Capital Project from Unassigned General Fund Balance in the amount of \$400,000.00.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

RESOLUTION NO. 2021-149 INCREASING CAPITAL PROJECT ACCOUNT FOR THE YEAR 2021-LCSO FACILITY

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

RESOLVED, that the County Treasurer is authorized to increase Capital Project Account **H3152.2900** in the amount of \$170,000.00 to be funded from Interfund Transfers **H3152.5031** in the amount of \$170,000.00, and it is further

RESOLVED, that the County Treasurer is hereby directed to transfer funds to the LCSO Facility Capital Project from Unassigned General Fund Balance in the amount of \$170,000.00.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

RESOLUTION NO. 2021-150 INCREASING CAPITAL PROJECT ACCOUNT FOR THE YEAR 2021-PARK IMPROVEMENTS

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

RESOLVED, that the County Treasurer is authorized to increase Capital Project Account **H1626.2900** in the amount of \$100,000.00 to be funded from Interfund Transfers **H1626.5031** in the amount of \$100,000.00, and it is further

RESOLVED, that the County Treasurer is hereby directed to transfer budgeted funds to the Park Improvements Project from Unassigned General Fund Balance in the amount of \$100,000.00.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

RESOLUTION NO. 2021-151 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY: UNIVERSITY OF ROCHESTER

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 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>
University of Rochester (UR Medicine Center for Employee Wellness)	1/1/2021-12/31/2021	Fee Schedule

601 Elmwood Avenue
Box SON
Rochester, New York 14642

For: Providing Employee Wellness Program services to eligible County employees and their spouses.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
N/A	100%	Yes

Dated at Geneseo, New York
April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

RESOLUTION NO. 2021-152 RATIFYING TENTATIVE COLLECTIVE BARGAINING AGREEMENT WITH THE CSEA FULL-TIME EMPLOYEES UNIT AND AUTHORIZING EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT

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

WHEREAS, the collective bargaining agreement between the CSEA Full-time employees unit and Livingston County expired on December 31, 2020; and

WHEREAS, the negotiating teams for the parties have reached a tentative agreement for a new collective bargaining agreement; and

WHEREAS, the CSEA Full-time employees unit has ratified this tentative agreement April 22, 2021; and

WHEREAS, the Ways & Means Committee recommends the ratification of this agreement by the County; now, therefore, be it

RESOLVED, that the tentative agreement commencing January 1, 2021 and expiring December 31, 2022, a copy of which is attached hereto, is hereby ratified; and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors and the County Administrator are hereby authorized to execute a collective bargaining agreement consistent with the terms of the tentative agreement.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

County Attorney

RESOLUTION NO. 2021-153 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE ORDER ON CONSENT AND ADMINISTRATIVE SETTLEMENT WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

WHEREAS, in August of 2010, the County acquired title to 1920 Buell Avenue, Lima, New York 14485, more specifically known as Tax Map No. 37.14-1-21.2, through the property tax foreclosure process; and

WHEREAS, said premises is currently listed as a Class 2 in the Registry of Inactive Hazardous Waste Disposal Sites in New York State. Pursuant to State and Federal law, due to having acquired title through In Rem foreclosure, the County asserts and maintains it has no liability for any existing hazardous waste located on the property; and

WHEREAS, the County would be entering into this Consent Order for the sole purpose of facilitating the remediation of the site by the NYS DEC pursuant to the selected remedy in the Record of Decision dated June 2020, with the goal being future sale and residential redevelopment of the property; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the Order on Consent and Administrative Settlement with the NYS DEC, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

Other

RESOLUTION NO. 2021-154 AUTHORIZING THE DONATION OF ADIRONDACK CHAIR SWINGS TO THE LETCHWORTH STATE PARK AUTISM NATURE TRAIL

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

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has established a first-of-its kind nature trail at Letchworth State Park designed for people with autism spectrum disorder (ASD) and other developmental disabilities. Activities created along the Autism Nature Trail support and encourage sensory perception, while also providing enjoyable activities for visitors of all abilities and ages; and

WHEREAS, the Autism Nature Trail at Letchworth State Park is the result of a public-private partnership aimed at providing a recreational trail within the Park designed to allow visitors with autism and other developmental disabilities to push boundaries, explore new activities, and develop skills; and

WHEREAS, the Central Services Department, using the skills of its members, has constructed several Adirondack chair swings for placement in and around Murray Hill and the Al Lorenz Park; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby authorizes the donation of Adirondack chair swings built by the Livingston County Central Services Department to the Letchworth State Park Autism Nature Trail as said swings would be such a beautiful and beneficial addition to the Trail for all visitors to enjoy.

Dated at Geneseo, New York

April 28, 2021

Ways and Means Committee

The roll was called as follows: Ayes-1,616; Absent-Fanaro, 72; Gott, 242; Babbitt Henry, 79; Total 393; Adopted.

OTHER BUSINESS

1. COUNTY ADMINISTRATOR UPDATES-We are still waiting on the Treasury guidance to come out. There is a NACO call for counties this week. We expect to receive half of our funds on May 10 and towns will receive their funds from the state approximately 30 days after that. There will be two draws to be spent by December 2024. No news on the broadband grant. It is expected any time.

2. RETIREMENT RECOGNITION OF EMERGENCY MANAGEMENT DIRECTOR KEVIN NIEDERMAIER
Chairman LeFeber recognized the guidance and help Kevin Niedermaier has given him over the years to make the best decisions for Livingston County.

Mr. Coyle shared that Kevin Niedermaier started his service to the County in 1990 and then took on the charge as full time Director of Emergency Management Services in 1995. While he would deflect and site his deputies over the years, helpers or partners in the volunteer community, Kevin has worn many hats and has been a bit of a one man show over his tenure here as Director-HazMat Director & Fire Coordinator. Kevin was responsible for all the training and all the grant programs, with an unbelievable, uncanny knack for finding money in every nook and cranny of the state and federal government for any random need that would come up that was tangentially related to emergency management. The fruits of his labor, individual commitment and passion for the job have paid many dividends many times over. A testament to his accomplishments are our recent accreditation, one of the first counties in the entire state of New York to get that accreditation as an Emergency Management department and one of the first HazMat teams in the state to receive accreditation. Kevin himself, individually completed Advanced Institute at FEMA and EMI, serving as President of NYSEMA, the state association of Emergency Managers, so, again, bringing Livingston County to the front and center across the state as being one of a professional reputation. And, then, there is the EOC building, which is referred to as Kevin's building for the care, interest and sense of pride of ownerships that he took in the operation center. Kevin is to be commended for the compliments from state officials, visitors and members of the public on the condition of the building and the layout that we still get to this day. Kevin took care of it like a farmer with a beloved tractor. Kevin established his office as one sound reputation and respect across the northeast and the region. Mr. Coyle shared stories of fellow government workers, County Executive and County Administrators with greetings for Kevin, where it would be well known that we have gone into their county for a state of emergency or mutual aid type situation. Those relationships were built over many years of cooperation and intergovernmental

coordination in mutual aid and responding to various types of emergencies both in our back yard and counties downstate; Hurricane Sandy, after 9/11. Kevin would know who to call when we needed help and he knew that he would be often times be the responding entity to another place that was calling for help. While the proverbial torch has been from Kevin to Brad Austin, the fire still burns very strongly because of the indelible mark that Kevin has left on the department, on this county, on the fire service and with other emergency management and fire professionals inside and outside of this area. Kevin has had a profound and positive impact on this county. We are more prepared, we are more trained and we are more responsive as a public entity to situational emergencies because of his work. Mr. Coyle thanked Kevin for his dedication and commitment to public service and his commitment to the community of volunteers and the Livingston County community at large. Mr. Coyle presented Terry with a clock emblazoned with his years of service and a wallet recognizing Kevin as a retired Emergency Management Director with the retired badge of service. The audience presented a standing ovation.

Kevin Niedermaier thanked Mr. Coyle for the kind words and stated that is was a great pleasure to serve as the Emergency Management/Fire Coordinator for this county; the county he always called the crown jewel and the best in New York. It was always a privilege to represent the county for events and emergencies, but the greatest privilege was always coming home to this county. Kevin thanked the Board of Supervisors for allowing him the opportunity to expand the Office of Emergency Management and respond to the needs of others. He was able to learn a lot and bring it home to help here. It was a privilege and pleasure to work with all of the department heads. He couldn't ask to be associated with a better group of individuals and professionals as those in Livingston County. Most importantly, Kevin thanked his family; Beth for her understanding and patience in allowing this work to transpire over the years and Adam for all of the missed dinners, holidays and events and Kevin is excited being able to watch him play soccer and grow in the future. Thank you so much.

ADJOURNMENT

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, May 12, 2021 at 1:30 p.m. Carried.

The Board adjourned at 2:16 p.m.