

**WAYS & MEANS COMMITTEE MEETING MINUTES**  
**MONDAY, MAY 10, 2021**  
**1:30 P.M.**

**PRESENT:** D. Pangrazio, W. Wadsworth, D. Fanaro, D. LeFeber, D. Mahus, G. Deming, M. Falk, I. Coyle, A. Ellis, B. Mann, S. Hillier  
**ABSENT:** M. Schuster, D. Babbitt Henry

Ways & Means Chair Dan Pangrazio asked Board Chair and Avon Supervisor David LeFeber to lead the Pledge of Allegiance.

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.

**PERSONNEL ISSUES**

**COUNTY CLERK – ANDREA BAILEY**

**1. AMENDING THE 2021 LIVINGSTON COUNTY SALARY SCHEDULE: COUNTY CLERK**  
RESOLVED, that the 2021 Livingston County Salary Schedule is amended as follows:

**COUNTY CLERK:**

- Create one full-time Senior Motor Vehicle Clerk position at Wage Grade 10 CSEA Contract effective May 12, 2021.

For: To enable resumption of full operation at both office sites.

Ms. Bailey reviewed the position being requested. This position holds supervisory credentials in the absence of the Motor Vehicle Supervisor. This will help open up the DMV to full operations. Geneseo DMV will reopen Thursday evenings beginning May 20. The wage grade 10 starts at \$17.52. This would still leave a vacancy that was posted last week.

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

**OTHER – IAN COYLE**

**APPOINTING COMMISSIONER OF SOCIAL SERVICES – DIANE M. DEANE**

RESOLVED, that the 2021 Salary Schedule is amended as follows:

**Department of Social Services**

Appoint Diane M. Deane of 232 Commerce Drive, Avon, New York to the position of Commissioner of Social Services for a term commencing June 1, 2021 and expiring May 31, 2026.

Mr. Coyle explained that the DSS Commissioner term of office is up and he is recommending Diane for reappointment. He had a good, production meeting with Diane to discuss future goals recently. Any salary discussions will be part of the normal annual process.

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

**ECONOMIC DEVELOPMENT – BILL BACON**

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

**AMENDING A PORTION OF RESOLUTION 2020-329**

WHEREAS, Resolution No. 2020-329 authorized the Chairman of the Livingston County Board of Supervisors to sign a contract with the Livingston County Development Corporation to administer downtown revitalization programming, small business assistance, entrepreneurship training, technical assistance, public relations, marketing and consultant services for a term commencing January 1, 2021, and terminating December

31, 2021, in the amount of \$200,000; and

WHEREAS, additional funding has been made available from County Reserves for the Community Redevelopment Initiative (CRI) “*Invested In You*” increasing the total contract amount with Livingston County Development to \$1,200,000.00; now, therefore, be it

RESOLVED, that Resolution No. 2020-329 is hereby amended.

Mr. Bacon explained that this concept was discussed at the Chairman’s meeting, Public Services and now Ways & Means. We planned for this to go to the Board this week but we have not received any guidance for the ARPA funds so we are not asking for an action today. There is already a public hearing scheduled for the 5/26 Board meeting for CDBG funding that this resolution would be in addition to. Mr. Bacon reviewed the four programs encompassed in the Invested in You Community Redevelopment Initiative. Mr. Bacon reviewed some reinvestment programs ideas that they have identified to get money out into the County countywide not just in our downtowns. We hope to use the ARPA stimulus funds coming on the following: First Impressions Program-Dream-O-Vate Business Competition-Covid Relief Fund-Extreme Makeover Liv Co Edition. These are outside of the Community Revitalization Initiative (CRI). Mr. Bacon reviewed the variety of dollars that can go into this. The requested dollar amount will be for an additional \$1M. Mr. Coyle explained that there have been discussions in the Chairman meetings to try and take local money if we could, for a kind of homegrown DRI program that would be available to all 17 towns on our own terms absent state regulations and timeline. This is available now, but if we waited to for the ARPA guidance to come out we would have an either or scenario to consider using ARPA monies for this purpose. One of the categories is dealing with the economic impact to small businesses and tourism that looks to be a new spending potential. This would certainly be a qualifying expense. There was discussion on those businesses that already received relief would be eligible and Mr. Bacon explained that he is hoping to look at those businesses that are outside of downtowns. **There is no action taken at this time.**

**MOTION TO MOVE AGENDA**

*Mr. Mahus moved and Mr. Fanaro seconded to move the County Treasurer to follow Item #3 for the County Administrator on the agenda..... Carried.*

**COUNTY ATTORNEY – SHANNON HILLIER**

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

**1. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CO-DEVELOPMENT AGREEMENT WITH THE LIVINGSTON COUNTY LAND BANK CORPORATION – 1920 BUELL AVENUE, LIMA, NEW YORK**

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

WEHREAS, the County has now entered into a Consent Order with the NYS DEC for the sole purpose of facilitating the remediation of the site by the NYS DEC, with the goal being future sale and residential redevelopment of the property; and

WHEREAS, said Consent Order specifically requires the County to demolish the existing building located on the property thereby permitting the NYS DEC and its contractors access to the soils located underneath for purposes of implementing the approved remedial plan; and

WHEREAS, the County and the Livingston County Land Bank Corporation (“Land Bank”) desire to work together as co-developers on this demolition project as each have distinct, yet complimentary, areas of expertise that, together, will bring about the successful redevelopment of the property; and

WHEREAS, the Land Bank will utilize its grant funding to fund the project and serve as the overall construction project manager. The County will maintain title to the property for the duration of the project and ultimately market and sell the property once the remediation is complete. Both parties shall equally split the proceeds generated from the future sale of the property; and

WHEREAS, the County and the Land Bank desire to enter into an agreement setting forth their respective rights and obligations with respect to the demolition project and redevelopment of the property; and now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a Co-Development Agreement with the Land Bank, subject to review by the County Attorney and County Administrator.

The County Attorney reviewed the recent consent order between the county and DEC and explained that the County is now obligated to begin preparing to complete their obligations under that order. The idea is for a co-development agreement between the County and the Land Bank. The Land Bank would be the funding source for the demolition piece that the County is responsible and acting as the construction manager for the overall project. The County is maintaining title for this property and ultimately seeks to dispose of this property through appropriate means once mediation is complete. The only caveat is, because the County is using Land Bank funding, we have to following the funding sources' rules relative to disposal of the property. There are simple income guidelines as to who can purchase the property.

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

## **COUNTY ADMINISTRATOR – IAN COYLE**

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

#### **1. APPROVING ABSTRACT OF CLAIMS #5A-MAY 12, 2021**

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #5A dated May 12, 2021 in the total amount of \$1,518,414.54.

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

#### **2. AMENDING 2021 LIVINGSTON COUNTY BUDGET-CONTINGENCY & SHERIFF'S OFFICE (3)**

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. Coyle reviewed the amendments for approval.

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

#### **3. NORTHERN BORDER REGIONAL COMMISSION - GRANT AUTHORIZATION**

Mr. Coyle reviewed the grant opportunity that has become available. Most counties in New York are part of one of these commissions. While we do not border Canada we are in the catchment area of those counties that do. We have looked at this in the past. Water, sewer, broadband and downtown are the types of things allowed with this funding. We have a good rapport with the Department of State people that are part of this approval and in conversations they asked if Livingston County was submitting an application. We are looking at water supply, which is funded by the same entity who will review these applications for the NBRC. The water supply study called for a number of actions items, one of which was the recently authorized safe yield analysis of Conesus Lake; another was water source improvements/better water source/alternative water source for parts of the County. In this case, we are talking about York, Leicester, possibly Mt. Morris and possibly other areas. The Water Supply Study had a significant "what if situation" infrastructure capturing a catchment area that doesn't have public water now to some extent and capturing an area that either has water quality concerns or water quantity concerns. The thought is to seek funding from the Border Commission to do the engineering, planning and environmental development review stuff in addition to a safe yield analysis of Hemlock Lake for action items that was called for in the water supply study. This is approximately a \$700,000 prospect. Mr. Coyle reported that he has spoken with the engineers for WASA, the new WASA Executive Director, Mr. Deming, Mr. Fanaro and Chairman LeFeber on their interest on the settlement discussions we have had on the settlement. It would be a legitimate use of the funds. We would have to run it through DEC/Attorney General for the safe yield analysis. Basically, it would use \$350,000 of federal money that goes to the state that would go to us from this Commission that we would use the other \$350,000 match with our settlement proceeds to kick off that prospect as a potential project down the line. There is a ton of "what if's" right now if we get the grant and start the study; like who's going to own, figuratively and literally, the process of a decent size water

expansion project across the county. WASA would obviously be the lead entity. This is a once in a year opportunity to capture some significant intergovernmental dollars. The recommendation would be to authorize the County through the resolution process to seek the grant and the match funds coming from the County coffers, in this case the AKZO settlement dollars. There was discussion on the eligibility for reimbursement of the project match funds back to the County. Mr. Coyle reviewed the potential funding environment right now and requested approval for a resolution to be presented to the board this week. The resolution passed on May 12 is as follows:

**AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING GRANT APPLICATION AUTHORIZATION FOR LIVINGSTON COUNTY: NORTHERN BORDER REGIONAL COMMISSION**

WHEREAS, the Northern Border Regional Commission (“NBRC”) has announced availability of funding under its 2021 State Economic & Infrastructure Development Investment Program (“SEID”) to provide grants to fund economic development and infrastructure projects throughout designated counties in its four-state service area; and

WHEREAS, the NBRC provides investments to job-creating projects that help reduce poverty, unemployment, and outmigration; and

WHEREAS, the recently completed Livingston County Comprehensive Water Supply Study Update, funded through the New York State Local Government Efficiency Program, provides alternatives and recommendations for the public water systems in Livingston County in order to carry out the goals of protecting water quality, ensuring quantity for existing and future expansion, providing redundancy for emergencies and backups, and improving delivery and operational efficiency; and

WHEREAS, Livingston County would like to apply for a \$700,000 infrastructure grant to plan, design, and engineer one of the study alternatives which is a new water main to serve multiple townships in the county with an improved and expanded water source; and

WHEREAS, Livingston County would provide a 50% cash match of \$350,000 from the county budget; and

WHEREAS, the infrastructure, once expanded, will allow for hundreds of residents to have access to public water where no such access exists presently; and

WHEREAS, the SEID application deadline is May 14, 2021; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following grant application authorization on behalf of Livingston County as well as all related NBRC investment documents that bind the County, including the following grant agreement, according to the term designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Northern Border Regional Commission James Cleveland Federal Building Suite 1501 53 Pleasant Street Concord, New Hampshire 03301	10/1/2021-9/30/2024	\$700,000.00

For: Planning, design and engineering for water main

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County Budget	50%	Yes

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

**EXECUTIVE SESSION**

Motion made by Mr. Wadsworth and seconded by Mr. Fanaro that the Committee adjourn and reconvene for the purpose of discussing information regarding proposed, pending or current litigation and all Supervisors, County Administrator Ian M. Coyle, Clerk of the Board, County Attorney, Amy Davies, Angela Ellis and Bill Mann remain present. Carried.

Mr. Wadsworth moved and Mr. Mahus seconded that the Committee reconvened in regular session. The following report was presented.

The Ways and Means Committee having met in Executive Session, hereby reports as follows:  
 No action taken.

**COUNTY TREASURER – AMY DAVIES**

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

**1. APPROVING APPORTIONMENT OF MORTGAGE TAX RECEIPTS FOR THE PERIOD 10/1/20-3/31/21**

WHEREAS, the Ways and Means Committee submits the following report on Apportionment of the Mortgage Tax receipts for the period October 1, 2020 through March 31, 2021, among the several Towns and Villages of the County, it is hereby

RESOLVED, that the County Treasurer is hereby directed to pay to the various municipalities the amount set forth herein:

TAX DISTRICT	2021	10/1/2020-3/31/2021	
	AMOUNT	DISTRIBUTED TO TOWNS	DISTRIBUTED TO VILLAGES
AVON	\$73,116.81	\$58,629.86	\$14,486.95
CALEDONIA	\$45,634.36	\$37,531.37	\$8,102.99
CONESUS	\$42,983.97	\$42,983.97	\$0.00
GENESEO	\$79,445.57	\$62,834.32	\$16,611.25
GROVELAND	\$23,805.59	\$23,805.59	\$0.00
LEICESTER	\$15,490.50	\$14,461.66	\$1,028.84
LIMA	\$54,234.48	\$45,576.90	\$8,657.58
LIVONIA	\$115,247.14	\$108,610.12	\$6,637.02
MT. MORRIS	\$27,012.81	\$20,757.16	\$6,255.65
N. DANSVILLE	\$33,682.07	\$21,264.12	\$12,417.95
NUNDA	\$12,690.49	\$10,812.02	\$1,878.47
OSSIAN	\$6,969.05	\$6,969.05	\$0.00
PORTAGE	\$2,838.48	\$2,838.48	\$0.00
SPARTA	\$16,629.69	\$16,629.69	\$0.00
SPRINGWATER	\$17,342.18	\$17,342.18	\$0.00
WEST SPARTA	\$6,481.40	\$6,481.40	\$0.00
YORK	\$29,785.34	\$29,785.34	\$0.00
<b>TOTAL</b>	<b>\$603,389.93</b>	<b>\$527,313.23</b>	<b>\$76,076.70</b>

Ms. Davies reported that the checks will be mailed by the end of this week if approved.

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

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

1. Foreclosure Update

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

1. Update on Akzo Settlement Committee
2. Northern Regional Border Commission - Grant Authorization
3. ARPA Update-Guidance came out just now and will need to be reviewed to summarize out to the Supervisors. We have talked to two audit firms with requests for pricing to assist us for our money for submittals, audit proofing, revenue recapture process. We believe the ARP funds will allow us to use the funds for that type of effort.
4. Customer Service RFP update-Three responses were received Friday for internal departments that serve other departments of the county. A recommendation will be reported at a later date.

5. Grants and Grants Management Technical Assistance-With all of the grants available we will be utilizing Thoma and TFG for assistance.
6. Senator Schumer contacted us today with a very tight turnaround on, with earmark specifications. Not only are congressional earmarks back but senatorial earmarks are back too, so Senator Schumer has his own pot of money to give out for member item type projects.
7. Conversation with the County will be in Portage tomorrow and some DOH nurses will be there for vaccines.

## **ADJOURNMENT**

Mr. Mahus moved and Mr. Wadsworth seconded to adjourn the meeting at 2:30 p.m.

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## **REAL PROPERTY TAX SERVICES – BILL FULLER**

### **Informational Item(s) Written Only**

1. Delivered Change of Assessment Notices to the Assessors
2. Completed the Tentative Assessment Rolls and delivered to the Assessors. Also provided them with the rolls in an electronic format. Rolls are to be filed with the Town Clerk by May 1<sup>st</sup>.
3. The Tentative Rolls are also hosted on the County Website
4. Provided the Assessors with the Assessor's Financial Disclosure Statement form. Forms are to be filed by May 15<sup>th</sup>.
5. Currently working to finalize the village tax bills.
6. Board of Assessment Review Training was conducted via video training session hosted by NYS Department of Taxation and Finance.

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