

**REGULAR BOARD MEETING
WEDNESDAY, MAY 24, 2023
1:30 P.M.**

ROLL CALL

The roll was called showing all members present except Mr. Fanaro (Leicester).

PLEDGE OF ALLEGIANCE

Ossian Supervisor Dwight Knapp led the Pledge of Allegiance.

APPROVAL OF MINUTES

Minutes of 5/10/23 Regular Meeting were approved as presented.

ABSTRACT OF CLAIMS

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

RESOLUTION NO. 2023-201 APPROVING ABSTRACT OF CLAIMS #5B-MAY 24, 2023

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #5B dated May 24, 2023 in the total amount of \$3,145,106.21.

Dated at Geneseo, New York

May 24, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,875; Noes-0; Absent-Fanaro, 179; Adopted.

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

RESOLUTION NO. 2023-202 APPOINTING MEMBER TO THE WESTERN REGIONAL OFF-TRACK BETTING CORPORATION BOARD OF DIRECTORS: THOMAS WAMP

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

RESOLVED, that the following member is hereby appointed to the Western Regional Off-Track Betting Corporation Board of Directors:

Western Regional Off-Track Betting Corporation Board Of Directors

Name	Address	Rep./Title	Term
Thomas Wamp	126 Main Street, P.O. Box 6 Dansville, NY 14437	Livingston County Representative	5/24/23-5/23/27

and be if further

RESOLVED, that the Clerk of the Board of Supervisors shall forward a certified copy of this Resolution to the Western Regional Off-Track Betting Corporation, 8315 Park Road, Batavia, NY 14020 via certified mail.

Dated at Geneseo, New York

May 24, 2023

Public Services 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. Wadsworth to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes-4,875; Noes-0; Absent-Fanaro, 179; Adopted.

RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE

County Administrator/Budget Officer

RESOLUTION NO. 2023-203 AMENDING 2023 LIVINGSTON COUNTY BUDGET: DEPARTMENT OF HEALTH, HIGHWAY (5) & SHERIFF'S OFFICE

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
 May 24, 2023
 Ways and Means Committee

The roll was called as follows: Ayes-4,875; Noes-0; Absent-Fanaro, 179; Adopted.

RESOLUTION NO. 2023-204 AUTHORIZING ALLOCATION OF AMERICAN RESCUE PLAN FUNDS: LIVINGSTON COUNTY WORKFORCE DEVELOPMENT

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

WHEREAS, pursuant to the Federal American Rescue Plan Act of 2021, county governments were provided fiscal recovery funds (“ARPA funds”) to support projects that will provide for economic resiliency and enhance communities that have been negatively impacted by the COVID-19 pandemic; and

WHEREAS, Livingston County was awarded \$12,200,000.00 in fiscal recovery funds through the American Rescue Plan; and

WHEREAS, the Ways and Means Committee recently considered an additional ARPA fund request from the Livingston County Workforce Development Department for addressing the employment and job training needs of unemployed or underemployed Livingston County residents. After ample discussion, the Committee found that the Department would greatly benefit from the disbursement of a portion of the County’s awarded ARPA funds. The Workforce Development Department’s intended use of the funds meets the United States Department of Treasury’s guidelines as to how the ARPA funds are to be spent and granting a portion of these funds to this Department would provide great benefit to Livingston County residents; and

WHEREAS, the Ways and Means Committee specifically endorsed an allocation of \$50,000.00 of ARPA funds to the Livingston County Workforce Development Department for job training services for Livingston County residents; now, therefore, be it

RESOLVED, that in support of the Ways and Means Committee’s recommendations, the Livingston County Board of Supervisors hereby authorizes the disbursement of County ARPA Funds to the Livingston County Workforce Development Department for the amount requested and for the uses indicated in this Resolution; and be it further

RESOLVED, that the Livingston County Workforce Development Department shall be required to report all monies spent and submit backup documentation to the Livingston County Treasurer for purposes of mandated reporting to the Federal Government.

Dated at Geneseo, New York
 May 24, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,875; Noes-0; Absent-Fanaro, 179; Adopted.

Other

RESOLUTION NO. 2023-205 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT: LARRY’S LATRINES, EVERETT RESTORATION & WEST WILD LIFE

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 contracts for the Livingston County Highway Department, and any future amendments to said contracts, according to the terms designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Larry’s Latrines	5/15/2023-5/14/2024	\$155.00 per unit per month (28 day billing)
894 State Route 21		\$75.00 tip overs/reset charge
Hornell, NY 14425		\$15.00 Fuel charge/ delivery
		\$10.00 per month brine charge (December-March)

For: Portable toilet rental, delivered to any location within Livingston County and a weekly cleaning for each unit.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Highway Budget Appropriations	100%	Yes X No

Everett Restoration
 9991 Hartman Road
 Dansville, NY 14437
 For: Wildlife control

6/1/2023-5/31/2024

Per Price Sheet

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Highway Budget Appropriations	100%	Yes X No

West Wild Life
 P.O. Box 19
 Conesus, NY 14435
 For: Wildlife control

6/1/2023-5/31/2024

Per Price Sheet

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Highway Budget Appropriations	100%	Yes X No

Dated at Geneseo, New York
 May 24, 2023
 Ways and Means Committee

The roll was called as follows: Ayes-4,875; Noes-0; Absent-Fanaro, 179; Adopted.

RESOLUTION NO. 2023-206 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY FOR ELECTRICITY USED BY LIVINGSTON COUNTY BUILDINGS THROUGH A CONTRACT AWARDED BY GENESEE COUNTY: CONSTELLATION NEW ENERGY 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 which is hereby accepted as piggybacking on the Genesee County Electricity Supply Bid issued on behalf of Municipal Electric and Gas Alliance (MEGA) dated August 23, 2018, awarded to Constellation New Energy, Inc. on November 15, 2018 and extended on September 29, 2022 pursuant to Genesee County Resolution Nos. 2018-400 and 2022-370, 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>
Constellation New Energy Inc. 4705 Crossroads Park Drive, Suite 3 Liverpool, NY 13088 For: Electricity used by Livingston County Buildings	10/30/2023-10/29/2026	Per Service Fee Sheet

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
County Budget	100%	Yes X No

Dated at Geneseo, New York
 May 24, 2023
 Ways and Means Committee

The roll was called as follows: Ayes-4,875; Noes-0; Absent-Fanaro, 179; Adopted.

RESOLUTION NO. 2023-207 AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NORTHERN BORDER REGIONAL COMMISSION

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

WHEREAS, the Northern Border Regional Commission (“NBRC”) has announced availability of funding under its 2023 Catalyst Program 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 Wayfinding Master Plan provides recommendations for vehicular, pedestrian, and parking signage throughout the communities of Livingston County which will bolster tourism and economic development, improve navigation and connect assets and destinations through appealing, uniform and consistent signage; and

WHEREAS, Livingston County would like to apply for a \$500,000.00 grant for phase one of implementing the Livingston County Wayfinding Master Plan which will focus on signage in communities along the 390 corridor; and

WHEREAS, if awarded, Livingston County Economic Development would be required to secure matching funds in the amount of \$253,847; and

WHEREAS, the application deadline is June 2, 2023; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to submit a grant application on behalf of the County in an amount not to exceed \$500,000 to the NBRC to support phase one of the Livingston County Wayfinding Master Plan, and be it further

RESOLVED, that the Chairman is hereby authorized to execute a grant agreement between the County and the NBRC and all related documents associated with the NBRC grant, including entering into a grant agreement with the LCDC for the implementation of the Project and administration of the NBRC grant, all such documents to be subject to review and approval by the County Attorney, and be it further

RESOLVED, that the Chairman is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the NBRC funding.

Dated at Geneseo, New York

May 24, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,875; Noes-0; Absent-Fanaro, 179; Adopted.

Human Resources

RESOLUTION NO. 2023-208 APPOINTING DIRECTOR OF COMMUNITY HEALTH FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: MARGARET BETETTE

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

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

Department of Health:

Appoint Margaret Betette to the position of full-time Director of Community Health effective May 22, 2023 at an annual salary of \$79,000.00.

Dated at Geneseo, New York

May 24, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,875; Noes-0; Absent-Fanaro, 179; Adopted.

Records Management

RESOLUTION NO. 2023-209 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY RECORDS MANAGEMENT DEPARTMENT: CERTIFIED DOCUMENT DESTRUCTION AND RECYCLING

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 the Livingston County Records Management Department, 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>
Certified Document Destruction and Recycling	6/14/2023-6/13/2024	\$0.11/pound, per pick-up,
1133 Emerson Street		\$249.00 Minimum, billed
Rochester, New York 14606		monthly
For: Confidential Document Shredding services and e-waste destruction		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Records Management Service Contract Budget	100%	X Yes No

Dated at Geneseo, New York

May 24, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,875; Noes-0; Absent-Fanaro, 179; Adopted.

OTHER BUSINESS

Margaret Betette came to the podium to thank the County Administrator and the Board of Supervisors for the opportunity to continue her public service in her new role as Director of Community Health.

Chairman introduced asylum-seeker/migrant issue and continuation of W&M discussion. Ian Coyle discussed passing State of Emergency (SOE) by several counties. State had a call this week to County leaders and the Mr. Coyle had a separate call with Department of Homeland Security. There was discussion whether to have LivCo issue SOE. State has assessed every single SUNY asset and SUNY Geneseo appears to not check a lot of boxes and not likely to be considered, at least for the next 1-2 months. Nothing in Livingston County seems to be viable for housing of asylum-seekers. State indicated that if they have a state asset (SUNY) they can do whatever they choose with it. Ian stated Livingston County requested to be involved in decision-making if they choose to move forward and the previous statement was reiterated by the State. Shannon Hillier added some items as well. Many of the SOE that were originally placed were hit with legal issues from ACLU from a human rights perspective. The County should assess the situation more before making a decision on issuing a SOE, injunction, etc. Emergency Orders (EO's) give a false sense of security and do not amount to much. This is where you'll see injunctions and petitions to Supreme Court, etc. This is something that LivCo Attorney would not be able to handle, would need to seek outside counsel, which would be costly for the County. Jen Rodriguez (DOH) and Tracy McCaughey (DSS) both discussed challenges with housing our own homeless population and what DOH is under many state statues and DSS has strict eligibility requirements that are followed before services are granted. Mr. Pangrazio commented that there seems to be not much we can control in regards to what the state does with its property (SUNY). He requested Livingston County asks the Governor's to notify us if they are going to transfer migrants to Livingston County so we can prepare. Mr. Coyle stated Chairman sent a letter to Governor stating this. When asked if an Emergency Order would be an option, S. Hillier stated EO's do not have power within the State. Mr. Coyle confirms he, the Chairman and the County Attorney are continuously looking at our options and seeing what we can do that might be useful or have real impact moving forward – things other counties have done at this point appear ineffective. Chairman LeFeber is advising SOE should not be issued at this point, but Board, County Administrator and County Attorney continue to actively assess the situation. This includes analyzing actions taken by other Counties and make the best judgement/action we can take that will be both effective and legally sound.

ADJOURNMENT

Motion made by Mr. Pangrazio and seconded by Mr. Wester to adjourn until Wednesday, June 14, 2023 at 1:30 p.m. Carried.

The Board adjourned at 2:27 p.m.