

REGULAR BOARD MEETING  
WEDNESDAY, JUNE 10, 2020  
1:30 P.M.

**ROLL CALL**

The roll was called showing all members present except Mr. Davis (Portage).

**PLEDGE OF ALLEGIANCE**

Caledonia Supervisor Daniel L. Pangrazio led the Pledge of Allegiance.

Chairman LeFeber announced that we are livestreaming the meeting today so that the public can view the proceedings.

**APPROVAL OF MINUTES**

Minutes of 5/6/20 Regular Meeting were approved as presented.

Chairman LeFeber announced that all actions will be approved through Committee of the Whole.

**ABSTRACT OF CLAIMS**

**RESOLUTION NO. 2020-127      APPROVING ABSTRACT OF CLAIMS #6A-JUNE 10, 2020**

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #6A dated June 10, 2020 in the total amount of \$2,032,777.41

Dated at Geneseo, New York

June 10, 2020

Committee of the Whole

There being no further discussion on the foregoing resolution, Chairman LeFeber asked for a motion to present the Committee of the Whole Resolution.

Motion made by Mr. Pangrazio and seconded by Mr. Wadsworth to move Committee of the Whole Resolution. Carried.

The roll was called as follows: Ayes-1,980; Noes-0; Absent-Davis, 29; Adopted.

**RESOLUTIONS**

*Planning*

**RESOLUTION NO. 2020-128      ADOPTING SEQR NEGATIVE DECLARATION AND DECLARING ZONING EXEMPTION FOR PROPOSED EMERGENCY COMMUNICATIONS SYSTEM UPGRADE PROJECT FOR WILSON ROAD, TOWN OF GROVELAND, AND JAKMAN HILL ROAD, TOWN OF LIVONIA**

WHEREAS, Livingston County is proposing to construct a 195' self-support emergency communications tower at 5129 Wilson Road in the Town of Groveland, including installation of a 34' x 34' foundation for the tower, and removal of the existing tower; and

WHEREAS, Livingston County is also proposing to construct a 195' self-support emergency communications tower at 3380 Jakman Hill Road in the Town of Livonia, including installation of a 34' x 34' foundation for the tower, a fence expansion of 43' x 48', and removal of the existing tower; and

WHEREAS, as part of this project, Livingston County has examined and applied the principals established in *Matter of County of Monroe v. City of Rochester* 530 N.E.2d 202 (N.Y. 1988), for purposes of determining whether the proposed project is exempt from local zoning regulations; and

WHEREAS, Livingston County has demonstrated that the project is in the interest of public safety for the citizens of Livingston County; and

WHEREAS, the County has sent project details and specifications to both Towns and communicated its intent to pursue exemption from local zoning for this project; and

WHEREAS, the proposed action is an Unlisted Action pursuant to the New York State Environmental Quality Review Act; and

WHEREAS, a Short Environmental Assessment Form has been completed pursuant to the New York State Environmental Quality Review Act; and

WHEREAS, pursuant to Resolution No. 2020-119 passed on May 6, 2020, Livingston County was declared as

the Lead Agency for the SEQR review of the proposed emergency communications system upgrade project in the Towns of Groveland and Livonia; and

WHEREAS, Livingston County investigated all potential issues identified by the NYSDEC EAF Mapper and finds the proposed project will not result in any significant adverse environmental impacts; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby determine that the proposed emergency communications system upgrade project will not have a significant effect on the environment, a draft Environmental Impact Statement will not be prepared, and the Livingston County Board of Supervisors does hereby adopt SEQR Negative Declaration for the project; and be it further

RESOLVED, that the Livingston County Board of Supervisors hereby determines that the balancing of interests analysis weighs in favor of the Livingston County and the emergency communications system upgrade project in the Towns of Groveland and Livonia is hereby exempt from local zoning.

Dated at Geneseo, New York

June 10, 2020

Committee of the Whole

There being no further discussion on the foregoing resolution, Chairman LeFeber asked for a motion to present the Committee of the Whole Resolution.

Motion made by Mr. DiPasquale and seconded by Mr. Schuster to move Committee of the Whole Resolution. Carried.

The roll was called as follows: Ayes-1,980; Noes-0; Absent-Davis, 29; Adopted.

*County Administrator*

**RESOLUTION NO. 2020-129 RESOLUTION CALLING ON THE STATE OF NEW YORK TO RELEASE ENHANCED FEDERAL MEDICAID MATCHING FUNDS TO COUNTIES AND NEW YORK CITY**

WHEREAS, in response to the COVID-19 pandemic, Congress has enacted extraordinary measures to help states and localities with increased costs and lost revenue; and

WHEREAS, a key action enacted by the federal government was a 6.2 percent increase in the federal medical assistance percentage (FMAP); and

WHEREAS, Congress has used this mechanism to provide fiscal relief to states and their local government Medicaid funding partners to reduce the financial burden they often experience in an economic downturn; and

WHEREAS, we understand the State of New York has already drawn down about \$2.5 billion for the period January 1, 2020 through June 30, 2020; and

WHEREAS, under federal law a portion of these funds are required to be passed through to counties and New York City; and

WHEREAS, we estimate the local share is about 20 percent; and

WHEREAS, counties and New York City are struggling with higher costs associated with responding to COVID-19 and experiencing extensive revenue declines due to the shutdown of large swaths of the economy; and

WHEREAS, in addition to mounting losses in local revenues, counties are also expecting significant cuts in state aid; and

WHEREAS, many counties have enacted plans to reduce non-mandated expenses to the degree they can without sacrificing public health and safety; and

WHEREAS, these expense reductions also require a review of the workforce, including layoffs; and

WHEREAS, we project that each quarter of enhanced FMAP funding is worth hundreds of millions of dollars for counties and New York City; and

WHEREAS, the State has been holding three years of similar enhanced FMAP payments owed to counties and New York City under the Affordable Care Act that are worth hundreds of millions of dollars; now, therefore, be it

RESOLVED, that the County of Livingston, is requesting that the State immediately release the first quarter of enhanced Medicaid federal matching funds for the pandemic response to Livingston County to provide some partial fiscal relief to the current conditions; and be it further

RESOLVED, we request that the State provide a timeline to all counties on the release of the enhanced federal Medicaid matching funds related to the Affordable Care Act that have been withheld for years and the likely mechanism on how these funds will be delivered to counties and New York City; and be it further

RESOLVED, we understand the State is experiencing severe fiscal stress, as well, and we want to work cooperatively with the State to develop a plan on the release of the withheld federal enhanced Medicaid funds due to counties under the Affordable Care Act and future pandemic FMAP increased funding; and, be it further

RESOLVED, that the Clerk of the Livingston County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Congressional Delegation, the New York State Association of Counties, and all others deemed necessary and appropriate.

Dated at Geneseo, New York

June 10, 2020

Committee of the Whole

There being no further discussion on the foregoing resolution, Chairman LeFeber asked for a motion to present the Committee of the Whole Resolution.

Motion made by Mr. Deming and seconded by Mr. Carman to move Committee of the Whole Resolution. Carried.

The roll was called as follows: Ayes-1,980; Noes-0; Absent-Davis, 29; Adopted.

*County Treasurer*

**RESOLUTION NO. 2020-130      APPROVING APPORTIONMENT OF MORTGAGE TAX RECEIPTS FOR THE PERIOD 10/01/19-03/31/20**

WHEREAS, the Ways and Means Committee submits the following report on Apportionment of the Mortgage Tax receipts for the period October 1, 2019 through March 31, 2020, 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:

	<b>2020</b>	<b>10/1/19-3/31/20</b>	
		<b>TO TOWNS</b>	<b>TO VILLAGES</b>
AVON	\$57,733.87	\$46,262.44	\$11,471.43
CALEDONIA	\$26,141.29	\$21,476.98	\$4,664.31
CONESUS	\$19,873.02	\$19,873.02	\$0.00
GENESEO	\$62,491.22	\$49,514.49	\$12,976.73
GROVELAND	\$8,753.01	\$8,753.01	\$0.00
LEICESTER	\$4,853.52	\$4,531.10	\$322.42
LIMA	\$37,775.96	\$31,747.62	\$6,028.34
LIVONIA	\$79,476.58	\$74,859.55	\$4,617.03
MT. MORRIS	\$21,409.12	\$16,450.31	\$4,958.81
N. DANSVILLE	\$24,631.48	\$15,547.20	\$9,084.28
NUNDA	\$9,874.26	\$8,411.53	\$1,462.73
OSSIAN	\$3,271.06	\$3,271.06	\$0.00
PORTAGE	\$1,744.35	\$1,744.35	\$0.00
SPARTA	\$7,411.87	\$7,411.87	\$0.00
SPRINGWATER	\$14,724.86	\$14,724.86	\$0.00
WEST SPARTA	\$10,092.14	\$10,092.14	\$0.00
YORK	\$25,750.27	\$25,750.27	\$0.00
<b>TOTAL</b>	<b>\$416,007.88</b>	<b>\$360,421.80</b>	<b>\$55,586.08</b>

Dated at Geneseo, New York

June 10, 2020

Committee of the Whole

There being no further discussion on the foregoing resolution, Chairman LeFeber asked for a motion to present the Committee of the Whole Resolution.

Motion made by Mr. Pangrazio and seconded by Mrs. Walker to move Committee of the Whole Resolution. Carried.

The roll was called as follows: Ayes-1,980; Noes-0; Absent-Davis, 29; Adopted.

*Personnel*

**RESOLUTION NO. 2020-131 APPOINTING ASSISTANT DIRECTOR OF NURSING FOR THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION-MICHELLE L. GARCIA**

RESOLVED, that the 2020 Department Head is amended as follows:

Livingston County Center for Nursing and Rehabilitation

Appoint Michelle L. Garcia, 3475 North Road, Geneseo New York, 14454 to the position of full-time Assistant Director of Nursing for the Livingston County Center for Nursing and Rehabilitation effective June 28, 2020, at an annual salary of \$83,000.00.

Dated at Geneseo, New York

June 10, 2020

Committee of the Whole

There being no further discussion on the foregoing resolution, Chairman LeFeber asked for a motion to present the Committee of the Whole Resolution.

Motion made by Mr. Gott and seconded by Mr. Wester to move Committee of the Whole Resolution. Carried.

The roll was called as follows: Ayes-1,980; Noes-0; Absent-Davis, 29; Adopted.

Chairman LeFeber congratulated Ms. Garcia and asked if she would like to say a few words today.

Ms. Garcia stated that she lives in Geneseo and is grateful for this opportunity.

**RESOLUTION NO. 2020-132 APPOINTING LIVINGSTON COUNTY HIGHWAY SUPERINTENDENT-JASON M. WOLFANGER**

WHEREAS, the office of County Highway Superintendent became vacant on May 23, 2020;

WHEREAS, the County Administrator has recommended the appointment of a new County Highway Superintendent pursuant to his powers and duties as specified in Section 4 (C) of Local Law 6-2007; and

WHEREAS, a Selection Committee has reviewed the recommendation of the County Administrator, concurs with it, and likewise recommends to the Board of Supervisors said appointment; and

WHEREAS, the Board of Supervisors wishes to make appointment consistent with these recommendations; now, therefore, be it

RESOLVED, that the 2020 Department Head Salary Schedule is amended as follows:

**Highway Department**

Appoint Jason M. Wolfanger, 9099 Culbertson Road, Dansville, NY 14437 as County Highway Superintendent, for a term commencing May 24, 2020 and terminating May 24, 2024, at an annual salary of \$95,000.00.

Dated at Geneseo, New York

June 10, 2020

Committee of the Whole

There being no further discussion on the foregoing resolution, Chairman LeFeber asked for a motion to present the Committee of the Whole Resolution.

Motion made by Mr. Deming and seconded by Mr. DiPasquale to move Committee of the Whole Resolution. Carried.

The roll was called as follows: Ayes-1,980; Noes-0; Absent-Davis, 29; Adopted.

Chairman LeFeber congratulated Mr. Wolfanger and asked if he would like to say a few words today.

Mr. Wolfanger thanked the Board of Supervisors and County Administrator for this appointment and he looks forward to working side by side with them in the future.

**OTHER BUSINESS**

County Administrator Updates:

- Today is our first in person meeting in some time, so welcome back. The Government Center opened Monday and has been smooth since then. There are new protocols in place with new signage and procedures. Staff has adjusted to the new normal and has adapted quite well to all of the changes upon us. We are still closed, unfortunately, at the nursing home for visitation but that may change down the road. In particular, it has been truly a team effort to get back to where we are right now, to get through the pandemic, the response, the public

health issues, the public safety issues but every man and woman has really stepped up in terms of helping out, working the extra hours getting through this crisis. I would be especially remiss not to mention Public Health Director Jen Rodriguez, who has been a real rock through this pandemic, the response and being on top of everything that has happening. He is very appreciative of Jen's work in particular getting through this.

- On the subject of kudos, not to be taken as a counterpoint to some of the stuff out there nationally, timing wise, it's very important to note that I'm very appreciative, and we received tons of Board comments, for the work from the Livingston County Sheriff's Office from the incident on May 27. In terms of response to that incident, multiple county response to a life and death situation. That person and those officers and those Sheriff deputies went to work that day, probably expecting a quiet kind of day in Livingston County perhaps as was maybe normal and customary that day. That wasn't the case, they were faced with a life and death situation and a person intent on causing significant carnage through community, civilian deaths and casualties and property destruction. That was handled admirably and very heroically by a multitude of agencies and people but obviously being here in Livingston County Mr. Coyle wanted to thank those that responded on down from the Sheriff on down to the Dispatchers, Deputies, Sergeants, Undersheriff, Majors, everybody that was involved in that response. Kudos to them and thank you for all of your efforts.
- The next sales tax report is due Monday. We had been down and are still down considerably. We have made some budget moves in the course of the last couple of weeks to move some money into Contingency. We have not gotten any state aid cuts yet. We are still waiting to see what those will be. He believes the Governor is waiting on the federal decision making on the whole stimulus package round 4 on whether or not states and localities will be included in that before making any state aid changes. We are in that waiting game as well.
- On the Supervisor desks are the reopen Livingston group petitions that were dropped off today at 1pm.

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, June 24, 2020 at 1:30 p.m. Carried.

The Board adjourned at 1.42 p.m.