

**REGULAR BOARD MEETING
WEDNESDAY, JULY 12, 2023
1:30 P.M.**

ROLL CALL

The roll was called showing all members present except Mr. Fanaro (Leicester), Mr. Horr (N. Dansville) and Mr. Wadsworth (Geneseo). Mr. Davis arrived after the Abstract of Claims roll was called.

Chairman LeFeber explained that our special guest has not yet arrived and he has asked Mrs. Erdle to lead the pledge today and the special presentation will be done once US NAVY Veteran John C. Bailey arrives.

PLEDGE OF ALLEGIANCE

West Sparta Supervisor Sue Erdle led the Pledge of Allegiance.

APPROVAL OF MINUTES

Minutes of 6/28/23 Regular Meeting were approved as presented.

PUBLIC HEARING

1. LOCAL LAW NO. B-2023 PROVIDING A PARTIAL EXEMPTION FROM REAL PROPERTY TAXES TO CERTAIN QUALIFYING VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS

Chairman LeFeber asked the Real Property Tax Director Bill Fuller to comment on the local law. Mr. Fuller reviewed the local law for public comment today.

Chairman LeFeber declared the Public Hearing open and stated anyone from the public interested in speaking to please come forward and sign in at the podium. No one wished to speak. The Chairman asked if any Supervisor wished to comment. The Chairman announced that the public hearing would remain open until the end of the meeting.

ABSTRACT OF CLAIMS

RESOLUTION NO. 2023-243 APPROVING ABSTRACT OF CLAIMS #7A-JULY 12, 2023

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #7A dated July 12, 2023 in the total amount of \$2,768,110.44.

Dated at Geneseo, New York

July 12, 2023

Ways and Means Committee

The roll was called as follows: Ayes-3,576; Noes-0; Absent-Davis, 67; Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,478; Adopted.

Mr. Davis arrived.

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

RESOLUTION NO. 2023-244 PROCLAIMING AUGUST 1-7, 2023 AS WORLD BREASTFEEDING WEEK

WHEREAS, the health and well-being of Livingston County residents are of utmost importance to the prosperity and livelihood of our local communities; and

WHEREAS, exclusively breastfeeding infants for the first six months after birth with continued breastfeeding for at least twelve months ensures that both mothers and infants receive maximum health benefits and also enriches the bond between a mother and her baby; and

WHEREAS, breast milk is physiologically tailored to meet the needs of infants' maturing digestive systems, which ensures proper growth and development, helps prevent a variety of acute and chronic diseases, reduces childhood obesity, and improves a child's neurodevelopment; and

WHEREAS, breastfeeding provides women with health benefits such as reduced risk of ovarian, uterine, and breast cancer, osteoporosis, and high blood pressure; and

WHEREAS, as of March 23, 2010, pursuant to Section 7 of the Fair Labor Standards Act (FLSA), employers

are required to provide “reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child’s birth each time such employee has need to express the milk” in addition to providing “a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk”; and

WHEREAS, all Livingston County employers are encouraged to accommodate the breastfeeding needs of mothers and their children. Comprehensive lactation support programs increase employee retention rates, decrease absenteeism, decrease health care costs, improve employee productivity, and support family-friendly communities; and

WHEREAS, keeping breastfeeding high on the public health agenda is critical in improving the health and well-being of mothers and babies; and

WHEREAS, the United States Breastfeeding Committee declared August National Breastfeeding Month and the World Alliance for Breastfeeding Action declared August 1-7 as World Breastfeeding Week to promote breastfeeding as a key to sustainable development; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby proclaims August 1-7, 2023 as World Breastfeeding Week in Livingston County, supports the Livingston County Department of Health in its efforts, and commends all who participate in such a worthy cause.

Dated at Geneseo, New York

July 12, 2023

Human Services Committee

RESOLUTION NO. 2023-245 APPOINTING MEMBER TO THE COMMUNITY INITIATIVES COUNCIL: TAMMY UNDERHILL

RESOLVED, that the following member is hereby appointed to the Community Initiatives Council for the term designated:

Community Initiatives Council			
Name	Address	Rep/Title	Term
Tammy Underhill	2119 Avon Geneseo Road, Avon, NY 14414	Private Sector	7/12/23-12/31/25 (S. Underwood term)

Dated at Geneseo, New York

July 12, 2023

Human Services Committee

RESOLUTION NO. 2023-246 APPOINTING MEMBER TO THE LIVINGSTON COUNTY PLANNING BOARD: DONALD R. WILCOX

RESOLVED, that the following member is hereby appointed to the Livingston County Planning Board for the term designated:

Livingston County Planning Board			
Name	Address	Title/Representing	Term
Donald R. Wilcox	18 South State Street, Nunda, NY 14517	Village of Nunda	5/1/23-12/31/23

Dated at Geneseo, New York

July 12, 2023

Public Services Committee

RESOLUTION NO. 2023-247 APPOINTING MEMBER TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD: TIMOTHY ARCHIBALD

RESOLVED, that the following member is hereby appointed to the Livingston County Traffic Safety Board for the term designated:

Livingston County Traffic Safety Board			
Name	Address	Rep./Title	Term
Timothy Archibald	5192 South Street, Leicester, NY 14481	Member-Town of Leicester	7/12/23-12/31/25 (K. O’Hara term)

and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall forward a certified copy of this Resolution to the Livingston County Traffic Safety Board.

Dated at Geneseo, New York
 July 12, 2023
 Public Services Committee

RESOLUTION NO. 2023-248 PROVIDING FOR A PUBLIC HEARING TO CONSIDER PUBLIC COMMENT ON THE COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR THE BACK TO BUSINESS PROGRAM 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 August 9, 2023 at 1:35 PM in the Board of Supervisors Assembly Room, Livingston County Government Center, Third Floor, Geneseo, New York, for the purpose of providing 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 contract with 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 municipal 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
 July 12, 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. Wester and seconded by Mr. DiSalvo to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE

Center for Nursing and Rehabilitation

RESOLUTION NO. 2023-249 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION: HEALTH SYSTEM SERVICES, LTD. & TRUSTAFF TRAVEL NURSES, LLC

Mrs. Walker 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 Center for Nursing and Rehabilitation, 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>
Health System Services, LTD. 6867 Williams Road Niagara Falls, NY 14304	Upon execution for one year with two additional 1-year renewal options	Fee Schedule
For: Medical Supplies for Non-Medicare A Covered Residents		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>	
Operating Budget	N/A	X Yes	No

Trustaff Travel Nurses, LLC 9/1/2023 – 8/31/2024 Fee Schedule
 4675 Cornell Road, Suite 100
 Cincinnati, OH 45241
 For: Supplemental Staffing Contract – RN, LPN and CNA

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>	
Operating Budget	N/A	X Yes	No

Dated at Geneseo, New York
 July 12, 2023

REPORT OF THE SUPERVISORS' PROCEEDINGS 152

Human Services Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

Department Of Health

RESOLUTION NO. 2023-250 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: EXPLORE YOUR ROAR SPEECH THERAPY, PLLC, KATHLEEN GRIMSLEY, KASEY JOHNSON, KEUKA COLLEGE, JILL OLSEN & SUNY GENESEO

Mrs. Walker 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 Department of Health, 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>
Explore Your Roar Speech Therapy, PLLC 85 West Main Street Honeoye Falls, NY 14472 For: Provide Speech Therapy services for Preschool Program	7/1/23-6/30/28	\$55 per 30-min. individual session, \$40 per 30-min. group session

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County, Medicaid, NYSED	Varies	Yes X No

Kathleen Grimsley 6143 Marrowback Road Conesus, NY 14435 For: Provide Speech Therapy services for Preschool Program	7/1/23-6/30/28	\$55 per 30-min. individual session, \$40 per 30-min. group session
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<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County, Medicaid, NYSED	Varies	Yes X No

Kasey Johnson 5460 Turkey Hill Road Conesus, NY 14435 For: Provide Speech Therapy services for Preschool Program	7/1/23-6/30/28	\$55 per 30-min. individual session, \$40 per 30-min. group session
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<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County, Medicaid, NYSED	Varies	Yes X No

Keuka College 141 Central Avenue Keuka Park, NY 14478 For: Affiliation Agreement for clinical educational experience for various degree-earning programs	1-year term with four 1-year auto renew terms upon execution	N/A
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<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
N/A	N/A	Yes N/A No

Jill Olsen 6045 East Lake Road Conesus, NY 14435 For: Provide Occupational Therapy services for Preschool Program	7/1/23-6/30/28	\$55 per 30-min. individual session, \$40 per 30-min. group session
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<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County, Medicaid, NYSED	Varies	Yes X No

SUNY Geneseo 2 College Circle Geneseo, NY 14454 For: Rental of SUNY Facility for Sexual Health & Wellness Clinics	8/28/23-5/13/24	\$2,452.03
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<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
New York State Family Planning Grant	0%	Yes X No

Dated at Geneseo, New York
July 12, 2023
Human Services Committee

REPORT OF THE SUPERVISORS' PROCEEDINGS 153

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

RESOLUTION NO. 2023-251 ESTABLISHING THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH MENTAL HEALTH CLINIC SCHEDULE FOR RATES, EFFECTIVE JULY 1, 2023

Mrs. Walker presented the following resolution and moved its adoption:

Mental Health Clinic 2023 Fee Schedule				
<u>Service Description</u>	<u>CPT Code</u>	<u>Previous Rate</u>	<u>Effective7/1/2023</u>	
Initial Individual Visit (45 min minimum)	90791	\$246	\$270	*
45 min Initial Evaluation (prescriber only)	90792	\$218	\$390	*
Brief Therapy Visit (30 min minimum)	90832	\$155	\$170	*
Psychiatric Assessment 30 min	90833	\$129	\$129	
Individual Therapy (45 min minimum)	90834	\$207	\$207	
Psychiatric Assessment 45 min	90836	\$200	\$200	
60 min Therapy Session (commercial payers)	90837	\$189	\$207	*
Crisis Therapy	90839	\$408	\$408	
Family Therapy w or w/o Patient - MMIS (30 min minimum)	90846	\$146	\$146	
Family Therapy with Patient - MMIS (1 hr minimum)	90847	\$295	\$295	
Psychotherapy - Family Group 1hr	90849	\$68	\$68	
Group Therapy – MMIS	90853	\$68	\$68	
Complex Care Management	90882	\$23	\$23	
Injection only w/drug	96372	\$38	\$38	
After hours	99051	\$20	\$20	
New Patient Assessment - Level I	99201	\$140	\$140	
20 min New Patient Level II	99202	\$145	\$170	*
30 min New Patient Level III	99203	\$150	\$170	*
45 min New Patient Level IV	99204	\$165	\$170	*
60 min New Patient Level V	99205	\$210	\$210	
Established Patient Assessment Level I	99212	\$135	\$145	*
15 min Est Patient Level II	99213	\$140	\$170	*
25 min Est Patient Level III	99214	\$145	\$170	*
40 min Est Patient Level IV	99215	\$155	\$170	*
Health Monitoring, Indiv 15 min	99401	\$60	\$60	
Health Monitoring, Indiv 30 min	99402	\$72	\$72	
Health Monitoring, Indiv 45 min	99403	\$104	\$104	
Health Monitoring, Indiv 60 min	99404	\$137	\$137	
Smoking Cessation, Intermediate	99406	\$27	\$27	
Smoking Cessation, Intensive	99407	\$42	\$42	
SBRIT Screening	H0049	\$60	\$60	
SBRIT Brief Intervention	H0050	\$60	\$60	
Inject Med Admin w/Monitoring/Education	H2010	\$99	\$99	
Crisis Intervention per 15 min	H2011	\$95	\$95	
Injection, Risperdal	J2794	\$12	\$12	
Crisis Intervention per hour	S9484	\$573	\$573	
Crisis Intervention 3 hour	S9485	\$1,344	\$1,344	
COPS Only	4098	\$209	\$209	

****Note: New fees determined based on updated Medicaid APG, Medicare, and Private payer rate analysis.*

Dated at Geneseo, New York

July 12, 2023

Human Services Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411;

Adopted.

MOTION TO AMEND THE AGENDA

Mr. Pangrazio moved and Mr. DiSalvo seconded to amend the agenda for the Veteran recognition. Carried.

The County Administrator introduced US NAVY Veteran John C. Bailey:

Aviation Machinist's Mate Petty Officer Third Class John Charles Bailey was born and a graduate of Avon, New York. He served proudly in the aviation community of the United States Navy from November 23, 1951 until his Honorable discharge November 10, 1955 during the Korean War.

AD3 Bailey completed his basic training at Great Lakes, Illinois and continued his aviation training in Jacksonville, Florida and Memphis, Tennessee before reporting to his first duty station at Naval Air Station, Agana, Guam. While stationed in Guam, he was awarded an Air Force Commendation Certificate for his actions assisting the Air Force during the December 17, 1953 crash of a Boeing B-29 Superfortress on an approach landing. This led to several casualties with military crew and within family housing.

After his tour in Guam, Petty Officer Bailey was stationed with Fighter Squadron 193 deployed onboard the Essex-class aircraft carrier USS ORISKANY (CVA-34). While serving with VF-193 Ghostriders, Petty Officer Bailey was assigned as the Plane Captain to then Navy Pilot and future astronaut, Alan Shepard, well known for being the first American to travel into space. Upon completion of duties with the squadron, John reported back to San Francisco, California where he discharged from active duty. For his military service he was awarded the National Defense Service Medal, Good Conduct Medal, and China Service Medal. In addition to his military service, John Bailey was interviewed for the Veterans History Project for the Library of Congress where his experiences are of national record.

Upon completion of his military service, John returned home and worked for 14 years in management at the Avon A & P and 14 years working with Metropolitan Life. After that, he worked 10 years with a unionized metal shop in Gates and with SouthCo Inc. in Honeoye Falls until his retirement. He is an avid hunter and fisherman and enjoys spending time with his family. He resides with his wife in Avon. They have 5 children, 8 grandchildren, and 5 great grandchildren.

The County Administrator and Chairman LeFeber, on behalf of the Livingston County Board of Supervisors, presented a Certificate of Appreciation to US NAVY Veteran John C. Bailey. The audience presented a standing ovation.

Department Of Social Services

RESOLUTION NO. 2023-252 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: GENESEE COMMUNITY COLLEGE, LIVONIA CENTRAL SCHOOL DISTRICT & WORLDWIDE TRAVEL STAFFING

Mrs. Walker 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 Department of Social Services, 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>
Genesee Community College	8/1/23-7/31/24	\$302,342.00
One College Road Batavia, NY 14020		

For: Staff Development training for staff, including training provided by the County ITS Department.

<u>Funding Source</u>	<u>Local Share</u>	<u>Budgeted?</u>
State Training Cap	0-10%	Yes X No

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Livonia Central School District

9/1/23-8/31/24

Not to Exceed \$50,000.00

40 Spring Street

Livonia, NY 14487

For: School Based Preventive Case Management

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
60% Federal/State Preventive Funding; Schools pay local share of 40%	0%	Yes X No

Worldwide Travel Staffing

9/1/23-8/31/24

\$600.00/Assessment;
\$250.00/No Shows

2829 Sheridan Drive

Tonawanda NY 14150

For: Nursing and Social Assessments to determine eligibility/recertifications for Personal Care

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Admin	25%	Yes X No

Dated at Geneseo, New York

July 12, 2023

Human Services Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

Workforce Development/Youth Bureau

RESOLUTION NO. 2023-253 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY OFFICE OF WORKFORCE DEVELOPMENT: THE BONADIO GROUP

Mrs. Walker 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 Office of Workforce Development, 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>
The Bonadio Group	7/1/23-6/30/24	Not to exceed \$25,000.00

171 Sully's Trail, Suite 201

Pittsford, NY 14534

For: Sub-Recipient Auditing of WIOA Contractors

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Workforce Innovation and Opportunity Act (WIOA)	\$0	Yes

Dated at Geneseo, New York

July 12, 2023

Human Services Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

RESOLUTION NO. 2023-254 AMENDING A PORTION OF RESOLUTION NO. 2022-422: SUMMER YOUTH EMPLOYMENT PROGRAM

Mrs. Walker presented the following resolution and moved its adoption:

WHEREAS, the Livingston County Board of Supervisors previously adopted Resolution No. 2022-422 establishing the 2023 County employee salaries and certain compensation and benefits for other employees; and

WHEREAS, the Livingston County Office Of Workforce Development/Youth Bureau has a Summer Youth Employment Program that is funded each year by the New York State Office of Temporary and Disability Assistance through the Livingston County Department of Social Services TANF funds; and

WHEREAS, each year the funding amount for the program is unknown until actual receipt of the funds and the funds must be spent in their entirety; and

WHEREAS, the Office of Workforce Development/Youth Bureau will not know the final payroll amount to be paid to each participant until the conclusion of the program each year; now, therefore, be it

RESOLVED, that each year the Office of Workforce Development/Youth Bureau shall determine the amount of the final payroll for each participant of the Summer Youth Employment Program using the

remaining program funds available; and be it further

RESOLVED, that each year the Program is in effect, the Office of Workforce Development/Youth Bureau is hereby authorized to process final payroll for the Summer Youth Employment Program through Livingston County payroll.

Dated at Geneseo, New York

July 12, 2023

Human Services Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

Central Services

RESOLUTION NO. 2023-255 AWARDING BID FOR THE CENTRAL SERVICES DEPARTMENT FOR CUSTODIAL SERVICES FOR VARIOUS LIVINGSTON COUNTY BUILDINGS: CLEANTEC SERVICES

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

WHEREAS, after the proper legal advertisement seeking bids for Custodial Services for various Livingston County buildings, six (6) bids were received and opened on June 21, 2023: now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract, which is accepted as the lowest responsible bid, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Cleantec Services	9/1/2023-8/31/2026	Per Rate Sheet
1232 Tulip Street	With two additional 1-year	
Liverpool, NY 13090	renewal options expiring on	
	8/31/2028	

For: Custodial services for various Livingston County buildings

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
County Budget	100 %	Yes

Dated at Geneseo, New York

July 12, 2023

Public Services Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

County Historian

RESOLUTION NO. 2023-256 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY HISTORIAN'S OFFICE: SIGN LANGUAGE, INC.

Mr. Deming 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 Historian's Office, 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>
Sign Language, Inc.	7/1/23-12/31/23	Not to exceed \$6,000.00
6491 Route 20A		
Perry, NY 14530		

For: Two signs, one each for Old and New Poorhouse Cemeteries, Geneseo

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Operating budget	100%	Yes X No

Dated at Geneseo, New York

July 12, 2023

Public Services Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

Highway

RESOLUTION NO. 2023-257 AUTHORIZING THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT TO PURCHASE PAVEMENT MARKING SERVICES THROUGH A CONTRACT AWARDED BY GENESEE COUNTY: SENECA PAVEMENT MARKING, INC.

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the following contract, which is hereby accepted as piggybacking on extended Genesee County Bid #2023-09, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Seneca Pavement Marking, Inc.	6/1/2023-5/31/2024	Centerline (Yellow) per CL mile: \$458.00
3526 Watkins Road		Edgeline (White) per CL mile: \$676.00
Horseheads, NY 14845		Railroad Markings-Each \$375.00
		Stop/Yield Bar Markings-Each: \$75.00

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
2023 Liv. Co. Highway Dept. Budget Appropriations	100%	Yes XX No

Dated at Geneseo, New York
July 12, 2023

Public Services Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

RESOLUTION NO. 2023-258 AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR THE FUEL ISLAND REPLACEMENT: C&S ENGINEERS, INC.

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

WHEREAS, the County of Livingston solicited a Request for Proposals for The Fuel Island Replacement Project, and eight (8) proposals were received; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract, and any future amendments to said contract, which is determined to be the most qualified to provide said services, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
C&S Engineers, Inc.	7/12/2023-12/31/2024	Not to exceed \$363,340.00
499 Colonel Eileen Collins Boulevard		
Syracuse, NY 13212		

For: Engineering services for design and construction inspection of Gypsy Lane fuel station replacement

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

Dated at Geneseo, New York
July 12, 2023

Public Services Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

Sheriff

RESOLUTION NO. 2023-259 ADOPTING SEQR NEGATIVE DECLARATION FOR T-MOBILE NORTHEAST LLC INSTALLING CELLULAR SERVICE EQUIPMENT AT COUNTY EMERGENCY COMMUNICATIONS TOWER SITE LOCATED ON SHORT TRACT ROAD, TOWN OF PORTAGE

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

WHEREAS, the T-Mobile Northeast LLC ("T-Mobile") is seeking to utilize space at the County's existing emergency communications tower site located on Short Tract Road, Town of Portage, for purposes of expanding cellular service in and around the Letchworth Park area; and

WHEREAS, the installation and usage of the proposed equipment by T-Mobile will not significantly disturb Livingston County emergency communications; and

WHEREAS, potential impacts on the environment have been identified and will not result in any large and important impacts; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares itself Lead Agency in accordance with the provisions of the State Environmental Quality Review Act; and be it further

RESOLVED, that the Livingston County Board of Supervisors, as Lead Agency, hereby classifies this project as an Unlisted Action pursuant to the State Environmental Quality Review Act; and be it further

RESOLVED, that the Livingston County Board of Supervisors hereby determines that the proposed 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 hereby adopts the Negative Declaration for the project.

Dated at Geneseo, New York

July 12, 2023

Public Services Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

RESOLUTION NO. 2023-260 AUTHORIZING TOWER SUBLEASE AGREEMENT WITH T-MOBILE NORTHEAST LLC FOR INSTALLING CELLULAR SERVICE EQUIPMENT AT COUNTY EMERGENCY COMMUNICATIONS TOWER SITE LOCATION ON SHORT TRACT ROAD, TOWN OF PORTAGE

Mr. Deming 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 sublease agreement for Livingston County, according to the term designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
T-Mobile Northeast LLC 12920 SE 38 th Street Bellevue, WA 98006	Start date to begin upon equipment installation or 9 months after sublease signed, whichever is earlier, and runs 5 years with five 5-year auto renewals.	\$3,000.00 per month for initial term with various escalators applied in renewal/extension periods.

After final renewal term, there are nine 1-year auto extension periods.

Dated at Geneseo, New York

July 12, 2023

Public Services Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

County Administrator/Budget Officer

RESOLUTION NO. 2023-261 AMENDING 2023 LIVINGSTON COUNTY BUDGET: CONTINGENCY (2), DEPARTMENT OF HEALTH (2), PUBLIC DEFENDER & SHERIFF'S OFFICE (2)

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

RESOLVED, that the Livingston County Treasurer is authorized and directed to make the requested Budget Amendments per the Budget Amendment entries that have been approved by the Livingston County Administrator.

Dated at Geneseo, New York

July 12, 2023

Ways and Means Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

RESOLUTION NO. 2023-262 AUTHORIZING TRANSFER OF FUNDS: ECONOMIC DEVELOPMENT

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

RESOLVED, that the Livingston County Treasurer is hereby authorized and directed to make the requested transfers per the Budget Transfer entries that have been approved by the Livingston County Administrator.

Dated at Geneseo, New York

July 12, 2023

Ways and Means Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

RESOLUTION NO. 2023-263 ESTABLISHING AN ACCOUNT: PUBLIC DEFENDER

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

RESOLVED, that the Livingston County Treasurer is authorized and directed to establish a new account per the electronic entries that have been approved by the Livingston County Administrator.

Dated at Geneseo, New York

July 12, 2023

Ways and Means Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

County Attorney

RESOLUTION NO. 2023-264 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A LETTER OF ENGAGEMENT FOR LEGAL SERVICES: RUPP PFALZGRAF LLC

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 Engagement Letter, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Rupp Pfalzgraf LLC	N/A	\$275.00-\$395.00/hour
1600 Liberty Building		Partner
424 Main Street		\$150.00-\$250.00/hour
Buffalo, NY 14202		Associate
		\$100.00-\$150.00/hour
		Paralegal

For: Legal services related to matters involving accounts receivable at the Center for Nursing and Rehabilitation, as well as matters involving Medicaid and the Department of Social Services.

Dated at Geneseo, New York

July 12, 2023

Ways and Means Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

Human Resources

RESOLUTION NO. 2023-265 AMENDING A PORTION OF RESOLUTION NO. 2022-422: ADOPTING THE 2023 MISCELLANEOUS PAY RATES (LEGAL STAFF)

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

WHEREAS, by Resolution No. 2022-422, the Livingston County Board of Supervisors established the 2023 miscellaneous pay rates; and

WHEREAS, Livingston County is seeking to expand opportunities to recruit, train, and retain legal staff; now, therefore, be it

RESOLVED, that following pay rates be added to the 2023 Miscellaneous Pay Rates:

- Attorney Trainee - \$18.25 per hour
- Law Graduate (without practice order) - \$25.00 per hour
- Law Graduate (with practice order) - \$30.00 per hour;

and be it further

RESOLVED, that a portion of Resolution No. 2022-422 is hereby amended.

Dated at Geneseo, New York

July 12, 2023

Ways and Means Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

RESOLUTION NO. 2023-266 AMENDING THE 2023 LIVINGSTON COUNTY SALARY SCHEDULE: CENTER FOR NURSING AND REHABILITATION & PUBLIC DEFENDER

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

RESOLVED, that the 2023 Livingston County Salary Schedule is amended a follows:

Center for Nursing and Rehabilitation:

- Create twenty (20) full-time Certified Nursing Assistant Trainee (CNAT) positions at Wage Grade 4 CSEA Contract effective immediately.

Public Defender:

- Create one (1) full-time Sentencing Specialist position at Wage Grade 12 CSEA Contract effective 7/1/2023.

For: Assist clients and attorneys to obtain best possible outcomes for clients.

Dated at Geneseo, New York

July 12, 2023

Ways and Means Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

RESOLUTION NO. 2023-267 ESTABLISHING SALARY FOR PART-TIME ASSISTANT PUBLIC DEFENDER: CHRISTIAN A. CATALANO

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

WHEREAS, the Livingston County Public Defender is appointing Christian A. Catalano of 148 Fishermans Cove, Rochester, NY 14626 to the position of part-time Assistant Public Defender; and

WHEREAS, the Livingston County Board of Supervisors must set the salary for this appointment; now, therefore, be it

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

Public Defender

The annual salary for the Assistant Public Defender Christian A. Catalano is established at \$40,000.00 effective July 10, 2023.

Dated at Geneseo, New York

July 12, 2023

Ways and Means Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

RESOLUTION NO. 2023-268 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING PROFESSIONAL SERVICES CONTRACT FOR LIVINGSTON COUNTY: EMPLOYEE SERVICES LLC DBA ESI EMPLOYEE ASSISTANCE GROUP

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for Livingston County, and any future amendments to said contract, according to the term designated, subject to review by the County Attorney and County Administrator.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Employee Services LLC dba ESI Employee Assistance Group 55 Chamberlain Street Wellsville, NY 14895	7/1/2023-6/30/2024	\$33,675.00

For: Professional service contract to implement an Employee Assistance Program for Livingston County employees and their household members.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
N/A	100%	Yes No

Dated at Geneseo, New York

July 12, 2023

Ways and Means Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

RESOLUTION NO. 2023-269 RATIFYING TENTATIVE COLLECTIVE BARGAINING AGREEMENT WITH THE LIVINGSTON COUNTY COALITION OF PATROL SERVICES AND AUTHORIZING EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT

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

WHEREAS, the collective bargaining agreement between the Livingston County Coalition of Patrol Services and Livingston County expires on December 31, 2023; and

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

WHEREAS, the Livingston County Coalition of Patrol Services ratified the agreement June 22, 2023; and

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

RESOLVED, that the tentative agreement, 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 commencing January 1, 2023 and expiring December 31, 2026.

Dated at Geneseo, New York

July 12, 2023

Ways and Means Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

RESOLUTION NO. 2023-270 RESOLUTION PROVIDING A 20-YEAR RETIREMENT PLAN WITH ADDITIONAL 1/60THS FOR SHERIFFS, UNDERSHERIFFS AND DEPUTY SHERIFFS WHOSE DUTIES INVOLVE AT LEAST 50% CRIMINAL LAW ENFORCEMENT

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

RESOLVED, that the Livingston County Board of Supervisors hereby elects to assume the entire additional cost required to provide the pension benefit of the 20-year Retirement Plan, with additional 1/60ths, provided by Sections 552 and 553 under Article 14-B of the Retirement and Social Security Law, for its Sheriffs, Undersheriffs and Deputy Sheriffs whose duties include at least 50 percent criminal law enforcement (pursuant to Chapter 165, Laws of 1995); and be it further

RESOLVED, that the effective date of such shall be the July 13, 2023.

Dated at Geneseo, New York

July 12, 2023

Ways and Means Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

Other

RESOLUTION NO. 2023-271 AUTHORIZING THE PURCHASE OF ONE (1) 2024 CHEVROLET SILVERADO 2500 FOR THE LIVINGSTON COUNTY OFFICE OF EMERGENCY MANAGEMENT: BARNARD CHEVROLET

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

RESOLVED, that the Livingston County Office of Emergency Management is hereby authorized to purchase through NYS OGS Mini-Bid 13585 and NYS OGS Contract PC69143SB one (1) 2024 Chevrolet Silverado 2500 from Barnard Chevrolet, 7101 West Buffalo Road, Churchville, NY 14428, at a cost not to exceed \$64,209.43.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
A3640	100 %	Yes

Dated at Geneseo, New York

July 12, 2023

Ways and Means Committee

The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

CLOSE PUBLIC HEARING

Chairman LeFeber asked if anyone from the public wished to comment regarding the public hearing. No one wished to speak. The Chairman asked if any Supervisor wished to comment. Mrs. Babbitt Henry shared her concern with these real property exceptions that spreads the balance to the rest of population. Mr. Fuller explained that this exemption is only at the county level. Additional action would need to be taken by towns, villages and schools. Mr. Fuller reviewed the separate income tax available to volunteers and his first analysis (107 parcels), shows the exemption impact to the County (\$19,023) and Springwater (\$636) for those exemptions that would more than the \$200 available through the income exemption. The second analysis (372 parcels) shows if every single person eligible for this exemption County impact would be (\$40,000) and Springwater (\$999) in tax. These analyses used last years' tax rates.

The Chairman declared the public hearing closed.

MOTION TO MOVE LOCAL LAW NO. B-2023 PROVIDING A PARTIAL EXEMPTION FROM REAL PROPERTY TAXES TO CERTAIN QUALIFYING VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS

Mr. DiSalvo moved and Mr. Falk seconded to move the proposed local law to the table for a vote. Carried.

Be it enacted by the Livingston County Board of Supervisors as follows:

Section 1. The intent of this Local Law is to adopt a real property tax exemption for certain qualifying volunteer firefighters and volunteer ambulance workers in accordance with New York State Real Property Tax Law §466-a.

Section 2. Real property owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service residing in Livingston County shall be exempt from taxation to the extent of 10% of the assessed valuation for county purposes provided the owner(s) meet the qualifications set forth in Section 3 below.

Section 3. To be eligible for the exemption authorized by Real Property Tax Law §466-a and implemented by this Local Law, the real property must be owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service residing in Livingston County subject to the following additional requirements: (a) the enrolled member resides in the town or village which is served by such incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; (b) the property is the primary residence of the enrolled member; (c) the property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the enrolled member's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and (d) the enrolled member has been certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service as an enrolled member of such incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service for at least two (2) years.

Section 4. Any enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service residing in Livingston County who accrues more than twenty (20) years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, who also meets all the requirements set forth in Section 3, shall be granted the 10% exemption as described above for the remainder of his or her life as long as his or her primary residence is located within Livingston County.

Section 5. An un-remarried spouse of volunteer firefighter or volunteer ambulance worker killed in the line of duty shall be eligible to receive the 10% exemption as described above provided that: (a) such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member; and (b) such deceased volunteer had been an enrolled member for at least five (5) years; and (c) such deceased volunteer had been receiving the exemption prior to his or her death.

Section 6. An un-remarried spouse of a deceased volunteer firefighter or volunteer ambulance worker shall be eligible

to receive the 10% exemption as described above provided that: (a) such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service as an un-remarried spouse of a deceased enrolled member; and (b) such deceased volunteer had been an enrolled member for at least twenty (20) years; and (c) such deceased volunteer and un-remarried spouse had been receiving the exemption prior to the death of such volunteer.

Section 7. This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.

There being no further discussion, Chairman LeFeber directed the Clerk of the Board to call roll to move this local law to a vote. The roll was called as follows: Ayes-3,643; Noes-0; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Carried.

VOTE ON LOCAL LAW

RESOLUTION NO. 2023-272 ADOPTION OF LOCAL LAW B-2023 PROVIDING A PARTIAL EXEMPTION FROM REAL PROPERTY TAXES TO CERTAIN QUALIFYING VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS

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

WHEREAS, proposed Local Law No. B-2023, entitled Providing a Partial Exemption From Real Property Taxes To Certain Qualifying Volunteer Firefighters and Ambulance Workers, was heretofore introduced on June 14, 2023; and

WHEREAS, in accordance with the law, a public hearing upon proposed Local Law No. B-2023 was duly held before this Board of Supervisors on July 12, 2023; and

WHEREAS, said proposed Local Law in final form has been on the desks of the members of this Board of Supervisors since June 14, 2023, constituting a period of over six (6) days; now, therefore, be it

RESOLVED, that the aforesaid proposed Local Law No. B-2023, entitled Providing a Partial Exemption From Real Property Taxes To Certain Qualifying Volunteer Firefighters and Ambulance Workers, introduced on June 14, 2023 is hereby approved and adopted.

Dated at Geneseo, New York

October 24, 2023 (Introduced)

July 12, 2023 (Adopted)

The roll was called as follows: Ayes-3,447; Noes-Babbitt Henry, 196; Absent-Fanaro, 179; Horr, 447; Wadsworth, 785; Total 1,411; Adopted.

OTHER BUSINESS

County Administrator Updates: The 2024 budget kickoff is this week. Meetings with department heads begin in August. The State retirement pension fund had a decrease, but there is a smoothing time until we get that bill in December. IGT funds have still not been received. There was a shared services grant email from the State requiring a series of public hearings before submittal. Training and Professional Development Coordinator Kelly Greenway is here today.

Mrs. Erdle reminded everyone that West Sparta Old Fashioned Day is July 29.

ADJOURNMENT

Motion made by Mr. Pangrazio and seconded by Mr. Wester to adjourn until Wednesday, July 26, 2023 at 1:30 p.m. Carried.

The Board adjourned at 2:08 p.m.