

**WAYS & MEANS COMMITTEE MEETING MINUTES**  
**MONDAY, JULY 22, 2019**  
**1:30 P.M.**

PRESENT: D. Pangrazio, D. Knapp, D. Fanaro, E. Gott, W. Wadsworth, D. LeFeber, B. Donohue, M. Falk, I. Coyle, J. Lockhart, A. Ellis, B. Mann, M. Crowe, S. Rooney, J. Gunther-Intern  
ABSENT: D. Mahus

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

**1:30 COUNTY TREASURER – AMY DAVIES**

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

**1. REVIEW OF THE ORDER TO SHOW CAUSE: THOMAS WENGLIN-TOWN CALEDONIA**

Ms. Davies updated the Committee on an order to show cause letter received last week from Attorney Steve Sessler's office. The main issue was that the current year taxes were paid at the Caledonia Town offices and after asking if he owed anything, his client was told that "he was all set". The town's only have the current years' taxes. The homeowner is not saying that he did not receive all of the registered mail notices sent by the County Treasurer's office. Ms. Davies has contacted Tom Wamp and he will be pulling that parcel. The Committee authorized Ms. Davies to move forward with Phillips Lytle. Ms. Davies updated the Committee on the Pellegrino parcel will remain on the auction list at this time.

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

1. FORECLOSURE UPDATE

**1:40 COUNTY ADMINISTRATOR – IAN COYLE**

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

**1. APPROVING ABSTRACT OF CLAIMS #7B - JULY 24, 2019**

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #7B dated July 22, 2019 in the total amount of \$1,969,446.43.

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

**2. AUTHORIZING TRANSFER OF FUNDS – CONTINGENCY (2)**

RESOLVED, that the Livingston County Treasurer is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the Livingston County Administrator.

Mr. Coyle reviewed the transfers for approval. Both transfers will have reimbursements associated with them. Board of Elections will have a grant for early voting implementation in the amount of \$70K-\$80K with the balance of which will have to be bourn by the County budget. Mr. Coyle is asking for an advancement of \$100,000 for the electronic poll books. The second is some seed money for miscellaneous expenses before all of the major grants and USDA loan combination triggers for the Emergency Operations Expansion Project.

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

**3. ESTABLISHING AN ACCOUNT - EMERGENCY OPERATIONS CENTER**

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

This will establish the project accounting needed for Emergency Operations Expansion Project.

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

**4. DECLARING SURPLUS PROPERTY – HIGHWAY DEPARTMENT**

WHEREAS, the County of Livingston owns surplus personal property that is no longer necessary for public use, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following item(s) as surplus property to be disposed of as determined by the County Administrator:

**Highway Department**

Quantity	Item Description (Year, Make & Model)	Mileage, Hrs, etc.	Serial #
1	1999 Caterpillar 426C Backhoe/Loader, includes Ditching & Digging Buckets	4,978 hours	1YR01585

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

Mr. Coyle explained the Bill Mann will be presenting Items 5-9. There was a meeting with Mr. Deming about allowing these items to go through Ways and Means instead of Public Services based upon the timing that the bids came in. Mr. Mann reviewed the bidding process and those steps taken to move the project forward.

**5. AWARDING BID FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT FOR THE EMERGENCY OPERATIONS CENTER ADDITION: DIPASQUALE CONSTRUCTION**

WHEREAS, after the proper legal advertisement seeking bids for the Emergency Operations Center Addition, One (1) bid was received and opened on June 21, 2019, now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>DiPasquale Construction</b> 5138 West Ridge Rd, Suite A Spencerport, NY 14559	7/1/19-12/31/20	\$1,838,000.00
For: Emergency Operations Center Addition - General Construction		
<u>Funding Source</u>	<u>Local Share</u>	<u>Budgeted?</u>
USDA RD	100%	Yes

Mr. Mann confirmed that USDA did approve that one bid was acceptable. There was discussion on the budget estimates first established and how those estimates were lower than the actual bid amounts. The timing and steel tariffs contributed to the low bid submittals.

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

**6. AWARDING BID FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT FOR THE EMERGENCY OPERATIONS CENTER ADDITION-MECHANICAL: PIPITONE ENTERPRISES, LLC**

WHEREAS, after the proper legal advertisement seeking bids for the Emergency Operations Center Addition, Seven (7) bids were received and opened on June 21, 2019, now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Pipitone Enterprises, LLC</b> 25 East Buffalo Road Churchville, NY 14428	7/1/19-12/31/20	\$134,800.00
For: Emergency Operations Center Addition - Mechanical Construction Work		
<u>Funding Source</u>	<u>Local Share</u>	<u>Budgeted?</u>
USDA RD	100%	Yes

Mr. Mann explained that Pipitone was the lowest acceptable bid.

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

**7. AWARDING BID FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT FOR THE EMERGENCY OPERATIONS CENTER ADDITION-ELECTRICAL: NORTH COAST ELECTRICAL SOLUTIONS**

WHEREAS, after the proper legal advertisement seeking bids for the Emergency Operations Center Addition, Seven (7) bids were received and opened on June 21, 2019, now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>North Coast Electrical Solutions</b> 30 Grace Marie Drive Webster, NY 14580	7/1/19-12/31/20	\$375,825.00
For: Emergency Operations Center Addition - Electrical Construction Work		
<u>Funding Source</u>	<u>Local Share</u>	<u>Budgeted?</u>
USDA RD	100%	Yes

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

**8. AWARDING BID FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT FOR THE EMERGENCY OPERATIONS CENTER ADDITION: AMERING & JOHNSON, PLUMBING, HEATING & AC**

WHEREAS, after the proper legal advertisement seeking bids for the Emergency Operations Center Addition, Five (5) bids were received and opened on June 21, 2019, now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Amering &amp; Johnson, Plumbing, Heating &amp; AC</b> 5121 Route 96 Shortsville, NY 14548	7/1/19-12/31/20	\$164,100.00
For: Emergency Operations Center Addition - Plumbing Work		
<u>Funding Source</u>	<u>Local Share</u>	<u>Budgeted?</u>
USDA RD	100%	Yes

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

**9. AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$500,000 BONDS OF THE COUNTY OF LIVINGSTON, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF AN EXPANSION TO THE EMERGENCY OPERATION CENTER IN AND FOR SAID COUNTY**

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; now, therefore, be it

RESOLVED by the by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Livingston, New York, as follows:

Section 1. For the specific object or purpose of paying the increased cost of the construction of an expansion to the Emergency Operation Center in and for the County of Livingston, New York, including site improvements, equipment, machinery and apparatus, as well as incidental improvements and costs, there are hereby authorized to be issued an additional \$500,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. The plan for the financing of the \$2,900,000 maximum estimated cost thereof shall be as follows:

- (a) By the issuance of the \$2,400,000 bonds of said County authorized by a bond resolution dated November 14, 2018 (Resolution No. 2018-387); and
- (b) By the issuance of the \$500,000 bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Livingston, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with as the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of said County designated for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law. Mr. Coyle explained that this resolution relates to the resolution done last year for the USDA grant loan. Coupled with the grants received and the alternate consideration, we have \$500,000 with contingencies, extras and higher than estimated bids, we need to do this action. This has been signed off on by the funding authorities. As noted, this is a more expensive project than we had wanted to have.

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

**10. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY: HUNT ENGINEERS, ARCHITECTS, LAND SURVEYORS & LANDSCAPE ARCHITECTS, DPC**

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(s) designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
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<b>HUNT Engineers, Architects, Land Surveyors &amp; Landscape Architects, DPC</b> Airport Corporate Park 100 Hunt Center Horseheads, NY 14845	8/1/19-12/31/20	Not to exceed \$17,500.00
For: County Broadband Initiative/Assistance with USDA Re-Connect Program		
<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Special Projects Fund	100%	Yes

Director's Comments: This resolution authorizes a contract with HUNT Engineers to assist with the data collection necessary to document broadband needs in Livingston County and for applying to the USDA Broadband Program in 2020.

Mr. Coyle explained that the reconnect program that is targeted at rural jurisdictions to try to expand broadband and that he has asked Angela Ellis to give an overview on the broadband activities. Ms. Ellis distributed information and reviewed the distinction of unserved and underserved areas and indicated the different phases of the project areas. Mrs. Ellis explained that we have been trying to advocate for improved broadband service definitions and services both at the federal level and the NYS Broadband Program. The Sheriff's Office is currently working with Steuben County and Southern Tier Wireless Network for access to fiber at the County Line Road site in Springwater. Ms. Ellis reviewed the contract with Hunt Engineers and the flow chart showing actions to date and next steps to improve service moving forward. The Hunt report will be fashioned in a way that could be used for USDA funds should we decide to go that way. Mr. Coyle reported that we get one or two inquiries per week to assist residents on funding available. Mr. Falk discussed a resident moving into an underserved area of Lima that has contacted him with zero options to assist her in being able to work from home.

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

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

1. BUDGET & FINANCE UPDATES-Mr. Coyle reported that the second quarter activity was down ~7% with two random prior period adjustments. We have not yet received verification of any Internet sales tax. The mortgage recording tax is with the Governor, who has until the end of the calendar year to sign. We have kicked off the 2020 budget into the new ERP system. The CFAs are due next Friday. We did file the victim impact grant with the Sheriff's Office and we will find out at the end of September. The funding for the position is not there as of October 1, 2019. There was discussion on how the District Attorney did not file the grant renewal on time. There was discussion that, if the funding goes away, so does the position. Mr. Coyle reviewed the health insurance renewal in October. For the first time ever, we will not have an increase. The combination of our planned performance and the amount of contracts, bodies and lives that we have and RFP for moving to Excellus from UMR amounts to ~\$1M in savings. We filed the shared services and notification has been received from the State that they received it. We now have to do another filing by the end of the year.
2. NYSAC ON-DEMAND TRAINING OFFERING

**ADJOURNMENT**

Mr. Gott moved and Mr. LeFeber seconded to adjourn the meeting at 2:11 p.m.

Respectfully submitted,

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