

**REGULAR BOARD MEETING
WEDNESDAY, AUGUST 26, 2020
1:30 P.M.**

ROLL CALL

The roll was called showing all members present except Mrs. Babbitt Henry (Springwater).

PLEDGE OF ALLEGIANCE

Lima Supervisor Michael Falk led the Pledge of Allegiance.

Chairman LeFeber announced that today's Board of Supervisors meeting will be livestreamed on the County's YouTube channel: [Official Livingston County, NY](#). All livestreams will be accessible directly through the YouTube channel and on the County's website under the [Agendas, Minutes & Broadcasts](#) button. Livestreaming technology allows the online audience to see and hear those in the boardroom via video and audio. To provide the best audio experience possible, please be sure to position yourself close to the microphone when you are speaking.

APPROVAL OF MINUTES

Minutes of 8/12/20 Regular Meeting were approved as presented.

COMMUNICATIONS

1. The annual luncheon hosted by Cornell Cooperative Extension of Livingston County will be on Wednesday, September 23 at 11:00 a.m. at the National Warplane Museum, 3489 Big Tree Lane, Geneseo. Invitations were sent to your homes. Please RSVP by September 9 or let Michele know today.

ABSTRACT OF CLAIMS

RESOLUTION NO. 2020-176 APPROVING ABSTRACT OF CLAIMS #8B-AUGUST 26, 2020

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #8B dated August 26, 2020 in the total amount of \$1,708,419.50.

Dated at Geneseo, New York

August 26, 2020

Ways and Means Committee

The roll was called as follows: Ayes-1,901; Absent-Davis, 29; Babbitt Henry, 79; Total 108; Adopted.

Supervisor Davis entered.

PRIVILEGES OF THE FLOOR

GREG MCCAFFREY, DISTRICT ATTORNEY

- DEPARTMENTAL UPDATES

The District Attorney reviewed the impact of the Covid19 Pandemic and the Court closure on his office. Mr. McCaffrey reported on the work being done by his office this year to date and what could and could not be done per the Governor's Executive Orders. The District Attorney's Office has now transitioned entirely from a paper based to a cloud based digital system and he thanked law enforcement for their support during this time and the County for the financial resources to implement this computer system. All discovery is now able to be done electronically. Courts are now back in session. The Court schedule is now longer to allow for distancing between cases. Mr. McCaffrey also thanked the County for relocating Grand Jury to the auditorium in Building 2 during this time to allow for social distancing. Mr. McCaffrey reviewed the challenges for following social distancing in the court rooms. Grand Jury reconvened on July 15 and has been sitting twice a week due to the back log so that it is now caught up allowing them to return to one session per week.

Chairman LeFeber asked County Administrator Coyle to join him at the podium for the presentation of a special Committee of the Whole resolution.

The following individuals joined the Chairman and County Administrator for recognition:

Sheriff Thomas J. Dougherty
Undersheriff Matthew D. Bean
Chief Deputy Dan Rittenhouse representing the members of the Police Services Bureau
Chief Deputy Jeff Hammond representing the members of the Correctional Services Bureau
Chief Deputy Jason Yasso representing the members of the Sheriff's Office Specialty Teams
Director Amanda Schultz representing the members of the Communications Bureau
Captain Brian Applin representing the members of the Criminal Investigation Division
Acting Captain Ryan Swanson representing the members of the Road Patrol Division

COMMITTEE OF THE WHOLE

RESOLUTION NO. 2020-177 RESOLUTION RECOGNIZING THE HEROISM, BRAVERY AND PROFESSIONALISM OF THE LIVINGSTON COUNTY SHERIFF'S OFFICE DURING THE INCIDENT ON MAY 27, 2020

WHEREAS, on May 27, 2020, a tractor trailer driver was stopped for speeding in the Village of LeRoy, Genesee County. During the stop, the driver refused to follow directions from law enforcement and pulled away sparking a multi-county police chase; and

WHEREAS, in the course of the incident, the driver, later found to be an "anti-police extremist", fired at least twenty-four rounds at law enforcement and rammed at least four police cars. Four police cars were struck with gunfire, including a Livingston County Sheriff's car that was hit with nine bullets; and

WHEREAS, nearly an hour and fifteen minutes after the traffic stop, deputies declared the driver in custody. With the exception of the driver, there were no injuries to officers or civilians. A true miracle given the chaotic and dangerous circumstances of the pursuit; and

WHEREAS, based upon items recovered during the investigation that followed the chase, including improvised explosive devices and assault rifles, it is clear that this individual was planning a larger, more threatening attack and the intervention of law enforcement undoubtedly saved human life; and

WHEREAS, during the course of this incident, despite being the target of senseless acts of violence, members of law enforcement, including those from the Livingston County Sheriff's Office, bravely continued to meet the call of duty in order to ensure the safety and security of the general public; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby wishes to recognize the heroism, bravery and professionalism of the Livingston County Sheriff's Office during this perilous incident.

Dated at Geneseo, New York

August 26, 2020

Committee of the Whole

MOTION TO MOVE COMMITTEE OF THE WHOLE RESOLUTION

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. Carman and seconded by Mr. Davis to move Committee of the Whole Resolution. Carried.

The roll was called as follows: Ayes-1,930; Noes-0; Absent-Babbitt Henry, 79; Adopted.

On behalf of the Livingston County Board of Supervisors and all of the residents in Livingston County, Chairman LeFeber presented Sheriff Dougherty and his whole team with the adopted Resolution No. 2020-177 Resolution Recognizing the Heroism, Bravery and Professionalism of the Livingston County Sheriff's Office during the Incident on May 27, 2020.

Sheriff Dougherty stated that they want to recognize all of the members involved and he wishes all could be here today to be recognized because every single one of them acted with bravery and courage representing not just the Sheriff's Office but Livingston County as well. There were over 40 staff involved in total that played a very key role during this incident, with over 20 involved in the after actions and that the folks here today represent the entire membership, who continue to put in the hard work every single day. This gets emotional, and this night in particular was a tough one for their office. While they are faced with difficult challenges every day, it is not once in a career that you may ever have an armed gunman driving an 18-wheeler actively trying to kill you and kill the people you love, the cops behind him and the civilians on the road. Sheriff Dougherty stated that he is always proud of his office, but he is

especially proud of the bravery, the courage and their overall effectiveness in handling this very, very challenging situation. The Sheriff thanked the members of the Board, the County Administrator and the county residents for their support of the Sheriff's Office. They know they can't get a lot done without money. That money goes to good with a lot of training and that training pays off. He has heard throughout the county that the confidence they have in the Deputy Sheriffs has gone up dramatically seeing an incident like this come to resolution without any one of our residents injured, visitors injured or cops injured. Sheriff Dougherty thanked all of the command staff for their impeccable leadership and all of the men and women of the Livingston County Sheriff's Office for always doing a great job. He expressed that he is so proud as Sheriff. The audience presented a standing ovation.

RESOLUTIONS

County Administrator/Budget Officer

RESOLUTION NO. 2020-178 AMENDING 2020 LIVINGSTON COUNTY BUDGET-DEPARTMENT OF HEALTH & DEPARTMENT OF SOCIAL SERVICES

Mr. Pangrazio 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, which have been approved by the Livingston County Administrator.

Dated at Geneseo, New York

August 26, 2020

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent-Babbitt Henry, 79; Adopted.

RESOLUTION NO. 2020-179 AUTHORIZING TRANSFER OF FUNDS-DEPARTMENT OF HEALTH & DEPARTMENT OF SOCIAL SERVICES

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

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

Dated at Geneseo, New York

August 26, 2020

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent-Babbitt Henry, 79; Adopted.

RESOLUTION NO. 2020-180 ESTABLISHING AN ACCOUNT – CARES ACT

Mr. Pangrazio 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, which have been approved by the Livingston County Administrator.

Dated at Geneseo, New York

August 26, 2020

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent-Babbitt Henry, 79; Adopted.

RESOLUTION NO. 2020-181 AUTHORIZING TRANSFER INCREASING CAPITAL PROJECT ACCOUNT–COURTHOUSE UPGRADES FROM CAPITAL PROJECT ACCOUNT–GOVERNMENT CENTER UPGRADES

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

RESOLVED, that the County Treasurer is authorized to decrease Capital Project Account **H1628.2900** in the amount of \$100,000.00, and it is further

RESOLVED, that the County Treasurer is authorized to increase Capital Project Account **H1625.2900** in the amount of \$100,000.00.

Dated at Geneseo, New York

August 26, 2020

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent-Babbitt Henry, 79; Adopted.

RESOLUTION NO. 2020-182 AUTHORIZING TRANSFER INCREASING CAPITAL PROJECT ACCOUNT–AMBULANCE EQUIPMENT FROM CAPITAL PROJECT ACCOUNT–MILLENNIUM DRIVE COMPLEX

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

RESOLVED, that the County Treasurer is authorized to decrease Capital Project Account **H1630.2900** in the amount of \$50,000.00, and it is further

RESOLVED, that the County Treasurer is authorized to increase Capital Project Account **H1629.2900** in the amount of \$50,000.00.

Dated at Geneseo, New York

August 26, 2020

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent-Babbitt Henry, 79; Adopted.

RESOLUTION NO. 2020-183 AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR ACCOUNTING SERVICES FOR LIVINGSTON COUNTY-DRESCHER & MALECKI LLP

Mr. Pangrazio 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 professional services contract, and any future amendments to said contract, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Drescher & Malecki LLP 3083 William Street, Suite 5 Cheektowaga, NY 14227	1 Year Term -with two 1-year renewals at County's sole option.	Not to exceed \$50,000.00

For: Abstract, Internal Auditing, A/P and other Accounting Services

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

Dated at Geneseo, New York

August 26, 2020

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent-Babbitt Henry, 79; Adopted.

Other

RESOLUTION NO. 2020-184 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: MOUNT SINAI GENOMICS, INC. DBA SEMA4

Mr. Pangrazio 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 Department of Health 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>
Mount Sinai Genomics, Inc. dba Sema4 333 Ludlow Street Stamford, CT 06902	8/28/2020-8/27/2021 with automatic 1-year renewal option.	\$139.00 per test

For: COVID-19 Laboratory Services

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
CARES Relief	N/A	Yes X No

Dated at Geneseo, New York

August 26, 2020

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent-Babbitt Henry, 79; Adopted.

RESOLUTION NO. 2020-185 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT: MIDLAND ASPHALT MATERIALS, INC.

Mr. Pangrazio 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 renewed Monroe County Bid #0102-16, subject to

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review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Midland Asphalt Materials, Inc.	8/26/2020-2/28/2021	\$14.21/Gal.

For: Polymer Modified Asphalt Joint and Crack Sealant
 For: Maintenance of traffic

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
2020 Liv. Co. Highway Dept. Budget Appropriations	100%	Yes x No

Dated at Geneseo, New York
 August 26, 2020

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent-Babbitt Henry, 79; Adopted.

RESOLUTION NO. 2020-186 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY PLANNING DEPARTMENT: CATHOLIC CHARITIES OF LIVINGSTON COUNTY

Mr. Pangrazio 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 Planning 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>
Catholic Charities of Livingston County	8/17/2020-9/30/2020	Not to exceed \$23,736.00

34 East State Street
 Mt. Morris, NY 14510

For: Professional services in support of Census 2020 outreach

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Empire State Development Corporation 2020 Complete Count Outreach Grant	0	No

Dated at Geneseo, New York
 August 26, 2020

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent-Babbitt Henry, 79; Adopted.

RESOLUTION NO. 2020-187 AWARDING BID FOR THE LIVINGSTON COUNTY SHERIFF'S OFFICE FOR THE LIVINGSTON COUNTY EMERGENCY COMMUNICATIONS SYSTEM UPGRADE PROJECT PHASE 5 – EQUIPMENT PROCUREMENT CONTRACT 2 – STEEL LATTICE ANTENNA TOWERS: MID-STATE CONSTRUCTION & ELECTRONICS, INC.

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

WHEREAS, after the proper legal advertisement seeking bids for steel lattice antenna towers for the Livingston County Emergency Communications System Upgrade Project – Equipment Procurement Contract 2 – Steel Lattice Antenna Tower, two (2) bids were received and opened May 15, 2020, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for the Livingston County Sheriff's Office, which is hereby accepted as the lowest responsible bid, and any future amendments to said contract, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Mid-State Construction & Electronics, Inc.	N/A	\$140,400.00

185 Clear Rd.
 Oriskany NY, 13423

For: Equipment procurement contract 2.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Grant Funding 2019 SICG	\$0	X Yes No

Dated at Geneseo, New York
 August 26, 2020

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent-Babbitt Henry, 79; Adopted.

Personnel

**RESOLUTION NO. 2020-188 AMENDING THE 2020 LIVINGSTON COUNTY SALARY SCHEDULE:
CENTRAL SERVICES**

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

RESOLVED, that the 2020 Hourly Employee Salary Schedule is amended as follows:

Central Services

- Create one full time Principal Account Clerk position effective immediately.

For: In preparation for Principal Account Clerk retirement

Dated at Geneseo, New York

August 26, 2020

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent-Babbitt Henry, 79; Adopted.

OTHER BUSINESS

1. LIVINGSTON COUNTY WATER SUPPLY STUDY UPDATE PROJECT-PLANNING DEPARTMENT

Megan Crowe reviewed the grant funding and work to date on the project for the Board of Supervisors. They plan to hold a municipal leadership meeting inviting all Town Supervisors and Village Mayors on September 17 to have the chance to review the draft document with their staff and come together again to discuss this project in an open forum. The purpose here is to implement upgrades to water systems and to find ways to collaborate together whether that be through equipment and materials or other community upgrades that could benefit in terms of growth and development. The staff at CPL kept objectivity and data driven approach to problem solving in the forefront as they devised the water supply update at the direction of our Steering Committee and by taking input from each municipality here. Our Steering Committee consisted of Supervisor Deming, Mayor Provo, County Administrator Coyle, Angela Ellis, Mark Grove, Michelle Baines and Patrick Brennan. Ms. Crowe introduced Rick Henry, Principal with Clark Patterson Lee (CPL) to give a brief description of the project methods and a deep dive into the findings and implementations set moving forward today.

Mr. Henry explained that he was involved in the 1991 water study and has been involved with Livingston County water for 30 years now. This really is a regional water system even though there are several sources of water. Mr. Henry reviewed the powerpoint presentation showing the water sources within the county, capacity, nonresidential development water needs. We're not looking to shut down a source we are looking to make connections. The only treatments plants and supply options that have capacity that serve the County are the Monroe County system and the City of Rochester system. An Executive Summary and large table will be distributed with the full report being sent out electronically today. The Supervisors will each make the decision on what their water source will be for their community. There are intermunicipal agreements that already exist, other opportunities that could exist and other limited opportunities in the south towns due to the large distance to run water. Mr. Henry reviewed the concerns on the future of this industry in terms of treatment and finding qualified people to run these water systems. CPL looks at every possible alternative for consideration, they do not make a recommendation in the study. CPL developed a scoresheet for each municipality to complete to rank the options to help make decisions on projects, funding and costs. Mr. Henry spoke on the need for NYSDEC to do safe yield studies for Conesus, Hemlock and Honeoye Lakes. Mr. Henry asked that the Supervisors read the report and provide comments.

2. County Administrator Updates-The Covid 19 current case count map has been updated. There are currently five active cases. The County infection rate is still under 1% in the region and we maintain that stability. The big questions are SUNY and K-12 schools returning. Most of the schools have some sort of face-to-face components. Mr. Coyle reminded the Supervisors to look at the water study handouts, including the map. Work continues on the budget.

ADJOURNMENT

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, September 9, 2020 at 1:30 p.m. Carried.

The Board adjourned at 2:24 p.m.

