

WAYS & MEANS COMMITTEE MEETING MINUTES
MONDAY, OCTOBER 23, 2023
1:30 P.M.

PRESENT: D. Knapp, W. Wadsworth, D. DiSalvo, D. Fanaro, E. Gott, D. LeFeber, D. Pangrazio, M. Falk, D. Wester, I. Coyle, A. Ellis, B. Mann, S. Hillier

Ways & Means Chair Dwight Knapp asked Leicester Supervisor Dave Fanaro to lead the Pledge of Allegiance.

MOTION TO MOVE THE AGENDA

Motion: Mr. Pangrazio moved and Mr. Fanaro seconded to move Economic Development agenda items Carried.

VETERAN SERVICES AGENCY – DAVID TERRY

Action Item(s) To Be Reported

1. PROCLAIMING OCTOBER 26, 2023 AS US ARMY CHAPLAIN, LT GEORGE L. FOX DAY IN LIVINGSTON COUNTY

WHEREAS, George L. Fox was born March 15, 1900 in Lewiston, Pennsylvania and grew up Altoona, Pennsylvania; and

WHEREAS, enlisted as a medic in World War I and was awarded the Silver Star, several Purple Hearts, and French Croix de Guerre for his extraordinary service in the Great War; and

WHEREAS, after World War I enrolled in Moody Bible Institute in 1923 in Illinois serving as itinerant Methodist minister continuing his Bachelor's degree in 1929 from Illinois Wesleyan University and Bachelor's degree in Sacred Theology from Boston University School of Theology and ordained as a Methodist minister on June 10, 1934; and

WHEREAS, continued during this time having a family married with a son and a daughter to follow in 1936 continuing serving the American Legion as state chaplain and historian in Vermont; and

WHEREAS, as with other chaplains throughout the country the attack on Pearl Harbor lured George L. Fox back to the military, appointed as Army Chaplain in July of 1942 to return to active duty at the rank of Lieutenant at the age of forty-two on August 8, 1942 the same day his son Wyatt enlisted in the United States Marine Corps;

WHEREAS, Lieutenant George L. Fox after completion of training at Harvard was assigned to the 411th Coast Artillery Battalion (Antiaircraft-Gun) at Camp Davis, North Carolina until ordered to Camp Myles Standish, home of the Boston Port of Embarkation, where about a million U.S. and Allied soldiers passed through en route to overseas; and

WHEREAS, on February 3, 1943 was the tragic torpedoing of the United States Army Transport *Dorchester*, 150 miles off the coast of Greenland resulted in the loss of 672 lives; and

WHEREAS, witnesses of the event recount the Congressional Record of the heroism and self-sacrifice of LT George L. Fox and three other chaplains, all of different faiths, were recalled calming fears, handing out lifejackets, and guided over 230 survivors to safety removing their own life jackets when none were left, last seen in arm the Chaplains were witnessed praying on the ship's deck as it sunk;

WHEREAS, LT George L. Fox was awarded a posthumous Purple Heart, Distinguished Service Cross and family was given the Congressional Four Chaplains' Medal on January 18, 1961 by then Secretary of the Army Wilber M. Brucker at Fort Myer, Virginia; and

WHEREAS, Livingston County continues to honor Chaplains, LT George L. Fox, Methodist, LT Alexander D. Goode, Jewish, LT John P. Washington, Catholic, and LT Clark V. Poling, Dutch Reformed each year on the third day of February recognizing on Four Chaplains Day; and

RESOLVED, that the Livingston County Board of Supervisors hereby proclaims October 26, 2023 as "US Army Chaplain, Lieutenant George L. Fox Day" in Livingston County.

Mr. Terry reviewed the history of Four Chaplains' Day and the email received last February after adopting the resolution from the grandson of Lieutenant George L. Fox.

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

REAL PROPERTY TAX SERVICES – SHANNON HILLIER

Action Item(s) To Be Reported

1. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE REAL PROPERTY TAX SERVICES DEPARTMENT: APPLIED BUSINESS SYSTEMS, INC.

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for the Real Property Tax Services 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>
Applied Business Systems, Inc. 26 Harvester Avenue Batavia, NY 14020	9/1/23-8/31/24 w/ annual auto renewals	Not to Exceed \$20,000.00

For: Programming required NYS Real Property Tax Legislative changes on property tax bills, utilizing NYS RPSV4 Software files, image, generate tax bills, print tax bills, fold and insert tax bills, mail tax bills as USPS postal hub for bulk mailing.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
LC Budget	100%	Yes X No
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services</i> <input type="checkbox"/> <i>Piggyback</i> <input type="checkbox"/> <i>Quotes-Contract#:</i>		

The County Attorney reviewed the contract for approval.

Motion: Mr. Pangrazio moved and Mr. DiSalvo seconded to approve the foregoing resolution Carried.

CENTRAL SERVICES – BILL MANN

Action Item(s) To Be Reported

1. AWARDING BID FOR THE CENTRAL SERVICES DEPARTMENT FOR GENERAL CONSTRUCTION, MECHANICAL CONSTRUCTION, FIRE PROTECTION CONSTRUCTION, ELECTRICAL CONSTRUCTION WORK FOR LIVINGSTON COUNTY (GOVERNMENT CENTER) PUBLIC DEFENDER/CONFLICT DEFENDER OFFICE RENOVATIONS: WHITNEY EAST, INC.

WHEREAS, after the proper legal advertisement seeking bids for General Contractor for Livingston County Public Defender/Conflict Defender Office Renovations, (5) five bids were received and opened on September 29, 2023, 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 County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Whitney East, Inc. 1504 Scottsville Rd. Rochester, NY 14623	11/1/2023-12/30/2024	\$340,900.00

For: General construction for the Public Defender/Conflict Defender Office Renovations

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
CIP/ILS	0%	Yes

Mr. Mann reviewed the bid contracts for approval.

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

2. AWARDING BID FOR THE CENTRAL SERVICES DEPARTMENT FOR GENERAL CONSTRUCTION, MECHANICAL CONSTRUCTION, FIRE PROTECTION CONSTRUCTION, ELECTRICAL CONSTRUCTION WORK FOR LIVINGSTON COUNTY (GOVERNMENT CENTER) PUBLIC DEFENDER/CONFLICT DEFENDER OFFICE RENOVATIONS: BELL MECHANICAL CONTRACTOR, INC.

WHEREAS, after the proper legal advertisement seeking bids for Mechanical Contractor for Livingston County Public Defender/Conflict Defender Office Renovations, (2) two bids were received and opened on September 29, 2023, 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 County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Bell Mechanical Contractor, Inc.	11/1/2023-12/30/2024	\$368,400.00

105 Lincoln Parkway
East Rochester, NY 14445

For: Mechanical construction for the Public Defender/Conflict Defender Office Renovations

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
CIP/ILS	0%	Yes

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

3. AWARDING BID FOR THE CENTRAL SERVICES DEPARTMENT FOR GENERAL CONSTRUCTION, MECHANICAL CONSTRUCTION, FIRE PROTECTION CONSTRUCTION, ELECTRICAL CONSTRUCTION WORK FOR LIVINGSTON COUNTY (GOVERNMENT CENTER) PUBLIC DEFENDER/CONFLICT DEFENDER OFFICE RENOVATIONS: NB ELECTRICAL SERVICES, LLC

WHEREAS, after the proper legal advertisement seeking bids for Electrical Construction for Livingston County Public Defender/Conflict Defender Office Renovations, (4) four bids were received and opened on September 29, 2023, 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 County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
NB Electrical Services, LLC	11/1/2023-12/30/2024	\$122,800.00

3445 Winton Place, Suite 102
Rochester, NY 14623

For: Electrical construction for the Public Defender/Conflict Defender Office Renovations

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
CIP/ILS	0%	Yes

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

Mr. Mann reviewed the list of bidders.

PLANNING DEPARTMENT – ANGELA ELLIS

Action Item(s) To Be Reported

1. AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) BROWNFIELD ASSESSMENT GRANT APPLICATION DEVELOPMENT AND GRANT ADMINISTRATION: MONTROSE ENVIRONMENTAL

WHEREAS, Livingston County solicited a Request for Proposals for EPA Brownfield Assessment Grant Application Development and Grant Administration and three (3) 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>
Montrose Environmental	10/25/23-10/24/26	Grant Application \$2,000.00 Grant Adm.-Per Rate Sheet

1140 Valley Forge Road
Phoenixville, PA 19460

For: Development of a U.S. EPA brownfield assessment grant application and administration of such grant, if an award is received.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>

Planning Department Operating Budget-Grant Application only	\$2,000.00	X Yes No
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Director's Comments: The Planning Department issued a Request for Proposals for consultant services to prepare an application to the U.S. Environmental Protection Agency Brownfields Program for funding to prepare an assessment grant application facilitated through a partnership between the County, Land Bank Corporation, and County IDA. The County would be the lead applicant. The EPA program requires that an RFP be issued for a minimum of 30 days to secure consultant services to both prepare the application and assist with grant administration, if funded. Consultant proposals are due October 23, 2024. EPA Applications are due November 13, 2024. While this is a very tight turn-around schedule, we are confident that we can get a competitive application submitted by the deadline. The County could request up to \$1.5M to prepare a county-wide assessment plus assess specific sites identified by the coalition partners as potentially contaminated by hazardous substances, pollutants, contaminants or petroleum.

Ms. Ellis reviewed the professional services contract for approval. They are doing a background check on the lowest proposal received and if acceptable, the resolution will go through on Wednesday. Ms. Ellis explained that this is a community wide assessment application by the Planning Department, IDA and the Land Bank Corporation. Were we to secure another municipal partner, we could apply for coalition assessment, which is a larger amount of money. Community-wide allows us to apply for up to \$500,000 and a coalition assessment would allow us to apply for up to \$1.5M.

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

Ms. Ellis reviewed the contract amount and what work is included in the grant award.

ECONOMIC DEVELOPMENT – IAN COYLE

Action Item(s) To Be Reported

1. AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL

WHEREAS, the New York State Office of Community Renewal (the “OCR”) has announced availability of funding under the NYS CDBG Microenterprise program to provide resources to support and foster the development of microbusinesses by providing grants in conjunction with capacity building and entrepreneurial assistance; and

WHEREAS, the Livingston County Development Corporation (the “LCDC”) has requested that the County apply for and provide the OCR funding to the LCDC as a grant for the purpose of making deferred loans to microbusinesses; and

WHEREAS, the Project will result in substantial benefit to the County in the form of the creation or expansion of small businesses and the creation of jobs; and

WHEREAS, the County has held a public hearing on October 11, 2023 to obtain citizens’ views regarding the CDBG program as administered by OCR, now therefore, be it

RESOLVED, that the Chairman is hereby authorized to submit a grant application on behalf of the County in an amount not to exceed \$300,000 to the OCR to support a Microenterprise Program, and be it further

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

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

Mr. Coyle reviewed the project and reported that there were no comments at the public hearing on October 11. We have been very successful with this type of grant program.

Motion: Mr. DiSalvo moved and Mr. Pangrazio seconded to approve the foregoing resolution Carried.

COUNTY ADMINISTRATOR – IAN COYLE (Attachments)

Action Item(s) To Be Reported

1. APPROVING ABSTRACT OF CLAIMS #10B-OCTOBER 25, 2023

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #10B dated October 25, 2023 in the total amount of \$2,354,620.58.

Motion: Mr. Pangrazio moved and Mr. DiSalvo seconded to approve the foregoing resolution Carried.

2. AMENDING 2023 LIVINGSTON COUNTY BUDGET: CONTINGENCY & WORKFORCE (2)

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.

Mr. Coyle reviewed the amendments for approval.

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

3. AUTHORIZING TRANSFER OF FUNDS: DEPARTMENT OF HEALTH (2) & OFFICE FOR THE AGING

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

Mr. Coyle reviewed the transfers for approval.

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

4. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY: OWWL LIBRARY SYSTEM

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>
OWWL Library System 2557 State Route 21 Canandaigua, NY 14424 For: Library Services	1/1/2023-12/31/2023	\$106,000.00

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
County Budget	100%	X Yes No
<i>Procurement Method</i> <input type="checkbox"/> Cooperative <input type="checkbox"/> Exempt Prof. Services <input type="checkbox"/> Piggyback <input type="checkbox"/> Quotes-Contract#: N/A-Annual Budgeted Contribution		

This is the budgeted annual contribution for the current calendar year.

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

5. INTRODUCTION OF LOCAL LAW D-2023 – OVERRIDING THE TAX LEVY LIMIT FOR LIVINGSTON COUNTY FOR THE 2024 FISCAL YEAR

Mr. Coyle explained that this action is needed in case we go over the tax cap. We are slightly over at this time.

Motion: Mr. Pangrazio moved and Mr. DiSalvo seconded to approve the foregoing resolution Carried.

6. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. D-2023 OVERRIDING THE TAX LEVY LIMIT FOR LIVINGSTON COUNTY FOR THE 2024 FISCAL YEAR

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on October 25, 2023, a proposed Local Law No. D-2023 entitled Overriding the Tax Levy limit for Livingston County for the 2024 fiscal year; now, therefore, be it

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on November 15, 2023 at 1:35 p.m. in the Board of Supervisors Assembly Room located in the Livingston County Government Center, Geneseo, New York; and be it further

RESOLVED, that at least six (6) days’ notice shall be given by posting thereof on the bulletin board of the Livingston County Government Center and by publishing such notice at least one (1) time in the official

newspapers of the County as provided by law.

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

7. PROVIDING FOR PUBLIC HEARING ON PROPOSED LIVINGSTON COUNTY BUDGET FOR 2024 PURSUANT TO SECTION 359 OF THE NEW YORK STATE COUNTY LAW

RESOLVED, that the Livingston County Board of Supervisors, pursuant to Section 359 of the New York State County Law, will hold a public hearing on the proposed Livingston County Budget for the fiscal year 2024 at 1:35 p.m. on Wednesday, November 15, 2023 in the Board of Supervisors Assembly Room in the Livingston County Government Center, Geneseo, New York; and, be it further

RESOLVED, that the Clerk of the Board will cause a Notice of Public Hearing to be published in the official newspaper of the County in a manner required by Section 359 of the County Law.

Mr. Coyle reviewed the annual budget public hearing legal notice and setting the Board of Supervisor salaries. Mr. Coyle explained that the Board compensation is included in the annual budget legal notice. The salaries are currently set at a 3% increase. Now is the time to address that if a different amount is desired.

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

Pre-approved Informational Item(s) To Be Reported

1. Discussion on Tax Cap override and possible need to introduce a local law overriding the tax levy limit for the 2024 fiscal year and setting a public hearing. Mr. Coyle reviewed the current tax cap/tax levy numbers. One single mandate is double the typical tax cap amount of ~\$600,000 without looking at any other mandate. As it stands now, our tax rate is \$6.64/1000. In 2008 the tax rate was \$7.80/1000. In the current proposed budget the County tax bill is going to be ~\$1,142 which is under inflation of a tax bill. The IGT will need to be reconciled now that the funds have been received. Mr. Coyle reviewed the dialysis clinic discussions with Wyoming County on a potential county contribution and the cost to the County if we did not have an onsite clinic. Were we to contract with them, we would ideally have this be six days a week but at least a minimum of the currently contracted 3. There was discussion on the need for the County to re-evaluate our options in light of the fiscal instability.

2. Department Head Salary Schedule – Introduction – Mr. Coyle reviewed the three parts of the annual salary schedule resolutions sent to the Supervisors. Mr. Coyle hopes to make those approvals in November for 2024.

ADJOURNMENT

Mr. Pangrazio moved and Mr. DiSalvo seconded to adjourn the meeting at 2:01 p.m.

COUNTY TREASURER – AMY DAVIES

Informational Item(s) Written Only

1. We have started the foreclosure of tax liens under Article 11 of the NYSRPTL. Letters were sent from Phillips Lytle LLP, Livingston County’s foreclosure counsel, on October 17, 2023. Taxpayers who had delinquent 2022 taxes were informed that taxes had to be paid by November 30, 2023 to avoid a title search fee of \$425.00.

RECORDS MANAGEMENT – MEGAN SOKOLOW

Informational Item(s) Written Only

Records Management Activities: September and October

Senator Helming visited the Records Center on September 18th, 2023. We toured the facility. We shared information about various aspects of Records Management here in Livingston County and the perspective of rural communities on modern records management challenges.

As a current board member, Megan attended the New York Association of Local Government Records Officers board meeting on October 1-2, 2023. She successfully lobbied for the organization to protest the Clean Slate Bill formally.

Megan has sought multiple resolutions to award bids and purchases for three pieces of high-ROI digitization equipment in September.

We have sent a Purchase order for the Next Scan FlexView 300 Microfilm conversion machine and another for the ROWE Large format document scanner. We expect these two items to be delivered to the Records Center before the end of 2023.

We are drafting contracts for the Service and Maintenance portions of the Indus Bookscanner 5005max. There is an upcoming contract resolution for the purchase and installation of a large format printer and plotter to be paired with the ROWE scanner, per the request of the Central Services Department.

We have processed over 30 records requests in September and October and completed two projects appraising records on behalf of other County Departments.

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