

**AGENDA DOCKET**  
**LIVINGSTON COUNTY BOARD OF SUPERVISORS REGULAR BOARD MEETING**  
**WEDNESDAY, JANUARY 25, 2023**  
**1:30 P.M.**



**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

Nunda Supervisor Merilee Walker

**APPROVAL OF MINUTES**

Minutes of 1/11/23 Regular Meeting

**PUBLIC HEARINGS**

1. **CONSIDER PUBLIC COMMENT ON THE COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR AN ECONOMIC DEVELOPMENT PROJECT IN THE TOWN OF LIVONIA**

2. **CONSIDER PUBLIC COMMENT ON THE COUNTY'S PROPOSAL TO SUBMIT A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL-TOWN OF LIVONIA**

**ABSTRACT OF CLAIMS**

**RESOLUTION NO. 2023-32                      APPROVING ABSTRACT OF CLAIMS #1B-JANUARY 25, 2023**

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #1B dated January 25, 2023 in the total amount of \$2,690,170.09.

Dated at Geneseo, New York

January 25, 2023

Ways and Means Committee

**PRIVILEGES OF THE FLOOR**

Peter Bruckel & Don Mills - Livwell Community, Wellness & Fitness Center

Drew Gartley - Axis Infrastructure Architectural

Norm Gill - Pinnacle Indoor Sports

- Livwell Community, Wellness, & Fitness Center Update

**PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE**

Ways & Means Committee

1. **APPROVING THE 2023 NEW YORK STATE LEGISLATIVE AGENDA**

RESOLVED, that the Livingston County Board of Supervisors hereby approves the 2023 New York State Legislative Agenda as presented by the County Administrator.

Dated at Geneseo, New York

January 25, 2023

Ways and Means Committee

2. **DECLARING SURPLUS PROPERTY: CENTRAL SERVICES**

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:

**Central Services**

Quantity	Year, Make & Model	Mileage/Hours	Serial #
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1	Toyota Electric Forklift Truck 7BWS13 (Needs New Batteries)	N/A	7BWS13-40799
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Dated at Geneseo, New York  
January 25, 2023  
Ways and Means Committee

**DISCUSSION OF THE RESOLUTIONS ON PREFERRED AGENDA**

**MOTION TO MOVE THE RESOLUTIONS ON THE PREFERRED AGENDA AND DIRECT THE CLERK OF THE BOARD TO CALL THE ROLL CALL VOTE**

**RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE**

**WAYS & MEANS COMMITTEE**

*County Administrator/Budget Officer*

**3. AMENDING 2023 LIVINGSTON COUNTY BUDGET: EMERGENCY MANAGEMENT, HIGHWAY, REAL PROPERTY TAX SERVICES & SHERIFF'S OFFICE**

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  
January 25, 2023  
Ways and Means Committee

**4. ESTABLISHING AN ACCOUNT: PLANNING & WORKFORCE DEVELOPMENT**

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  
January 25, 2023  
Ways and Means Committee

**5. AUTHORIZING BLANKET UNDERTAKING**

WHEREAS, Public Officers Law Section 11 authorizes the governing body of a municipality to procure a blanket undertaking to cover officers, clerks and employees of the municipality who would otherwise be required to post an individual undertaking; and

WHEREAS, such blanket undertaking must indemnify against losses through the failure of officers, clerks or employees to faithfully perform their duties or account for moneys or property received by virtue of their position or employment and through fraudulent or dishonest acts committed by officials, clerks or employees covered thereunder; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors consents and approves a blanket undertaking to cover all officers, clerks and employees required by law to post an undertaking which undertaking shall be provided by the following policies:

a) Public Officials Liability Policy, provided by New York Municipal Insurance Reciprocal, Policy No. MPOLIVI001; and

b) Government Crime Policy provided by Fidelity Deposit Company of Maryland, Policy No. CCP 1470666-03.

Dated at Geneseo, New York  
January 25, 2023  
Ways and Means Committee

**6. APPROVING FIVE YEAR CAPITAL IMPROVEMENT PLAN**

RESOLVED, that the Livingston County Board of Supervisors hereby approves the Five Year Capital Improvement Plan as presented by the County Administrator.

Dated at Geneseo, New York  
January 25, 2023  
Ways and Means Committee  
*County Attorney*

**7. AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT TO AN ACTION RELATING TO THE OPIOID CRISIS: TEVA**

WHEREAS, on July 26, 2022, Teva, a generic drug manufacturer, as well as its subsidiary drug distributor, Ando, Inc., announced a \$4.35 billion global opioid settlement agreement. The proposal calls for Teva to pay up to \$3.7 billion over thirteen (13) years and provide what Teva estimates as \$1.2 billion worth of opioid overdose reversal drug naloxone; and

WHEREAS, since July, New York State and Suffolk and Nassau Counties have engaged in extensive negotiations with Teva as they were unwilling to agree to the terms of the national settlement. Having obtained a trial verdict against Teva, they felt they were entitled to a premium over and above what they would receive under the national settlement; and

WHEREAS, on November 3, 2022, it was announced that the parties had reached a proposed agreement. Due to their trial status, New York State, Nassau County, and Suffolk County are already signatories to the agreement. Most other political subdivisions in the State now have an opportunity to become a party to the agreement; and

WHEREAS, under the agreement, Teva will be required to pay as much as \$550 million, depending upon the level of participation statewide. Monies paid under the New York agreement will be distributed among the various participating political subdivisions. Some political subdivisions are entitled to direct payments and others will be applying to the Statewide Opioid Settlement Fund; and

WHEREAS, it is in the best interest of Livingston County to resolve this matter with respect to Teva by entering into the proposed settlement agreement as it will settle all allegations against Teva and avoid protracted litigation; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby approves the proposed settlement agreement and authorizes the Chairman of the Board or his designee to execute said agreement and such other documentation as may be necessary and appropriate to effectuate the settlement with Teva.

Dated at Geneseo, New York

January 25, 2023

Ways and Means Committee

*Real Property Tax Services*

**8. CORRECTING TAX ROLL: VARIOUS TOWNS**

WHEREAS, the Livingston County Real Property Tax Services Director has transmitted a written report of his investigation and recommendation with regard to six applications (6 parcels) for correction of the tax rolls, pursuant to the Real Property Tax Law, as prepared for the Towns of Caledonia, Conesus and Groveland on the tax rolls for the years hereinafter set forth; and

WHEREAS, said parcels were incorrectly assessed and/or taxed for reasons set forth in the applications for correction requested from the Livingston County Real Property Tax Services Director; now, therefore, be it

RESOLVED, that the Livingston County Real Property Tax Services Director is hereby authorized and directed to forward a copy of this resolution to the officer(s) having jurisdiction of the tax roll(s) so that the roll(s) can be corrected and a notice of approval forwarded to the applicant(s); and be it further

RESOLVED, that the Livingston County Treasurer and/or Town Tax Collector is hereby authorized to make the tax roll corrections and forward the corrected tax bill. The Livingston County Treasurer is authorized to issue refunds and/or make the appropriate chargebacks as hereinafter set forth for the parcel(s).

<b>Year, Municipality Owner(s) Tax Map Number</b>	<b>Taxing Jurisdiction</b>	<b>Original Tax Bill</b>	<b>Corrected Tax Bill</b>	<b>Refund to Owner</b>	<b>Chargebacks to Taxing Jurisdictions</b>
<b>1. 2023 Caledonia</b>	Livingston County	\$526.68	\$526.68	\$0.00	\$0.00
White, Linda and William G.	Caledonia Town Tax School Relevy	\$100.48 \$1,358.38	\$100.48 \$0.00	\$0.00 \$0.00	\$0.00 \$1,358.38
Tax Map Number 7.8-1-27	Caledonia Fire 1 <b>Total</b>	<u>\$73.15</u> <b>\$2,058.69</b>	<u>\$73.15</u> <b>\$700.31</b>	<u>\$0.00</u> <b>\$0.00</b>	<u>\$0.00</u> <b>\$1,358.38</b>
<b>2. 2023 Caledonia</b>	Livingston County	\$420.27	\$420.27	\$0.00	\$ 0.00
Robinson, Gary and Katherine	Caledonia Town Tax School Relevy	\$219.42 \$681.90	\$219.42 \$0.00	\$0.00 \$681.90	\$0.00 \$681.90

Tax Map Number	Caledonia Fire 1	<u>\$60.96</u>	<u>\$60.96</u>	<u>\$0.00</u>	<u>\$0.00</u>
6.-1-1.12	<b>Total</b>	<b>\$1,382.55</b>	<b>\$700.65</b>	<b>\$681.90</b>	<b>\$681.90</b>
<b>3. 2023 Caledonia</b>	Livingston County	\$1,301.56	\$1,301.56	\$0.00	\$0.00
Newton, Robert A. and Cynthia D.	Caledonia Town Tax	\$679.53	\$679.53	\$0.00	\$0.00
	School Relevy	\$2,884.06	\$0.00	\$0.00	\$2,884.06
Tax Map Number	Caledonia Fire 1	<u>\$208.48</u>	<u>\$208.48</u>	<u>\$0.00</u>	<u>\$0.00</u>
13.-1-57	<b>Total</b>	<b>\$5,073.63</b>	<b>\$2,189.57</b>	<b>\$0.00</b>	<b>\$2,884.06</b>
<b>4. 2023 Conesus</b>	Livingston County	\$413.36	\$413.36	\$0.00	\$0.00
White Holdings, LLC	Conesus Town Tax	\$419.84	\$419.84	\$0.00	\$0.00
Tax Map Number	Conesus Fire 1	\$41.35	\$41.35	\$0.00	\$0.00
119.-1-20.230	CLCSD Ext9 Improved	\$157.00	\$157.00	\$0.00	\$0.00
	Unpd LCWSA Wtr W02-1	\$521.95	\$0.00	\$0.00	\$521.95
	Cty Wtr#1 Zone 2 Imp	<u>\$273.00</u>	<u>\$273.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
	<b>Total</b>	<b>\$1,826.50</b>	<b>\$1,304.55</b>	<b>\$0.00</b>	<b>\$521.95</b>
<b>5. 2023 Groveland</b>	Livingston County	\$1,973.40	\$1,973.40	\$0.00	\$0.00
Calzone, Cynthia	Groveland Town Tax	\$ 955.34	\$955.34	\$0.00	\$0.00
Tax Map Number	Groveland Fire 1/Amb	\$130.81	\$130.81	\$0.00	\$0.00
110.61-1-4.1	W Lake Wtr Occupied	<u>\$369.52</u>	<u>\$184.76</u>	<u>\$0.00</u>	<u>\$184.76</u>
	<b>Total</b>	<b>\$3,429.07</b>	<b>\$3,244.31</b>	<b>\$0.00</b>	<b>\$184.76</b>
<b>6. 2023 Groveland</b>	Livingston County	\$1,959.61	\$1,959.61	\$0.00	\$0.00
Fleming, Sherry A.	Groveland Town Tax	\$948.66	\$948.66	\$0.00	\$0.00
Tax Map Number	Groveland Fire 1/Amb	\$129.89	\$129.89	\$0.00	\$0.00
110.61-1-4.2	W Lake Wtr Occupied	<u>\$369.52</u>	<u>\$184.76</u>	<u>\$0.00</u>	<u>\$184.76</u>
	<b>Total</b>	<b>\$3,407.68</b>	<b>\$3,222.92</b>	<b>\$0.00</b>	<b>\$184.76</b>

Dated at Geneseo, New York  
January 25, 2023  
Ways and Means Committee

## CLOSE PUBLIC HEARINGS

### RESOLUTIONS CONT.

#### PUBLIC SERVICES COMMITTEE

##### *Economic Development*

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

WHEREAS, The Barn at Fire Creek Farm plans to renovate an existing barn to host farm-to-table educational and agri-tourism events and add a commercial kitchen for the creation of value added products in the Town of Livonia (the "Project"); and

WHEREAS, The Barn at Fire Creek Farm has requested that the County apply for funding on its behalf from the New York State Office of Community Renewal ("OCR") to finance a portion of the cost of machinery and equipment for the Project; and

WHEREAS, the Livingston County Development Corporation (the "LCDC") is assisting in the facilitation of the Project and has requested that the County provide the OCR funding to the LCDC as a grant for the purpose of making a grant or deferred loan to the company; and

WHEREAS, the Project will result in substantial benefit to the County in the form of new permanent full-time employment positions within two years of its opening; and

WHEREAS, the County has held a public hearing on January 25, 2023 to obtain citizens' views regarding the CDBG program as administered by OCR and the Project; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to submit a grant application on behalf of the County in the approximate amount of \$100,000.00 to OCR to support the Project; and be it further

RESOLVED, that the Chairman is hereby authorized to execute a grant agreement between the County and 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 Project.

Dated at Geneseo, New York

January 25, 2023

Public Services Committee

**OTHER BUSINESS**

**1. CHAIRMAN APPOINTMENTS**

**Geneseo Finger Lakes Regional Planning Council**

Name	Address	Title/Represents	Term Expires
Michael Falk	P.O. Box 6A, Lima, NY 14485	Chairman Designee	12/31/23
Gregory Horr	48 Seward Street, Dansville, NY 14437	Member	12/31/23
Bonnie Taylor-Davis	410 North Avenue, Avon, NY 14414	Member	12/31/23
Angela Ellis	6 Court Street, Geneseo, NY 14454	Ex-officio Member	12/31/23
William Bacon	6 Court Street, Geneseo, NY 14454	Ex-officio Member	12/31/23

**Geneseo Transportation Council**

Name	Address	Title/Represents	Term Expires
David LeFeber	6 Court Street, Geneseo, NY 14454	Chairman	12/31/23
Angela Ellis	6 Court Street, Geneseo, NY 14454	Alternate	12/31/23

**Geneseo Transportation Council – Planning Committee**

Name	Address	Title/Represents	Term Expires
Zachary Cracknell	4389 Gypsy Lane, Mt. Morris, NY 14510	Alternate	12/31/23
Angela Ellis	6 Court Street, Geneseo, NY 14454	Representative	12/31/23
Jason Wolfanger	4389 Gypsy Lane, Mt. Morris, NY 14510	Alternate	12/31/23

**GLOW Solid Waste Committee**

Name	Address	Title/Represents	Term Expires
Daniel L. Pangrazio	531 Feeley Road, Caledonia, NY 14423	Chairman Designee	12/31/23
Michael J. Falk	P.O. Box 6A, Lima, NY 14485	Member	12/31/23
Donald Wester	5891 Clark Road, Conesus, NY 14435	Member	12/31/23
Catherine VanHorne	1707 Parkside Place, Lima, NY 14481	Alternate	12/31/23

**ADJOURNMENT**