

AGENDA DOCKET
LIVINGSTON COUNTY BOARD OF SUPERVISORS REGULAR BOARD MEETING
WEDNESDAY, MARCH 22, 2023
1:30 P.M.



ROLL CALL

PLEDGE OF ALLEGIANCE

York Supervisor Gerald Deming

APPROVAL OF MINUTES

Minutes of 3/8/23 Regular Meeting

COMMUNICATIONS

1. Local Law 4-2023 was filed by the Department of State on March 7, 2023.

ABSTRACT OF CLAIMS

RESOLUTION NO. 2023-118 APPROVING ABSTRACT OF CLAIMS #3B-MARCH 22, 2023

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #3B dated March 22, 2023 in the total amount of \$2,704,380.59.

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

PRIVILEGES OF THE FLOOR

1. Maureen Wheeler, Campaign Chair - United Way County Worker Campaign Kickoff

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

Ways & Means Committee

1. DECLARING SURPLUS PROPERTY: HIGHWAY

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 | Year, Make & Model | Mileage/Hours | Serial # |
|----------|----------------------------------|---------------|-------------------|
| 1 | 2012 Freightliner M2-106 Flatbed | 109,482 Miles | 1FVACXDT2CHBE8944 |

Dated at Geneseo, New York

March 22, 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

2. **AMENDING 2023 LIVINGSTON COUNTY BUDGET: CENTRAL SERVICES (2),
DEPARTMENT OF HEALTH (2) & SHERIFF'S OFFICE (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.

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

County Attorney

3. AUTHORIZING AND APPROVING SETTLEMENT AGREEMENTS TO AN ACTION RELATING TO THE OPIOID CRISIS: CVS, WALGREENS, & WALMART

WHEREAS, in late 2022, agreements were announced to resolve all opioid litigation brought by states and local political subdivisions with respect to three (3) major pharmacy chains, namely CVS, Walgreens, and Walmart; and

WHEREAS, in January 2023, each of these pharmacy chains confirmed a sufficient number of states agreed to the settlements to move forward. As with the numerous other national settlements, local governments that want to participate now have the opportunity to “opt in”. The greater the level of participation, the more funds that will ultimately be paid out; and

WHEREAS, assuming maximum participation, the settlement agreements require the following:

- CVS to pay up to \$4.9 billion over 10 years;
- Walgreens to pay up to \$5.52 billion over 15 years;
- Walmart to pay up to \$2.74 billion with all payments made within 6 years; and

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

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

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

Human Resources

4. AMENDING THE 2023 LIVINGSTON COUNTY SALARY SCHEDULE: LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION

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

Center for Nursing and Rehabilitation :

- Create 16 full-time Certified Nursing Assistant Trainee positions. Certified Nursing Assistant Trainee full-time positions are a Wage Grade 4 CSEA Contract effective March 22, 2023.

For: These positions are for the purposes of recruiting and filling nurse aide training classes. Once students successfully complete the nurse aide training program, they will then transition into permanent nursing assistants. These additional positions will be used on a rotating basis to allow recruitment for current and upcoming scheduled classes.

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

5. AMENDING A PORTION OF RESOLUTION NO. 2022-422: ADOPTING THE 2023 MISCELLANEOUS PAY RATES (BOE PRIMARY ELECTION)

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

WHEREAS, the Elections Inspector: village and primary elections (e.g. 12P-9P) should only be for village elections; and

WHEREAS, the Elections Inspector: general election (e.g. 6 A-9 P) should include the primary election; now, therefore, be it

RESOLVED, that the Elections Inspector: primary election is now listed with Elections Inspector: general election; and be it further

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

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

Other

6. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY: LIVINGSTON COUNTY TOURISM, INC.

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> |
|--|---------------------|--|
| Livingston County Tourism, Inc. c/o Livingston County Economic Development 306 Court Street, Room 306 Geneseo, NY 14454 For: Promotion of Tourism | 1/1/2023-12/31/2023 | 95% of prior year gross lodging tax revenues |

| <i>Funding Source</i> | <i>Local Share</i> | <i>Budgeted?</i> |
|-------------------------|--------------------|------------------|
| Hotel/Motel Tax Revenue | 100% | X Yes No |

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

7. AWARDING BID AND AUTHORIZING CONSTRUCTION CONTRACT FOR CULVERT REPLACEMENT PROJECT, (CR #72) PRESBYTERIAN ROAD CULVERT OVER TRIBUTARY TO KESHEQUA CREEK TOWN OF MOUNT MORRIS, NYSDOT PIN 4BNY.43/L040606, FOR THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT: CP WARD, INC.

WHEREAS, after proper legal advertisement seeking bids for the construction phase of the Presbyterian Road Culvert Replacement, Town of Mount Morris, three (3) bids were received and opened on March 8th, 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> |
|---|------------------|---------------|
| CP Ward, Inc. 100 River Road Scottsville, NY 14546 For: Explain the purpose of the contract | 3/22/23-12/31/23 | \$890,228.40 |

| <i>Funding Source</i> | <i>Local Share</i> | <i>Budgeted?</i> |
|-----------------------|--------------------|------------------|
| NYS Bridge NY Program | 22% | Yes X No |

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

8. REQUESTING THE NEW YORK STATE SENATE AND THE NEW YORK STATE ASSEMBLY TO AUTHORIZE MICHAEL TELESKA TO TAKE THE COMPETITIVE CIVIL SERVICE EXAMINATION AND BE PLACED ON THE ELIGIBLE CIVIL SERVICE LIST FOR EMPLOYMENT AS A FULL-TIME DEPUTY FOR THE LIVINGSTON COUNTY SHERIFF'S OFFICE

WHEREAS, a bill has been introduced in the New York State Senate (S.4087) and the New York State Assembly (A.4916) to allow Michael Telesca to take the competitive civil service examination and, contingent upon his score, be placed on the eligible civil service list for employment as a full-time Deputy Sheriff for Livingston County; and

WHEREAS, the Livingston County Board of Supervisors must make a Home Rule Request requesting the New York State Senate and the New York State Assembly to support this Home Rule; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby requests that the New York State Legislature adopt Senate Bill (S.4087) and Assembly Bill (A.4916) allowing Michael Telesca to take the competitive civil service examination and, depending upon his performance, be placed on the eligible civil service list for employment as a full-time Livingston County Sheriff's Deputy; and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors and the Clerk of the Board is hereby authorized to file the appropriate Home Rule Request with the New York State Senate and the New York State Assembly.

Dated at Geneseo, New York

March 22, 2023

Ways and Means Committee

2/3 Vote

OTHER BUSINESS

1. CHAIRMAN APPOINTMENTS

Livingston County Youth Board

| Name | Address | Title/Represents | Term Expires |
|-------------|----------------------------------|------------------|--------------|
| Kelly Tonra | 33 Spring Street, Avon, NY 14414 | Town of Avon | At Pleasure |

ADJOURNMENT