

**AGENDA DOCKET**  
**LIVINGSTON COUNTY BOARD OF SUPERVISORS REGULAR BOARD MEETING**  
**WEDNESDAY, SEPTEMBER 13, 2023**  
**1:30 P.M.**



**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

Livonia Supervisor Eric Gott

**APPROVAL OF MINUTES**

Minutes of 8/23/23 Regular Meeting

**PUBLIC HEARING**

1. **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. 2023-303      APPROVING ABSTRACT OF CLAIMS #9A-SEPTEMBER 13, 2023**

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #9A dated September 13, 2023 in the total amount of \$3,227,291.03.

Dated at Geneseo, New York

September 13, 2023

Ways and Means Committee

**PRIVILEGES OF THE FLOOR**

KELLY BURNS, TOURISM DIRECTOR & BILL BACON, ECONOMIC DEVELOPER

– TOURISM UPDATE

**PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE**

Human Services Committee

1. **PROCLAIMING SEPTEMBER 2023 AS NATIONAL PREPAREDNESS MONTH**

WHEREAS, the month of September 2023, is National Preparedness Month and the theme is "Preparing for Older Adults"; and

WHEREAS, National Preparedness Month (NPM) is recognized each September to promote family and community disaster planning now and throughout the year; and

WHEREAS, our nation continues to respond to unpredictable and unprecedented challenges, there is no better time to be involved than this September; and

WHEREAS, this creates an important opportunity for residents and businesses of Livingston County to be prepared for any type of emergency where they live, work, and play; and

WHEREAS, Livingston County Office of Emergency Management, Livingston County Department of Health, Livingston County Medical Reserve Corps (MRC), and other federal, state, local, private, and volunteer agencies are working to increase public activities in preparing for emergencies; and

WHEREAS, emergency preparedness is the responsibility of every citizen in Livingston County and all citizens are urged to make preparedness a priority and work together to ensure that individuals, families, and communities are prepared for disasters and emergencies of any type; and

WHEREAS, all citizens and businesses in Livingston County are encouraged to visit [ready.gov](https://www.livingstoncounty.us/1489/Volunteering) prepare for more information about preparedness; and

WHEREAS, all citizens are encouraged to visit <https://www.livingstoncounty.us/1489/Volunteering> for more information on how to become an MRC volunteer; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby recognize the importance of emergency preparedness, and does hereby proclaim the month of September 2023, as National Emergency Preparedness Month in Livingston County.

Dated at Geneseo, New York

September 13, 2023

Human Services Committee

Public Services Committee

**2. PROVIDING FOR A PUBLIC HEARING TO 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 VILLAGE OF GENESEO**

RESOLVED, that the Livingston County Board of Supervisors hereby schedules a public hearing to be held on October 11, 2023 at 1:35 PM in the Board of Supervisors Assembly Room, Livingston County Government Center, Third Floor, Geneseo, New York, for the purpose of providing information to the public on the Community Development Block Grant (CDBG) program and to consider citizen comments regarding the County's contract with the NYS Office of Community Renewal to support the Dream-O-Vate entrepreneurial program for Livingston County, and at least ten (10) days notice shall be given by posting a notice on the bulletin board of the County Government Center and by publishing such notice at least one (1) time in the official newspaper of the County as provided by law.

Dated at Geneseo, New York

September 13, 2023

Public Services Committee

**3. PROVIDING FOR A PUBLIC HEARING TO 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 (CAPACITY BUILDING AND ENTREPRENEURIAL ASSISTANCE TO SUPPORT AND FOSTER THE DEVELOPMENT OF MICROBUSINESSES)**

RESOLVED, that the Livingston County Board of Supervisors hereby schedules a public hearing to be held on October 11, 2023 at 1:35 PM in the Board of Supervisors Assembly Room, Livingston County Government Center, Third Floor, Geneseo, New York, for the purpose of providing information to the public regarding the Community Development Block Grant (CDBG) program and to consider citizen comments regarding the County's proposal to submit a CDBG application to the NYS Office of Community Renewal to provide grants in conjunction with capacity building and entrepreneurial assistance to support and foster the development of microbusinesses, and at least ten (10) days' notice shall be given by posting a notice on the bulletin board of the County Government Center and by publishing such notice at least one (1) time in the official newspaper of the County as provided by law.

Dated at Geneseo, New York

September 13, 2023

Public Services Committee

**4. DESIGNATING LIVINGSTON COUNTY TOURISM, INC. AS THE 2024 OFFICIAL TOURISM PROMOTION AGENCY**

WHEREAS, Article 5-A of the New York State Economic Development Law, known as the Tourism Promotion Act, authorizes the State Commissioner of Economic Development to issue grant funding to recognized Tourist Promotion Agencies to stimulate and increase tourism throughout the regions of New York State; and

WHEREAS, to qualify for this funding, Livingston County must designate a Tourist Promotion Agency as the agency authorized to make application for and receive funds under this grant program. A Tourist Promotion Agency is statutorily defined as any not-for-profit corporation, or other nonprofit organization, association or agency designated as such by resolution of a county's governing body; and

WHEREAS, Livingston County Tourism, Inc. qualifies as an official Tourism Promotion Agency to make application for funding; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby designates Livingston County Tourism, Inc. the 2024 Tourist Promotion Agency for Livingston County and authorizes it to make application

for and receive funding on behalf of the County pursuant to the New York State Tourist Promotion Act; and be it further

RESOLVED, that a certified copy of this resolution be filed by the Clerk of this Board with Livingston County Tourism, Inc.

Dated at Geneseo, New York

September 13, 2023

Public Services 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**

Human Services Committee

Department Of Health

**5. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: HILLSIDE CHILDREN’S SERVICES, INC.**

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:

**Hillside Children’s Services, Inc.** 8/1/23-12/31/24 \$76,768.00

1183 Monroe Avenue

Rochester, NY 14620

For: Provision of Youth Peer Advocacy Services

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Opioid Settlement Fund	0%	Yes x No
<i>Procurement Method:</i> Professional services exempt from formal RFP solicitation		

Dated at Geneseo, New York

September 13, 2023

Human Services Committee

**6. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING GRANT AWARD CONTRACT FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: NEW YORK STATE DEPARTMENT OF HEALTH**

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following grant award 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:

Contractor Term Amount

**New York State Department of Health** 4/1/23-3/31/24 \$33,373.00

Corning Tower Empire State Plaza

Albany, NY 12237

For: Tobacco Enforcement Program

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
New York State Tobacco Enforcement Program	0%	Yes X No

Dated at Geneseo, New York

September 13, 2023

Human Services Committee

**7. AMENDING A PORTION OF RESOLUTION NO. 2023-220 (STEP BY STEP CONTRACT)**

WHEREAS, Resolution No. 2023-220 authorized the Chairman of the Livingston County Board of Supervisors to sign various contracts for the Livingston County Department of Health; and

WHEREAS, Resolution No. 2023-220 specifically authorized a contract with Step by Step Physical Therapy, Occupational Therapy, Speech Language Therapy, Psychology and LMSW Services, PLLC (“Step by Step”) for the provision of various services for the Preschool Program. The approved rates were \$55.00 per 30-minute individual session and \$40.00 per 30-minute group session; and

WHEREAS, subsequent to the approval of the contract, further rate negotiations have occurred between the Department of Health and Step by Step in an attempt to create consistency and equity among all Preschool Program service providers. The parties have now agreed to increase the rates to \$57.50 per 30-minute individual session and \$40.00 per 30-minute group session; now, therefore, be it

RESOLVED, that a portion of Resolution No. 2023-220 is hereby amended.

Dated at Geneseo, New York

September 13, 2023

Human Services Committee

**8. ESTABLISHING THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH’S HOSPICE RATE SCHEDULE, EFFECTIVE OCTOBER 1, 2023**

Hospice 2024 Fee Schedule			
<u>Service Description</u>	<u>Rev Code</u>	<u>Effective 10/1/2022</u>	<u>Proposed Effective 10/1/2023</u>
Per Diem (RHC)	0651	\$200	\$215
Continuous Home Care (CHC) per hr.	0652	\$60	\$62
Respite Care in Hospital	0655	\$475	\$495
General In Patient Care- Hospital (GIP)	0656	\$1,050	\$1,095
Continuous Home Care (CHC) 24 hrs		\$1,440	\$1,488
***Note-New fees determined based on HPCANY Calculated FINALFY 2024 Wage Index for Livingston County			

Dated at Geneseo, New York

September 13, 2023

Human Services Committee

*Office For The Aging*

**9. AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR THE LIVINGSTON COUNTY OFFICE FOR THE AGING: TRUSTED NURSE STAFFING, LLC DBA TRUSTED CHOICE HOMECARE**

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for the Livingston County Office for the Aging, 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>
<b>Trusted Nurse Staffing, LLC dba Trusted Choice Homecare</b> 500 Seneca St., Suite 501 Buffalo, NY 14204	10/1/2023-9/30/2024 with 2 one-year options to renew	\$27.25/hour

For: Fiscal Intermediary for Consumer Directed In-Home Services

<u>Funding Source</u>	<u>Local Share</u>	<u>Budgeted?</u>
EISEP, Title III E	25%	Yes X No

*Procurement Method:* Professional services deemed exempt from RFP

Dated at Geneseo, New York

September 13, 2023

Human Services Committee

*Workforce Development/Youth Bureau*

**10. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING GRANT AWARD CONTRACT FOR THE LIVINGSTON COUNTY WORKFORCE DEVELOPMENT/YOUTH BUREAU: NYS OFFICE OF CHILDREN AND FAMILY SERVICES**

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following grant award contract for the Livingston County Workforce Development/Youth Bureau, and any future amendments to said contract, according to the terms designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Office of Children and Family Services</b> 52 Washington Street Rensselaer, NY 12144-2834 For: Accessing State Youth Development and Sports funds	10/1/23-9/30/24	\$87,183.00

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS Office of Children and Family Services	0%	Yes

Dated at Geneseo, New York  
September 13, 2023  
Human Services Committee

**11. AUTHORIZING PROFESSIONAL SERVICES CONTRACTS FOR YOUTH SPORTS AND EDUCATION OPPORTUNITY FUNDING: AVON BRAVES YOUTH FOOTBALL AND CHEERLEADING, CAL MUM YOUTH BASKETBALL ASSOCIATION & LIVINGSTON COUNTY LEGENDS**

WHEREAS, the County of Livingston solicited a Request for Proposals for the use of Youth Sports and Educational Opportunity Funding, 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 contracts, and any amendments to said contracts, which are 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>
<b>Avon Braves Youth Football and Cheerleading</b> P.O. Box 74 Avon, NY 14414 For: Sports equipment for program participants	10/1/23-9/30/24	\$9,068.00
<b>Cal Mum Youth Basketball Association</b> 450 Barks Road Caledonia, NY 14423 For: Sports equipment for program participants	10/1/23-9/30/24	\$9,593.00
<b>Livingston County Legends</b> 5443 Avon East Avon Road Avon, NY 14414 For: Sports equipment for program participants	10/1/23-9/30/24	\$6,965.00

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS Office of Children and Family Services	0%	Yes

Dated at Geneseo, New York  
September 13, 2023  
Human Services Committee

**12. AUTHORIZING PROFESSIONAL SERVICES CONTRACTS FOR YOUTH DEVELOPMENT FUNDING: CATHOLIC CHARITIES STEUBEN/LIVINGSTON, HILLSIDE CHILDREN'S CENTER INC. & LEGAL AID SOCIETY OF ROCHESTER, NY, INC.**

WHEREAS, the County of Livingston solicited a Request for Proposals for the use of Youth Development Funding, and three (3) proposals were received; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors are hereby authorized to sign the following contracts, and any amendments to said contracts, 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>
<b>Catholic Charities Steuben/Livingston</b> 23 Liberty Street Bath, NY 14810	10/1/23-9/30/24	\$10,000.00

For: The provision of parenting education services

**Hillside Children’s Center, Inc.** 10/1/23-9/30/24 \$15,000.00  
1183 Monroe Avenue  
Rochester, NY 14614

For: Operation of the Livingston County Youth Court Program

**Legal Aid Society of Rochester, NY, Inc.** 10/1/23-9/30/24 \$30,254.00  
One West Main Street, Suite 800  
Rochester, NY 14614

For: The provision of youth advocacy services for Livingston County

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYS Office of Children and Family Services	0%	Yes

Dated at Geneseo, New York

September 13, 2023

Human Services Committee

**13. AUTHORIZING PROFESSIONAL SERVICES CONTRACTS FOR COMMUNITY SERVICES BLOCK GRANT FUNDING: CATHOLIC CHARITIES STEUBEN/LIVINGSTON, GENESEO PARISH OUTREACH CENTER, INC., CHANCES AND CHANGES, INC. & UR MEDICINE NOYES HEALTH AKA NICHOLAS NOYES MEMORIAL HOSPITAL/LIVINGSTON HEALTH CARE SYSTEMS, INC.**

WHEREAS, the County of Livingston solicited a Request for Proposals for the use of Community Service Block Grant Funding, and four (4) 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 contracts, and any amendments to said contracts, which are 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>
<b>Catholic Charities Steuben/Livingston</b> 23 Liberty Street Bath, NY 14810	10/1/23-9/30/24	Not to Exceed \$62,727.00

For: Emergency services to income eligible residents

**Geneseo Parish Outreach Center, Inc.** 10/1/23-9/30/24 Not to Exceed \$75,000.00  
4520 Genesee Street  
Geneseo, NY 14454

For: Medical services to income eligible residents

**Chances and Changes, Inc.** 10/1/23-9/30/24 Not to Exceed \$36,000.00  
P.O. Box 326  
Geneseo, NY 14454

For: Emergency services to income eligible residents

**UR Medicine Noyes Health aka Nicholas Noyes Memorial Hospital/Livingston Health Care Systems, Inc.** 10/1/23-9/30/24 Not to Exceed \$12,930.00  
111 Clara Barton Street  
Dansville, NY 14437

111 Clara Barton Street  
Dansville, NY 14437

For: Emergency medical alert services to income eligible residents

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Community Service Block Grant	0%	Yes

Dated at Geneseo, New York

September 13, 2023

Human Services Committee

PUBLIC SERVICES COMMITTEE

Central Services

**14. AWARDING BID FOR THE CENTRAL SERVICES DEPARTMENT FOR THE PROVISION OF COMPREHENSIVE HVAC REPAIR TO VARIOUS SYSTEMS AT NUMEROUS LOCATIONS THROUGHOUT LIVINGSTON COUNTY: MONROE PIPING & SHEET METAL, LLC**

WHEREAS, after the proper legal advertisement seeking bids for the provision of comprehensive HVAC repair to various systems at numerous locations throughout Livingston County, five (5) bids were received and opened on August 23, 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>
<b>Monroe Piping &amp; Sheet Metal, LLC</b>	9/1/2023-8/31/2026	Per Rate Sheet
68 Humboldt Street	With two (2) additional (1)	
Rochester, NY 14609	year renewal options	
For: Comprehensive HVAC repair to various systems throughout Livingston County buildings		

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

Dated at Geneseo, New York  
 September 13, 2023  
 Public Services Committee  
 County Clerk

**15. AMENDING THE LIVINGSTON COUNTY CLERK FEE SCHEDULE**

RESOLVED, that the Livingston County Clerk Fee Schedule is amended as follows:

**COUNTY CLERK:**

- Adding E-Z Pass® On-the-Go Tags for a fee of \$25.00 per tag.

For: To enhance our services provided to the community

Dated at Geneseo, New York  
 September 13, 2023  
 Public Services Committee  
 Economic Development

**16. 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>
<b>Livingston County Tourism, Inc.</b>	1/1/2024-12/31/2024	95% of prior year gross lodging tax revenues
c/o Livingston County Economic Development		
306 Court Street, Room 306		
Geneseo, NY 14454		
For: Promotion of Tourism		

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

Dated at Geneseo, New York  
 September 13, 2023  
 Public Services Committee  
 Highway

**17. RESOLUTION AUTHORIZING A ROAD USE AGREEMENT WITH HORSESHOE SOLAR ENERGY CENTER, LLC**

WHEREAS, Developer has been developing a solar generating facility located in the Town of Caledonia, County of Livingston, State of New York (herein "Solar Project") and has received from the New York State Office of Renewable Energy Siting (ORES) a Siting Permit authorizing the Solar Project; and

WHEREAS, in connection with said Solar Project Construction Activities, Developer may need to traverse certain County highways, roads, bridges, culverts and related fee owned land, rights-of-way or easements owned and/or maintained by the County (collectively herein "Roads") with Developer operated heavy vehicles/machinery weighing in excess of the legal weights and/or dimensions specified in the New York State Vehicle and Traffic Law; and

WHEREAS, Developer may also need to widen certain Roads, install temporary turning radii, install temporary construction easement rights-of-way, and/or make other modifications or improvements to such Roads to permit equipment and material to pass; and

WHEREAS, Developer may also need to place certain electrical collection and transmission and communication cables, conduit and other wires and cables, as well as place footings, foundations, towers, poles, cross arms, guy lines and anchors, circuit breakers, junction boxes and/or other machinery and equipment related to the foregoing in close proximity to, under, or across certain Roads; and

WHEREAS, the Livingston County Highway Superintendent recommends the County enter into a Road Use and Repair Agreement with the Developer to best protect the County should damage be caused to its roads, bridges, and/or culverts as a result of these intended construction activities; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby support the recommendations of the Highway Superintendent and hereby authorizes the Chairman of the Board to sign a Road Use and Repair Agreement with the Developer, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York  
September 13, 2023

Public Services Committee

*Office Of Emergency Management*

**18. AWARDING BID FOR THE OFFICE OF EMERGENCY MANAGEMENT FOR SWIFT WATER RESCUE EQUIPMENT: ALL HANDS FIRE EQUIPMENT, LLC**

WHEREAS, after the proper legal advertisement seeking bids for swift water rescue equipment, two (2) bids were received and opened on August 9, 2023; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby 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>
<b>All Hands Fire Equipment, LLC</b> 7 3 <sup>rd</sup> Ave, Neptune City, NJ 07753	9/1/2023-9/1/2024	\$22,160.40

For: Swift water rescue soft equipment for the OEM Special Operations Team members qualified/certified through the Office of Fire Prevention and Control in Swift water Rescue.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
NYSDHSES Grant	0%	Yes

Dated at Geneseo, New York  
September 13, 2023

Public Services Committee

*Planning*

**19. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY PLANNING DEPARTMENT: SUNY RESEARCH FOUNDATION OF THE STATE OF NEW YORK**

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>
<b>SUNY Research Foundation of the State of New York</b>	9/1/2023-12/31/2026	Not to exceed \$8,400.00

P.O. Box 9  
Albany, NY 12201-0009

For: Installation and assessment of a stream gage in the Conesus Lake watershed



<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Finger Lakes/Lake Ontario Watershed Protection Alliance (CLAWS 31 & 32)	0%	Yes
<i>Procurement Method:</i> Professional services deemed exempt from RFP.		

Dated at Geneseo, New York  
September 13, 2023  
Public Services Committee  
Sheriff

**20. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY SHERIFF’S OFFICE: AXON ENTERPRISE, INC. (2)**

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contracts for the Livingston County Sheriff Office, and any future amendments to said contracts, according to the terms designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Axon Enterprise, Inc.</b> 17800 N 85 <sup>th</sup> Street Scottsdale, AZ 85255	10/1/2023-9/30/2028	Oct 2023 \$50,699.26
	optional 5 year renewal	Oct 2024 \$50,779.94
		Oct 2025 \$50,779.94
		Oct 2026 \$50,779.94
		Oct 2027 \$50,779.94

For: Conducted energy weapons (Tasers)

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
A3110	100%	Yes x No
<i>Procurement Method:</i> Cooperative - Sourcewell #092722-AXN Taser		

<b>Axon Enterprise, Inc.</b> 17800 N 85 <sup>th</sup> Street Scottsdale, AZ 85255	10/1/2023-9/30/2028	Oct 2023 \$16,500.00
	optional 5 year renewal	Oct 2024 \$7,364.71
		Oct 2025 \$7,364.71
		Oct 2026 \$7,364.72
		Oct 2027 \$7,364.72

For: Fleet 3 in car cameras for STOP DWI

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
\$16,500 “aid to localities” from STOP DWI received 8/17/23, A3112	100% years 2-5	Yes x No
<i>Procurement Method:</i> Cooperative – Sourcewell # 010720-AXN Fleet 3		

Dated at Geneseo, New York  
September 13, 2023  
Public Services Committee

**21. AMENDING A PORTION OF RESOLUTION NO. 2018-358 (PORTAGE TOWER LEASE WITH STEVENS)**

WHEREAS, Resolution No. 2018-358 authorized the Chairman of the Livingston County Board of Supervisors to sign a lease agreement with Joel Stevens, John L. Stevens, and Carol J. Stevens permitting the County to use a portion of 8818 Short Tract Road in the Town of Portage to build and operate an emergency communications tower. Said lease agreement commenced December 20, 2018 with a lease term of ninety-nine (99) years and required a onetime payment in the amount of \$20,000.00; and

WHEREAS, said lease specifies the County has the right to sublease the leased premises, in whole or in part, with the consent of the Stevens; and

WHEREAS, the County now wishes to sublease a portion of the leased premises to T-Mobile Northeast LLC (“T-Mobile) for purposes of T-Mobile collocating on the County’s existing communications tower to expand cellular service in and around Letchworth State Park greatly improving emergency communications in that area; and

WHEREAS, the Stevens have been notified of the intended sublease and have consented to the same subject to them receiving \$10,000.00 annually for so long as the sublease remains in effect. For the first year of

the sublease, in lieu of receiving a full \$10,000.00 payment, the Stevens are agreeable to receiving a prorated sum based upon the date the County begins receiving monthly sublease payments; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a consent letter, and any future amendments thereto, with Joel Stevens, John L. Stevens, and Carol J. Stevens incorporating the above-mentioned terms; and be it further

RESOLVED, that Resolution No. 2018-358 is hereby amended.

Dated at Geneseo, New York

September 13, 2023

Public Services Committee

**WAYS & MEANS COMMITTEE**

*County Administrator/Budget Officer*

**22. AMENDING 2023 LIVINGSTON COUNTY BUDGET: SOCIAL SERVICES & WORKFORCE DEVELOPMENT**

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

September 13, 2023

Ways and Means Committee

**23. ESTABLISHING AN ACCOUNT: GRANTS AND PUBLIC INFORMATION/AFFORDABLE CONNECTIVITY OUTREACH PROGRAM**

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

Dated at Geneseo, New York

September 13, 2023

Ways and Means Committee

*Human Resources*

**24. AMENDING THE 2023 LIVINGSTON COUNTY SALARY SCHEDULE: RECORDS MANAGEMENT & SHERIFF'S OFFICE**

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

**Records Management:**

- Convert one part-time Records Inventory Supervisor position to full-time effective September 11, 2023.

For: Expansion of Department operations.

**Sheriff's Office**

- Create one full time Deputy Sheriff/Road Patrol position at Wage Grade 13 effective immediately.

For: New Lima Resource Deputy, per approved contract Resolution No. 2023-287.

Geneseo, New York.

Dated at Geneseo, New York

September 13, 2023

Ways and Means Committee

*Other*

**25. AUTHORIZING THE PURCHASE OF ONE (1) 2023 CHRYSLER PACIFICA FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT: FALLS DODGE, INC. DBA JOE CECCONI'S CHRYSLER COMPLEX**

RESOLVED, that the Livingston County Central Services Department is hereby authorized to purchase from Falls Dodge, Inc. dba Joe Cecconi's Chrysler Complex, 2380 Military Road, Niagara Falls, NY 14304, one (1) new 2023 Chrysler Pacifica at a cost not to exceed \$41,033.15.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
County Budget	100%	Yes
<i>Procurement Method: Mini-Bid #14191/NYSOGS#PC68974</i>		

Dated at Geneseo, New York

September 13, 2023

Ways and Means Committee

**26. ADOPTING THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES' INDIGENT BURIAL POLICY & FEE SCHEDULE**

WHEREAS, New York State Social Services Law Section 141 states "the public welfare district, town or city which was or would have been responsible for furnishing public assistance or care to a person while alive shall provide for the care, removal and burial of the body of a recipient of public assistance or care who shall die, or of a person found dead in the public welfare district." This is referred to as an indigent burial; and

WHEREAS, a funeral home handling an indigent decedent's burial or cremation, prior to providing such services, shall be responsible for contacting the Livingston County Department of Social Services ("the Department") to establish eligibility for reimbursement and to secure authorization from the Department. Eligibility shall be determined based upon the decedent's income and resources, as well as the income and resources of any legally responsible relative. Resources include, but are not limited to, bank accounts, life insurance, home and property, mobile homes, vehicles, and retirement accounts; and

WHEREAS, once eligibility is confirmed, cremation is the preferred disposition unless full body burial is requested by the family or identified resource. The maximum reimbursement for direct cremations shall be up to \$2,200.00 per qualifying individual. Said rate specifically includes the following services: Removal, vehicle and transportation costs, crematory fee, and a standard urn or alternative container; and

WHEREAS, the maximum reimbursement for direct burials shall be up to \$3,200.00 per qualifying individual. Said rate specifically includes the following services: Removal, vehicle and transportation costs, standard casket, grave/vault, grave opening, liner, closing and equipment, and cemetery fee; and

WHEREAS, the maximum reimbursement rates may be exceeded in the Department's sole discretion due to the need for an oversized casket (wholesale cost), bariatric cremation (not to exceed \$500.00), or preparing declared biohazardous remains (not to exceed \$150.00); and

WHEREAS, additional supplementation by family and/or other resources is permitted and the expenses associated with the same shall not be capped. All supplementation must be directly negotiated between the family and/or other resources and the funeral home. The Department has no financial responsibility/liability for the expenses associated with supplementation as said expenses are to be paid by the family and/or other resources directly to the funeral home. Supplemental arrangements cannot be paid using the decedent's funds or the funds of the legally responsible relative; and

WHEREAS, funeral homes seeking reimbursement must provide the Department with an Itemization of Funeral Services and Merchandise Selected. All bills must include a complete statement of all monies paid by relatives or other resources for the burial services of the deceased; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby adopts the Livingston County Department of Social Services' Indigent Burial Policy, along with the fee schedule outlined therein, which shall become effective October 1, 2023. Said policy and fee schedule shall supersede all prior policies/fee schedules adopted and utilized relative to indigent burials.

Dated at Geneseo, New York

September 13, 2023

Ways and Means Committee

**27.\* RESCINDING RESOLUTION NO. 2021-184 (LIVINGSTON COUNTY INFRASTRUCTURE CAPITAL GRANT: LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY (TOWN OF YORK))**

WHEREAS, Resolution No. 2021-184 amended Resolution No. 2017-238 which approved Livingston County Infrastructure Capital Grant funding to the Livingston County Industrial Development Agency for an extension/installation water project in the Town of York. Said amendment decreased the previously approved funding amount; and

WHEREAS, the final project costs negate the need to decrease the awarded funding amount; now, therefore, be it

RESOLVED, that Resolution No. 2021-184 is hereby rescinded.

Dated at Geneseo, New York

September 13, 2023

Ways and Means Committee

**28. APPROVING LIVINGSTON COUNTY INFRASTRUCTURE CAPITAL GRANT:  
LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY (TOWN OF AVON)**

WHEREAS, the Livingston County Industrial Development Agency requests \$325,000.00 from the Livingston County Infrastructure Capital Grant Fund (“the Fund”) to assist with the excavation/extension of roadway and utilities on Bruckel Drive in the Town of Avon and accessing the land owned by the Livonia, Avon, and Lakeville Railroad; and

WHEREAS, the above-mentioned project will aid in preparing for the development of the Livwell Community Wellness & Fitness Center and the overall future development of the lands remaining on the 113 acre parcel; and

WHEREAS, the total project cost is estimated to be \$655,344.00 and will not exceed more than 50% of the project’s reimbursable expenses; and

WHEREAS, disbursement of Infrastructure Capital Grant funding shall be contingent upon proof of committed funding and local permitting approvals for the Livwell Community Wellness & Fitness Center or any other job creating commercial development project earmarked for the site; and

WHEREAS, disbursement of Infrastructure Capital Grant funding shall also be contingent upon proof of a minimum of twenty-six (26) full-time jobs that will be created within a three (3) year period as the purpose of the Infrastructure Capital Grant Fund is to assist in the completion of economic development projects through the funding of public infrastructure, with the goal of attracting and retaining employment; and

WHEREAS, the construction of this infrastructure project or any other commercial development project committed to the site shall adhere to the standards and procedures established by the Town of Avon so that any newly created road extension and infrastructure can be dedicated to the Town of Avon; and

WHEREAS, the location of this property next to Interstate 390 with rail frontage and easy accessibility to the NYS Thruway and Rochester MSA makes this an attractive location for prospective businesses; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby approves the \$325,000.00 funding request from the Livingston County Industrial Development Agency for purposes of the above-mentioned infrastructure project or any other commercial development project earmarked for the site, subject to the conditions outlined.

Dated at Geneseo, New York

September 13, 2023

Ways and Means Committee

**29. AMENDING APPROVED LIVINGSTON COUNTY INFRASTRUCTURE CAPITAL GRANT:  
LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY (TOWN OF YORK)**

WHEREAS, per Resolution No. 2017-238, the Livingston County Board of Supervisors approved an initial request from the Livingston County Industrial Development Agency for \$750,000.00 from the Livingston County Infrastructure Capital Grant Fund (“the Fund”), with an expected reimbursement of \$500,000 from outside grant funding, resulting in an actual \$250,000.00 contribution from the Fund. Said project funding was to assist with payment for the extension/installation of a public water line on Anderson and Telephone Roads in the Town of York to support the retention and expansion of Growmark F.S. and nineteen (19) other users; and

WHEREAS, per current project costs, the request now needs to be modified to reflect a \$500,000.00 contribution from the Fund with an expected reimbursement of \$250,000.00 from a grant award secured by Senator Gallivan, resulting in an actual \$250,000.00 contribution from the Fund; and

WHEREAS, work has been completed on the Anderson Road portion of the project through a USDA Rural Development grant leaving a need to fund the remaining work on Telephone Road moving further westward to McPherson Road. The requested Fund contribution specifically supports expanding water service from the corner of Route 36 following westward for approximately 6,250 linear feet on Telephone Road for a total cost of \$673,000.00; and

WHEREAS, the funding request is based on the Growmark F.S. expansion project and the need to have public water service at its location. Growmark F.S. is an agribusiness that supports many of our area farms. The Growmark F.S. expansion project, having a cost of roughly \$3,640,000.00, increased the available capacity of fertilizer from 800 tons to 5,000 tons to the farming community from this facility instead of opting to expand the company’s Batavia location. The economic impact analysis shows Growmark F.S. provides an annual benefit to the State and Region of \$2,924,000.00; and

WHEREAS, the initial projected job component of the Growmark F.S. expansion project was exceeded by adding five (5) new FTE instead of three (3) new FTE, bringing the total number to twenty (20) FTE; and

WHEREAS the Town of York agrees to provide any necessary documentation required to obtain and assist with the administration of the grant secured by Senator Gallivan; and

WHEREAS, four (4) new commercial and fifteen (15) new residential users benefitted from the water extension/installation project by adding services and a looped connection, further providing design and operational advantages while being less prone to breaks and stagnant water issues; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby approves the amended funding request from the Livingston County Industrial Development Agency for the above-described water line project in the Town of York with the understanding there will be a reimbursement of \$250,000.00 to the County using outside grant funding, specifically State Aid to Municipalities (Project#15519); and be it further

RESOLVED, that Resolution No. 2017-238 is hereby amended.

Dated at Geneseo, New York

September 13, 2023

Ways and Means Committee

**30. AUTHORIZING THE PURCHASE OF ONE (1) 2024 FORD F-250 PICKUP TRUCK WITH SNOW PLOW PREP. PACKAGE FOR THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT: C. BASIL FORD INC.**

RESOLVED, that the Livingston County Highway Department is hereby authorized to purchase from C. Basil Ford, Inc. of 1540 Walden Avenue, Cheektowaga, New York 14225 one (1) 2024 Ford F-250 Pickup Truck with Snow Plow Prep. Package at a cost not to exceed \$53,507.40.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
2023 Liv. Co. Highway Machinery Fund Appropriations	100%	Yes XX No
<i>Procurement Method:</i> mini-bid #14151/NYSOGS #PC68991		

Dated at Geneseo, New York

September 13, 2023

Ways and Means Committee

*Records Management*

**31. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY RECORDS MANAGEMENT DEPARTMENT: IMAGE RETRIEVAL, INC.**

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for the Livingston County Records Management 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>
<b>Image Retrieval, Inc.</b> 3620 North Josey Lane, Suite 103 Carrollton, Texas 75007	9/27/23-9/26/24	\$36,683.00
For: NextScan FlexView 300 Microfilm Scanner, for the purpose of scanning and indexing County Microfilm collection at below market rate cost per roll.		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
ARPA Funding	100%	Yes x No
<i>Procurement Method:</i> GSA #47QSMA21D08PD		

Dated at Geneseo, New York

September 13, 2023

Ways and Means Committee

**CLOSE PUBLIC HEARING**

**RESOLUTIONS CONT.**

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

WHEREAS, Solitude Brewing Co. plans to create and open a brewery in an existing building in the Town of Livonia (the “Project”); and

WHEREAS, Solitude Brewing Co. 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 (“LCDC”) is assisting in the facilitation of the Project and has requested that the County provide 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 held a public hearing on September 13, 2023, to obtain citizens’ views regarding the CDBG program as administered by OCR and the Project; now, therefore, be it

RESOLVED, that the Chairman is hereby authorized to submit a grant application to OCR on behalf of the County in the approximate amount of \$100,000 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 documents associated with the use of the OCR grant, including entering into an 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

September 13, 2023

Public Services Committee

## **OTHER BUSINESS**

## **ADJOURNMENT**