

**REGULAR BOARD MEETING
WEDNESDAY, AUGUST 9, 2023
1:30 P.M.**

ROLL CALL

The roll was called showing all members present except Mr. Horr (N. Dansville).

PLEDGE OF ALLEGIANCE

The County Administrator introduced Lieutenant Colonel Philip E. Buchinger, United States Marine Corps (Retired):

Lieutenant Colonel Buchinger was born in Warsaw, NY. He attended the State University of New York at Brockport and graduated in 1975 with a Bachelor's degree in Political Science. After graduation he commissioned as a Second Lieutenant with the United States Marine Corps through the Navy Reserve Officer Training Corps Program on August 1, 1975.

After commissioning as an officer, Second Lieutenant Buchinger attended The Basic School and graduating on March 10, 1976 and continued with Naval Flight Training in Pensacola, Florida. He was promoted to First Lieutenant on July 1, 1977 and was designated a Naval Aviator on August 19, 1977.

Upon completion of receiving flight designation his first operational assignment was to HMT-204 which was a composite training squadron tasked with training both the CH-46 and CH-53 chinook helicopter pilots as part of MAG-26, Marine Aircraft Group 26 at Marine Corps Air Station New River, North Carolina. From April 1978 to June 1980 Philip was assigned to HMM-261, Marine Helicopter Transport Squadron known as the "Raging Bulls." During his tour he deployed twice to the Mediterranean Sea as an Intelligence Officer and Operations Administration Officer. From June 1980 to November 1981 he was assigned as Operations Intelligent Officer with HMM-365, Marine Medium Helicopter Squadron known as the "Blue Knights." In July of 1980 Philip was promoted to Captain.

Following his town tour of duty in the fleet, Captain Buchinger was assigned to Marine Aviation Training Support Group in Pensacola, Florida as a Flight Instructor with Helicopter Training Squadron, HT-18 at Naval Air Station Whiting Field. His roles included as tactics instructor, standardization pilot, and flight leader. During this time he earned his Master Degree in Management from Troy State University and completed the Amphibious Warfare School Non-resident Course. In November 1984, Captain Buchinger was assigned to HMM-263 deploying twice more to the Mediterranean Sea where he participated in operations off Libya in the Persian Gulf. He served as the squadron's Weapons and Tactics Instructor, Logistics Officer, and Operations Officer. He was promoted to Major on November 1, 1986. In January 1989 Major Buchinger was assigned to Marine Aviation Weapons and Tactics Squadron ONE in Yuma, Arizona where he served as the Chinook Helicopter, CH-46 Division Head and Assault Support Department Head. He deployed to Southwest Asia in support of Operations Desert Shield and Desert Storm during the Gulf War as Helicopter Planner on the Third Marine Aircraft Wing staff. In May 1992, he served as Executive Officer of HMM-266, MAG-26 and was promoted to Lieutenant Colonel in February 1994.

On May 25, 1995 Lieutenant Colonel Buchinger was assigned as the Commanding Officer of HMM-261, MAG-26 in New River. He led the squadron on deployments to Fort Drum, NY for mountain area training, and to Twenty-Nine Palms, California for combined arms exercises and to a multi-national exercise in the Caribbean and taking the lead in the international exercise, Cooperative Osprey, at Camp Lejeune, North Carolina in August 1996.

Upon retirement from the Marine Corps with Honorable service Lieutenant Colonel Buchinger was award the Legion of Merit, Meritorious Service Medal, Navy Commendation Medal, and Navy Achievement Medal. He has acquired over 5,298 flight hours. After his military service he spent 16 years as a flight simulator instructor. He enjoys being in the outdoors and loves to fish, spend time with family and spend time on his restored tractor from his family farm. He is married to his wife, Shirley Ann. They reside today in North Carolina but have come home to the Town of Ossian to celebrate a 50th class reunion that was delayed a couple years due to COVID to spend time with family, friends, and classmates.

He is present today with his wife, his sister, Pam Cox, and brother in law Larry Cox, former Town Supervisor of Nunda.

Philip E. Buchinger, led the Pledge of Allegiance.

The County Administrator and Chairman LeFeber, on behalf of the Livingston County Board of Supervisors, presented a Certificate of Appreciation to Philip E. Buchinger. The audience presented a standing ovation.

APPROVAL OF MINUTES

Minutes of 7/26/23 Regular Meeting were approved as presented.

PUBLIC HEARING

1. CONSIDER PUBLIC COMMENT ON THE COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT WITH THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR THE BACK TO BUSINESS PROGRAM SUPPORTING SMALL BUSINESSES TO PREVENT, PREPARE FOR, AND RESPOND TO COVID-19

Chairman LeFeber asked Maureen Wheeler to comment on the public hearing.

Today's public hearing is in regard to the County's contract with the New York State Office of Community Renewal for administration of \$2.1 million in Community Development Block Grant funding through the 2020 Coronavirus Aid, Relief, and Economic Security Act, commonly referred to as the CARES Act.

This is a follow-up hearing as required by policy of the Office of Community Renewal which states that following award, a recipient of CDBG funds must hold a minimum of one public hearing to report program accomplishments.

Following award, Livingston County entered into a contract with the Livingston County Development Corporation to administer CDBG-CARES funding. The Development Corporation used 100% of funds to create the Back to Business Program which provided grant funding to small businesses with fewer than 25 employees that had been negatively impacted by the pandemic. Applicants were required to quantify the negative impact of the COVID-19 pandemic and document the income level of all individuals with 20% or more ownership in the company.

Assistance was deployed to address improvements that supported customer and staff safety and improved business resiliency related to future occurrences of the virus or other disasters. Uses included: new equipment or fixtures to guide social distancing, technology to increase efficiency, allow for touch free checkout, or implement post-COVID business practices such as online ordering and shipping, and working capital to resume operations following business closures.

The program allowed businesses to receive \$20,000 per low-moderate income owner and \$20,000 for each qualifying created or retained full time equivalent job.

The Back to Business program assisted 51 small businesses including 24 women-owned businesses and 16 low-moderate income owned businesses. With 51 awards made totaling \$2.1 million, the average award per business was \$41,176. The Back to Business Program retained 27 full time equivalent jobs and created 87 new full time equivalent jobs for a total impact of 114 jobs in Livingston County. This is an average award of \$18,421 per job.

Additionally, businesses assisted consisted of 67 owners and were already employing 254 people at the time of application. Overall this program impacted 408 workers in Livingston County.

Chairman LeFeber declared the Public Hearing open and stated anyone from the public interested in speaking to please come forward and sign in at the podium. No one wished to speak. The Chairman asked if any Supervisor wished to comment. The Chairman announced that the public hearing would remain open until the end of the meeting.

COMMUNICATIONS

1. Local Law 6-2023 was filed by the Department of State on July 18, 2023.
2. Receipt of Order to Show Cause in the matter of Joel Mike, et al vs Livingston County Board of Elections, et al.
3. Thank you note from Michelle Weaver.

INTRODUCTION OF LOCAL LAW

LOCAL LAW NO. C-2023 AMENDING AND RESTATING LOCAL LAW NO. 2-2021 TO EXTEND THE YOUTH DEER HUNTING PILOT PROGRAM THROUGH 2025

BE IT ENACTED by the Livingston Board of Supervisors as follows:

That Local Law No. 2-2021 is hereby amended and restated as follows:

Section 1. Legislative Intent

The intent of this Local Law is to authorize the expansion of youth hunting by allowing twelve (12) and thirteen (13) year old licensed hunters to participate in the new and safe hunting opportunities provided by New York State Environmental Conservation Law §11-0935. Said statute authorizes a pilot program to allow young licensed hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm or crossbow through 2025 within the boundaries of counties permitting such action by local law. In passing this Local Law, Livingston County recognizes hunting is a valued tradition for many families, and this new opportunity allows experienced adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

Section 2. Pilot Program Authorization

Pursuant to Environmental Conservation Law §11-0935, Livingston County elects to participate in the deer hunting pilot program to allow young licensed hunters, ages twelve (12) and thirteen (13), to hunt deer with a crossbow, rifle, shotgun or muzzle-loading firearm through 2025 when accompanied by a parent, legal guardian, or designated person.

Section 3. State Requirements Once Authorized

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer subject to the following requirements:

- All twelve (12) and thirteen (13) year old licensed hunters hunting deer with a crossbow, rifle, shotgun, or muzzle-loading firearm shall be accompanied by their parent or legal guardian, or by a person twenty-one (21) years of age or older designated in writing by such parent or legal guardian on a form prescribed by the New York State Department of Environmental Conservation; and
- A parent, guardian, or designated person accompanying a twelve (12) or thirteen (13) year old licensed hunter shall have a valid hunting license and at least three (3) years of experience hunting deer; and
- A parent, guardian or designated person accompanying a twelve (12) or thirteen (13) year old licensed hunter shall maintain physical control over the youth at all times while hunting. For purposes of this paragraph “physical control” shall mean that the physical proximity of such youth to the parent, guardian, or designated person is such that the parent, guardian, or designated person is reasonably able to issue verbal directions and instructions, maintain constant visual contact, and otherwise provide guidance and supervision of the youth; and
- All twelve (12) and thirteen (13) year old licensed hunters and their accompanying parent, guardian, or designated person shall each display either a minimum total of two hundred fifty (250) square inches of solid fluorescent orange or pink or patterned fluorescent orange or pink consisting of no less than fifty percent (50%) florescent orange or pink material worn above the waist and visible from all directions, or a hat or cap with no less than fifty percent (50%) of the exterior consisting of solid fluorescent orange or pink material and visible from all directions; and
- All twelve (12) and thirteen (13) year old licensed hunters and their accompanying parent, guardian, or designated person shall be required to remain at ground level at all times while hunting.

Section 4. Local Law Filing Requirements

A copy of this Local Law shall be sent to the New York State Department of Environmental Conservation as well as the New York State Department of State.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or part of this Local Law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent

jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. Effective Date

This Local Law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

Dated at Geneseo, New York
August 9, 2023 (Introduced)

Chairman LeFeber asked the County Attorney to comment on the local law.

County Attorney Shannon Hillier explained that this local law extends the current Youth Deer Hunting PILOT Program in Livingston County to December 31, 2025. This particular local law and program pertains to licensed hunters 12 and 13 years of age hunting deer using a crossbow or firearm.

ABSTRACT OF CLAIMS

RESOLUTION NO. 2023-277 APPROVING ABSTRACT OF CLAIMS #8A-AUGUST 9, 2023

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #8A dated August 9, 2023 in the total amount of \$2,085,242.02.

Dated at Geneseo, New York
August 9, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

RESOLUTION NO. 2023-278 PROCLAIMING SEPTEMBER 2023 AS NATIONAL SUICIDE PREVENTION MONTH

WHEREAS, the month of September 2023 is National Suicide Prevention Month and is a time in which individuals, organizations and communities around the country join their voices to amplify the message that suicide can be prevented; and

WHEREAS, suicide has a ripple effect as it not only touches the person whose life was lost, but their family, friends, and communities; and

WHEREAS, individuals frequently face challenges, expected or unexpected, welcomed or not, that are unsettling, disorienting, and stressful. Major life changes are environmental risk factors for suicide; and

WHEREAS, the key to suicide prevention is for individuals to know the signs of suicide, to find the words to communicate with someone they are concerned about, and to reach out to local resources; and

WHEREAS, all Livingston County residents are urged to play a role in suicide prevention and promote mental health and wellness as we strive towards zero suicides; and

WHEREAS, September is recognized across the United States as Suicide Prevention Month which provides the opportunity to educate our community about the warning signs for suicide and how to reach out and connect to those experiencing an emotional crisis; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby proclaim September 2023 as National Suicide Prevention Month in Livingston County, New York.

Dated at Geneseo, New York
August 9, 2023

Human Services Committee

RESOLUTION NO. 2023-279 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: TOWN OF LIVONIA

RESOLVED, that the Livingston County Board of Supervisors hereby schedules a public hearing to be held on September 13, 2023 at 1:35 p.m. in the Board of Supervisors Assembly Room, Livingston County Government Center, 6 Court Street, 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 seeking funding in support of an economic development project in the Town of Livonia, and at least ten (10) days' notice shall be given by posting a notice on the bulletin board of the Government Center in this County 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

August 9, 2023

Public Services Committee

RESOLUTION NO. 2023-280 PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. C-2023 AMENDING AND RESTATING LOCAL LAW NO. 2-2021 TO EXTEND THE YOUTH DEER HUNTING PILOT PROGRAM THROUGH 2025

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on August 9, 2023, a proposed Local Law entitled Local Law No. C-2023 Amending and Restating Local Law No. 2-2021 to Extend the Youth Deer Hunting Pilot Program Through 2025; now, therefore, be it

RESOLVED, that a public hearing shall be held on said proposed Local Law by this Board on September 27, 2023 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center, 6, Court Street, Geneseo, New York and at least six (6) 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 newspapers of the County as provided by law.

Dated at Geneseo, New York

August 9, 2023

Ways and Means Committee

RESOLUTION NO. 2023-281 PROVIDING FOR PUBLIC HEARING TO CONSIDER OBJECTIONS TO THE SPECIAL ASSESSMENT ROLL

WHEREAS, the special assessment rolls for all County districts have been filed; and

WHEREAS, the Livingston County Board of Supervisors is required to hold a public hearing to hear any objections to those rolls; now, therefore, be it

RESOLVED, that a public hearing shall be held on October 11, 2023 at 1:35 p.m. in the Board of Supervisors Assembly Room, Livingston County Government Center, 6 Court Street, Geneseo, New York to consider objections to the special assessment rolls; and be it further

RESOLVED, that the Clerk of the Livingston County Board of Supervisors shall cause the necessary legal notice to be published in the official newspaper of the County and that the Livingston County Real Property Tax Services Office shall mail notice of the public hearing to property owners in the districts.

Dated at Geneseo, New York

August 9, 2023

Ways and Means Committee

PREFERRED AGENDA VOTE

There being no further discussion on the foregoing resolutions, Chairman LeFeber asked for a motion to present the Preferred Agenda.

Motion made by Mr. Wester and seconded by Mr. Davis to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE

Center for Nursing and Rehabilitation

RESOLUTION NO. 2023-282 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY

CENTER FOR NURSING AND REHABILITATION: MESSER LLC

Mrs. Walker 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 Center for Nursing and Rehabilitation, 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>
Messer LLC	8/1/2023-7/31/2028	Per Rate Schedule
200 Somerset Corporate Boulevard, Suite 7000		
Bridgewater, NJ 08807		
For: Bulk Oxygen Delivery & Equipment		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Operating Budget	0%	X Yes No

Dated at Geneseo, New York

August 9, 2023

Human Services Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

Department Of Health

RESOLUTION NO. 2023-283 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: JAMIE BEARDSLEY, ERIKA BRACE, BREAKING BOUNDARIES OT AND PT SERVICES, PLLC, INDEPENDENT HEALTH ASSOCIATION, INC., ASHLEY KURTZ, CAROL LYNCH-RICOTTA, JAMES MCGUINNESS & ASSOCIATES, INC., NATIONAL WIC ASSOCIATION, S2AY RURAL HEALTH NETWORK, TRIADD NY, LLC D/B/A MYCOMPASS & WARREN'S COMMERCIAL CLEANING, INC.

Mrs. Walker 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 contracts for the Livingston County Department of Health, 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>
Jaime Beardsley	8/1/23-6/30/28	\$55.00 per 30-min. individual session;
5276 Hall Road		\$40.00 per 30-min. group session.
Fillmore, NY 14735		

For: Provide speech therapy for Pre-K Program

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County, Medicaid, NYSED	% varies	Yes X No

Erika Brace	8/1/23-6/30/28	\$55.00 per 30-min. individual session;
26 Tree Top Lane		\$40.00 per 30-min. group session.
West Henrietta, NY 14586		

For: Provide speech therapy services for Pre-K program

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County, Medicaid, NYSED	% varies	Yes X No

Breaking Boundaries OT and PT Services, PLLC	8/1/23-6/30/28	\$65.00 per 30-min. individual session;
3860 Atlantic Avenue		\$40.00 per 30-min. group session.
Fairport, NY 14450		

For: Occupational therapy and physical therapy services for Pre-K program

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County, Medicaid, NYSED	% varies	Yes X No

Independent Health Association, Inc.	8/1/23-12/31/23	Per Rate Schedule
511 Farber Lakes Drive		
(auto-renew annually)		

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Buffalo, NY 14221

For: Participating Provider for Mental Health and Hospice

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
N/A - Payor	% N/A	Yes X No

Ashley Kurtz 8/1/23-6/30/28 \$55.00 per 30-min. individual session;
 6 Summers Street \$40.00 per 30-min. group session.
 Livonia, NY 14487

For: Provide speech therapy for Pre-K Program

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County, Medicaid, NYSED	% varies	Yes X No

Carol Lynch-Ricotta 8/1/23-6/30/28 \$55.00 per 30-min. individual session;
 218 River Street \$40.00 per 30-min. group session.
 Avon, NY 14414

For: Provide speech therapy services for Pre-K program

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County, Medicaid, NYSED	% varies	Yes X No

James McGuinness & Associates, Inc. 9/1/23-8/31/26 Portal \$13,000.00 year x 3 = \$39,000.00;
 1482 Erie Boulevard eSTACs
 Schenectady, NY 12305 \$50,000+\$12,000.00/year x 3=\$86,000.00;
 Full Service Medicaid
 \$10,000.00+5% first 2 years;
 \$20,000.00+5% third year

For: Pre-K Software

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County and NYS Education Dept.	% varies	Yes X No

National WIC Association 6/13/23-11/30/24 \$2,879.84
 1099 14th Street, Suite 510E
 Washington, DC 20005

For: Strengthening and Diversifying the WIC Workforce Project

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
National WIC Association AHEAD Grant	0%	Yes X No

S2AY Rural Health Network 8/1/23-6/30/24 \$34,886.43
 P.O. Box 390
 Canandaigua, NY 14424

For: Fellows Local Coordinator

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Public Health Corps Fellowship Program	0%	Yes X No

TriADD NY, LLC D/B/A MyCompass 9/1/23-8/31/24; \$0.00
 258 Genesee Street auto-renew annually
 Utica, NY 13502

For: Participating Provider – Hospice Medicaid for NYS Group Homes

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
N/A - Payer	N/A	Yes X No

Warren's Commercial Cleaning, Inc. 9/1/23-8/31/24 \$172.00 per month
 454 North Main Street
 Warsaw, NY 14569

For: Janitorial Services for Warsaw WIC Clinic

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
New York State WIC Grant	0%	Yes X No

Dated at Geneseo, New York
 August 9, 2023
 Human Services Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

Office For The Aging

RESOLUTION NO. 2023-284 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY OFFICE FOR THE AGING: FARRELL’S LAWN SERVICE, INC.

Mrs. Walker 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 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>
Farrell’s Lawn Service, Inc. 5453 Buck Road Dansville, NY 14437	2023-2024 & 2024-2025 plow seasons	\$75.00/plow

For: Plowing for Dansville Nutrition Site

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Title III C (Federal)	10%	Yes X No

Dated at Geneseo, New York
 August 9, 2023
 Human Services Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

Central Services

RESOLUTION NO. 2023-285 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT: STATE OF NEW YORK UNIFIED COURT SYSTEM

Mr. Deming 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 Central 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>
State of New York Unified Court System Seventh Judicial District 161 Hall of Justice Rochester, NY 14614	4/1/2023-3/31/2028	\$186,073.00 (1 st Budget Year)

For: Cleaning and Maintenance of Court Facilities

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
A-0410.30210 Reimbursement Revenue	N/A	N/A

Dated at Geneseo, New York
 August 9, 2023
 Public Services Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

Highway

RESOLUTION NO. 2023-286 AWARDING BIDS AND AUTHORIZING PURCHASE OF PRE-TREATED AND UNTREATED BULK SODIUM CHLORIDE (CRUSHED ROCK SALT) FOR THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT AND OTHER AGENCIES WITHIN LIVINGSTON COUNTY: AMERICAN ROCK SALT CO., INC.

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

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WHEREAS, after the proper legal advertisement seeking bids for crushed rock salt, three (3) bids were received and opened on July 13, 2023; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the following contracts, which are hereby accepted as the lowest responsible bids, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
American Rock Salt Co., Inc. P.O. Box 190 Mt. Morris, NY 14510 For: Untreated Crushed Rock Salt, FOB Stockpile	9/1/2023-8/31/2024	\$45.00/ton
American Rock Salt Co., Inc. P.O. Box 190 Mt. Morris, NY 14510 For: Untreated Crushed Rock Salt, Delivered	9/1/2023-8/31/2024	\$48.81/ton
American Rock Salt Co., Inc. P.O. Box 190 Mt. Morris, NY 14510 For: Pre-Treated Crushed Rock Salt, FOB Stockpile	9/1/2023-8/31/2024	\$61.50/ton
American Rock Salt Co., Inc. P.O. Box 190 Mt. Morris, NY 14510 For: Pre-Treated Crushed Rock Salt, Delivered	9/1/2023-8/31/2024	\$67.59/ton

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
County Highway Budget Appropriations	100%	Yes X No

Dated at Geneseo, New York
August 9, 2023
Public Services Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

Sheriff

RESOLUTION NO. 2023-287 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING JOINT CONTRACT FOR THE LIVINGSTON COUNTY SHERIFF'S OFFICE: TOWN OF LIMA, HONEOYE FALLS-LIMA CENTRAL SCHOOL DISTRICT & LIMA CHRISTIAN SCHOOL

Mr. Deming 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 joint contract for the Livingston County Sheriff's Office, 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>
Town of Lima 7329 East Main Street Lima, NY 14485	9/1/2023-6/30/2024	\$28,266.08 Each Totaling \$84,798.24
Honeoye Fall-Lima Central School District 20 Church Street Honeoye Falls, NY 14472		
Lima Christian School 1574 Rochester Street Lima, NY 14485		
For: School Resource Deputy 2023-2024 school year		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
A3111	~33%	Yes No X

Dated at Geneseo, New York
August 9, 2023

Public Services Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

County Administrator/Budget Officer

RESOLUTION NO. 2023-288 AMENDING 2023 LIVINGSTON COUNTY BUDGET: CENTER FOR NURSING AND REHABILITATION (2) & SHERIFF'S OFFICE

Mr. Knapp 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 that have been approved by the Livingston County Administrator.

Dated at Geneseo, New York

August 9, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

RESOLUTION NO. 2023-289 AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR ACCOUNTING SERVICES FOR LIVINGSTON COUNTY: DRESCHER & MALECKI LLP

Mr. Knapp 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	3 Year Term	Not to exceed
2721 Transit Road, Suite 111	-with two 1-year renewals at	\$70,000.00
Elma, NY 14059	County's sole option.	Per year

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 9, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

RESOLUTION NO. 2023-290 INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

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

WHEREAS, the New York State Legislature has authorized the County of Livingston to impose an additional 1% local sales and compensating use tax rate; and

WHEREAS, it is necessary for the County of Livingston to amend its existing Sales and Use Tax resolution to impose such additional rate; now, therefore be it

RESOLVED by the Livingston County Board of Supervisors, as follows:

SECTION 1. Section 4-A of Resolution No. 67-190, enacted by the Board of Supervisors of the County of Livingston on November 30, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes. Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2003, and ending November 30, 2025. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (B) of subdivision (1) of Section 11 of Resolution No. 67-190 enacted by the Board of Supervisors of the County of Livingston on November 30, 1967, imposing sales and use taxes, as amended, is amended to read as follows:

B) With respect to the additional tax of one percent imposed for the period beginning June 1, 2003, and ending November 30, 2025, in respect to the use of property used by the purchaser in this county prior to June 1, 2003.

SECTION 3. Subdivision (c) of section 14 of Resolution No. 67-190, enacted by the Board of Supervisors of the County of Livingston on November 30, 1967, imposing sales and use taxes, as amended, is amended to read as follows:

(c) Notwithstanding subdivision (a) or (b) of this section or any contrary provision of law, all net collections from the additional one percent rate of sales and compensating use taxes imposed for the period beginning June 1, 2003, and ending November 30, 2025, shall be used to pay the county's expenses for Medicaid. Such net collections shall be deposited in a special fund created by the County separate and apart from any other funds and accounts of the County. Any and all remaining net collections from such additional one percent tax, after the Medicaid expenses are paid, shall be deposited by the County in the general fund of the County for any county purpose.

SECTION 4. This enactment shall take effect December 1, 2023.

Dated at Geneseo, New York

August 9, 2023

Ways and Means Committee

Mr. Coyle clarified that this is a renewal of our sales tax. It has to read as increasing but we are not increasing our sales tax rate, we are continuing the rate as it is now. We need to seek renewals every couple years with the state to continue to have 8%, which is 4% locally.

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

County Attorney

RESOLUTION NO. 2023-291 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LEGAL SERVICES: NAPOLI SHKOLNIK, PLLC

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

WHEREAS, since at least 2003, certain drug manufacturers and pharmacy benefit managers ("PBMs") have engaged in anticompetitive activities and unlawful, unfair, and deceptive business practices related to insulin and other diabetic medication in the United States; and

WHEREAS, state attorneys general and counties throughout the nation have commenced lawsuits against these manufacturers and PBMs seeking injunctive relief, punitive damages, restitution, penalties, and other legal and equitable monetary remedies; and

WHEREAS, many, if not the majority of counties in New York State, including Livingston County, "self-insure", meaning they themselves pay the costs of workers compensation, health insurance, and pharmaceuticals for their employees, dependents, and retirees; and

WHEREAS, because the County directly purchases, indirectly reimburses for, or otherwise pays for insulin and other diabetic medication, it should join the legal action many counties are now contemplating; 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 amendments to said contract, subject to review by the County Attorney and County

Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Napoli Shkolnik, PLLC	N/A	Contingency Fee
400 Broadhollow Road, Suite 305		
Melville, NY 11747		

For: Commencement of civil litigation on behalf of the County against drug manufacturers and/or PBMs involved in anticompetitive activities and unlawful business practices.

Dated at Geneseo, New York

August 9, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

Human Resources

RESOLUTION NO. 2023-292 AMENDING THE 2023 LIVINGSTON COUNTY SALARY SCHEDULE:

DEPARTMENT OF HEALTH

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

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

Department of Health:

- Create one (1) full-time Public Health Specialist position at Wage Grade 15 CSEA Contract effective August 9, 2023.

For: Replacing a full Supervising Public Health Nurse

Dated at Geneseo, New York

August 9, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

RESOLUTION NO. 2023-293 AMENDING A PORTION OF RESOLUTION NO. 2022-422: ADOPTING THE 2023 MISCELLANEOUS PAY RATES (OFFICE FOR THE AGING)

Mr. Knapp presented the following resolution and moved its adoption: WHEREAS, by Resolution No. 2022-422, the Livingston County Board of Supervisors established the 2023 Miscellaneous Pay Rates; and

WHEREAS, the Office for the Aging is seeking to align substitute positions and rates on the 2023 Miscellaneous Pay Rates with the new part-time CSEA rates to enhance its ability to hire needed substitute positions; now, therefore, be it

RESOLVED, that the following rates and positions be amended on the 2023 Livingston County Miscellaneous Pay Rate Schedule:

Office for the Aging:

- Increase pay rate for Substitute Courier to \$17.37 per hour effective immediately.
- Increase pay rate for Substitute Congregate Meal Site Manager to \$17.37 per hour effective immediately.
- Add Substitute Typist position at \$15.96 per hour effective immediately.
- Add Substitute Food Service Helper position at \$15.96 per hour effective immediately.

and be it further

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

Dated at Geneseo, New York

August 9, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

Other

RESOLUTION NO. 2023-294 AUTHORIZING THE PURCHASE OF ONE (1) 2023 JOHN DEERE 344L FOUR WHEEL DRIVE LOADER FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT: FIVE STAR EQUIPMENT

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

RESOLVED, that the Livingston County Central Services Department is hereby authorized to purchase through NYSOGS Contract PC69403 from 5 Star Equipment of P.O. Box 176, Dunmore, PA 18512 one (1) 2023 John Deere 344L Four Wheel Drive Loader at a cost not to exceed \$157,714.08.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
General Fund A.052.1610-2100	100 %	Yes

Dated at Geneseo, New York

August 9, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

RESOLUTION NO. 2023-295 AUTHORIZING THE PURCHASE OF ONE (1) 2023 CHEVROLET EXPRESS VAN FOR THE LIVINGSTON COUNTY SHERIFF'S OFFICE ALTERNATIVE TO INCARCERATION PROGRAM; CAPPELLINO CHEVROLET, INC.

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

RESOLVED, that the Livingston County Sheriff's Office is authorized to purchase through mini-bid #13615 from Cappellino Chevrolet, Inc., 900 Boston State Road, P.O. Box 410, Boston, NY 14025, one (1) new 2023

Chevrolet Express Van at a cost not to exceed \$39,906.90.

Dated at Geneseo, New York

August 9, 2023

Ways and Means Committee

The roll was called as follows: Ayes-4,607; Noes-0; Absent-Horr, 447; Adopted.

CLOSE PUBLIC HEARING

Chairman LeFeber asked if anyone from the public wished to comment regarding the public hearing. No one wished to speak. The Chairman asked if any Supervisor wished to comment. No one wished to speak.

The Chairman declared the public hearing closed.

OTHER BUSINESS

1. CHAIRMAN APPOINTMENTS

Livingston County Youth Board			
Name	Address	Title/Represents	Term Expires
Emma Snyder	126 Kensington Court, Livonia, NY 14487	Youth Designee	At Pleasure

2. County Administrator Updates: Mr. Coyle reported on the insurance renewal for both retiree health insurance and regular county insurance. There has been recent press in the region on migrant workers being housed in Rochester. Department head meetings on the 2024 budget started this week. There is a shared services meeting after adjournment at the next Board meeting with towns and villages.

3. Ivan Davis shared some special achievements by two gentlemen from Portage, one placing 6th in the World Horseshoe Competition in Wisconsin last week and the other placing 1st and 3rd respectively in Iron Man swim/run/bike events for both the US and Worlds in Germany.

4. Don Wester recognized the work being done by Assemblywoman Byrnes and Senator Helming for Livingston County residents.

ADJOURNMENT

Motion made by Mr. Pangrazio and seconded by Mr. Wester to adjourn until Wednesday, August 23, 2023 at 1:30 p.m. Carried.

The Board adjourned at 2:02 p.m.