

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

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

Ways & Means Chair Dwight Knapp asked Vice Chair Dan Pangrazio to lead the Pledge of Allegiance.

**PERMA WORKERS COMP TPA/ADMINISTRATOR SERVICES UPDATE– TONY CASSARO**

Mr. Coyle explained that PERMA is a workers compensation organization for public entities. Livingston County is a self-insured pool workers comp program administered and run through the County and we then rely on services providers to be our consultants, technical experts and/or third party administrators for the overall program. The County is nearing the end of our current service provider contract and he asks PERMA to present an informational overview today on what they present as an option. There is no approval sought today. Mr. Coyle introduced Tony Cassaro and John Matheson from PERMA. Mr. Cassaro gave a brief overview of the coverage and services provided by PERMA to public entities in New York State. Mr. Cassaro reviewed the claims handling process and shared some claim examples. There was discussion on fraud investigations and those would be an additional cost. Mr. Cassaro reviewed the PERMA contract proposal that has been submitted to the County for consideration. There was discussion on whether the financial component set up for Livingston is similar to other counties. Mr. Cassaro explained that other counties are more payroll based.

**REAL PROPERTY TAX SERVICES – BILL FULLER**

**Action Item(s) To Be Reported**

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

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

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

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

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

<b>Year, Municipality Owner(s) Tax Map Number</b>	<b>Taxing Jurisdiction</b>	<b>Original Tax Bill</b>	<b>Corrected Tax Bill</b>	<b>Refund to Owner</b>	<b>Chargebacks to Taxing Jurisdictions</b>
<b>1. 2023 Caledonia</b>	Livingston County	\$526.68	\$526.68	\$0.00	\$0.00
White, Linda and William G.	Caledonia Town Tax School Relevy	\$100.48 \$1,358.38	\$100.48 \$0.00	\$0.00 \$0.00	\$0.00 \$1,358.38
Tax Map Number 7.8-1-27	Caledonia Fire 1 <b>Total</b>	\$73.15 <b>\$2,058.69</b>	\$73.15 <b>\$700.31</b>	\$0.00 <b>\$0.00</b>	\$0.00 <b>\$1,358.38</b>
<b>2. 2023 Caledonia</b>	Livingston County	\$420.27	\$420.27	\$0.00	\$ 0.00
Robinson, Gary and Katherine	Caledonia Town Tax School Relevy	\$219.42 \$681.90	\$219.42 \$0.00	\$0.00 \$681.90	\$0.00 \$681.90
Tax Map Number 6.-1-1.12	Caledonia Fire 1 <b>Total</b>	\$60.96 <b>\$1,382.55</b>	\$60.96 <b>\$700.65</b>	\$0.00 <b>\$681.90</b>	\$0.00 <b>\$681.90</b>
<b>3. 2023 Caledonia</b>	Livingston County	\$1,301.56	\$1,301.56	\$0.00	\$0.00

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

Mr. Fuller reviewed the parcels for corrections.

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

Village tax bills have been printed. Mr. Fuller has contacted the OEM Director to begin compiling addresses for active fire and ambulance volunteers to determine the exemption impact. Mr. Fuller will be bringing the correction of errors resolution to a future meeting. This is the resolution allowing the County Treasurer and Mr. Fuller to make any corrections under \$2,500 and report to the Board on the 15<sup>th</sup> of each month. The second notices for senior citizens are printed and ready to mail.

#### **Informational Item(s) Written Only**

1. Village Tentative Assessment Rolls are being printed. The Assessors will deliver to the Villages.

#### **COUNTY ATTORNEY – SHANNON HILLIER**

##### **Action Item(s) To Be Reported**

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

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

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

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

WHEREAS, under the agreement, Teva will be required to pay as much as \$550 million, depending upon the level of participation statewide. Monies paid under the New York agreement will be distributed

among the various participating political subdivisions. Some political subdivisions are entitled to direct payments and others will be applying to the Statewide Opioid Settlement Fund; and

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

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

Ms. Hillier explained that we would partake in both a national and state settlement for this manufacturer. It is hard to give a figure at this time because it is driven by statewide participation. It seems to be about \$380,000 on average spread over the course of numerous years. As part of the national settlement it will be paid out over 13 years and 18 years under the state settlement. Some of the money is for direct use and another portion has to be related to opioid correction. There was discussion on how the funds will be funneled to counties.

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

### **Pre-approved Informational Item(s) To Be Reported**

1. Further discussion on ERMA Resolution - **RESOLUTION AUTHORIZING IMPLEMENTATION OF THE EQUITABLE RETENTION MORTGAGE ASSISTANCE PROGRAM WITHIN LIVINGSTON COUNTY**

WHEREAS, established in 2008, the Center for NYC Neighborhoods, Inc. (the “Center”) is a non-profit organization devoted to helping homeowners at risk of foreclosure; and

WHEREAS, the Senior Homeowner Initiative is a coordinated effort led by the Center and various other community-based organizations dedicated to serving and educating elderly homeowners. The initiative focuses on collaborating with government partners, elected officials, and mortgage lenders to address financial issues impacting seniors, including the risk of foreclosure; and

WHEREAS, the Equitable Retention Mortgage Assistance (“ERMA”) program stems from the Senior Homeowner Initiative. The program offers deferred, zero-interest junior mortgages to eligible seniors (62 and over) who are at risk of foreclosure due to mortgage arrears, property taxes, utility bills, water/sewer charges, homeowner’s insurance, etc. The maximum ERMA loan amount is \$25,000.00; and

WHEREAS, ERMA’s eligibility criteria requires the impacted property to be located within a county that has specifically authorized the implementation of the program. ERMA is presently available in eleven (11) counties across New York State, including Monroe and Erie, and may be extended to additional counties at the discretion of the counties’ legislative body; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby authorizes the Center for NYC Neighborhoods, Inc. to implement and administer the Equitable Retention Mortgage Assistance program in Livingston County.

Ms. Hiller reviewed the concerns brought forth after the resolution passed through the last Ways and Means meeting. Ms. Hillier reviewed the program and any impact to the County’s foreclosure process. There was discussion on any requirements to advertise this program. There are currently eleven participating counties in New York. There was discussion on who owns the property in the event of an ERMA loan and whether there would be liens placed against the property. The program gives the applicant another chance before foreclosure. The application process is approximately a two week turnaround. Ms. Hillier explained that the counties ability to collect everything that we gain from auction, surplus and all the equity, is presently in danger at the US Supreme Court level. Probably in the next year, they are going to determine the merits of the case and determine whether or not counties in states can continue to foreclose the full surplus amount. The Committee deliberated the pros and cons of making the program available in Livingston. Ms. Hillier explained that allowing the program to exist as an option is no real risk to the County. Any liens would be discovered in a title search and we would need to make sure they were notified. There was discussion on getting applicant permission to receive a copy of the application. At Committee direction, Ms. Hillier will contact the Attorney General’s Office to see if we can do a one year PILOT or if we would be able to rescind the resolution.

*Motion: Mr. Pangrazio moved and Mr. DiSalvo seconded to approve a one year PILOT program if possible Carried.*

Mr. Coyle reiterated the Supreme Court case out of Minnesota.

**COUNTY ADMINISTRATOR – IAN COYLE**

**Action Item(s) To Be Reported**

**1. APPROVING ABSTRACT OF CLAIMS #1B-JANUARY 25, 2023**

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

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

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

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

Mr. Coyle reviewed the amendments for approval.

*Motion: Mr. Wadsworth moved and Mr. Gott seconded to approve the foregoing resolution Carried.*

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

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

Mr. Coyle reviewed the accounts to be created.

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

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

WHEREAS, the County of Livingston owns surplus personal property that is no longer necessary for public use; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following item(s) as surplus property to be disposed of as determined by the County Administrator:

**Central Services**

Quantity	Year, Make & Model	Mileage/Hours	Serial #
1	Toyota Electric Forklift Truck 7BWS13 (Needs New Batteries)	N/A	7BWS13-40799

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

**5. AUTHORIZING BLANKET UNDERTAKING**

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

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

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

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

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

This is an annual resolution for indemnification reflected in our government crime policy and public official’s liability policy.

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

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

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

The plan was introduced and provided at the last meeting. Mr. Coyle reviewed some of the major items within the plan.

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

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

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

Mr. Coyle reviewed the draft agenda item updates. There was discussion on the number of assigned counsel in Livingston.

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

**Pre-approved Informational Item(s) To Be Reported**

1. Budget and Financial Report
2. Administrative Updates

Mr. Coyle reviewed the last sales tax report. The VAP application could be in this week, certainly by the end of this month. Mr. Coyle gave a union negotiations update. The strategic planning workshop is next Monday. Mr. Coyle gave an update on the IGT payment status. There was discussion on recent private nursing home news on the low Medicaid rate. Nursing home expenses are down and revenues are up over the last quarter. We are waiting on the ProNexus contract to come back for the audit.

**ADJOURNMENT**

Motion: Mr. Pangrazio moved and Mr. DiSalvo seconded to adjourn the meeting at 2:29 p.m.

**RECORDS MANAGEMENT – MEGAN SOKOLOW**

**Informational Item(s) Written Only**

Records Management Department Activities for the 3<sup>rd</sup> and 4<sup>th</sup> Quarters of 2022.

- Thanks to the support of the County Administrator and the Board of Supervisors, the Records Department has conducted a full survey of the state of the county records. Records Inventory Supervisor, Megan Sokolow, has officially met with and discussed records management policy and procedures with every department in the county.
- For meetings with Departments, the Records Management Inventory Supervisor prepares a summary of records retention schedule items and a full accounting of the records found in the inactive records center. This allows the department and records management to discuss questions, share information, and devise plans for managing records throughout the full records lifecycle.
- The Records Inventory Supervisor has completed a Records Management Preservation Needs Assessment as a part of the *North East Document Conservation Center's* Preservation 101 course. She participated in the course from July through October. The document contains an evaluation of the county records program, expresses our goals, and describes the next steps for the program. These priorities are excerpted below and the full document is attached.

• **“IMPLEMENTATION PRIORITIES**

Priority #1: Secure the current vital records collection

Task #1: Complete a Records Management Policy and Procedure Manual that will include a continuity plan.

Task #2: Disaster Management Plan Revision

Task #3: Records conversions to digital formats wherever practicable.

Priority #2: Efficiency, Access, and workflow improvements

Task #1: Communicate and educate; Provide clear policy and procedures around records management to all county staff and support the process of implementing these guidelines.

Task #2: Full Digitization of vital and active records

Task #3: Staff Educational and informational sessions for expanding knowledge of preservation and digitization tools

Task #4: Assist all county departments to designate clearly defined staff duties for managing county records.”

[Excerpt from the attached 2022 Records Management Preservation Needs Assessment.]

**Preliminary Summary of Survey and Analysis Findings (Attached)**

Respectfully submitted,

Michele R. Rees, IIMC-CMC

Clerk of the Board