

WAYS & MEANS COMMITTEE MEETING MINUTES
MONDAY, FEBRUARY 6, 2023
1:30 P.M.

PRESENT: D. Knapp, D. DiSalvo, E. Gott, D. LeFeber, D. Pangrazio, G. Deming, M. Falk, I. Coyle, A. Ellis, B. Mann, S. Hillier
ABSENT: W. Wadsworth, D. Fanaro,
PRESENT AFTER MEETING CALLED TO ORDER: D. Wester

Ways & Means Chair Dwight Knapp asked York Supervisor Jerry Deming to lead the Pledge of Allegiance.

PERSONNEL ISSUES

1. CENTER FOR NURSING & REHABILITATION – BILL MANN
AMENDING THE 2023 LIVINGSTON COUNTY SALARY SCHEDULE: LIVINGSTON COUNTY NURSING AND REHABILITATION CENTER

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

Nursing and Rehabilitation Center:

- Convert one (1) part-time scheduler position to a full-time position at a Wage Grade 7 CSEA Contract effective February 12, 2023.

For: To assist the facility with scheduling and payroll functions, and to ensure clinical staffing to meet census needs

Mr. Mann reviewed the position duties.

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

2. DEPARTMENT OF HEALTH – JENNIFER RODRIGUEZ
AMENDING THE 2023 LIVINGSTON COUNTY SALARY SCHEDULE: DEPARTMENT OF HEALTH

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

Department of Health:

- Create two (2) full-time Principal Account Clerk positions at Wage Grade 15 CSEA Contract effective February 26, 2023.
- Create two (2) full-time Principal Typist positions at Wage Grade 10 CSEA Contract effective February 26, 2023.
- Create one (1) full-time Mental Health Social Work Aide position at Wage Grade 13 CSEA Contract effective February 26, 2023.

For: Realignment of duties and positions

Ms. Rodriguez reviewed the position duties for creation. Every two positions will be eliminating three positions.

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

OFFICE FOR THE AGING – SUE CARLOCK

1. AUTHORIZING THE PURCHASE OF TWO (2) 2023 CHRYSLER PACIFICA MINIVANS FOR THE LIVINGSTON COUNTY OFFICE FOR THE AGING: SAWYER CHRYSLER DODGE, INC. DBA SAWYER MOTORS

RESOLVED, that the Livingston County Office for the Aging is hereby authorized to purchase through NYSOGS Mini-Bid #12259 and NYSOGS Contract PC69491SB from Sawyer Chrysler Dodge DBA Sawyer Motors of 166 Ulster Avenue, Saugerties, NY 12477 two (2) 2023 Chrysler Pacifica Minivans at a cost of \$41,228 each, for a total cost of \$82,456.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
ARPA, C2, WIN	10%	Yes

Ms. Carlock reviewed the bid responses and the funding being used for these purchases. These are replacement vehicles.

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

REAL PROPERTY TAX SERVICES – BILL FULLER

Action Item(s) To Be Reported

1. CORRECTING TAX ROLL: TOWNS OF GROVELAND, OSSIAN & YORK

WHEREAS, the Livingston County Real Property Tax Services Director has transmitted a written report of his investigation and recommendation with regard to three applications (3 parcels) for correction of the tax rolls, pursuant to the Real Property Tax Law, as prepared for the Towns of Groveland, Ossian and York 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 submitted to 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 sent 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 further authorized to issue refunds and/or make the appropriate chargebacks as hereinafter set forth for the parcel(s).

Year, Municipality Owner(s) Tax Map Number	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund to Owner	Chargebacks to Taxing Jurisdictions
1. 2023 Groveland	Livingston County	\$8.54	\$8.54	\$0.00	\$0.00
Strong, Darrel J. & Mary Jo	Groveland Town Tax	\$4.13	\$4.13	\$0.00	\$0.00
Tax Map Number	Groveland Fire 1/Amb	\$0.57	\$0.57	\$0.00	\$0.00
135.16-2-25.112	Groveland Light 2	\$0.29	\$0.29	\$0.00	\$0.00
	GroSta Cty Swr	\$317.00	\$10.00	\$0.00	\$307.00
	Total	\$330.53	\$23.53	\$0.00	\$307.00
2. 2023 Ossian	Livingston County	\$1,217.94	\$1,217.94	\$0.00	\$ 0.00
Fogle, Jon M.	Ossian Town Tax	\$1,340.18	\$1,340.18	\$0.00	\$0.00
Tax Map Number	School Relevy	\$3,266.61	\$0.00	\$3,266.61	\$3,266.61
224.-1-4.12	Ossian Fire 1	\$60.67	\$60.67	\$0.00	\$0.00
	Total	\$5,885.40	\$2,618.79	\$3,266.61	\$3,266.61
3. 2023 York	Livingston County	\$1,528.57	\$1,209.91	\$0.00	\$318.66
Gilda MacIntyre	York Town Tax	\$771.24	\$610.46	\$0.00	\$160.78
Family Trust	York Fire 1	\$135.01	\$106.86	\$0.00	\$28.15
Tax Map Number	Consolidated Wtr Occ	\$198.69	\$198.69	\$0.00	\$0.00
31.-1-27	Total	\$2,633.51	\$2,125.92	\$0.00	\$507.59

Mr. Fuller reviewed the corrections for approval.

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

2. DESIGNATING OFFICIALS TO APPROVE CERTAIN APPLICATIONS MADE FOR CORRECTION OF TAX ROLL ERRORS, REFUNDS, AND CREDITS

WHEREAS, Real Property Tax Law §§ 554(9) and 556(8) permit a tax levying body to authorize designated officials to approve correcting tax roll errors, refunds, and credit of taxes in instances where the recommended correction, refund, or credit is \$2,500.00 or less without prior approval by the tax levying body; and

WHEREAS, Livingston County currently averages approximately twenty-five (25) applications per year for correction of errors and/or for refund of taxes. The Board approval process presently required for each application creates significant time delays for County taxpayers, which would be substantially minimized by this action; and

WHEREAS, the Livingston County Real Property Tax Services Director and the Livingston County Treasurer recommend this practice be adopted in order to make the corrections and/or refunds to taxpayers erroneously assessed timelier and more efficient; now, therefore, be it

RESOLVED, that pursuant to Real Property Tax Law §§ 554(9) and 556(8), upon receipt of an application seeking a correction of tax roll errors, refund, or credit, the Livingston County Real Property Tax Services Director shall prepare a written report of his investigation and recommendation for such application, and follow the procedure the Livingston County Board of Supervisors follows in making corrections, refunds, or credits. However, where the Livingston County Real Property Tax Services Director denies a correction, refund, or credit, in whole or in part, he shall be required to provide the Livingston County Board of Supervisors the written report of his investigation and recommendation and both copies of the application, as well as the written reasons why the Director denied the application; and be it further

RESOLVED, that the Livingston County Board of Supervisors hereby designates the Livingston County Treasurer or the Livingston County Deputy Treasurer as the County official authorized to approve applications for correction of tax roll errors, refunds, and credits of taxes when the recommended corrected amounts do not exceed \$2,500.00. Said authority shall be effective immediately, terminating December 31, 2023; and be it further

RESOLVED, that on or before the 15th day of each month in the calendar year 2023, the Livingston County Real Property Tax Services Director shall submit a report to the Livingston County Board of Supervisors specifying the corrections, refunds, and credits processed by the Director and approved by the Livingston County Treasurer or the Livingston County Deputy Treasurer pursuant to this resolution during the preceding month. Said report shall indicate the name of each recipient, the location of the property, justification for the request, and the amount requested; and be it further

RESOLVED, that the Clerk of the Board shall forward certified copies of this resolution to the appropriate County officials.

Mr. Fuller explained that this is the resolution to allow corrections under \$2,500 and will expedite the process for the taxpayer.

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

Informational Item(s) Written Only

- Taxing Jurisdictions are submitting their decisions regarding increasing income limitations to match Livingston County for both the Senior Citizen exemption and Persons with Disabilities exemption.
- Reappointment notifications for Town BAR Members are coming in to the Office.
- Working on Department Annual Report

Form *Notice Concerning the Examination of Assessment Inventory and Valuation Data* was emailed to the Town Assessors for publishing in their official paper by March 1st or shortly thereafter.

COUNTY ATTORNEY – SHANNON HILLIER

Action Item(s) To Be Reported

1. INTRODUCTION AND A PUBLIC HEARING RESOLUTION FOR LOCAL LAW NO. A-2023 THE LIVINGSTON COUNTY GUEST ROOM OCCUPANCY TAX LAW

PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. A-2023 THE LIVINGSTON COUNTY GUEST ROOM OCCUPANCY TAX LAW

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on February 8, 2023, a proposed Local Law entitled the Livingston County Guest Room Occupancy Tax Law; now, therefore, be it

RESOLVED, that a public hearing shall be held on said proposed Local Law by this Board on the March 8, 2023, at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center, Geneseo, New York; and be it further

RESOLVED, that at least six (6) days' notice shall be given by posting thereof on the bulletin board of the Livingston County Government Center and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

The County Attorney explained that this local law is on short term rentals in Livingston County. Short term rental would be anything under fourteen days and is a 3% tax on the per diem rent. The current law expires on

March 31, 2023. This new law puts forth the same measures for a new three year periods. The only action item today is passage of the resolution setting the public hearing.

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

Mr. Coyle shared that Steuben County did the same local law with a slight change in some of the verbiage to garner more properties to comply particularly the vacation rental world.

2. AUTHORIZING LEASE WITH NOYES MEMORIAL HOSPITAL FOR THE DIALYSIS CENTER

RESOLVED, that the Livingston County Board of Supervisors finds that approximately 10,500 square feet located in the former Geneseo Skilled Nursing Facility is no longer necessary for Livingston County public purposes; and be it further

RESOLVED, that the Livingston County Board of Supervisors hereby authorizes the Chairman of the Board to sign a lease with Noyes Memorial Hospital for said space for a period of three (3) years commencing March 1, 2023 and ending February 28, 2026, a three (3) year period, at \$8,860.65 per month for the first year, increasing 3% each subsequent year. Said lease agreement being subject to the approval of the County Attorney and County Administrator.

Ms. Hillier reviewed the lease renewal for approval.

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

HUMAN RESOURCES – KATE HILL

Action Item(s) To Be Reported

1. PROCLAIMING MARCH 3, 2023 AS EMPLOYEE APPRECIATION DAY IN LIVINGSTON COUNTY

WHEREAS, March 3, 2023, has been designated as National Employee Appreciation Day; and

WHEREAS, Livingston County employees dedicate themselves to the continuous improvement of the quality of life for Livingston County citizens as they perform their jobs with professionalism, integrity, compassion, and pride; and

WHEREAS, Livingston County employees are committed in the performance of their duties which include, but are not limited to: property workforce development, tax collection, property recording, elections, protecting public safety and health, caring for the less fortunate, providing skilled nursing, enforcing laws, safeguarding the environment, building and maintaining roads, promoting economic growth, licensing professionals and businesses, preserving our historical and cultural resources;

WHEREAS, the professional and personal commitment of County employees contributes to the most efficient and effective operation of our County while serving as responsible stewards of taxpayer funds and joining in efforts to improve operations and enhance service delivery throughout the county offices; and

WHEREAS, the essential services County employees provide make a difference every day and enhance the quality of life for those who live, work, or visit in our great county; and

WHEREAS, the County of Livingston expresses gratitude this day and throughout the year to our County employees who demonstrate leadership, courage, and compassion in serving their fellow citizens; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby proclaim March 3, 2023 as “Employee Appreciation Day” in Livingston County.

Ms. Hill explained that this is a national employee appreciation day that is not tied to a particular field and reviewed the proclamation for approval. Ms. Hill reviewed some of the events that are being planned for that week.

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

COUNTY ADMINISTRATOR – IAN COYLE

Action Item(s) To Be Reported

1. APPROVING ABSTRACT OF CLAIMS #2A-FEBRUARY 8, 2022

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #1A dated February 8, 2023 in the total amount of \$2,548,185.05.

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

2. **AMENDING 2023 LIVINGSTON COUNTY BUDGET: SHERIFF (2)**

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

Mr. Coyle reviewed the amendments for approval.

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

3. **DECLARING SURPLUS PROPERTY: CENTRAL SERVICES & HIGHWAY**

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

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

Central Services

Quantity	Year, Make & Model	Mileage/Hours	Serial #
1	Sweepster Hyd Broom Model D32C8 (road broom) for a 411 JCB loader	N/A	0002056

Highway Department

Quantity	Year, Make & Model	Mileage/Hours	Serial #
1	2010 Ford F-250 Pick-up	128,710 mi.	1FTSX2B57AEB25557
1	2006 Ford F-350 Pick-up	90,111 mi.	1FTWW31YX6EC60867
1	2007 Chevrolet/express 2500 Cargo Van	123,431 mi.	1GCGG252X71154736
1	2017 John Deere X738 Lawn Mower	1006.3 HR	1M0X738ALGM041782
1	2017 John Deere X738 Lawn Mower	944.2 HR	1M0X738AHGM041783

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

4. **CALLING ON THE STATE OF NEW YORK TO CONTINUE TO PASS-THRU FEDERAL AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID ASSISTANCE PERCENTAGE FUNDS**

WHEREAS, the SFY 2024 State Budget proposal would end the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-thru to counties and New York City; and

WHEREAS, the State is proposing to keep all of these federal savings going forward and use them to cover further expansions of Medicaid eligibility and benefits and to increase payments to health care providers; and

WHEREAS, the elimination of this ACA eFMAP federal pass-thru will require the 57 counties to spend at least \$280 million more in SFY 2024, and approximately \$1 billion when New York City is included; and

WHEREAS, the SFY 2024 costs to counties and New York City are scheduled to grow by 30 percent by SFY 2027; and

WHEREAS, it is the strong view of NYSAC that congress intended these federal savings to be shared with counties proportional to the amount they contributed toward the nonfederal Medicaid match; and

WHEREAS, since 2003, the state has shared the funds proportionally based on our analysis of savings we have received during periods when an enhanced federal Medicaid match was enacted by Congress; and

WHEREAS, enacted in 2011, the Medicaid statutory cap for all 62 counties is \$7.6 billion. The Medicaid statutory cap for the 57 counties outside of New York City is \$2.25 billion; and

WHEREAS, starting in SFY 2014, New York began sharing these federal ACA savings directly with counties. The savings for a year were provided by lowering the weekly payments each county and NYC make to the state to support the State's Medicaid program. Through February 1, 2023, the state continues to share the federal savings from the ACA eFMAP with the 57 counties and NYC; and

WHEREAS, counties strongly disagree with the need to cut county funding so deeply when the

Governor's budget proposes to fully fund its own reserves two years ahead of schedule by depositing \$5.4 billion into reserves before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024; now, therefore, be it

RESOLVED, that the New York State Association of Counties calls on the State to continue to share these federal funds with counties as has been the precedent for over 20 years; and be it further

RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and be it further

RESOLVED, that NYSAC shall forward copies of this resolution to the Governor of the State of New York, the New York State Legislature, the New York State Congressional Delegation, and all others deemed necessary and proper.

Mr. Coyle reviewed the federal government funding pass through process and how the Governor's proposed budget retains the eFMAP funds and does not distribute them back to the counties. This is an impact of \$1 million to Livingston and \$1 billion across the state including New York City. It's already on the docket to amend in the Governor's thirty day amendments.

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

5. Mr. Coyle explained that Shari Hutchison is working on a supporting resolution for the Medicaid rate for long term care. The budget does call for an increase.

RESOLUTION URGING NEW YORK STATE TO RAISE THE DAILY MEDICAID RATE PAID TO NURSING HOMES

WHEREAS, there is an alarming rate of nursing home facility closures across New York State due to the continued struggle with financial costs and increased governmental regulations caused by the Covid-19 pandemic; and

WHEREAS, the inflationary costs nursing homes have experienced since the pandemic has risen by roughly 42%. With the exception of a small 1% increase in 2022, the daily Medicaid rate paid to nursing homes in New York State has not been increased since 2008; and

WHEREAS, Medicaid is the predominant payer for care at about 75% of all resident days; and

WHEREAS, without proper reimbursement levels, facilities simply cannot pay competitive wages or provide the benefits needed to recruit and retain staff. Adequate staffing is critical to providing consistent, compassionate, and outstanding care to patients; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby urges the State to enact legislation to raise the daily Medicaid rate paid to nursing homes to more appropriately meet the nursing facility inflationary costs; and be it further

RESOLVED, that the Deputy Clerk of the Board shall forward certified copies of this Resolution to Governor Kathy Hochul, Senator Pam Helming, Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

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

6. RATIFYING TENTATIVE COLLECTIVE BARGAINING AGREEMENT WITH THE CSEA FULL-TIME EMPLOYEES UNIT AND AUTHORIZING EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT

WHEREAS, the collective bargaining agreement between the CSEA Full-time employees unit and Livingston County expired on December 31, 2022; and

WHEREAS, the negotiating teams for the parties have reached a tentative agreement for a new collective bargaining agreement; and

WHEREAS, the CSEA Full-time employees unit has ratified this tentative agreement January 25, 2023; and

WHEREAS, the Ways & Means Committee recommends the ratification of this agreement by the County; now, therefore, be it

RESOLVED, that the tentative agreement commencing January 1, 2023 and expiring December 31, 2027, a copy of which is on file with the Clerk of the Board, is hereby ratified; and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors and the County Administrator are hereby authorized to execute a collective bargaining agreement consistent with the terms of

the tentative agreement.

Mr. Coyle gave a brief overview of the tentative agreement items. This is our largest negotiating until that includes our some of our largest departments.

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

Don Wester entered.

Pre-approved Informational Item(s) To Be Reported

1. Administrative Updates-Mr. Coyle reviewed some items on the proposed state budget and how they impact the County. There was discussion on the changes in the tax foreclosure process. Mr. Coyle reviewed a meeting last week with a child care provider interested in locating on the Mt. Morris campus. Mr. Coyle gave a brief update on collective bargaining negotiations.
2. Budget & Financial Report

Mr. LeFeber brought up the legislative agenda and that he would like to schedule a forum for a date in March, potentially March (16,17,and 24).

ADJOURNMENT

Mr. Pangrazio moved and Mr. DiSalvo seconded to adjourn the meeting at 2:05 p.m.

Respectfully submitted,
Michele R. Rees, IIMC-CMC
Clerk of the Board