

WAYS & MEANS COMMITTEE MEETING MINUTES
MONDAY, JUNE 6, 2022
1:30 P.M.

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

Ways & Means Chair Dwight Knapp asked County Attorney Shannon Hillier to lead the Pledge of Allegiance.

PERSONNEL ISSUES

1. DEPARTMENT OF HEALTH – IAN COYLE

AMENDING THE 2022 LIVINGSTON COUNTY SALARY SCHEDULE: DEPARTMENT OF HEALTH

RESOLVED, that the 2022 Livingston County Salary Schedule is amended as follows:

Health Department:

- Create one (1) full-time Public Health Assistant position at Wage Grade 12, CSEA Contract, effective June 8, 2022.

For: To assist in NYSPHC grant with public health programs and Covid-19/Communicable Disease response. Mr. Coyle reviewed the DOH position for creation.

Motion: Mr. Pangrazio moved and Mrs. Babbitt Henry seconded to approve the foregoing resolution Carried.

2. OTHER – MICHELE REES

APPOINTING ASSISTANT DIRECTOR OF NURSING FOR THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION: BRITTANY RITENBURG

RESOLVED, that the 2022 Department Head Salary Schedule is amended as follows:

Center for Nursing and Rehabilitation

Appoint Brittany Ritenburg of 98 Elm Street, Hornell, New York 14843 to the position of full-time Assistant Director of Nursing at an annual salary of \$94,000.00 effective April 4, 2022.

Comments: Oath letter was not received so appointment resolution needs to be redone.

The Clerk explained that Ms. Ritenburg did not received the appointment letter and therefore did not take her oath before the deadline requiring that a new appointment resolution be done for the same appointment.

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

COUNTY ATTORNEY – SHANNON HILLIER

Action Item(s) To Be Reported

1. RESOLUTION AUTHORIZING A ROAD USE AGREEMENT WITH MORRIS RIDGE SOLAR ENERGY CENTER, LLC

WHEREAS, Morris Ridge Solar Energy Center, LLC (hereafter “the Developer”) has been working to develop a solar generating facility located in the Town of Mt. Morris and construction activities are nearing commencement; and

WHEREAS, as part of the planned construction activities, the Developer may need to traverse certain County roads, bridges, and culverts with heavy vehicles and/or machinery. In the addition, temporary modifications or improvements may need to be made to County roads, bridges, and culverts to permit certain vehicles and/or machinery to pass. Lastly, the Developer may need to place certain electrical collection and/or transmission cables, conduit, and/or other wires/cables, as well as poles, guy lines and anchors, circuit breakers, and/or other related equipment in close proximity to, under, or across certain County roads, bridges, and culverts; 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.

Ms. Hillier reviewed the project and explained that the Highway Superintendent is recommending a road use agreement due to the scope of the solar project.

Motion: Mr. Pangrazio moved and Mrs. Babbitt Henry seconded to approve the foregoing resolution Carried.

2. AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR UPDATING THE LIVINGSTON COUNTY BOARD OF SUPERVISOR'S WEIGHTED VOTING PROCESS: CENTER FOR GOVERNMENT RESEARCH (CGR)

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Center for Government Research (CGR) 1 South Washington Street, Suite 400 Rochester, New York 14614	Upon signing retainer through project completion	Not to exceed \$9,000.00

For: Services to analyze and calculate a new weighted voting plan for the Livingston County Board of Supervisors utilizing the results of the 2020 Census.

Ms. Hiller reviewed the contract to determine the new weighted voting values for approval.

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

3. AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR INSURANCE ARCHAEOLOGY SERVICES: ARCINA RISK GROUP

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Arcina Risk Group 835 Wilshire Boulevard, Suite 400 Los Angeles, CA 90017	Upon signing retainer through project completion	Not to exceed \$28,000.00

For: Services to locate historical insurance coverage so claims can be to submitted seeking defense and indemnity relative to Child Victims Act cases currently pending against the County.

Ms. Hillier explained the need for detailed research to discover insurance coverage for these claims reviewed the contract for approval.

Motion: Mrs. Babbitt Henry moved and Mr. Gott seconded to approve the foregoing resolution Carried.

4. RESOLUTION ADOPTING THE RETENTION AND DISPOSITION SCHEDULE FOR BOARDS OF ELECTION RECORDS ISSUED BY THE NEW YORK STATE ARCHIVES AND RECORDS ADMINISTRATION

WHEREAS, the Livingston County Board of Elections has a long, established practice of consistently following the Records Retention and Disposition Schedule for Board of Election Records issued by the New York State Archives and Records Administration pursuant to Arts and Cultural Affairs Law Section 57.05.11; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby affirms the long-standing practices of the Livingston County Board of Elections relative to records retention and disposition and hereby formally adopts the Records Retention and Disposition Schedule for Board of Election Records issued by the State Archives of Records Administration for continued use by the Livingston County Board of Elections in legally disposing of valueless records listed therein; and it is further

RESOVLED, that in compliance with Arts and Cultural Affairs Law Section 57.05.11, the Livingston County Board of Elections will continue the practice of destroying only those records that have met the minimum retention periods prescribed in the Records Retention and Disposition Schedule; and it is further

RESOLVED, that the Livingston County Board of Elections will continue the practice of only destroying those records that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established retention periods; and it is further

RESOLVED, that the Livingston County Board of Elections will continue the practice of only

destroying an original record after a photostatic, microphotographic or photographic film copy is made or a computer readable record is made pursuant to New York State Election Law Section 3-220 when it is clear:

- (a) the record will be preserved in lieu of the original;
- (b) the record has been created on a durable material;
- (c) the record has been examined and found to be a true and clear photographic copy of the original from which a legible facsimile or a legible certified copy can be made; and
- (d) the record has been placed in conveniently accessible filing equipment with provisions made for adequately preserving, examining, and using it.

Ms. Hillier explained that this is a required resolution. While the Board of Elections is following this schedule, it was never properly adopted.

Motion: Mr. Gott moved and Mrs. Babbitt Henry seconded to approve the foregoing resolution Carried.

OTHER – CHAIRMAN LEFEBER

Action Item(s) To Be Reported

1. RESOLUTION URGING EXTENDED TIMETABLE AND COMPREHENSIVE COST ANALYSIS OF NEW YORK STATE CLIMATE ACTION COUNCIL’S DRAFT SCOPING PLAN FOR NEW YORK’S CLIMATE LEADERSHIP AND COMMUNITY PROTECTION ACT (THE “CLIMATE ACT”)

WHEREAS, in 2019, the New York State Legislature enacted New York’s Climate Leadership and Community Protection Act (the “Climate Act”), the most aggressive decarbonization policy in the nation; and

WHEREAS, the Climate Act targets the goal of reaching ‘net zero’ emissions by 2050, to be phased in through progressively stricter carbon emission reductions including a 40 percent reduction by 2030 and 85 percent reduction by 2050, while further mandating that by 2040, 100 percent of the electricity used in New York come from renewable energy sources; and

WHEREAS, prior to and upon passage of the Climate Act, multiple business advocacy organizations as well as energy industry representatives and stakeholders expressed grave concerns about the Act’s impact on the state’s employers, energy consumers and economy as a whole, which were largely unaddressed in the final law; and

WHEREAS, the Climate Action Council, a body of 22 appointed individuals charged with creating a blueprint for the Climate Act’s emissions targets, released a Draft Scoping Plan on December 20, 2021 that mandates hundreds of different measures affecting all aspects of New Yorkers’ daily lives and community activities; and

WHEREAS, January 1, 2022 marked the beginning of a 120-day comment period to receive feedback from the public, via the online public comment form, via email and via U.S. Mail, with the comment period ending June 10, 2022; and

WHEREAS, counties, the level of government closest to the people, were afforded no input in this process, including on “The Land Use and Local Government Advisory Group,” which did not include any members who currently work in local government; and

WHEREAS, the key prohibitions include bans on new gas service to existing and newly constructed homes and buildings beginning in 2024, a ban on the use of natural gas appliances in 2030, a ban on the replacement of traditional heating systems in existing homes beginning in 2030, and a ban on the sale of gasoline vehicles in 2035; and

WHEREAS, the draft scoping plan lacks a comprehensive and detailed cost analysis of implementing the recommendations, but which is conservatively estimated to be upwards of \$300 billion dollars to be borne by taxpayers and energy ratepayers; and

WHEREAS, the Climate Act applies only to New York, which is already a leader in clean energy production, accounting for just 0.4 percent of global carbon emissions, rendering any attainment of ‘net zero’ emissions meaningless in terms of any impact on our own or the global climate, while burdening New Yorkers with extreme costs; and

WHEREAS, state residents, who are struggling under the pressure of the highest gas prices on record and soaring inflation, deserve an honest and transparent cost-benefit analysis of these recommendations as well as an extended period in which to review and submit comments on proposals that will have far-reaching impacts on our state’s economy, affordability and quality of life; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors respectfully requests that the Climate Action Council provide a comprehensive cost-benefit analysis of all recommendations in its draft and final scoping plans and accordingly extend its timetable for implementation and public comment; and be it further

RESOLVED, that the Livingston County Board of Supervisors adopt this resolution and direct the Clerk of the Board to submit this document as comment on the Draft Scoping Plan and that copies be sent to Governor Kathy Hochul, NYS Department of Environmental Conservation (NYSDEC) Commissioner and Climate Action Council Co-Chair Basil Seggos; NYS Energy Research and Development Authority (NYSERDA) Acting President and Climate Action Council Co-Chair Doreen Harris.

Chairman LeFeber reviewed the support resolution for adoption. There was discussion on what actions other counties are taking.

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

COUNTY ADMINISTRATOR – IAN COYLE

Action Item(s) To Be Reported

1. APPROVING ABSTRACT OF CLAIMS #6A-JUNE 8, 2022

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #1A dated June 8, 2022 in the total amount of \$1,765,366.28.

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

2. DECLARING SURPLUS PROPERTY: OFFICE FOR THE AGING

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 as surplus property to be disposed of as determined by the County Administrator:

Office for the Aging

Quantity	Year, Make & Model	Mileage/Hours	Serial #
1	2012 Dodge Caravan	86,518	2C4RDGAG7CR325240

Mr. Coyle reviewed the vehicle for surplus.

Motion: Mr. Gott moved and Mrs. Babbitt Henry seconded to approve the foregoing resolution Carried.

Pre-approved Informational Item(s) To Be Reported

1. Administrative / Financial updates
2. NYS Legislature - End of Session items
3. Grants & Public Information Coordinator position
4. Akzo and Budget Update

Mr. Coyle reported that the Public Services Committee tabled the Democratic Commissioner appointment at the meeting last week to the 6/20/22 Ways and Means Committee based upon the timetable that's associated with the appointment process. Mr. Coyle reviewed recent news on earmarks and the concern with regard to Congressman Jacobs' resignation. Mr. Coyle welcomed his new secretary, Lindsey Meys. The foreclosure process for the last day to redeem is looming. As of last week, there are ~40 parcels on the list. Amy Davies has those for anyone wanting an updated list. Mr. Coyle reviewed several items included in the end of the legislative session. Five applications have been received for Grants Coordinator. Travis Clark is the Assistant Coordinator is moving full time in the interim. Mr. Coyle gave an update on the NBRC Grant application status.

ADJOURNMENT

Mr. Pangrazio moved and Mr. Gott seconded to adjourn the meeting at 1:46 p.m.

REAL PROPERTY TAX SERVICES – BILL FULLER

Informational Item(s) Written Only

1. The village tax rolls and tax bills have been picked up by village tax collectors.

2. The town assessors are finishing their grievance day hearings, with the last one scheduled for June 6th.
3. I will be printing the towns' final assessment roll, and will be available for the assessors to pick up the last week of June.
4. The assessors are required to file their final roll with the town clerk of their municipality by July 1st.
5. I will also be printing the school final rolls for the assessors to deliver to the school districts

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

EXECUTIVE SESSION

Motion made by Mr. and seconded by Mr. that the Committee adjourn and reconvene for the purpose of discussing

- matters which will imperil the public safety if disclosed;
- matters which may disclose the identity of law enforcement agency or informer;
- information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- information regarding proposed, pending or current litigation
- collective negotiations pursuant to Article 24 of the Civil Service law (the Taylor Law)
- the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- the preparation, grading or administration of examinations,
- the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, as publicity would substantially affect the value thereof.

and all Supervisors, County Administrator Ian M. Coyle, Clerk of the Board and _____ remain present. Carried.

Mr. moved and Mr. seconded that the Committee reconvened in regular session. The following report was presented.

The Ways and Means Committee having met in Executive Session, hereby reports as follows:
No action taken.