

REGULAR BOARD MEETING
WEDNESDAY, SEPTEMBER 28, 2022
1:30 P.M.

ROLL CALL

The roll was called showing all members present except Mr. Fanaro (Leicester), Mrs. Babbitt Henry (Springwater) and Mrs. Erdle (West Sparta).

PLEDGE OF ALLEGIANCE

Sparta Supervisor Mark Schuster led the Pledge of Allegiance.

APPROVAL OF MINUTES

Minutes of 9/14/22 Regular Meeting were approved as presented

COMMUNICATIONS

1. Receipt of Summons and Complaint in the matter of Stephen R. Minnamon and Debora A. Minnamon vs County of Livingston, etal.
2. The next Conversation with the County will be held on Thursday, September 29, 2022--5:30 p.m. at the Leicester Town Hall, 132 Main Street, Leicester.

ABSTRACT OF CLAIMS

RESOLUTION NO. 2022-329 APPROVING ABSTRACT OF CLAIMS #9B-SEPTEMBER 28, 2022

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #9B dated September 28, 2022 in the total amount of \$3,288,302.70.

Dated at Geneseo, New York

September 28, 2022

Ways and Means Committee

The roll was called as follows: Ayes-1,817; Noes-0; Absent-Fanaro, 72; Babbitt Henry, 79; Erdle, 41; Total 192; Adopted.

PRIVILEGES OF THE FLOOR

JAMES PERAINO-PUBLIC HEALTH DEPUTY DIRECTOR & JUNE WEBSTER-MEDICAL RESERVE CORPS COORDINATOR

- MEDICAL RESERVE CORPS RECOGNITION

Ms. Webster gave a brief history of the medical reserve corps creation and operations. There have been over 300 volunteers over these 20 years that have participated in training exercises and drills. Ms. Webster reviewed the different types of activities that MRC volunteers assist with. Ms. Webster recognized those MRC members in attendance today and shared several volunteer notes. Ms. Webster thanked the Board of Supervisors for their support and for giving her the opportunity to formally recognize the dedication of these volunteers and to celebrate the Medical Reserve Corps 20 Year Anniversary. Chairman LeFeber thanked June Webster and all of the volunteers for all that they do to make Livingston County special.

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

RESOLUTION NO. 2022-330 ADOPTING REVISIONS TO THE LIVINGSTON COUNTY PURCHASING POLICY

WHEREAS, pursuant to Section 104-b of the General Municipal Law, the Livingston County Board of Supervisors is required to review its purchasing policy on an annual basis; and

WHEREAS, that review has been completed and certain revisions have been recommended; and

WHEREAS, the Ways and Means Committee has reviewed these recommendations and has approved incorporating those revisions into the Livingston County Purchasing Policy; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby adopts the attached Livingston County Purchasing Policy, effective September 28, 2022, with said policy superseding the existing purchasing policy.

Dated at Geneseo, New York

September 28, 2022
 Ways and Means Committee

RESOLUTION NO. 2022-331 DECLARING SURPLUS PROPERTY: SHERIFF'S OFFICE

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:

Sheriff's Office

Quantity	Year, Make & Model	Mileage/Hours	Serial #
1	2013 Chevrolet Tahoe	201,282	1GNSK2E08DR349844
1	2015 Chevrolet Tahoe	207,913	1GNSK3EC9FR527585

Dated at Geneseo, New York
 September 28, 2022

Ways and Means Committee

RESOLUTION NO. 2022-332 RESOLUTION OPPOSING RECENTLY ENACTED NEW YORK STATE LEGISLATION REGULATING LEGALLY AUTHORIZED CONCEALED CARRY GUN PERMITS AND BANNING CONCEALED CARRY IN PUBLIC PLACES

WHEREAS, on July 1, 2022, Governor Hochul signed into law Senate Bill S.51001/Assembly Bill A.41001, which amended the State's Penal Law, General Business Law, Executive Law, Civil Practice Law and Rules, and State Finance Law, in relation to licensing and other provisions relating to firearms. Together, these amendments serve to make the process for obtaining a concealed carry gun permit overly involved, lengthy, and burdensome, including, among other things, requiring citizens to divulge their social media accounts; and

WHEREAS, one of the most onerous provisions makes it a felony for any individual who has a valid concealed carry permit to bring a firearm into a sensitive location, which includes ANY public park or playground, place of worship, or restaurant that serves beer, wine or liquor. These are all locations where residents and businesses live, operate, work, socialize, and worship; and

WHEREAS, these legislative amendments are the result of a knee-jerk, unvetted, and political reaction to the recent United States Supreme Court decision in *New York State Rifle and Pistol Association, Inc., v. Bruen, et al.* and was rushed through the State Legislature without public discussion, input, or knowledge; and

WHEREAS, the Livingston County Board of Supervisors considers these legislative changes to be an absolute infringement upon our citizen's Second Amendment right to bear arms and an overt infringement upon freedom and liberty in New York State that completely fails to address the problem of escalating crime and illegal firearms; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors is strongly against the new gun control legislation and the changes made to the concealed carry gun permitting process and therefore calls for its immediate repeal; and be it further

RESOLVED, that the Livingston County Board of Supervisors also vehemently and adamantly opposes the new legislative provisions restricting the locations where a law-abiding citizen with a proper concealed carry permit may lawfully carry a concealed weapon as these restrictions violate the holding of *New York State Rifle and Pistol Association, Inc., v. Bruen, et al.* This Board calls for the repeal of these provisions as well; and be it further

RESOLVED, that the Livingston County Board of Supervisors calls upon all other municipalities within the State of New York, the American Civil Liberties Union, the American Center for Law and Justice, and any and all advocates who claim to protect freedom and liberty in the United States, to immediately challenge these recent legislative changes; and be it further

RESOLVED, that the Clerk of the Livingston County Board of Supervisors shall forward certified copies of this Resolution to the Governor of the State of New York Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Senator Patrick Gallivan, Senator George M. Borrello, Speaker of the New York State Assembly Carl Heastie, Assemblywoman Marjorie Byrnes, the New York State Association of Counties and all others deemed necessary and proper.

Dated at Geneseo, New York
 September 28, 2022
 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. Horr and seconded by Mr. Wester to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes-1,817; Noes-0; Absent-Fanaro, 72; Babbitt Henry, 79; Erdle, 41; Total 192; Adopted.

RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE

Clerk of the Board

RESOLUTION NO. 2022-333 ESTABLISHING STANDARD WORK DAY AND RETIREMENT REPORTING CREDIT

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

RESOLVED, that the Livingston County Board of Supervisors hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Dept.	Title	Name	Standard Work Day Hrs/day	Term	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on record of activities)	3-Month Log Recd or Recert Eligible (new terms)
							Elected Officials
BOS	Supervisor - Geneseo	Wadsworth, William S	6	1/1/2020-12/31/2023	N	1.36	2020-Present

Dated at Geneseo, New York

September 28, 2022

Ways and Means Committee

The roll was called as follows: Ayes-1,817; Noes-0; Absent-Fanaro, 72; Babbitt Henry, 79; Erdle, 41; Total 192; Adopted.

County Administrator/Budget Officer

RESOLUTION NO. 2022-334 AMENDING 2022 LIVINGSTON COUNTY BUDGET: CENTRAL SERVICES (2), MENTAL HEALTH & OFFICE FOR THE AGING (2)

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

September 28, 2022

Ways and Means Committee

The roll was called as follows: Ayes-1,817; Noes-0; Absent-Fanaro, 72; Babbitt Henry, 79; Erdle, 41; Total 192; Adopted.

RESOLUTION NO. 2022-335 AUTHORIZING TRANSFER OF FUNDS: DEPARTMENT OF HEALTH (2)

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

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

Dated at Geneseo, New York

September 28, 2022

Ways and Means Committee

The roll was called as follows: Ayes-1,817; Noes-0; Absent-Fanaro, 72; Babbitt Henry, 79; Erdle, 41; Total 192; Adopted.

RESOLUTION NO. 2022-336 AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR 457 & 401(A) DEFERRED COMPENSATION PLANS: VALIC RETIREMENT SERVICES CO. D/B/A COREBRIDGE FINANCIAL

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

WHEREAS, the County of Livingston solicited a Request for Proposal for 457 & 401(a) Deferred Compensation Plans, and eight (8) proposals were received; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract, which is determined to be the most qualified to provide said services, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
VALIC Retirement Services Co. (VRSCO) d/b/a Corebridge Financial 2929 Allen Parkway Houston, TX 77019	10/1/2022-9/30/2027 with the option for two one-year extensions	\$0.00

For: Plan administration of the County's Deferred Compensation plans.

Funding Source	Local Share	Budgeted?
N/A	0%	N/A

Dated at Geneseo, New York

September 28, 2022

Ways and Means Committee

The roll was called as follows: Ayes-1,817; Noes-0; Absent-Fanaro, 72; Babbitt Henry, 79; Erdle, 41; Total 192; Adopted.

County Treasurer

RESOLUTION NO. 2022-337 AUTHORIZING CONVEYANCE OF COUNTY PROPERTIES ACQUIRED BY TAX DEEDS

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

WHEREAS, pursuant to a foreclosure action, the County of Livingston acquired title to the following parcels of land, and at a tax auction held on July 28, 2022, the County received the following bids for the purchase of said parcels:

Tax Map #	Formerly Owned /Assessed To	Conveyed to Purchaser	Village/Town	Price
175.-1-20	Robert Gross Et Al	Robin M. and Terry J. Muchler	Sparta	\$150,000.00
175.-1-48	Robert P. Gross	James A. and Kathi Culbertson	Sparta	\$100,000.00

now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby approves the sale of said parcels and the Chairman of the Board is hereby authorized to execute the quit claim deeds of conveyance and any and all related documents prepared by the County Attorney to complete the aforesaid conveyances.

Dated at Geneseo, New York

September 28, 2022

Ways and Means Committee

The roll was called as follows: Ayes-1,817; Noes-0; Absent-Fanaro, 72; Babbitt Henry, 79; Erdle, 41; Total 192; Adopted.

Other

RESOLUTION NO. 2022-338 ACCEPTING THE REPORT FROM THE COMMITTEE ON WORKERS' COMPENSATION INSURANCE REGARDING THE ESTIMATE AND APPORTIONMENT OF COUNTY SELF-INSURANCE FOR THE YEAR 2023

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

WHEREAS, the Ways and Means Committee has submitted the following annual estimate and apportionment of expenses for the Livingston County Self-Insurance Plan for the fiscal year beginning January 1, 2023 and ending December 31, 2023, pursuant to Section 67 Paragraph 1 of the New York State Workers' Compensation Law.

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1-Jan-23

AWARDS:	\$1,500,000.00		
MEDICAL:	\$545,000.00		
CLAIM	\$140,000.00		
EXP:			
		SUBTOTAL	\$2,185,000.00
ADMINISTRATIVE COSTS:			
Administration (PMA/Self Funding)	\$106,300.00		
W.C. Board Assessments	\$150,000.00		
Excess Insurance	\$250,000.00		
		SUBTOTAL	\$506,300.00
CONTRIBUTION TO RESERVE FUND		SUBTOTAL	\$300,000.00
		TOTAL	\$2,991,300.00
LESS: RECOVERIES	\$380,000.00		
LESS: INTEREST INCOME	\$5,000.00		
LESS: INTERFUND REVENUES	\$1,500,000.00		
		LESS	\$1,885,000.00
AMOUNT TO BE RAISED BY TAX			\$1,106,300.00

**APPORTIONMENT OF WORKERS' COMPENSATION
INSURANCE FOR THE YEAR 2023**

		ASSESSED VALUES 2021	FULL VALUES	% OF TOTAL COST OF AMOUNT TO BE RAISED (50% Assessment 50% Experience)	2022 SHARE OF PARTICIPANT	2023 SHARE OF PARTICIPANT
TOWNS						
Avon	91.00%	\$492,249,707	\$540,933,744	2.99%	\$33,582	\$33,125
Caledonia	93.00%	\$325,780,515	\$350,301,629	2.00%	\$22,016	\$22,101
Conesus	85.00%	\$211,687,536	\$249,044,160	1.59%	\$16,214	\$17,639
Geneseo	98.00%	\$655,149,965	\$668,520,372	3.96%	\$38,973	\$43,854
Groveland	86.00%	\$199,735,550	\$232,250,640	1.37%	\$15,013	\$15,118
Leicester	95.00%	\$160,079,477	\$168,504,713	1.12%	\$11,870	\$12,355
Lima	93.00%	\$306,993,591	\$330,100,635	2.16%	\$23,718	\$23,922
Livonia	90.00%	\$624,029,735	\$693,366,372	4.08%	\$44,029	\$45,129
Mt. Morris	90.00%	\$209,969,542	\$233,299,491	1.50%	\$15,943	\$16,608
North	99.00%	\$251,116,020	\$253,652,545			
Dansville				1.56%	\$16,875	\$17,300
Nunda	90.00%	\$150,468,139	\$167,186,821	1.19%	\$10,373	\$13,172
Ossian	99.00%	\$82,290,881	\$83,122,102	0.61%	\$6,488	\$6,715
Portage	90.00%	\$57,235,361	\$63,594,846	0.52%	\$6,292	\$5,807

REPORT OF THE SUPERVISORS' PROCEEDINGS 207

Sparta	99.00%	\$108,264,378	\$109,357,958	0.77%	\$8,373	\$8,533
Springwater	85.00%	\$140,595,777	\$165,406,796	1.12%	\$12,229	\$12,391
West Sparta	96.00%	\$99,657,568	\$103,809,967	0.72%	\$10,525	\$7,958
York	95.00%	\$278,354,173	\$293,004,393	1.98%	\$20,528	\$21,911
TOTALS		\$4,353,657,915	\$4,705,457,184	29.25%	\$313,039	\$323,637
COUNTY						
Livingston County		\$4,353,657,915	\$4,705,457,184	59.75%	\$654,218	\$661,001
VILLAGES						
Avon	91.00%	\$194,502,651	\$213,739,176	1.98%	\$22,140	\$21,879
Caledonia	93.00%	\$115,261,808	\$123,937,427	1.05%	\$10,812	\$11,587
Dansville	99.00%	\$185,155,646	\$187,025,905	2.11%	\$20,736	\$23,375
Geneseo	98.00%	\$275,297,932	\$280,916,257	2.53%	\$30,561	\$28,014
Leicester	95.00%	\$21,230,989	\$22,348,409	0.18%	\$1,890	\$1,974
Lima	93.00%	\$97,862,279	\$105,228,256	0.80%	\$8,651	\$8,831
Livonia	90.00%	\$72,125,400	\$80,139,333	0.55%	\$5,598	\$6,135
Mt. Morris	90.00%	\$97,007,338	\$107,785,931	1.29%	\$15,567	\$14,261
Nunda	90.00%	\$44,913,586	\$49,903,984	0.51%	\$4,889	\$5,606
TOTALS		\$1,103,357,629	\$1,171,024,678	11.00%	\$120,843	\$121,662
GRAND TOTALS		\$9,810,673,459	\$10,581,939,046	100.00%	\$1,088,100	\$1,106,300

WHEREAS, the Ways and Means Committee recommends the adoption of the report; now, therefore, be it

RESOLVED, that the estimate and apportionment of expenses be approved as submitted; and be it further

RESOLVED, that pursuant to Section 67, Paragraph 1, of the Workers' Compensation Law, the amount apportioned to the County and each of the participating towns and villages as set forth in the foregoing report be levied and assessed upon the taxable property of the County, and that other participating municipalities make payment to the County Treasurer not later than thirty days after the commencement of the participants next fiscal year; and be it further

RESOLVED, that certified copies of this report and resolution be forwarded to each participant of this plan.

Dated at Geneseo, New York

September 28, 2022

Ways and Means Committee

The roll was called as follows: Ayes-1,817; Noes-0; Absent-Fanaro, 72; Babbitt Henry, 79; Erdle, 41; Total 192; Adopted.

Personnel

RESOLUTION NO. 2022-339 AMENDING A PORTION OF RESOLUTION NO. 2022-326: CONFLICT DEFENDER

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

WHEREAS, Resolution No. 2022-326 converted one (1) part time Assistant Conflict Defender position to a full-time position at the entry salary of 73,000.00; and

WHEREAS, a salary of \$79,000 is more appropriate for a Level 2/B experienced candidate per the County's scheduled rates for attorneys; now, therefore, be it

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

Conflict Defender's Office:

- Amend one full time Assistant Conflict Defender salary from \$73,000.00 to \$79,000.00 effective immediately. and be it further

RESOLVED, that a portion of Resolution No. 2022-326 is hereby amended.

Dated at Geneseo, New York

September 28, 2022

Ways and Means Committee

The roll was called as follows: Ayes-1,817; Noes-0; Absent-Fanaro, 72; Babbitt Henry, 79; Erdle, 41; Total 192;

Adopted.

RESOLUTION NO. 2022-340 ADOPTING BENEFITS FOR LIVINGSTON COUNTY EMPLOYEES NOT COVERED BY A COLLECTIVE BARGAINING AGREEMENT FOR THE YEAR 2023

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

RESOLVED, that the benefits for employees of the County covered by a collective bargaining agreement shall be provided in accordance with the terms and conditions set forth within the applicable collective bargaining agreement; and be it further

RESOLVED, that employee benefits for full-time, permanent employees not covered by a collective bargaining agreement shall be provided as follows:

1. Retirement, Sick Leave, Bereavement Leave, Holidays and Personal Leave. Retirement, sick leave, bereavement leave, holidays and personal leave shall be provided as follows:

a. **Generally.** All full-time employees not covered by a collective bargaining agreement, except those specified in Paragraph (1)(b), below, shall receive these benefits as set forth in the Agreement between the County of Livingston and the Civil Service Employees Association Full-Time Unit. However, family sick leave may be used for the employee's son/daughter regardless of the son's/daughter's age. The County Administrator may for good cause shown waive some or all of the requirements for payment of personal leave upon a Department Head's termination of employment.

b. **Exceptions.**

- i. Directors of Patient Services. The Directors of Patient Services shall receive these benefits as set forth in the New York State Nurses' Association contract.
- ii. Sheriff's Office Majors, Chief Deputy (Professional Standards), Captains, and Police Service Commander. The Deputy Sheriff/Majors, Captains and the Police Services Commander shall receive these benefits as follows:

- 1. Chief Deputy (Professional Standards), Corrections Major, and Corrections Captain: as set forth in the Livingston County Deputy Sheriff's Coalition contract except that family sick leave may be used for the employee's son/daughter regardless of the son's/daughter's age; and
- 2. Investigations and Road Patrol Captains and Police Services Commander: as set forth in the Livingston County Coalition of Patrol Services contract except: (i) they shall not be eligible for payment in lieu of holidays, and (ii) family sick leave may be used for the employee's son/daughter regardless of the son's/daughter's age.
- 3. Undersheriff. The Undersheriff shall receive retirement benefits as set forth in the Livingston County Coalition of Patrol Services contract, if eligible for same. If not eligible, the Undersheriff shall receive retirement benefits as set forth in the Agreement between the County of Livingston and the Civil Service Employees Association Full-Time Unit.

2. Jury Duty Leave. Employees selected for jury duty shall receive paid leave not to exceed ten (10) working days annually, when attendance as a juror is required by the court on regularly scheduled working days of the employee. Employees requesting payment for jury duty must notify their supervisors immediately upon receipt of a subpoena for jury duty as a condition of payment. An employee summoned to jury duty will cooperate with the County in a request for deferral of jury duty service whenever in the County's judgement such request is needed due to the legitimate business needs of the County. An employee on jury duty shall report to work whenever their presence for jury duty is not required during regularly scheduled working hours.

3. Vacation.

a. **Accrual.** All full-time employees not covered by a collective bargaining agreement, with the exception of those identified in subsection 3(c), below, will accrue vacation in accordance with the following table:

Anniversary of Date of Hire	Vacation Accruals
Upon hire	5 days
1 – 10 year	15 days
11 year	16 days
12 year	17 days
13 year	18 days
14 year	19 days
15–24 year	20 days
25 year and subsequent	25 days

anniversaries	
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- b. **Vacation Carry Over.** A maximum of three (3) working days' vacation may be held over from one anniversary year to the next. These days will not accumulate from year to year, but may be used in the new anniversary year.
- c. **Department Head Accrual.** Department Heads and employees deemed by the County Administrator to be serving in a deputy capacity to the department head shall accrue 15 vacation days at the time of hire. Thereafter, they shall accrue in accordance with paragraph 3(a) above.
- d. **Payment In Lieu of Vacation Time.** Department Heads may elect to be paid for a maximum of ten (10) days of vacation in lieu of such time off. Employees who wish to make this election must inform their department leader of their election at least two weeks prior to their anniversary date. All vacation time must be earned before payment is made.
- e. **Payment of Vacation Upon Termination.** Only vacation accrued on and after the employee's first anniversary of his/her date of hire may be payable upon termination of employment. Accrued vacation will not be payable upon termination of employment unless the requirements set forth in Article 18, §4 of the CSEA full-time employee collective bargaining agreement are met. "Notice of termination" as used in Article 18, §4 subparagraph d shall mean when applied to Department Heads: (i) notice of disciplinary charges for those with Civil Service Law §75 or similar due process rights, or (ii) actual notice of termination for all others. The County Administrator may for good cause shown waive some or all of the requirements for payment of accrued vacation upon a Department Head's termination of employment.

4. Health Insurance

- a. **Eligibility.** Full-time, permanent employees not covered by a collective bargaining agreement shall be entitled to health insurance on the first day of the month following appointment.
- b. **Plan Options.** Eligible full-time, permanent employees not covered by a collective bargaining agreement hired prior to January 1, 2014 shall have the following health insurance options: the Livingston County Premium Plan, the Livingston County Standard Plan, the Livingston County High Deductible Health Plan (HDHP) or substantially equivalent coverage. If such employee does not have the Premium plan or leaves the Premium Plan, that employee shall no longer be eligible for enrollment in the Premium Plan. Eligible employees hired on or after January 1, 2014 shall have the following health insurance options: the Livingston County Standard Plan, Livingston County High Deductible Health Plan (HDHP) or substantially equivalent coverage. For 2023, the HDHP shall have a \$3,000/\$6,000 employee deductible.
- c. **Unilateral Right.** The County has the unilateral right, in its sole discretion, to: determine details of all offered health plans, determine the plan administrator (if any), and make any other decisions and take any other actions necessary to institute and administer the health insurance plans offered by the County.
- d. **Employee Contributions Toward Cost of Coverage.**
 - i. ***Date of hire before June 1, 2003.*** Full-time, permanent employees not covered by a collective bargaining agreement hired prior to June 1, 2003 shall not contribute to the cost of their health insurance premium. If the employee elects the HDHP the County will make an annual contribution to the employee's health savings account as follows: \$250 for a single or two-person plan; \$500 for a family plan.
 - ii. ***Date of hire on or after June 1, 2003 but before January 1, 2011.*** Full-time, permanent employees not covered by a collective bargaining agreement hired on or after June 1, 2003 but before January 1, 2011, shall contribute 25% of the cost of their health insurance premium if in the Premium Plan, 15% of the cost of their health insurance premium if in the Standard Plan, or 0% of the cost of their health insurance premium if in the HDHP. If the employee elects the HDHP the County will make an annual contribution to the employee's health savings account as follows: \$250 for a single or two-person plan; \$500 for a family plan.
 - iii. ***Date of hire on or after January 1, 2011 but before January 1, 2014.*** Full-time, permanent employees not covered by a collective bargaining agreement hired on or after January 1, 2011 but before January 1, 2014 shall contribute 25% of the cost of their health insurance coverage if in the Premium Plan. If enrolled in the Standard Plan, the employee shall contribute 15% of the cost of his/her health insurance coverage. All employees in this category shall contribute 0% of the cost of their premium if enrolled in the HDHP. If the employee elects the HDHP the County will make an annual contribution to the employee's health savings account as follows: \$250 for a single or two-person plan; \$500 for a family plan.

- iv. ***Date of hire on or after January 1, 2014.*** Full-time, permanent employees not covered by a collective bargaining agreement hired on or after January 1, 2014 shall contribute 25% of the cost of their health insurance premium if in the Standard Plan for the first ten (10) years of employment. After ten years of consecutive employment, the employee shall contribute 15% of the cost of their Standard Plan health insurance premium. All employees in this category shall contribute 0% of the cost of their premium if enrolled in the HDHP. If the employee elects the HDHP the County will make an annual contribution to the employee's health savings account as follows: \$250 for a single or two-person plan; \$500 for a family plan.
- e. **Health Insurance Drop Payments.**
- i. ***Eligibility.*** Full-time, permanent employees not covered by a collective bargaining agreement who drop or who forego County health insurance coverage shall be entitled to a "drop payment" after they have been without County health insurance for at least one year. New Department Heads who are eligible for health insurance benefits and forego such benefits are eligible for a prorated drop payment in their first year as a Department Head.
 - ii. ***Procedure to obtain benefit.*** In order to receive a drop payment, an employee must submit a written request for the payment and provide an affidavit to the Human Resources Department proving that he/she has health insurance coverage through another source. Such written request and affidavit must be provided between November 1 and November 15 of the year in which payment is requested.
 - iii. ***Date of payment.*** Drop payments will be made in a pay period of December each year.
 - iv. ***Amount of payment.*** The amount of the drop payment will be based upon the level of coverage (e.g. two person, family, etc.) the employee would have received. Payment amounts for those employees who went without coverage for a full plan year (January 1 through December 31) are as follows:
 - (a) Dropped individual coverage: \$1,800;
 - (b) Dropped two person or family no spouse coverage: \$2,700; or
 - (c) Dropped family coverage: \$3,600.
 For 2023, an additional monthly proration of the amount above will be made for June through December of 2022, as those months were not included in the 2022 health insurance drop payments.
- f. **Dental Insurance.** Full-time, permanent employees not covered by a collective bargaining agreement shall have the option to elect dental coverage. In the event that the employee elects coverage, the County will contribute 100% of the cost of the premium. The County has the unilateral right, in its sole discretion, to: determine details of the plan, determine the plan administrator (if any), and make any other decisions and take any other actions necessary to institute and administer such plan.
- g. **Retiree Health Insurance.** Full-time, permanent employees not covered by a collective bargaining agreement hired before November 8, 2006, who retire with at least twenty-five (25) years of service will be eligible to receive health insurance in retirement in accordance with this section, unless they have waived their right to such in accordance with paragraph (ii), below. Employees hired on or after November 8, 2006, shall not be eligible for retiree health insurance under this section.
- i. The County will provide the following, or substantially equivalent, benefits: the Premium plan, the Standard plan, or the HDHP plan to those retirees and their covered dependents who are not Medicare eligible, or Aetna Medicare to those retirees and their covered dependents who are Medicare eligible.
 - a. All employees hired before October 22, 2003, who qualify for retiree health insurance will be eligible for fully paid individual or dependent coverage.
 - b. All employees hired on or after October 22, 2003, but before November 8, 2006, who qualify for retiree health insurance will be eligible for individual coverage only and will make the same percentage contribution toward the cost of such coverage that they made immediately prior to retirement. The employee may obtain dependent coverage if the employee pays the extra cost of such coverage.
 - ii. Employees hired before November 8, 2006, may elect to participate in the §401(a) deferred compensation matching plan if they make an irrevocable waiver of their right to retiree health insurance benefits.
- h. **Health Insurance for Dependents Following Death of Department Head.** In the event that a Department Head dies in service, health insurance benefits for covered family members will be continued on the same basis as provided to employees covered by the collective bargaining agreement between Livingston County and the Civil Service Employees Association Full-Time Unit.

5. **Deferred Compensation Matching Plan.** Full-time, permanent employees not covered by a collective bargaining agreement shall be eligible to participate in the County's deferred compensation matching plan with the match not to exceed two percent (2%) of an employee's wages per pay period. Matching contributions shall be subject to applicable legal limits and requirements, including those necessary to maintain the status of the plan. The County has the unilateral right, in its sole discretion, to: determine details of the plan, determine the plan administrator (if any), and make any other decisions necessary to institute and administer such plan.
6. **Flexible Spending Account.** Full-time, permanent employees not covered by a collective bargaining agreement shall be eligible to participate in the County's Flexible Spending Account.

and be it further

RESOLVED, that employee health insurance benefits for part-time, seasonal and temporary employees not covered by a collective bargaining agreement shall be provided as follows:

1. **Health Insurance.**
 - a. **Eligibility.**
 - i. Salaried part-time, permanent employees not covered by a collective bargaining agreement, other than Board of Supervisors members, shall be entitled to health insurance coverage. Newly hired employees will be eligible for coverage on the first full month following employment with the County. Thereafter, such employees may enroll in coverage during an open enrollment period or within 30 days of a qualifying event.
 - ii. Other part-time, seasonal and temporary Department Heads will be offered health insurance coverage as required by the Patient Protection and Affordable Care Act ("ACA") for "full-time" employees as defined by the ACA. Employees who wish to participate must enroll by the deadline provided by the County in its offer of coverage. Enrollment will require the submission of a completed enrollment form and any other required documentation.
 - b. **Plan Options.** Employees eligible for coverage under this section may participate in the Livingston County Standard Plan or substantially equivalent coverage.
 - c. **Employee Contributions Toward Cost of Coverage.** Deductions for premiums will be made from the employee's pay. If the employee's pay is insufficient to cover the premiums, the employee must make arrangements with the County Treasurer's Office to pay the premiums directly. Failure to pay premiums as required will result in cancellation of coverage. All employees, except those set forth in Paragraph 1(c)(i) below, eligible for coverage under this section who enroll will be responsible for paying 100% of the premium cost.
 - i. Salaried part-time, permanent attorneys employed by the County eligible for coverage under this section who enroll will be responsible for paying 40% of the premium cost.

Dated at Geneseo, New York

September 28, 2022

Ways and Means Committee

The roll was called as follows: Ayes-1,817; Noes-0; Absent-Fanaro, 72; Babbitt Henry, 79; Erdle, 41; Total 192; Adopted.

OTHER BUSINESS

County Administrator Updates: The external audit RFP will be on the next committee meeting, biweekly CNR report emailed, working on the shared services grant submittal and the 2023 budget is in the works. Mr. Coyle personally thanked the MRC for all of their work, in particular with Covid 19 work provided to enable the County to provide needed services. Livingston County won one of two ICMA awards nationally in the community equity and inclusion category for the County's inter-departmental efforts related to our antipoverty plan Thrive Livingston.

ADJOURNMENT

Motion made by Mr. Pangrazio and seconded by Mr. DiSalvo to adjourn until Wednesday, October 12, 2022 at 1:30 p.m. Carried.

The Board adjourned at 1:55 p.m.