

**REGULAR BOARD MEETING
WEDNESDAY, MARCH 23, 2016
1:30 P.M.**

ROLL CALL

The roll was called showing all members present except Mr. DiPasquale (Mt. Morris), Mr. Davis (Portage), Mr. Schuster (Sparta) and Mrs. Erdle (West Sparta).

PLEDGE OF ALLEGIANCE

Chairman Gott introduced James Clark:

James Clark was born in Rochester, NY, graduating from the Allendale School in June 1966. He enlisted in the United States Navy in February 1967, serving two tours of duty as a radar technician in Vietnam aboard the aircraft carrier USS Oriskany and USS Wichita, a supply vessel that provided other naval vessels with fuel, jet fuel, food stores and war supplies. Jim was honorably discharged from the Navy in the grade E-4 in November 1971, having been awarded the National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Ribbon and Navy Unit Citation Award for his service. In 1979, Jim enlisted in the New York Army National Guard, serving in Troop C1 Squadron, 101 Cavalry, receiving an honorable discharge in 1980. Jim is an active member of the Geneseo VFW Post 5005.

Following his discharge from the Navy, while working in home construction, Jim Clark earned a Bachelor of Arts Degree from SUNY Geneseo in 1974 and a Master of Science Degree in Education from RIT in 1976. In 1976 he taught at the School of the Holy Childhood in Rochester and later that year was hired by the Geneseo Central School District, where he served as an art teacher and department chair until his retirement in June, 2009.

Jim Clark's service with the Sheriff's Office began in June of 1987, as a part-time Deputy Sheriff assigned to the Marine Patrol on Conesus Lake. Jim completed Police Officer Basic School at the Rural Police Training Academy at Genesee Community College, the Marine Law Enforcement Course and Impaired Boaters' Recognition Course. Jim continues to serve on the Marine Patrol and since his retirement from teaching, occasionally works in the Government Center.

Jim and his wife Pati reside in Springwater on their farm, Goose Run Maple Farm, where they produce maple syrup. Their daughter Emily is a police officer with the Leroy Police Department.

James Clark, led the Pledge of Allegiance.

Chairman Gott, on behalf of the Livingston County Board of Supervisors, presented a Certificate of Appreciation to James Clark. The audience presented a standing ovation. Mr. Clark thanked the Board for this opportunity.

APPROVAL OF MINUTES

Minutes of 3/9/16 Regular Meeting were approved as presented.

COMMUNICATIONS

1. There will be a Community Leader Welcome Open House for the Dansville EnCompass Program on Thursday, March 31st 4:00p.m.-5:00p.m. at the Dansville High School, 282 Main Street, Dansville.

ABSTRACT OF CLAIMS**RESOLUTION NO. 2016-93****APPROVING ABSTRACT OF CLAIMS #3B-MARCH 23, 2016**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #3B dated March 23, 2016 in the total amount of \$1,615,700.56.

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,742; Noes - 0; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

RESOLUTION NO. 2016-94 PROVIDING FOR A PUBLIC HEARING TO CONSIDER PUBLIC COMMENT ON THE COUNTY'S PROPOSAL TO SUBMIT A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL

RESOLVED, that the Livingston County Board of Supervisors hereby schedules a public hearing to be held on April 13, 2016 at 1:35 PM in the Board of Supervisors Assembly Room, Livingston County Government Center, Third Floor, Geneseo, New York, with the purpose of said hearing to provide information to the public regarding the Community Development Block Grant (CDBG) program and to consider citizen comments regarding the County's proposal to submit a CDBG application to the NYS Office of Community Renewal to provide funding in support of an economic development project in the Town of York, and at least six (6) days notice shall be given by posting thereof on the bulletin board of the Government Center in this County and by publishing such notice at least one (1) time in the official newspaper of the County as provided by law.

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Deming and seconded by Mr. Yendell to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,742; Noes - 0; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE

County Administrator/Budget Officer

RESOLUTION NO. 2016-95 AUTHORIZING TRANSFER OF FUNDS – DEPARTMENT OF HEALTH

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

RESOLVED, that the Livingston County Treasurer is authorized and directed to make the requested transfer per the Budget Transfer Request Form on file in the Office of the Clerk of the Board which has been approved by the Livingston County Administrator.

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,742; Noes - 0; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

RESOLUTION NO. 2016-96 AMENDING 2016 LIVINGSTON COUNTY BUDGET – OFFICE FOR THE AGING

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

RESOLVED, that the 2016 Office for the Aging budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6774	4772	Federal Revenue	\$16,057.00
			TOTAL	\$16,057.00
Increase Appropriation	A6774	2200	Data Processing Electronic Equip.	\$4,500.00
		4055	Telephone	\$1,440.00
		4110	Bldg. Repair	\$500.00
		4060	Office Supplies	\$1,400.00
		4080	Professional Services	\$4,078.00
		8300	Health Insurance	\$4,139.00
			TOTAL	\$16,057.00

And,

Account	Dept.	Code	Description	Amount
Increase Revenue	A6774	2770	Unclassified Revenue	\$5,500.00

			TOTAL	\$5,500.00
Increase Appropriation	A6774	4060	Office Supplies	\$1,400.00
		2200	Data Processing Equip.	\$2,400.00
		4070	Service Contracts	\$500.00
		2050	Office Machines, Frn.	\$1,200.00
			TOTAL	\$5,500.00

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,742; Noes - 0; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

RESOLUTION NO. 2016-97 ESTABLISHING AN ACCOUNT - PLANNING DEPARTMENT

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

RESOLVED, that the following account be established for the Planning Department:

Account	Dept.	Code	Description	Amount
Establish Revenue	A3661	3395	NYS Homeland Defense Grant	\$167,362.00
Establish Appropriation	A3661	1000	Personal Services	\$167,362.00

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,742; Noes - 0; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

RESOLUTION NO. 2016-98 DECLARING SURPLUS PROPERTY – DEPARTMENT OF HEALTH & HIGHWAY DEPARTMENT

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

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:

(Department of Health)

Quantity	Item	Model	Serial /VIN
1	2006 Ford	Taurus	1FAFP53U96A145774

(Highway Department)

Quantity	Item	Model	Serial /VIN
1	2006 Chevrolet	2500 2WD	1GCHC29D36E221888
1	2003 Chevrolet	1500 4WD	2GCEK19V031150364
1	2003 Ford	F350 4WD	1FTSF31503EB86686
1	1998 Chevrolet	3500 2WD Utility	1GBKC34J9WF048160
1	2006 Chevrolet	2500 4WD	1GCHK29D56E222642

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,742; Noes - 0; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

County Treasurer

RESOLUTION NO. 2016-99 AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE COUNTY OF LIVINGSTON, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY “PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS”, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY

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

WHEREAS, the County of Livingston, New York (hereinafter, the "County") heretofore issued \$5,775,000 Public Improvement (Serial) Bonds, 2007, pursuant to various bond resolutions to pay the cost of capital purposes, as further described in the bond determinations certificate of the County Treasurer dated May 15, 2007 (hereinafter referred to as the "2007 Bond Determinations Certificate"), such Public Improvement (Serial) Bonds, 2007, being dated May 15, 2007 with remaining maturities on May 15 in the years 2016 through 2027, both inclusive, as more fully described in the 2007 Bond Determinations Certificate (the "2007 Refunded Bonds"); and

WHEREAS, the County also heretofore issued \$22,000,000 Public Improvement (Serial) Bonds, 2009, pursuant to a bond resolution dated August 13, 2008 to pay the cost of the construction of a County jail, as further described in the bond determinations certificate of the County Treasurer dated July 15, 2009 (hereinafter referred to as the "2009 Bond Determinations Certificate"), such Public Improvement (Serial) Bonds, 2009, being dated July 15, 2009 with remaining maturities on July 15 in the years 2016 through 2024, both inclusive, as more fully described in the 2009 Bond Determinations Certificate (the "2009 Refunded Bonds"); and

WHEREAS, it would be in the public interest to refund all or a portion of the outstanding callable principal balance of the 2007 Refunded Bonds and the 2009 Refunded Bonds (collectively, the "Refunded Bonds") by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, such refunding will only be undertaken if it results in present value savings in debt service as required by Section 90.10 of the Local Finance Law; NOW, THEREFORE, BE IT

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

Section 1. For the object or purpose of refunding the outstanding callable principal balance of the Refunded Bonds as more fully set forth in the Refunding Financial Plan (hereinafter defined), including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of such Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on such Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$14,200,000 refunding serial bonds of the County pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$12,140,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R 16 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the County Treasurer pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the County Treasurer shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the County by lot in any customary manner of selection as

determined by the County Treasurer. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book Entry Only system of DTC. In the event that either DTC shall discontinue the Book Entry Only system or the County shall terminate its participation in such Book Entry Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to DTC, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book Entry Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the County Treasurer as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the County maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or last day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the County Treasurer providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the County Treasurer as fiscal agent of the County for the Refunding Bonds (collectively the "Fiscal Agent").

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The County Treasurer, as chief fiscal officer of the County, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non certificated form.

The County Treasurer is hereby further delegated all powers of this Board of Supervisors with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the County Treasurer, and its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each object or purpose for which such Refunded Bonds were issued is as specified in the 2007 and 2009 Bond Determinations Certificates which are incorporated herein by reference;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the respective period of probable usefulness of the objects or purposes for which said Refunded Bonds were issued in accordance with the provisions of paragraph c of Section 90.10 of the Local Finance Law;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to the Refunded Bonds is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This Board of Supervisors recognizes that the Refunding Bonds may be issued in one or more series, and for only portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The County Treasurer is hereby authorized and directed to determine the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the County Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The County Treasurer shall file a copy of his certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Clerk of the Board of Supervisors not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The County Treasurer is hereby authorized and directed to enter into an escrow contract or contracts (collectively the "Escrow Contract") with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said County Treasurer shall designate (collectively the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said County of Livingston, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the County to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time,

of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an “arbitrage bond” as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the County hereby elects to call in and redeem each Refunded Bond which the County Treasurer shall determine to be refunded at the earliest call date available. The sum to be paid therefor on such redemption date shall be the par value thereof, as provided in the Refunded Bond Certificate, and the accrued interest to such redemption date. The Escrow Holder for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Holder to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at public or private sale for purchase prices to be determined by the County Treasurer, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds, subject to approval by the terms and conditions of such private sale the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, the County Treasurer, is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds.

Section 11. The County Treasurer and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the County Treasurer and all powers in connection thereof are hereby delegated to the County Treasurer.

Section 13. The validity of the Refunding Bonds may be contested only if:

1. Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspaper of said County, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

2/3 Vote

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent – DiPasquale, 129; Davis, 24; Schuster, 45; Erdle, 36; Total 234; Adopted.

Other

RESOLUTION NO. 2016-100 AUTHORIZING THE PURCHASE OF FOUR (4) 2016 FORD INTERCEPTOR UTILITY VEHICLES FOR THE LIVINGSTON COUNTY SHERIFF'S OFFICE – DELACEY FORD

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

RESOLVED, that the Livingston County Sheriff's Office is authorized to purchase through mini-bid #16010147 from DeLacy Ford of 3061 Transit Road, Elma, NY 14059 four (4) new 2016 Ford Interceptor Utility Vehicles at a cost of \$26,793.05 each, for a total cost not to exceed \$107,172.20.

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,742; Noes - 0; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

RESOLUTION NO. 2016-101 AUTHORIZING THE PURCHASE OF THREE (3) 2016 FORD INTERCEPTOR SEDANS FOR THE LIVINGSTON COUNTY SHERIFF'S OFFICE – VAN BORTEL FORD

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

RESOLVED, that the Livingston County Sheriff's Office is authorized to purchase through mini-bid #16010028 from VanBortel Ford of 71 Marsh Road, East Rochester, NY 14445 two (2) new 2016 Ford Unmarked Interceptor Sedans at a cost of \$25,983.31 each, and one (1) new 2016 Ford Marked Interceptor Sedan at \$26,360.51 for a total cost not to exceed \$78,327.13.

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,742; Noes - 0; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

Personnel

RESOLUTION NO. 2016-102 AMENDING THE 2016 HOURLY EMPLOYEE SALARY SCHEDULE: DISTRICT ATTORNEY & SHERIFF'S OFFICE

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

RESOLVED, that the 2016 Hourly Employee Salary Schedule is amended as follows:

District Attorney

Create one full-time Clerk/Typist Position.

Sheriff's Office

Create five full-time Senior Civilian Dispatcher positions.

Create one full-time Emergency Communications Specialist Position.

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,742; Noes - 0; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

RESOLUTION NO. 2016-103 AMENDING THE 2016 DEPARTMENT HEAD SALARY SCHEDULE – SHERIFF'S OFFICE

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

RESOLVED, that the 2016 Department Head Salary Schedule is amended as follows:

Sheriff's Office

Create one full-time Corrections Captain Position at a Salary of \$69,000.00.

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,742; Noes - 0; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

RESOLUTION NO. 2016-104 RATIFYING TENTATIVE COLLECTIVE BARGAINING AGREEMENT WITH THE NEW YORK STATE NURSES ASSOCIATION UNIT AND AUTHORIZING EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT

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

WHEREAS, the collective bargaining agreement between the New York State Nurses Association unit ("NYSNA") and Livingston County expired on June 30, 2014; and

WHEREAS, the negotiating teams for the parties have reached a tentative agreement for a new collective bargaining agreement commencing July 1, 2014 and expiring June 30, 2017; and

WHEREAS, NYSNA has ratified this tentative agreement; and

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

RESOLVED, that the tentative agreement, a copy of which is attached hereto, is hereby ratified; and, be it further

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

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

In the absence of the County Administrator, Mr. Pangrazio explained the negotiation and mediation process with NYSNA and the main points addressed in this agreement.

The roll was called as follows: Ayes - 1,742; Noes - 0; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

RESOLUTION NO. 2016-105 OPPOSING AN INCREASE IN THE NEW YORK STATE MINIMUM WAGE TO \$15 PER HOUR

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

WHEREAS, New York State's minimum wage reached \$9 per hour on December 31, 2015, and Governor Cuomo has announced a plan to raise New York's statewide minimum wage to \$15 an hour for all workers in New York City by 2018, and in the rest of the State by 2021, and

WHEREAS, it is the Governor's view that a minimum wage increase is needed to "lift workers out of poverty, improve the standard of living for workers, encourage fair and more efficient business practices, and ensure that the most vulnerable members of the workforce can contribute to the economy"; and

WHEREAS, a statewide increase in the minimum wage as proposed by the Governor fails to consider the economic disparities between wages and the cost of living in the New York Metropolitan/Long Island region versus upstate counties such as Livingston County, and

WHEREAS, considerable research suggests that the potential benefits of raising the minimum wage are greatly offset by the negative consequences of same, especially in rural Upstate New York; and

WHEREAS, in their November 2015 paper entitled "Higher Pay, Fewer Jobs," Douglas Holtz-Eakin and Ben Gitis of the Empire Center and the American Action Forum predict that while a \$15 minimum wage would increase net earnings for low-wage workers, the Labor Market in New York would decrease by an estimated 200,000 to 432,000 jobs, with proportionately larger employment decreases in the upstate regions; and

WHEREAS, should the Holtz-Eakin/Gitis research reach fruition, the minimum wage increase to \$15 per hour may lead to the loss of entry-level and unskilled jobs, thereby harming many of the same low-income workers the \$15 wage is designed to benefit; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors be and hereby voices its opposition to an increase in the minimum wage to \$15 as proposed, and directs that the Clerk of the Livingston County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Catharine M. Young, New York State Senator Patrick M. Gallivan, Assemblyman Bill Nojay, other New York counties, and the New York State Association of Counties (NYSAC).

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

Mr. Carman reported that a vote was taken last week at the Agriculture and Farmland Protection Board opposing the increase to the minimum wage rate.

The roll was called as follows: Ayes - 1,663; Noes – Babbitt Henry, 79; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

RESOLUTION NO. 2016-106 OPPOSING 12 WEEK LEAVE PROGRAM IN GOVERNOR CUOMO'S 2016-2017 PROPOSED BUDGET

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

WHEREAS, current law provides for family medical leave for employees of businesses with 50 or more employees; and

WHEREAS, Governor Cuomo has proposed a 12 week family leave program which expands upon current law; and

WHEREAS, this paid leave program will provide 12 full weeks of job protected leave and cover all businesses, regardless of size, and

WHEREAS, Livingston County has many agricultural and small businesses that would have difficulty sustaining operations by holding a position open for such a period of time, and

WHEREAS, the Livingston County Board of Supervisors has determined that this would be detrimental to small businesses in Livingston County, now therefore be it

RESOLVED, that the Livingston County Board of Supervisors hereby opposes the Strong Families, Strong New York program proposed in Governor Cuomo's 2016-2017 Proposed Budget, and be it further

RESOLVED, that the Clerk of this Board is hereby directed to forward certified copies of this resolution to New York State Governor Andrew Cuomo, New York State Senator Catharine M. Young, New York State Senator Patrick Gallivan, New York State Assemblyman Bill Nojay, Inter County Association of Western New York and the New York State Association of Counties.

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,663; Noes – Babbitt Henry, 79; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41; Total 267; Adopted.

Real Property Tax Services

RESOLUTION NO. 2016-107 CORRECTING TAX ROLLS – SUPREME COURT SETTLEMENT FOR THE TOWN OF NORTH DANSVILLE

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

WHEREAS, the Director of the Real Property Tax Services has transmitted a written report of his recommendation with regard to one (4 parcels/8 years) correction of the tax rolls, pursuant to the Real Property Tax Law, for the Town of North Dansville 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 Supreme Court decision for a correction requested from the Director of Real Property Tax Services attached hereto, and

WHEREAS, by Resolution No. 2014-396, incorrect refunds were authorized for several years necessitating this resolution to correct the refund amounts,

NOW, THEREFORE, be it resolved that the Director of Real Property Tax Services is authorized and directed to forward a copy of this resolution to the officer having jurisdiction of the tax rolls so that the rolls can be corrected; and be it further

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

Year, Town & Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund Of Taxes (perSettlement)	Chargeback ToTaxing Jurisdiction
1. 2008 North Dansville					
Park Hills	Livingston County	\$9,660.66	\$4,974.43	\$4,686.23*	\$4,686.23
I & II, LLC	N Dansville Town Tax	<u>\$3,831.64</u>	<u>\$1,972.96</u>	<u>\$1,858.68**</u>	<u>\$0.00</u>
	Total	\$13,492.30	\$6,947.39	\$6,544.91	\$4,686.23
2. 2009 North Dansville					
Park Hills	Livingston County	\$9,743.43	\$7,652.41	\$2,091.02*	\$2,091.02

I & II, LLC	N Dansville Town Tax	<u>\$3,824.66</u>	<u>\$3,003.85</u>	<u>\$820.81**</u>	<u>\$0.00</u>
	Total	\$13,568.09	\$10,656.26	\$1,270.21	\$2,091.02
3. 2010 North Dansville					
Park Hills	Livingston County	\$8,709.76	\$8,307.78	\$401.98*	\$401.98
I & II, LLC	N Dansville Town Tax	<u>\$3,164.86</u>	<u>\$3,018.80</u>	<u>\$146.06**</u>	<u>\$0.00</u>
	Total	\$11,874.62	\$11,326.58	\$255.92	\$401.98
4. 2011 North Dansville					
Park Hills	Livingston County	\$9,881.25	\$9,881.25	\$0.00*	\$0.00
I & II, LLC	N Dansville Town Tax	<u>\$3,370.43</u>	<u>\$3,370.43</u>	<u>\$0.00**</u>	<u>\$0.00</u>
	Total	\$13,251.68	\$13,251.68	\$0.00	\$0.00
5. 2012 North Dansville					
Park Hills	Livingston County	\$9,875.93	\$8,886.04	\$989.89*	\$989.89
I & II, LLC	N Dansville Town Tax	<u>\$3,363.93</u>	<u>\$3,026.77</u>	<u>\$337.16**</u>	<u>\$0.00</u>
	Total	\$13,239.86	\$11,912.81	\$1,327.05	\$989.89
6. 2013 North Dansville					
Park Hills	Livingston County	\$9,982.63	\$8,982.04	\$1,000.59*	\$1,000.59
I & II, LLC	N Dansville Town Tax	<u>\$3,347.12</u>	<u>\$3,011.62</u>	<u>\$335.50**</u>	<u>\$0.00</u>
	Total	\$13,329.75	\$11,993.66	\$1,336.09	\$1,000.59
7. 2014 North Dansville					
Park Hills	Livingston County	\$10,123.56	\$9,108.87	\$1,014.69*	\$1,014.69
I & II, LLC	N Dansville Town Tax	<u>\$3,317.11</u>	<u>\$2,984.64</u>	<u>\$332.47**</u>	<u>\$0.00</u>
	Total	\$13,440.67	\$12,093.51	\$1,347.16	\$1,014.69

COMBINED Totals for Tax Map Numbers:

189.19-2-19	Livingston County Original Tax	\$67,977.22*
189.19-2-25	North Dansville Town Original Tax	\$24,219.75**
189.19-2-34.11	Livingston County Corrected Tax	\$57,792.82*
203.12-1-35.21	North Dansville Town Corrected Tax	\$20,389.07**

REFUND TOTALS

Livingston County Total	\$10,184.40*
North Dansville Town Tax Total	\$3,830.68**
Livingston County	\$8,055.27*
North Dansville Town Tax	\$2,944.99**
Livingston County	\$2,129.13*
North Dansville Town Tax	\$885.69**

PARTIAL REFUND 2014

REFUND DUE

* Refunded by County Treasurer

** Refunded by Town of North Dansville

Year, Town & Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund of Taxes	Chargeback To Taxing Jurisdiction
1. 2015 North Dansville					
Park Hills	Livingston County	\$1,399.56	\$1,259.28	\$0.00	\$140.28
I & II, LLC	N Dansville Town Tax	<u>\$450.49</u>	<u>\$405.33</u>	<u>\$0.00</u>	<u>\$45.16</u>
189.19-2-19	Total	\$1,850.05	\$1,664.61	\$0.00	\$185.44
2. 2015 North Dansville					
Park Hills	Livingston County	\$1,399.56	\$1,259.28	\$0.00	\$140.28
I & II, LLC	N Dansville Town Tax	<u>\$450.49</u>	<u>\$405.33</u>	<u>\$0.00</u>	<u>\$45.16</u>
189.19-2-25	Total	\$1,850.05	\$1,664.61	\$0.00	\$185.44
3. 2015 North Dansville					
Park Hills	Livingston County	\$2,799.12	\$2,518.55	\$0.00	\$280.57
I & II, LLC	N Dansville Town Tax	<u>\$900.97</u>	<u>\$810.67</u>	<u>\$0.00</u>	<u>\$90.30</u>
189.19-2-34.11	Total	\$3,700.09	\$3,329.22	\$0.00	\$370.87
4. 2015 North Dansville					
Park Hills	Livingston County	\$4,198.68	\$3,777.83	\$0.00	\$420.85

I & II, LLC	N Dansville Town Tax	<u>\$1,351.46</u>	<u>\$1,216.00</u>	<u>\$0.00</u>	<u>\$135.46</u>
203.12-1-35.21	Total	\$5,550.14	\$4,993.83	\$0.00	\$556.31

And be it further,

RESOLVED, that Resolution No. 2014-396 is rescinded to the extent inconsistent with this resolution.

Dated at Geneseo, New York

March 23, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,742; Noes - 0; Absent – DiPasquale, 144; Davis, 29; Schuster, 53; Erdle, 41;
Total 267; Adopted.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, April 13, 2016 at 1:30 p.m.
Carried.

The Board adjourned at 1:51 p.m.