

**REGULAR BOARD MEETING
WEDNESDAY, JUNE 28, 2017
1:30 P.M.**

ROLL CALL

The roll was called showing all members present except Mr. Schuster (Sparta and Mrs. Babbitt Henry (Springwater).

PLEDGE OF ALLEGIANCE

The County Administrator introduced Nicholas Finocchario.

Nicholas Finocchario was born in South Lima, New York and graduated from Livonia High School in 1996. He enlisted in the United States Army in July of 1996 and served until he was honorably discharged as an E-4 Specialist in 1999.

Nicholas completed basic training in Ft. Jackson, South Carolina and attended his Advanced Individual Training (AIT) at Ft. Knox, Kentucky. After graduating from AIT school he was stationed at Ft. Hood, Texas where he was assigned to the 2nd Battalion 7th Cavalry of the 1st Cavalry Division. During this time span he had deployed to Camp Doha Kuwait for Operation Intrinsic Action.

After his active duty assignment, Nicholas worked for Caterpillar in Henrietta, New York.

In 2001 he started working for CP Ward in Scottsville, New York. In the wake of the September 11, 2001 attacks he was recalled from inactive duty reserves to the active reserves where he served from March of 2002 to June of 2004. During this time, he was stationed to the 98 Division in Rochester, New York. He served as a 63 Tango – Bradley Tank Mechanic and had specialized training as an H8 for recovery operations.

Nicholas Finocchario followed family tradition, with a great-grandfather serving in World War II, and his grandfather serving in Korea. For his military service, Nicholas was awarded the National Defense Service Medal, Army Achievement Medal, and the Armed Forces Expeditionary Medal.

In 2014 Nicholas started working for the Livingston County Highway Department as a Mechanic. He currently resides in South Lima with his wife Jennifer and their two children and a foster child they are hoping to adopt soon.

Nicholas Finocchario, led the Pledge of Allegiance.

The County Administrator and Chairman Gott, on behalf of the Livingston County Board of Supervisors, presented a Certificate of Appreciation to Nicholas Finocchario. The audience presented a standing ovation.

Chairman Gott requested that any employees being recognized today please come forward and find their special seating to help move the program forward smoothly.

APPROVAL OF MINUTES

Minutes of 6/14/17 Regular Meeting were approved as presented.

PUBLIC HEARINGS

1. COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL

Chairman Gott asked Economic Developer Bill Bacon to comment on this public hearing.

Mr. Bacon explained that the purpose of today's hearing is to provide information to the public regarding the Community Development Block Grant/CDBD Microenterprise Program and to consider comment on a proposed application being requested for submittal by Livingston County. An application in the amount of \$200,000 is being proposed to the New York State Office of Community Renewal/OCR to provide grants in conjunction with capacity building and entrepreneurial assistance to support and foster development of at least 5 microbusinesses to be located in Livingston County with the anticipated creation of at least 10 new jobs. Pending the successful outcome of the grant application, it is proposed that the County enter into a sub-recipient agreement with Livingston County Development Corporation to administer the funding. Entrepreneurial training will be a prerequisite of grant funding and technical assistance will continue to be offered to businesses on an as needed basis.

2. LOCAL LAW C-2017 LOCAL LAW REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW § 186-G

Chairman Gott asked County Attorney Shannon Hillier to comment on the local law.

The County Attorney explained that this particular local law allows the County to continue to collect a 30¢ surcharge on all wireless devices on a recurring monthly bill. In addition to that, it adds on the ability to collect the said surcharge on prepaid wireless devices, for example, trac phones.

Chairman Gott declared both public hearings opened and stated that anyone interested in speaking should please come forward and sign in at the podium. No one wished to speak. The Chairman asked if any Supervisor wished to comment. The Chairman announced that the public hearings would remain open until the end of the meeting.

ABSTRACT OF CLAIMS

RESOLUTION NO. 2017-214 APPROVING ABSTRACT OF CLAIMS #6B-JUNE 28, 2017

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #6B dated June 28, 2017 in the total amount of \$2,322,176.19.

Dated at Geneseo, New York

June 28, 2017

Ways and Means Committee

The roll was called as follows: Ayes-1,877; Noes-0; Absent-Schuster, 53; Babbitt Henry, 79; Total 132; Adopted.

RESOLUTIONS

Workforce Development/Youth Bureau

RESOLUTION NO. 2017-215 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY ON BEHALF OF GLOW WORKFORCE DEVELOPMENT BOARD: GENESEE FINGER LAKES REGIONAL PLANNING COUNCIL

Mr. Yendell announced that this resolution was not presented at a Human Services Committee meeting; however, all Committee members have signed the resolution.

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for Livingston County on behalf of the GLOW WDB, according to the term designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Genesee Finger Lakes Regional Planning Council	7/1/17-6/30/18	\$6,000.00
50 West Main Street, Suite 8107		
Rochester, New York 14614		
For: To act as One-Stop Operator for GLOW Region		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Workforce Innovation and Opportunity Act (WIOA)	0%	Yes X No

Dated at Geneseo, New York

June 28, 2017

Human Services Committee

The roll was called as follows: Ayes-1,877; Noes-0; Absent-Schuster, 53; Babbitt Henry, 79; Total 132; Adopted.

County Administrator/Budget Officer

RESOLUTION NO. 2017-216 DECLARING SURPLUS PROPERTY – HIGHWAY

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:

Highway Department

Quantity	Item Description (Year, Make & Model)	Mileage, Hrs, etc.	Serial #
1	1991 John Deere 772BH Motor Grader	8,065 Hours	DW772BH533586

Dated at Geneseo, New York

June 28, 2017

Ways and Means Committee

The roll was called as follows: Ayes-1,877; Noes-0; Absent-Schuster, 53; Babbitt Henry, 79; Total 132; Adopted.

RESOLUTION NO. 2017-217 AMENDING 2017 LIVINGSTON COUNTY BUDGET - HIGHWAY

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

RESOLVED, that the 2017 Highway budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	DM5130	2100	Automotive Equipment	\$290,157.32
Increase Appropriation	DM5130	9000	Interfund Transfer	\$290,157.32

And,

Account	Dept.	Code	Description	Amount
Increase Revenue	D5113	5031	Interfund Transfer	\$290,157.32
Increase Appropriation	D5113	4170	Contract Expenses	\$290,157.32

Dated at Geneseo, New York

June 28, 2017

Ways and Means Committee

The roll was called as follows: Ayes-1,877; Noes-0; Absent-Schuster, 53; Babbitt Henry, 79; Total 132; Adopted.

Real Property Tax Services

RESOLUTION NO. 2017-218 CORRECTING TAX ROLL-TOWN OF LIMA

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

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to one (1 parcel) application for correction of the tax roll, pursuant to the Real Property Tax Law, as prepared for the Town of Lima on the tax roll for the years hereinafter set forth, and

WHEREAS, said parcel was incorrectly assessed and/or taxed for reasons set forth in the application for correction requested from the Director of Real Property Tax Services attached hereto, 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(s) having jurisdiction of the tax roll so that the roll can be corrected; and a notice of approval to the applicant(s), and be it further

RESOLVED, that the County Treasurer and/or Town Tax Collector is hereby authorized to make the tax roll correction 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 application(s).

Year, Municipality Owner(s) Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund to Owner	Chargebacks to Taxing Jurisdictions
1. 2017 Lima	Livingston County	\$754.54	\$377.27	\$0.00	\$377.27
Johnson, Eric E	Lima Town Tax	\$287.72	\$143.86	\$0.00	\$143.86
Tax Map Number	School Relevy	\$2,639.01	\$1,319.50	\$0.00	\$1,319.51
37.9-2-12	Pro Rated Taxes	<u>\$436.50</u>	<u>\$436.50</u>	<u>\$0.00</u>	<u>\$0.00</u>
	Total	<u>\$4,117.77</u>	<u>\$2,277.13</u>	<u>\$0.00</u>	<u>\$1,840.64</u>

Dated at Geneseo, New York

June 28, 2017

Ways and Means Committee

The roll was called as follows: Ayes-1,877; Noes-0; Absent-Schuster, 53; Babbitt Henry, 79; Total 132; Adopted.

CLOSE PUBLIC HEARINGS

Chairman Gott asked if anyone wished to comment regarding either public hearing. No one wished to speak. The Chairman asked if any Supervisor wished to comment. No one wished to speak.

The Chairman declared the public hearings closed.

RESOLUTIONS CONT.

RESOLUTION NO. 2017-219 AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL

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

WHEREAS, the New York State Office of Community Renewal (the "OCR") has announced availability of funding under the NYS CDBG Microenterprise program to provide resources to support and foster the development of microbusinesses by providing grants in conjunction with capacity building and entrepreneurial assistance; and

WHEREAS, the Livingston County Development Corporation (the "LCDC") has requested that the County apply for and provide the OCR funding to the LCDC as a grant for the purpose of making deferred loans to microbusinesses; and

WHEREAS, the Project will result in substantial benefit to the County in the form the creation or expansion of at least four businesses and the creation of jobs; and

WHEREAS, the County has held a public hearing on June 28, 2017 to obtain citizens' views regarding the CDBG program as administered by OCR, now therefore, be it

RESOLVED, that the Chairman is hereby authorized to submit a grant application on behalf of the County in an amount not to exceed \$200,000 to the OCR to support a Microenterprise Program, and be it further

RESOLVED, that the Chairman is hereby authorized to execute a grant agreement between the County and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with the LCDC for the implementation of the Project and administration of the OCR grant, all such documents to be subject to review and approval by the County Attorney, and be it further

RESOLVED, that the Chairman is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Microenterprise Program.

Dated at Geneseo, New York

June 28, 2017

Public Services Committee

The roll was called as follows: Ayes-1,877; Noes-0; Absent-Schuster, 53; Babbitt Henry, 79; Total 132; Adopted.

MOTION TO MOVE LOCAL LAW NO. C – 2017

Local Law Repealing The Wireless Communications Surcharge Authorized By Article Six Of The County Law Of The State Of New York; And Imposing The Wireless Communications Surcharges Pursuant To The Authority Of Tax Law § 186-G

Mr. Yendell moved and Mr. Wadsworth seconded to move the proposed local law to the table for a vote. Carried.

VOTE ON LOCAL LAW

LOCAL LAW NO. C-2017 LOCAL LAW REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW § 186-G.

Be it enacted by the Board of Supervisors of the County of Livingston, as follows:

Section 1. Imposing a Surcharge Upon Wireless Communication Devices Local Law No. 6, of 2002, is hereby REPEALED.

Section 2. Imposition of wireless communications surcharges.

(a) Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Livingston on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such county, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such county, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid

wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this local law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

Section 3. Administration of surcharges. The surcharges imposed by this local law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law § 186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

Section 4. Applicability of State law to surcharges imposed by this local law. All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this local law with the same force and effect as if those provisions had been set forth in full in this local law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this local law.

Section 5. Net collections received by this county from the surcharges imposed by this local law shall be expended only upon authorization of the Board of Supervisors of the County of Livingston and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such county, as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The county shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

Section 6. This local law shall take effect December 1, 2017.

Dated at Geneseo, New York

June 14, 2017 (Introduced)

June 28, 2017 (Adopted)

The roll was called as follows: Ayes-1,877; Noes-0; Absent-Schuster, 53; Babbitt Henry, 79; Total 132; Adopted.

OTHER BUSINESS

1. PORTAGE SUPERVISOR IVAN DAVIS WOULD LIKE TO THANK OLIE OLSEN AND THE WELDING CLASS FOR THE REPAIR WORK DONE AT THE PENNYCOOK CEMETERY DUE TO VANDALISM. Mr. Davis thanked Olie Olsen and the Welding class at BOCES. We are very lucky in this county to have someone in the county to rebuild and fix things that we need done, especially when we had some vandalism at the Pennycook Cemetery. This is a small, town run cemetery that someone broke the main plaque off of the front of a tomb. The piece was delivered to BOCES and repaired at no cost. Mr. Davis donated a piece of stainless steel for class use.

2. EMPLOYEE RECOGNITION CEREMONY – HONORING EMPLOYEES WITH 10 AND 25 YEARS OF FULL-TIME SERVICE

Chairman Eric Gott

I would like to welcome our fellow employees, department heads, family, friends and relatives to our annual Employee Recognition event. This is certainly an exciting day for the Board of Supervisors because it is an opportunity to recognize our best asset and that is our people. The services that are provided to Livingston County folks each and every day could not happen and would not happen without the great employees and department heads of this county. I would like to turn the program over to County Administrator Coyle for some opening remarks.

County Administrator Ian Coyle

First off, a warm welcome to this years' award recipients' friends, family and co-workers here today. This is our 20th annual event, and it doesn't happen without the work of staff; to set the room up, plan the program, order the right kind of food and I would like to thank them for that. I would like to request a brief round of applause for Melissa, Michele, Lisa and the Central Services staff. To me and to most of the Board, this is the most important meeting we have this year. This meeting represents our only dedicated opportunity to recognize the backbone of County government, the County employees. I know I speak for the entire Board when I say that we take great pride in honoring our tremendous workforce through the Employee Recognition Ceremony. At the federal and state level, I don't have to tell you that we always seem to have rigorous debate, no middle ground, perpetual disagreement and dreaded inertia on even the most trivial of matters. I would argue that we here in Livingston County stay above the fray. We keep plugging along ethically and mightily as the beacon of good government public service light in the region. And why is that? It's

because of the people in this room. It's also because of the leadership of a dedicated board willing to remove political nonsense from staffing and hiring decisions and to do the right thing at the right time for the right reasons. But chiefly it is because of the work of our incredible staff, 34 of whom are being recognized today. Every single one of our 1200+ employees is an important cog in the wheel that moves county government forward. From the elections inspector that works a few hours a year, to the nurse at the CNR caring for a resident, to mental health counselor redirecting a client from suicidal thoughts, we have representation from 8 of our 32 departments today. People that that handle, in no particular order, criminals, probationers, patients, taxpayers, county workers, residents, visitors, old, young, abled, disabled, healthy, unhealthy, the nice, the mean and some people we know can be both nice and mean. The other day my staff knows I had a lovely lady tell me I was the only thing right about government; later she told me she was the worst county official she ever spoke with. This is in the course of one day within literally, hours. We still take her calls in the office because we want to help her get whatever services she needs and you are all in this room because you have a commitment to public service. You take the calls, you answer the request for assistance and you help this county and its' people. With the aid of the County Historian Amie Alden, I always like to spice up the talk with some tidbits from life as we knew it 10 and 25 years ago. These items are from 1991 and 2006. Do you remember where you were in 2006 when Pluto was downgraded to a dwarf planet? Were you sad when Western Union decided that year to discontinue the telegraph service, no IT jokes, we do not use telegraph services. The most popular shows were "the office", which many can relate to with its workplace humor and oddball coworker characters and "desperate housewives", which I hope no one here can relate to. Locally, the Barilla plant was under construction and our Downtown Revitalization Program was just gaining significant traction. Those of you that started working here 25 years ago in 1991, operation desert storm was upon us, gas was \$1.12 a gallon and Roseanne Barr was actually popular. Locally, we were finishing this government center and in March we suffered from a devastating ice storm with County highway and municipal departments involved in clean-up efforts for months. My, how far we have come. The prices, technology and TV shows have certainly changed, but I would argue that the commitment and passion of our workforce and the people being recognized today has not waived nor faltered. If anything, the collective power of our working hands has gotten stronger. The successes that we highlight monthly at our meetings, the awards we win regularly, the accreditations that we obtain, the grants and the project funds we have secured would be impossible to achieve had we not the dedication of a strong employee base who work day in and day out for the betterment of their fellow county residents. Our workforce realizes that we are all, in a sense, paying back the social and the civic capitol that our predecessors provided to us, to our community and to our county. The word that comes to mind during this recognition ceremony is commitment. These individuals are committed to the County and the County is committed to them. They are committed to their jobs, to the people they are serving, to doing an honest days' work and to carrying out the many functions of County government.

I want to say in closing on behalf of the Board, thank you. Thank you all for your sacrifices, for your dedication to Livingston County government. You all deserve a round of applause.

Clerk of the Board Michele Rees

Good afternoon, I am very happy to welcome you here today. If I could have the Department Heads form a receiving line here to my left. I will be announcing everyone, including those honorees unable to attend today. When I call your name I would like you to come up the left side of the room to receive your gift and then pose for a photo with the Chairman, Vice Chairman and County Administrator You will then exit to the right through the Department Head receiving line. After the ceremony please come up front with your gifts for a group photo with your department head. You can then leave your gifts in the Board room in order to enjoy the reception.

The County Administrator, Chairman Gott and Vice Chairman LeFeber recognized the following employees for their years of service:

DEPARTMENT HEAD 10 YEAR AWARD

Sheriff Thomas Dougherty

10 YEAR AWARDS

Center for Nursing & Rehabilitation - Anna Braund*, Jennifer Buckley*, Danae Donegan, Sean Flint, Samantha Gell, Kimberly Kavanagh, Joanne Mann, Sarah Mann, Karen Navagh*, Kandie Parker, Kristine Tebeau*, Johanna C. Whitney

Central Services - Colin MacKay, Robert Templeton

Department of Health - Karen Farwell*, Jessica Lynn Spike

Department of Social Services - Mary J. Clarke, Shauna Leone, Donna Rivers*, Karen Weaver, Renee E. Westfall*

Information & Technology Services - Karriann Edwards

Probation - Elizabeth M. Laney

Sheriff - Dawn Hamsher, Joshua Monster*, Norman Zeh

Treasurer - Brenda Lee Hettrick

25 YEAR AWARDS

Center for Nursing & Rehabilitation - Steven Vondell

Department of Health - Pamela Trescott

Department of Social Services - Deborah Beardsley

Sheriff - Rodrick J. Bennett, Donald W. Lubanski*, Wendy Morris

A total of 34 recipients were recognized. Individual photographs were taken of all employees recognized.

The Clerk of the Board announced that there will be group photos done after the Board meeting adjourns and turned the program over to Vice Chairman LeFeber to present some closing remarks.

Vice Chairman David LeFeber

I would like to thank everyone, particularly Lisa, Michele, Melissa and Ian for organizing and putting this event together. I would certainly like to echo the comments of the Chairman and County Administrator that this is a great County that we live in for quality of life, atmosphere and much of it is particularly due to the services provided by our county and our employees. Thank you very much for the support that you give to me and all of the supervisors when we have concerns from residents that need assistance. Please join us so that we can thank you individually and spend a little time with you at the reception. Thank you and congratulations.

ADJOURNMENT

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, July 12, 2017 at 1:30 p.m. Carried.

The Board adjourned at 2:02 p.m.