

**REGULAR BOARD MEETING  
WEDNESDAY, APRIL 13, 2016  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. DiPasquale (Mt. Morris), Mrs. Babbitt Henry (Springwater).

**PLEDGE OF ALLEGIANCE**

Conesus Supervisor Brenda B. Donohue led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Minutes of 3/23/16 Regular Meeting were approved as presented.

**PUBLIC HEARING**

1. TO CONSIDER PUBLIC COMMENT ON THE COUNTY'S PROPOSAL TO SUBMIT AN APPLICATION TO THE OFFICE OF COMMUNITY RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

Chairman Gott declared the Public Hearing open and asked Deputy Economic Development Director Maureen Wheeler to comment.

Mrs. Wheeler explained that this public hearing is being held as a requirement to submit an application to the NYS Office of Community Renewal for Community Development Block Grant funds in the amount of \$506,000 in support of an economic development project in the Town of York. The project plans to construct, equip and operate an approximately 30,000 square foot cheese production facility. The Community Development Block Grant funds would be passed to the Livingston County Development Corporation as a grant and to the company as a deferred loan. The company will net approximately \$490,000 of the \$506,000 being requested. The project will develop into substantial benefit to the County in the form of an estimated 33 new, permanent full-time employment positions within two years of the facility opening.

Chairman Gott stated anyone interested in speaking to please come forward and sign in at the podium. The following people wished to speak:

- 1) Kirk Richenberg – Concerns on whether there are any provisions in the grant to prevent problems similar to what happened at the yogurt plant in Genesee County. What does the Board feel are eligible activities that this potential project would produce that would make this application viable to be sent to the Community Development Block Program? From what the press release said, there are eight Dairy Farmers of America members that were going to be contributing to this project as part of the 10% stakeholders. He has concerns on why this was not inclusive of all local dairy farmers of America that were involved in that co-op. The other statement he would like to make the Board aware of is that the primary stakeholder in this potential project, 70%, is Dairy Farmers of America and they recently purchased the failed yogurt facility in Genesee County for \$60M and turned around and sold the equipment out of that facility and now there is a 320,000 sq. ft. facility sitting vacant in Genesee County and why wouldn't this be a perfect place for this project to be put 20 miles distant? He couldn't help but see the news yesterday regarding the Livingston County Board of Supervisors struggling to figure out how they will budget \$30,000 for a state mandate for a pay raise for the district attorney. Please consider the taxpayers in this community and this county feeling the same struggles when you decide or not to fill out this application to disburse public tax dollars to a private entity.
- 2) Henry Fuller – He has done as much research as possible on how money is funded through the federal government down to where we are today and how he appreciates the assistance he received from the County. This money that Dairy Farmers of America, Project Garden and whatever other names have been attached to this project is not really held accountable. The accountability is on paper but nobody visits the site if this were to go through. He does not think that will fly. The other thing is that it doesn't make sense to own a building with all the infrastructure there and then want to come to the little Town of York and start from scratch and put the Town of York through this procedure again. He doesn't know how other communities feel about this, but

he thinks it is a total waste of the taxpayer's money.

The Chairman asked if any Supervisor wished to comment. The Chairman announced that the public hearing would remain open until the end of the meeting.

### **COMMUNICATIONS**

1. Letter from Senator Gallivan acknowledging receipt of Res. No. 2016-105 & 2016-106 regarding opposition of an increase in the NYS minimum wage and the 12 week leave program.
2. Thank you note from Clark Young.
3. Annual County Finance School will be held on May 18-20, 2016 at the Sheraton Syracuse University Hotel.
4. Local Law 2-2016 Authorizing the County of Livingston to sell .546 acres on Bank Street in the Village of Dansville by private sales was filed by the Department of State on March 30, 2016.
5. Letter from NYSAC Executive Director Stephen Acquario acknowledging receipt of Res. No. 2016-105 & 2016-106.
6. Receipt of Ontario County Res. No. 251-2016 Setting of Contract Provisions for Removal of Snow and Ice from County Roadways within Livingston County.

### **ABSTRACT OF CLAIMS**

#### **RESOLUTION NO. 2016-108      APPROVING ABSTRACT OF CLAIMS #4A –APRIL 13, 2016**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #4A dated April 13, 2016 in the total amount of \$3,375,751.99.

Dated at Geneseo, New York

April 13, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

### **PRIVILEGES OF THE FLOOR**

1. KEVIN KEENAN, ROSWELL PARK COMMUNITY ENGAGEMENT COORDINATOR
  - TOBACCO-FREE GLOW PROGRAM

Mr. Keenan thanked the Board for this opportunity to present this program today. The Tobacco-Free GLOW Program is a program that is operated under the New York State Department of Health Roswell Park Cancer Institute. Roswell Park was awarded the grant in 2014 after a one year lapse but the Tobacco Free grant has been operating for over 20 years in New York State. The Clean Indoor Air Act was established in 2003. He covers four counties with a colleague as the youth engagement coordinator and Roswell Park covers a total of nine counties. They connect with youth partners, organizations that focus on young people ages 13-18 and he specifically connect with community organizations and elected officials. He wanted to share what they are doing so that we recognize him when seen out in the community or at meetings. The impact that tobacco has on our community is very tremendous. It is the #1 preventable cause of death in the United States. It is also the #1 preventable cause of death more than car accidents, drug use, fires, suicides and homicides. 16% of the pop in New York State adults smoke cigarettes. 11% of seniors also smoke. There has been a decrease in kids smoking, but they are using other tobacco products like e-cigarettes and chewing tobacco. The financial burden to New York State is over \$10 Billion in Medicaid costs. That transfers over to every county to about \$850 that could be spent otherwise. This is a community health issue and one of his missions is just trying to bring it to everyone's attention. Tobacco free parks is another mission and he is very grateful to Livingston County when he heard they were going to be awarded this grant. Livingston County has been the in top two healthiest communities in New York State over past several years. That says a tremendous about the people and the community and your focus on family and health. The financial burden is great. Their goal is to reduce the social acceptability of tobacco use. They are trying to get into more schools, connect with more youth related organizations and build support around policy change. We have already adopted tobacco free areas and you cannot smoke on County property. Some other towns and villages do not have smoking policies in place as far as no smoking on municipal grounds. New York State says you cannot smoke in playgrounds if there are children present. The tobacco industry forwards \$9.6 Billion at point of sales marketing in stores every year. \$250M is in New York State alone just in

marketing point of sales. All of their marketing is done behind counter or “Goal Posts” so that anyone at the cash register sees their tobacco products. People tend to start smoking as a young teen. There is much that can still be done to eliminate smoking for public health. They are trying to build support around point of sale policy change in the retail establishments. New York City adopted a policy in 2013 where you must be 21 to purchase any tobacco products. In 2000, Canada started covering up tobacco advertising. His question is about promoting community health and policy change.

Chairman Gott explained that he feels that it is important to do more research before making any kind of comment that may be viewed as a mandate.

## 2. DON HIGGINS, LIVINGSTON COUNTY HIGHWAY SUPERINTENDENT

- POLE BRIDGE REPLACEMENT PROGRAM

Don Higgins comments:

*Livingston County Highway Department does a lot of various kinds of highway work over the year. Today I plan to focus on a specific bridge project, because bridges are my passion and I'm in charge right now. I have a silent animation from the Stone Age, silent because highway crews are always working and not talking, showing how a bridge is built. What is missing? Hard hats, safety vests, and many other items reviewed missing in the video.*

Mr. Higgins proceeded with a presentation on the bridge located on Pole Bridge Road over Conesus Creek in the Town of Avon. The old bridge was built in 1935 out of concrete and steel. It is believed to be a WPA projects around 80 years old. Photos show where parts of the bridge are deteriorating and how the center pier provided an obstruction to the stream flow. Mr. Higgins reviewed photos showing each phase of the construction. A sample of a 1 foot piece of sheet piling, weighing 54 pounds. The pieces used in the project were 27 feet long and 1,458 pounds each. This one phase of the project used 67 pieces of interlocking sheet piling at a full weight of 97,686 pounds. Long term projects like this bridge allow the bridge crews to build a relationship with the nearby homeowners. The longevity for this type of bridge is approximately 75 years. The new bridge does not have a center pier so the much larger square opening eliminates any obstruction problems. There is no weight limit on the new bridge. Mr. Higgins acknowledged the bridge crew in attendance.

Comments continued:

*The bridge shop was previously dedicated to long-time Bridge Construction Supervisor, Dick Paul. Dick has been with the department for 37 years and has been the Bridge Construction Supervisor for 20 of those years. He has done repair and major rehab on 24 of our 70 bridges. Dick Paul will be retiring on April 28, 2016. Dick Paul is by far the hardest working person I have ever been around. He doesn't just supervise projects; he is always right in the middle. As hard as Dick has worked over the years, Dick's wife, Darla, has been right there next to him. Thank you for all you have put up with. Dick mother and other members of his family are also in attendance today.*

Chairman Gott asked the Clerk of the Board to read the Committee of the Whole Resolution.

### **RESOLUTION NO. 2016-109 DEDICATING THE POLE BRIDGE ROAD BRIDGE IN HONOR OF LIVINGSTON COUNTY HIGHWAY DEPARTMENT BRIDGE CONSTRUCTION SUPERVISOR RICHARD H. PAUL**

WHEREAS, the bridge on Pole Bridge Road over Conesus Outlet in the Town of Avon was replaced by the Livingston County Highway Department in 2015 under the supervision of Bridge Construction Supervisor Richard H. Paul, and

WHEREAS, Richard H. Paul began his career with the County Highway Department on April 18, 1979 and served in the positions of Laborer, MEO-I, MEO-II, Working Foreman, Road Maintenance Foreman and Bridge Construction Supervisor, and

WHEREAS, Richard H. Paul has served as Bridge Construction Supervisor for the past 20 years, and supervised replacement and major rehabilitation projects on over 24 of the County's 70 bridges, and

WHEREAS, Richard H. Paul will retire from the Livingston County Highway Department on April 28, 2016, and the Pole Bridge Road Bridge Replacement Project was his final project, now, therefore be it

RESOLVED, that the new bridge on Pole Bridge Road, Town of Avon, is hereby dedicated in the name of Bridge Construction Supervisor Richard H. Paul, in recognition of his 37 years of honorable and passionate service to

the Livingston County Highway Department, and be it further

RESOLVED, that appropriate signage shall be erected at the bridge site.

Dated at Geneseo, New York

April 13, 2016

Committee of the Whole

**MOTION TO MOVE COMMITTEE OF THE WHOLE RESOLUTION**

Chairman Gott requested that the Clerk of the Board read the foregoing resolution for consideration. There being no further discussion on the foregoing resolution, Chairman Gott asked for a motion to present the Committee of the Whole Resolution.

Motion made by Mr. Schuster and seconded by Mrs. Donohue to move the Committee of the Whole Resolution. Carried.

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

Chairman Gott thanked Dick Paul on behalf of the Board of Supervisors for his years of service and congratulated him on his much deserved retirement. The audience presented Mr. Paul with a standing ovation.

Dick is a long time resident of Sparta, which is why Mr. Schuster requested to make this motion and a native of Conesus, which is why Mrs. Donohue asked to second the motion. Dick is a life-long county resident, a graduate from Livonia Central, a member of the Sparta Volunteer Fire Department.

Richard H. Paul comments:

*Thank you and I appreciate everyone's tribute today. Dick stated that it's a team effort.*

**PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE**

**RESOLUTION NO. 2016-110 PROCLAIMING THE WEEK OF MAY 8-12, 2016 AS NURSING HOME WEEK IN LIVINGSTON COUNTY IN CELEBRATION OF OLDER AMERICANS MONTH**

WHEREAS, we as Americans experience aging as the natural order of life, live longer than at any time in the past, and seek to maintain our highest level of physical function in periods of infirmity; and

WHEREAS, nursing homes at the local, state and national level provide skilled nursing and rehabilitative care for injured, disabled, or sick persons who require chronic or restorative nursing care; and

WHEREAS, the nursing homes in Livingston County provide a high quality of care and services to meet the needs of Livingston County residents and the greater community, and

WHEREAS, nursing homes are a vital component of the local economy providing employment and economic activity beneficial to the community, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors proclaims May 8-12, 2016 as Nursing Home Week in Livingston County in honor of the valuable contributions Livingston County's nursing homes and their staffs make to the quality of life of our county.

Dated at Geneseo, New York

April 13, 2016

Human Services Committee

**RESOLUTION NO. 2016-111 PROCLAIMING THE MONTH OF MAY OLDER AMERICANS MONTH**

WHEREAS, President John F. Kennedy first designated May as "Senior Citizens Month" in 1963; and

WHEREAS, Older Americans Month acknowledges the past and present contributions of older Americans by recognizing the achievements of seniors and encouraging participation in community activities; and

WHEREAS, older adults play an important role in Livingston County by contributing experience, knowledge, and wisdom; and

WHEREAS, older adults are active, productive community members involved in volunteering, mentorship, and civic engagement; and

WHEREAS, older adults continue to make valuable contributions to Livingston County, ensuring a better life for future generations;

RESOLVED, that the Livingston County Board of Supervisors does hereby proclaim May 2016 as Older Americans Month and honors the valuable contributions that Older Americans make to Livingston County; and encourages people to recognize the important role of Older Americans by providing opportunities for older people to share their wisdom, experience, and skills.

Dated at Geneseo, New York

April 13, 2016

Human Services Committee

**RESOLUTION NO. 2016-112 PROCLAIMING THE WEEK OF MAY 16–20, 2016 AS SENIOR CORPS WEEK**

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation’s counties are increasingly turning to national service and volunteerism as a cost-effective strategy to meet county needs; and

WHEREAS, participants in Senior Corps help to improve the lives of our most vulnerable citizens, strengthen our educational system; protect our environment, provide independent living services, and contribute to our public safety, and;

WHEREAS older Americans bring a lifetime of skills and experience as parents, workers, and citizens that can be tapped to meet challenges in our communities; and

WHEREAS for more than four decades Senior Corps, and its three programs – RSVP, Senior Companions, and Foster Grandparents – have proven to be a highly effective way to engage Americans ages 55 and over in meeting national and community needs; and

WHEREAS service by older Americans helps volunteers by keeping them active, healthy, and engaged; helps our communities by solving local problems, and helps our nation by saving taxpayer dollars, reducing healthcare costs, and strengthening our democracy; and

WHEREAS Senior Corps participants serve in more than 50,000 locations across the country, including *more than 40 service locations in Livingston County*, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our county’s economic and social well-being; and

WHEREAS, more than *90 Senior Corps volunteers* of all backgrounds *serve in Livingston County*, providing vital support to county residents and improving the quality of life in our county; and

WHEREAS, Senior Corps volunteers demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with city and county officials nationwide to engage citizens, improve lives, and strengthen communities; and

WHEREAS the seventh annual Senior Corps Week, taking place May 16-20, 2016, is an opportunity to thank Senior Corps volunteers for their service and recognize their positive impact and value to our communities and nation;

RESOLVED that the Livingston County Board of Supervisors does hereby proclaim May 16-20, 2016 as Senior Corps Week and urge citizens to recognize Senior Corps volunteers and programs for their valuable impact on our communities.

Dated at Geneseo, New York

April 13, 2016

Human Services Committee

**RESOLUTION NO. 2016-113 APPOINTING MEMBER TO THE S<sup>2</sup>AY COMMITTEE BOARD: BRENDA DONOHUE**

RESOLVED, that the following member is hereby appointed to the S<sup>2</sup>AY Committee Board for the term designated:

**S<sup>2</sup>AY Committee Board**

Name	Address	Rep./Title	Term Expires
Brenda Donohue	P.O. Box 188, Conesus, NY 14435	Town of Conesus Supervisor- Completing L. Semmel Term	6/3/16

Dated at Geneseo, New York

April 13, 2016

Human Services Committee

**RESOLUTION NO. 2016-114 PROCLAIMING THE WEEK OF MAY 1-7, 2016 AS LIVINGSTON COUNTY TRAVEL AND TOURISM WEEK**

WHEREAS, travel has a positive effect on New York and the nation's economic prosperity and image abroad and it also impacts business productivity and individual travelers' well-being; and

WHEREAS, travel to and within the United States provides significant economic benefits for the nation, generating more than \$2.1 trillion in economic output in 2014, with \$927.9 billion spent directly by travelers; and

WHEREAS, the tourism industry is among the largest private-sector employers in the United States, supporting 15 million jobs in 2014, including 8 million directly in tourism and 7 million in other industries; and

WHEREAS, travelers' spending directly generated tax revenues of \$141.5 billion for federal, state and local governments, funds used to support essential services and programs; and

WHEREAS, travel to and within New York provides significant economic benefits for the state, generating \$62.5 billion spent directly by travelers in 2014 and tax revenues of \$7.8 billion for state and local governments, funds used to support essential services and programs; and

WHEREAS, travel in Livingston County, New York provides economic benefits for the county, employing over 1,110 people and generating \$3.0M in local tax revenue and \$47.7M in total direct travel spending in 2014; and

WHEREAS, in 2015 international travel to the United States was the nation's No. 1 services export generating \$220.6 billion in exports and creating a \$74 billion trade surplus for the United States; and

WHEREAS, meetings, events and incentive travel are core business functions that help companies strengthen business performance, educate employees and customers and reward business accomplishments-which in turn boosts the U.S. economy; and

WHEREAS, leisure travel, which accounts for more than three-quarters of all trips taken in the United States, spurs countless benefits to travelers' health and wellness, creativity, cultural awareness, education, happiness, productivity and relationships; and

WHEREAS, travel is a pillar of economic growth, creating jobs at a faster rate than other sectors, now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors proclaim the week of May 1-7, 2016 as Travel and Tourism Week in Livingston County, New York, and urge the citizens of this community to join in this special observance with appropriate events and commemorations.

Dated at Geneseo, New York

April 13, 2016

Public Services Committee

**RESOLUTION NO. 2016-115 SUPPORTING New York STATE SENATE BILL NO. S4964A AND NEW YORK STATE ASSEMBLY BILL NO. A8201, WHICH WOULD INCREASE THE COUNTIES SHARE OF DEPARTMENT OF MOTOR VEHICLE REVENUE TO PROVIDE A MORE EQUITABLE SHARE FOR COUNTIES**

WHEREAS, in the New York State 51 of 62 counties are mandated to operate a local Department of Motor Vehicles Office, and

WHEREAS, local Department of Motor Vehicles Office provide customer service and process many no-fee transactions on behalf of New York State, and

WHEREAS, under current law New York State's share of all fees collected from the work performed by the county operated Department of Motor Vehicles is 87.3 percent, and

WHEREAS, the remaining 12.7 percent county share has not been increased since 1999, yet the amount of work required by the Department of Motor Vehicles Office has increased in that same time period, and

WHEREAS, the New York State Governor and Legislature have repeatedly stated that lowering the property tax burden on local residents is a key priority, and

WHEREAS, increasing the county share of Department of Motor Vehicles revenue sharing with New York State will not result in any increased cost or fees to local residents or taxpayers, and will provide counties with the needed revenue to continue to provide necessary local government services, and

WHEREAS, there is a clear inequity present when a county Department of Motor Vehicles provides all services, including overhead and staffing to fulfill the Department of Motor Vehicles needs for state residents yet the state takes 87.3 percent of the revenue generated from providing said services, and

WHEREAS, the New York Association of County Clerks strongly supports S4964A (Ritchie)/A8201 (Brindisi)

which would increase the Department of Motor Vehicles revenue to counties and provide a more equitable share in order to run Department of Motor Vehicles Offices and help offset county property taxes, now therefore be it

RESOLVED, that the Livingston County Board of Supervisors do support New York State Senate Bill S4964A and New York State Assembly Bill A8201, which would increase the counties' share of Department of Motor Vehicles revenue to provide a more equitable share for counties, and directs that the Clerk of the Livingston County Board of Supervisors 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

April 13, 2016

Public Services Committee

**RESOLUTION NO. 2016-116 RESOLUTION REQUESTING STATE LEGISLATION ALLOWING THE PERMANENT USE OF RIFLES FOR BIG GAME HUNTING IN LIVINGSTON COUNTY**

WHEREAS, pursuant to Resolution No. 2013-203 the Livingston County Board of Supervisors requested state legislation permitting the use of rifles for big game hunting in Livingston County, and

WHEREAS, rifles have been successfully used for the past three big game hunting seasons; and

WHEREAS, a new special state law must be enacted to make the legislation permanent, and the first step in the process is for this Board of Supervisor to request the legislation; and

WHEREAS, the Public Services Committee recommends that such special state enabling legislation be requested; now therefore be it

RESOLVED, that the Livingston County Board of Supervisors requests the New York State Legislature to enact legislation that will allow the permanent use of rifles for big game hunting in all of Livingston County; and be it further

RESOLVED, that the Clerk of the Livingston County Board of Supervisors forward copies of this resolution to New York State Senator Catharine M. Young, New York State Senator Patrick M. Gallivan, Assemblyman Bill Nojay, the New York State Fish and Wildlife Management Board and the New York State Association of Counties (NYSAC).

Dated at Geneseo, New York

April 13, 2016

Public Services Committee

**RESOLUTION NO. 2016-117 APPOINTING MEMBERS TO THE LIVINGSTON COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL: ROBERT DONNAN, BEN GAJEWSKI, DAVID W. PARISH & RAYMOND CASE**

RESOLVED, that the following members are hereby appointed to the Livingston County Environmental Management Council for the term designated:

Name	Address	Title/Representing	Term
Robert Donnan	3150 Chandler Road Piffard, NY 14533	Agriculture	1/1/16 – 12/31/17
Ben Gajewski	Genesee Valley Conservancy PO Box 73 Geneseo, NY 14454	Agriculture	1/1/16 – 12/31/17
David W. Parish	5 Crossett Road Geneseo, NY 14454	General Citizen	1/1/16 – 12/31/17
Raymond Case	P.O. Box 567, 3501 Pebble Beach Road, Lakeville, NY 14480-0567	General Citizen	1/1/16 – 12/31/17

Dated at Geneseo, New York

April 13, 2016

Public Services Committee

**RESOLUTION NO. 2016-118 APPOINTING ENVIRONMENTAL MANAGEMENT COUNCIL CHAIRPERSON – ALEXANDER PIERCE**

WHEREAS, the bylaws of the Livingston County Environmental Management Council (EMC) provide that the EMC Chairperson be appointed by the Board of Supervisors upon the recommendation of the EMC; and

WHEREAS, on March 23, 2016, the EMC voted to recommend that the Board of Supervisors appoint Alexander Pierce as Chairperson of the Environmental Management Council; now, therefore, be it

RESOLVED, that the following member is hereby appointed as Chairman of the Livingston County Environmental Management Council for the term designated:

Name	Address	Title/Representing	Term
Alexander Pierce	PO Box 19, Nunda, NY 14517	Chairman	2/1/16-1/31/17

Dated at Geneseo, New York

April 13, 2016

Public Services Committee

**RESOLUTION NO. 2016-119 APPOINTING MEMBER TO THE LIVINGSTON COUNTY PLANNING BOARD: DONALD G. KANE**

RESOLVED, that the following member is hereby appointed to the Livingston County Planning Board for the term designated:

Name	Address	Title/Representing	Term
Donald G. Kane	58 Main Street, Leicester, NY 14481	Alternate Member	4/13/16-12/31/16

Dated at Geneseo, New York

April 13, 2016

Public Services Committee

**RESOLUTION NO. 2016-120 URGING THE NEW YORK STATE LEGISLATURE TO AMEND THE NEW YORK STATE ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT**

WHEREAS, the main reasons for the adoption of the New York State Electronic Equipment Recycling and Reuse Act (Act) were to assist local government with managing the fast growing electronics waste stream by relying on the electronics manufacturers to fund a recycling infrastructure and relieve municipalities of the recycling and end-of-life costs; and

WHEREAS, the County of Livingston believes that the Act has succeeded in significantly increasing electronics recovery and recycling in the State but that the recycling infrastructure is unstable and local governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs) and;

WHEREAS, the consequence, specifically following the January 2015 Disposal Ban, is significant and a growing number of local municipal solid waste systems are, or likely will be faced with bearing more of the financial responsibility for continued e-scrap collection in their communities; and

WHEREAS, the Act requires, and the State relies on, electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state; and

WHEREAS, once manufacturers have met their performance standard (goal), which in a number of cases is midway through the year, they no longer provide financial support to continue their collection programs, thus shifting unexpected management costs to cash strapped local governments; and

WHEREAS, the issue is worsened by the fact that electronics sold today weigh much less than the obsolete CRT devices that make up approximately 70% of the weight of e-scrap generated, which are cost intensive to responsibly manage; and

WHEREAS, there are ever increasing quantities of unwanted electronics due to "planned obsolescence" of many consumer products by manufacturers of these items; and

WHEREAS, this has resulted in local governments across the State grappling with the burden of funding or ceasing e-scrap collection, which has been particularly difficult in rural communities that do not benefit from retail collectors or economies of scale; now therefore be it

RESOLVED, that the County of Livingston does hereby call upon Governor Cuomo, the New York State Assembly, the New York State Senate and the New York State Department of Environmental Conservation to improve the current Electronic Equipment Recycling and Reuse Act intended to build toward the long term goals of creating a more stable and comprehensive, manufacturer implemented electronics recycling infrastructure by implementing actions to strengthen communication among stakeholders, clarify key statutory provisions in their present rulemaking efforts, and promote the adoption of the proposed statutory changes to the Act to provide for year round, no cost collection of electronics, consistent with convenience standards for both rural and urban populations-that help alleviate the immediate financial pressures faced by local governments; and be it further

RESOLVED, that the County of Livingston shall forward copies of this resolution to Governor Cuomo, Environmental Conservation Committee Chairmen Senator Thomas O'Mara and Assemblyman Steven Englebright,

and local State representatives.

Dated at Geneseo, New York

April 13, 2016

Public Services 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. Wadsworth and seconded by Mr. Deming to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

**RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE**

*Department Of Health*

**RESOLUTION NO. 2016-121 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: PAS OUTREACH TECHNICAL LABORATORY, LLC. D/B/A CLEARPATH DIAGNOSTICS & NEW YORK STATE DEPARTMENT OF HEALTH**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>PAS Outreach Technical Laboratory, LLC</b>	4/1/16-3/31/18	Per Rate Schedule

**d/b/a ClearPath Diagnostics**

600 Genesee Street, Suite 305

Syracuse, NY 13202

For: Laboratory Services for Reproductive Health Center Cancer Services

And be it further,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following grant award contract for the Livingston County Department of Health, and any future amendments to said contract, according to the term designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>New York State Department of Health</b>	10/1/15-9/30/20	\$167,125.00

Corning Tower, Empire State Plaza

Albany, NY 12237

For: Lead Grant

Dated at Geneseo, New York

April 13, 2016

Human Services Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

*Department Of Social Services*

**RESOLUTION NO. 2016-122 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: GENESEE COMMUNITY COLLEGE**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Genesee Community College</b>	1/1/16-12/31/18	N/A

1 College Road

Batavia NY 14020

For: Student Interns

Dated at Geneseo, New York

April 13, 2016

Human Services Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223;

Adopted.

*Other*

**RESOLUTION NO. 2016-123      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY: TELETASK, INC.**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Teletask, Inc.</b>	5/1/16-4/30/17	\$5.00/1,000 points

5150 Sunrise Blvd., Suite F-4

Fair Oaks CA 95628

For: Web-based appointment reminder messaging services for County departments.

Dated at Geneseo, New York

April 13, 2016

Human Services Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223;

Adopted.

*Workforce Development/Youth Bureau*

**RESOLUTION NO. 2016-124      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY DEPARTMENT OF WORK FORCE DEVELOPMENT: ARC OF LIVINGSTON WYOMING**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Arc of Livingston Wyoming</b>	7/1/16-8/30/16	Up to \$15,000.00

18 Main Street

Mt. Morris, NY 14510

For: Supported summer employment for youth with disabilities.

Dated at Geneseo, New York

April 13, 2016

Human Services Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223;

Adopted.

*Central Services*

**RESOLUTION NO. 2016-125      AWARDING BID FOR THE CENTRAL SERVICES DEPARTMENT FOR THE COURTHOUSE ENTRANCE VESTIBULE RENOVATION PROJECT: KIRCHER CONSTRUCTION**

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

WHEREAS, after the proper legal advertisement seeking bids for the Courthouse Entrance Vestibule Renovation project, one (1) bid was received and opened on March 29, 2016, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Kircher Construction</b>	\$149,800.00

28 Mill Street  
 Mt. Morris, NY 14510  
 For: Courthouse Entrance Vestibule Renovation  
 Dated at Geneseo, New York  
 April 13, 2016  
 Public Services Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

*Emergency Medical Services*

**RESOLUTION NO. 2016-126      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR LIVINGSTON COUNTY EMERGENCY MEDICAL SERVICES: THE UNIVERSITY OF WISCONSIN SYSTEM & NOYES MEMORIAL HOSPITAL**

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contracts for the Livingston County Emergency Medical Services, according to the terms designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>The University of Wisconsin System</b>	10/1/15 – 09/30/18	Not to exceed \$17,288.00

UW-Madison GAR Account  
 Research and Sponsored Programs  
 Drawer 538  
 Milwaukee, WI 53278-0538

For: Continued research with Manish Shah, MD in the project for Clinical Services for Older Adults Grant - "Emergency Department Care Transitions Coaching to Help Older Adults Maintain their Health"

<b>Noyes Memorial Hospital</b>	5/1/16-5/31/18	\$0
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111 Clara Barton Street  
 Dansville, New York 14437  
 For: Clinical experience for EMS students in the Emergency Department

Dated at Geneseo, New York  
 April 13, 2016  
 Public Services Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

*Highway*

**RESOLUTION NO. 2016-127      AUTHORIZING THE LIVINGSTON COUNTY HIGHWAY SUPERINTENDENT TO BID ON AND PURCHASE VARIOUS USED EQUIPMENT ON MAY 14, 2016 AT TEITSWORTH MUNICIPAL EQUIPMENT AUCTION IN PALMYRA, NY FOR THE COUNTY HIGHWAY DEPARTMENT**

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

WHEREAS, the Annual Palmyra Municipal Equipment Auction contains only equipment and vehicles owned by municipalities, and

WHEREAS, there may be an opportunity to purchase various used equipment and vehicles in good condition at considerable savings, now, therefore, be it

RESOLVED, that the Livingston County Highway Superintendent, with input and advice from the Department Shop Manager, is hereby authorized to bid on and purchase appropriate and needed various used equipment and vehicles on May 14, 2016 at the Teitsworth Municipal Equipment Auction in Palmyra, NY, at a total amount not to exceed One Hundred and Twenty Thousand Dollars (\$120,000.00).

Dated at Geneseo, New York  
 April 13, 2016  
 Public Services Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

Chairman Gott asked Don Higgins to explain the County’s cost saving efforts by attending this type of auction. Mr. Higgins explained that this particular auction is all municipal equipment owned by municipalities from around the area. We go to this every year to see if we can find used equipment in good working order. Some years we find good equipment and some year we leave without purchasing anything. We also take some of our used equipment that has been surplussed to the auction.

**RESOLUTION NO. 2016-128 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT BETWEEN ONTARIO COUNTY AND LIVINGSTON COUNTY FOR SNOW AND ICE REMOVAL THROUGH THE 2015-2016 SEASON**

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

WHEREAS, Pursuant to Section 135 of the Highway Law, the County Highway Superintendent may contract with a Town/County and a Town/County superintendent for the removal of snow from County roads, and  
 WHEREAS, Ontario County has proposed to enter into a contract with Livingston County for removal of snow from 0.44 miles section of County Road 36, which is in Livingston County, and

WHEREAS, the Public Services Committee recommends that the Livingston County Board of Supervisors approve said contract with Ontario County for snow and ice control on the 0.44 mile section of County Road 36, now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to sign a contract with Ontario County for snow and ice control on 0.44 miles on County Road 36 for the period of October 15, 2015 through October 14, 2016 at the rate of \$5,300.00 per center-line mile, subject to the approval of the municipalities, the County Attorney and the County Administrator.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Ontario County</b>	2015 – 2016 Winter Season	\$2,332.00

20 Ontario Street  
 Canandaigua, NY 14424  
 For: 2015-2016 Snow & Ice Contract.  
 Dated at Geneseo, New York  
 April 13, 2016  
 Public Services Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

*Planning*

**RESOLUTION NO. 2016-129 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY PLANNING DEPARTMENT – OSWEGO COUNTY SOIL & WATER CONSERVATION DISTRICT & GENESEE VALLEY CONSERVANCY**

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contracts for the Livingston County Planning Department, and any future amendments to said contract for the Livingston County Planning Department, according to the terms designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Oswego County Soil &amp; Water Conservation District</b>	4/1/14-3/31/17	\$59,915.18

3105 State Route 3  
 Fulton, NY 13069  
 For: Conesus Lake Aquatic Weeds Strategy (CLAWS 26)

<b>Genesee Valley Conservancy</b>	4/30/16-6/30/17	Not to exceed \$5,150.00
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PO Box 73

One Main Street  
Geneseo, NY 14454

For: Preparation of applications to the New York State Department of Agriculture and Markets for the 2016 Purchase of Development Rights Program.

Dated at Geneseo, New York

April 13, 2016

Public Services Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223;

Adopted.

County Administrator/Budget Officer

**RESOLUTION NO. 2016-130 AUTHORIZING TRANSFER OF FUNDS – CENTRAL SERVICES, DEPARTMENT OF HEALTH & PLANNING DEPARTMENT(2)**

Mr. Pangrazio 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 Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the Livingston County Administrator.

Dated at Geneseo, New York

April 13, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223;

Adopted.

**RESOLUTION NO. 2016-131 AMENDING 2016 LIVINGSTON COUNTY BUDGET – CONTINGENCY, ECONOMIC DEVELOPMENT & SHERIFF’S OFFICE**

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

RESOLVED, that the 2016 Contingency budget be amended as follows:

Account	Dept.	Code	Description	Amount
Debit	1990	9000	Contingency	\$15,000.00
Increase Appropriation	A1185	4020	Travel, Training	\$15,000.00

And be it further,

RESOLVED, that the 2016 Economic Development budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6989	2900	Capital Outlay	\$85,000.00
Increase Appropriation	A0599	0000	Infrastructure Reserve	\$85,000.00

And be it further,

RESOLVED, that the 2016 Sheriff’s Office budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3128	4395	Homeland Defense	\$37,500.00
Increase Appropriation	A3128	2400	L.E. Equipment	\$37,500.00

Dated at Geneseo, New York

April 13, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223;

Adopted.

**RESOLUTION NO. 2016-132 APPROVING CHANGE ORDER FOR THE LC EMERGENCY COMMUNICATION SYSTEM UPGRADE PROJECT – KAPLAN SCHMIDT ELECTRIC**

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

RESOLVED, that the Livingston County Board of Supervisors approves the change order detailed in the list attached hereto which results in a contract change and new total contract price as follows:

Contractor	For	Net Change Not to Exceed	New Contract
Kaplan Schmidt Electric	General Construction	\$18,502.00	\$635,087.00

and, it is further,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the

necessary change order, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 13, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

**RESOLUTION NO. 2016-133 AUTHORIZING THE PURCHASE OF A TRI-AXLE LIVE-BOTTOM MATERIAL TRAILER THROUGH A CONTRACT AWARDED BY NJPA FOR THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT – TRAIL KING INDUSTRIES, INC.**

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the following contract, which is hereby accepted through the National Joint Powers Alliance (NJPA) Contract #052015-TKI, subject to review by the County Attorney and County Administrator.

Contractor

Amount

**Trail King Industries, Inc.**

\$83,100.11

300 East Norway

Mitchell, SD 57301

For: Purchase of one (1) New, 2016 Trail King Model OLB40-102 "Advantage Series" Live-Bottom Material Trailer. Not to exceed the amount indicated.

Dated at Geneseo, New York

April 13, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

**RESOLUTION NO. 2016-134 DECLARING SURPLUS PROPERTY - CENTER FOR NURSING AND REHABILITATION & 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:

**(Center for Nursing and Rehabilitation)**

Quantity	Item	Model	Serial /VIN
1	Invacare Electric Bed #00641	IH720	3M88I50933
1	Invacare Electric Bed #00648	IH720	3M98I50935
1	Invacare Electric Bed #00652	IH720	3M98I50950
1	Invacare Electric Bed #00583	IH720	3M98I50947
1	Invacare Electric Bed #00587	IH720	3M98I50937
1	Invacare Electric Bed #00575	IH720	3M98I50938
1	Invacare Electric Bed #00581	IH720	3M98I50953
1	Invacare Electric Bed #00651	IH720	3M98I50944
1	Invacare Electric Bed #00657	IH720	3M88I50940
1	Invacare Electric Bed #01411	IH720	3M88I50951
1	Invacare Electric Bed #00581	IH720	3M88I50953
1	Invacare Electric Bed #00655	IH720	3M98I50943
1	Invacare Electric Bed #00642	IH720	3M98I50954
1	Invacare Electric Bed #00658	IH720	3M98I50945
1	NOA Electric Bed #00578	-	-
1	Oxygen Concentrator, Alliance Healthcare Technologies, 5 Liter	505	50526964
1	Oxygen Concentrator, Alliance Healthcare Technologies, 5 Liter	505	50526960

1	Oxygen Concentrator, Alliance Healthcare Technologies, 5 Liter	505	50526943
1	Oxygen Concentrator, Alliance Healthcare Technologies, 5 Liter	505	50526956
1	Oxygen Concentrator, Invacare, Platinum 5, 5 Liter	1RC5LX	31497531
1	Oxygen Concentrator, Invacare, Platinum 5, 5 Liter	1RC5LX	31497489
1	Oxygen Concentrator, Invacare, Platinum 5, 5 Liter	1RC5LX	00J096250
1	Oxygen Concentrator, Invacare, Platinum 5, 5 Liter	1RC5LX	00J096249
1	Oxygen Concentrator, Invacare, Platinum 5, 5 Liter	1RC5LX	01E062798
1	Oxygen Concentrator, Invacare, Platinum 5, 5 Liter	1RC5LX	00J096246
1	Oxygen Concentrator, Invacare, Platinum 5, 5 Liter	1RC5LX	00J096248
1	Oxygen Concentrator, Invacare, Platinum 5, 5 Liter	1RC5LX	00J096251
1	Oxygen Concentrator, New Life Elite, 10 Liter	AIR SEP	368573
1	Oxygen Concentrator, New Life Elite, 10 Liter	AIR SEP	368289
1	Oxygen Concentrator, New Life Elite, 10 Liter	AIR SEP	368885
1	Oxygen Concentrator, New Life Elite, 10 Liter	AIR SEP	466951
1	Oxygen Concentrator, New Life Elite, 10 Liter	AIR SEP	466945
1	Oxygen Concentrator, New Life Elite, 5 Liter	AIR SEP	108026
1	Oxygen Concentrator, New Life Elite, 5 Liter	AIR SEP	463428
1	Oxygen Concentrator, New Life Elite, 5 Liter	AIR SEP	109504
1	Oxygen Concentrator, New Life Elite, 5 Liter	AIR SEP	109498
1	Oxygen Concentrator, New Life Elite, 5 Liter	AIR SEP	Missing
1	Oxygen Concentrator, New Life Elite, 5 Liter	AIR SEP	Missing
1	Oxygen Concentrator, Caire Delta OM, 5 Liter	10740248	4219810022

**Highway Department**

1	18 ft. Dump Body	Ox	-
1	1998 Wheel Excavator	Gradall G3WD	-

Dated at Geneseo, New York

April 13, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

*Personnel*

**RESOLUTION NO. 2016-135 AMENDING THE 2016 HOURLY EMPLOYEE SALARY SCHEDULE: DEPARTMENT OF HEALTH**

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

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

**Department of Health:**

- Create two (2) full-time Mental Health Licensed Therapist positions.

Dated at Geneseo, New York

April 13, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

**RESOLUTION NO. 2016-136 AMENDING THE 2016 DEPARTMENT HEAD SALARY SCHEDULE: CENTRAL SERVICES**

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

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

**Central Services:**

- Create one (1) full-time Building and Grounds Working Foreperson position.

Dated at Geneseo, New York

April 13, 2016

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

Ways and Means Committee

**RESOLUTION NO. 2016-137 APPOINTING ECONOMIC DEVELOPER – WILLIAM E. BACON**

Mr. Pangrazio presented the following resolution and moved its adoption: WHEREAS, the office of Economic Developer position became vacant on February 19, 2016; and

WHEREAS, the County Administrator has recommended the appointment of a new Economic Developer pursuant to his powers and duties as specified in Section 4 (C) of Local Law E-2007; and

WHEREAS, the Ways and Means Committee has reviewed the recommendation of the County Administrator, concurs with it, and likewise recommends to the Board of Supervisors said appointment; and

WHEREAS, the Board of Supervisors wishes to make appointment consistent with these recommendations; now, therefore, be it

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

**Economic Development**

Appoint William E. Bacon of 6244 Dugway Road, Dansville, New York to the position of Economic Developer effective April 14, 2016, at an annual salary of \$86,500.00.

Dated at Geneseo, New York

April 13, 2016

Ways and Means Committee

The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

Chairman Gott welcomed Bill Bacon to the Livingston County team on behalf of the Board of Supervisors, County Administrator and County Department Heads.

Bill Bacon comments:

*First and foremost, I would like to thank the Livingston County Board of Supervisors and the Livingston County Administrator for this incredible opportunity. I am both, humbled and eager, and slightly nervous about the new position and beginning a new chapter in my life as the new role at the Director of Economic Development. I've looked at the last twenty-five years of my life as a career and tomorrow it becomes a practice for what's to lie ahead. I believe that, as I know you all do, our county provides wonderful and a complimentary blend of existing strengths and opportunities to be recognized and celebrated. It is incumbent upon me to identify, to address and to overcome the weaknesses and threats that lie in the path of our continued success. I'll use tools such as communication, networking, partnerships in the form of our engineers, our attorneys, our elected and public officials, the boards, their grant writers, private land developers, membership organizations and other county agencies in order to help us get our common goal of making this county even better. Mr. Chairman, again I thank you for this time to speak and thank you all very much. I look forward to working with you in the future.*

**CLOSE PUBLIC HEARING**

Chairman Gott asked if anyone wished to comment regarding the 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 hearing closed.

**OTHER BUSINESS**

1. County Administrator Updates

- Mr. Coyle alerted the Board to please check your email inbox for the press release put out by the Association of Counties calling on the state legislature to do a chapter amendment to allow for reimbursement back to the counties for the District Attorney's salary matter which we discussed at Ways and Means. He urged each and every Board member to personally correspond to our state representatives, our two senators and our assemblyman, to support this chapter amendment when they get back to Albany in May. They are on a recess after the budget and do look at these and legislate until about mid-June, so there is opportunity to right this

wrong that we have been addressing vocally today at this local level.

- The County Administrator was disappointed that in the second department head presentation today, not one person suggested that he was the person with all of the ingenuity and creativity shown in the video, as was done with the greenbacks at the last presentation. It was a very good presentation by Don Higgins.

2. Chairman Gott questioned whether there was any value in the Board passing a resolution from the floor today requesting that they support the chapter amendment for state reimbursement for the District Attorney salary increase? The County Administrator felt that there was value in passing a Committee of the Whole resolution today. The resolution would contain wording that the state would support a chapter amendment that NYSAC has suggested. The full Board felt that it was important to take action on this matter today and that the Clerk of the Board prepare a resolution to be reviewed by the County Attorney and sent to Governor Cuomo, our local representatives and NYSAC.

### **MOTION TO MOVE COMMITTEE OF THE WHOLE RESOLUTION**

There being no further discussion on the resolution calling on the State of New York to fully reimburse counties for district attorney salary increases set by the state, Chairman Gott asked for a motion to present a Committee of the Whole Resolution.

Motion made by Mr. Pangrazio and seconded by Mr. Davis to move a Committee of the Whole Resolution. Carried. The roll was called as follows: Ayes - 1,786; Noes - 0; Absent – DiPasquale, 144; Babbitt Henry, 79 Total 223; Adopted.

### **RESOLUTION NO. 2016-138 A RESOLUTION CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES SET BY THE STATE**

WHEREAS, on December 24, 2015, New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018, and

WHEREAS, this salary increase recommendation occurred well after all counties adopted their 2016 budgets, and

WHEREAS, the recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and \$203,000.00 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary, and

WHEREAS, in April 2016 the state legislature took no action to disturb the Commission's recommendation, and

WHEREAS, Judiciary Law section 183-a links judicial salaries with county district attorneys' (DA's) salaries to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on full time or part time status, and

WHEREAS, for over 50 years, the state has funded all salary increases that they imposed on the counties, and

WHEREAS, DA's are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law, and

WHEREAS, on April 1, 2016 the State Legislature enacted a \$150 billion State Budget, but did not include the funding for the \$1.6 million in reimbursement costs for the increase in DA salaries, and

WHEREAS, the state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap, now, therefore, be it

RESOLVED, that the County of Livingston calls on the State of New York to immediately pass legislation and pay for this increase retroactive to April 1, 2016, and not pass this unfunded mandate on to local taxpayers, and directs that the Clerk of the Livingston County Board of Supervisors 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

April 13, 2016

Committee of the Whole

3. Mr. Davis reported that there were only 23 hunting accidents in all of New York State and only one in Livingston County with no fatalities statewide.

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, April 27, 2016 at 1:30 p.m.  
Carried.

The Board adjourned at 2:52 p.m.