

**REGULAR BOARD MEETING
WEDNESDAY, FEBRUARY 11, 2026
1:30 P.M.**

ROLL CALL

The roll was called showing all members present except Mr. Davis (Portage) and Mr. Horr (N. Dansville).

PLEDGE OF ALLEGIANCE

Groveland Supervisor Bill Devine led the Pledge of Allegiance.

APPROVAL OF MINUTES

Minutes of 1/28/26 Regular Meeting were approved as presented.

PUBLIC HEARINGS

1. LOCAL LAW B-2026 AUTHORIZING THE LEASE OR SALE OF COUNTY REAL PROPERTY WITHOUT PUBLIC ADVERTISEMENT OR COMPETITIVE BIDDING

Chairman LeFeber asked Shannon Hillier to comment on the local law. Ms. Hillier explained that County Law §215 requires the County to sell or lease County real property to only the highest bidder after public advertisement. This proposed local law would supersede County Law and permit the County to lease or sell County real property pursuant to a privately negotiated transaction that is approved by Board resolution. A determination by the Board that the property is not required for public use will still be needed and the proposed law does not apply to parcels the County acquires via the tax foreclosure process. Ms. Hillier reviewed the different legal requirements to sell or lease County real property under State law. This local law simply establishes the same rules and requirements for all real estate transactions regardless of how the County initially acquired titled. In addition, all real estate transactions involving the County will continue to require Board approval by resolution. Such resolutions must be adopted by the affirmative vote of two-thirds of the total membership of the Board taken by roll call during a public meeting.

2. CONSIDER PUBLIC COMMENT ON THE COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACTS WITH THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR THE FOLLOWING ECONOMIC DEVELOPMENT PROJECTS: 658ED548-24 - CB HASLER LLC/SOLITUDE BREWING; 658SB569-25 - A&J HOSPITALITY VENTURES LLC/BIG TREE INN

Chairman LeFeber asked Maureen Wheeler to comment on the second public hearing. Ms. Wheeler explained that today's public hearing is in regard to two Community Development Block Grant contracts with New York State Homes and Community Renewal that the county has successfully completed and is now prepared to closeout. Recipients of NYS Community Development Block Grant funds are required by policy to hold a public hearing following project implementation to report achievements prior to contract close out.

The first contract – 658ED548-24 – was awarded on April 16, 2024 in the amount of \$135,000 for CB Hasler LLC dba Solitude Brewing Company. Funding was used to purchase machinery and equipment. The project exceeded its hiring targets, creating 30 jobs compared to the initial projection of 20 positions. In accordance with program regulations, CDBG participation is capped at 40% of the total investment. This project demonstrated high efficiency, with grant funds representing less than 15% of the total project budget. The second contract – 658SB569-25 – was awarded on January 23, 2025 in the amount of \$100,000 for A&J Hospitality Ventures LLC dba Big Tree Inn. Funding was used for working capital including rent, inventory and payroll. The project exceeded its hiring targets, creating 11 jobs compared to the initial projection of 7 positions. CDBG funding accounted for less than 20% of the total project investment, well within the 40% maximum allowable threshold. Both companies have fulfilled all agreement terms. Following this hearing, the county's Economic Development Department will proceed with final monitoring and contract closeout.

Chairman LeFeber declared the Public Hearings open and stated anyone from the public interested in speaking to please come forward and sign in at the podium.

Six members of the public commented against the local law:

Cindy Pond

Pat Moran

Barbara Charity

Brian Gordinier
Clint T. Shirley
Cory Buzzell

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. Receipt of Notice of Claim in the matter of Clint T. Shirley vs. Livingston County et al.

INTRODUCTION OF LOCAL LAW

PROPOSED LOCAL LAW NO. C-2026 EXTENDING THE EXISTING LIVINGSTON COUNTY GUEST ROOM OCCUPANCY TAX

BE IT ENACTED BY THE LIVINGSTON COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

TITLE 100 - GENERAL PROVISIONS:

101. Short Title: This Local Law shall be known as the Livingston County Guest Room Occupancy Tax Law.
102. Intent: This Local Law is adopted to implement the provisions of Sections 1200 and 1202-m of the New York State Tax Law, Article 12-D of the New York State Real Property Law, and all other applicable statutory sections set forth under Chapter 99 of the Laws of 2025.
103. Definitions: Unless the context requires a different meaning, when used in this Local Law, the following terms shall mean:
 - a. "County" shall mean the County of Livingston.
 - b. "Person" shall mean an individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person or entity acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.
 - c. "Operator" shall mean any person operating a hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, and short term or vacation rental in the County of Livingston, including, but not limited to, the owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such hotel, motel, tourist home, cottage, condominium, bed and breakfast, and short term or vacation rental.
 - d. "Hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, and short term or vacation rental" or such terms singly shall mean any facility or portion thereof providing lodging on an overnight basis. Such terms include an apartment, hotel, motor court or inn, boarding house, cabin, cottage or club, or similar hotel or motel type of accommodations by whatever name designated, whether or not meals are served and shall include those facilities commonly known as "bed and breakfast" and "tourist" facilities. "Short term or vacation rental" includes those units rented or leased to occupants, including furnished apartments or rooms in or consisting of a dwelling place ordinarily occupied for residential purposes, directly by the owner or through the owner's agent or hosting platform.
 - e. "Occupancy" shall mean the use or possession, or the right to use or have possession of, any room in a hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, and short term or vacation rental.
 - f. "Occupant" shall mean a person who, for a consideration, uses, possesses, or has the right to use or possess, any room in a hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, and short term or vacation rental under any lease, concession, permit, right of access, license to use or other agreement, or otherwise.
 - g. "Permanent Resident" shall mean any occupant of any room or rooms in a hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, and short term or vacation rental for a period in excess of fourteen (14) consecutive days.
 - h. "Rent" shall mean the total consideration received for occupancy, including all charges by whatever term designated, valued in money, whether received in money or otherwise.

- i. "Room" shall mean any room of any kind in any part or portion of a hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, and short term or vacation rental, which is available for or let out for any purpose other than a place of assembly.
 - j. "Return" shall mean any return filed or required to be filed as herein provided.
 - k. "Tax" shall mean the tax imposed pursuant to this Local Law and any increase, reduction or modification hereafter authorized.
 - l. "Treasurer" shall mean the Treasurer of the County of Livingston or the Treasurer's designee.
104. Territorial Limitations: A tax imposed by this Local Law shall apply only within the territorial limits of the County of Livingston.
105. Reference to Tax: Wherever reference is made in placards, advertisements or other publications to the tax imposed by this Local Law, such reference shall be substantially in the following form: "Tax on occupancy of guest rooms", except that in any bill, receipt, statement or other agreement or memorandum of occupancy or rent charge issued or employed by an operator, the words "Occupancy Tax" shall suffice.

TITLE 200 - ADMINISTRATION OF TAX LAW

201. Administration: The tax imposed by this Local Law shall be administered and collected by the Treasurer or other fiscal officers of the County as he/she may designate by such means and in such manner as other taxes are now collected and administered or as otherwise provided by this Local Law.
202. General Powers of the Treasurer: In addition to the powers granted to the Treasurer in this Local Law, the Treasurer is hereby authorized and empowered to:
- a. Make, adopt and amend rules and regulations appropriate to the carrying out of this Local Law and the purposes thereof;
 - b. Extend for cause shown, the time of filing any return for a period not exceeding three (3) months, provided not less than ninety (90) percent of the estimated tax for the period for which the return is required to be filed shall be paid together with the request for such extension on or before the due date; and for cause shown, to remit penalties but not interest computed at the rate and in the manner provided in Section 924-a of the Real Property Tax Law on taxes not paid;
 - c. Request information from the New York State Department of Taxation and Finance or the United States Treasury Department relative to any person; and to afford information to such Taxation Department or Treasury Department relative to any person, any other provision of this Local Law to the contrary notwithstanding;
 - d. Delegate his/her functions hereunder to a Deputy Treasurer or any employee or employees of the Treasurer;
 - e. Prescribe methods for determining the amount of rents for determining which are taxable and non-taxable;
 - f. Require any operator to keep detailed records of the nature and type of hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, and short term or vacation rental maintained; nature and type of service rendered; rooms available and rooms occupied daily; leases or occupancy contracts or arrangements; rents received, charged and accrued, including those claimed to be non-taxable; the names and addresses of occupants, whether or not any occupancy is claimed to be subject to the tax; and any other facts relevant to determining the amount of tax due. Said information shall be furnished to the Treasurer upon request;
 - g. Assess, determine, revise and readjust the taxes imposed under this Local Law, and require the filing of estimated tax returns and payment of estimated tax where necessary;
 - h. Direct the County Attorney to take such action as may be required to enforce this Local Law, including but not limited to providing representation in any administrative proceeding conducted by the Treasurer for enforcement of this Local Law brought in the name of the County in any court of appropriate jurisdiction without any further authorization of the Board of Supervisors.
203. Administration of Oaths and Compelling Testimony:
- a. The Treasurer or his/her employees or agents duly designated and authorized by him/her shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this Local Law. The Treasurer shall have power to subpoena and require the attendance of witnesses and the production of books, papers, and documents to secure information

pertinent to the performance of his/her duties hereunder and of the enforcement of this Local Law, and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of the state or unable to attend before him/her or excused from attendance.

- b. A justice of the Supreme Court either in court or at chambers shall have power summarily to enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Treasurer under this Local Law.
- c. Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Treasurer under this Local Law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for not more than one (1) year, or both such fine and imprisonment.
- d. The officers who serve the summons or subpoena of the Treasurer and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as herein otherwise provided. Such officers shall be the County Sheriff and his/her duly appointed deputies or any officers or employees of the Treasurer, designated to serve such process.

TITLE 300 - TAX RATE, PERSONS LIABLE, TAXABLE RENT, EXEMPTIONS

301. Imposition of Tax: On the 1st day of April, 2026, and for a three (3) year period thereafter, there is hereby imposed and there shall be paid a tax of three percent (3%) upon the rent for every occupancy of a room or rooms in a hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, and short term or vacation rental in this County except that the tax shall not be imposed upon:

- a. Permanent residents for the period of occupancy in excess of fourteen (14) days, or
- b. Exempt organizations as hereinafter set forth.

302. Statement of Tax to be Collected; Person Liable for Payment of Tax:

- a. The tax to be collected shall be stated and charged separately from the rent and shown separately on any record thereof at the time when the occupancy is arranged or contracted for and charged for, and upon every evidence of occupancy or any bill or statement or charge made for said occupancy, and the tax shall be paid by the occupant to the operator as trustee for and on account of the County, and the operator shall be liable for the collection thereof and for the tax. The operator and any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this Local Law, and the operator shall have the same right to collect the tax from the occupant, or with respect to nonpayment of the tax by the occupant as if the tax were a part of the rent for the occupancy payable at the time such tax shall become due and owing, including all rights of eviction, dispossession, repossession and enforcement of any innkeeper's lien that he/she may have in the event of non-payment of rent by the occupant; provided, however, that the Treasurer or other fiscal officer or officers, employees or agents duly designated by him/her shall be joined as a party in any action or proceeding brought by the operator to collect or enforce collection of the tax.
- b. Where the occupant has failed to pay and the operator has failed to collect a tax as imposed by this Local Law, then in addition to all other rights, obligations and remedies provided, such tax shall be payable by the occupant directly to the Treasurer, and it shall be the duty of the occupant to file a return thereof with the Treasurer and to pay the tax imposed thereon to the County Treasurer within fifteen (15) days after such tax was due.
- c. The Treasurer may, whenever he/she deems it necessary for the proper enforcement of this Local Law, provide by regulation that the occupant shall file returns and pay directly to the Treasurer the tax herein imposed, at such times as returns are required to be filed and payment made by the operator.
- d. The tax imposed by this Local Law shall be paid upon any occupancy on and after April 1, 2026, although such occupancy is had pursuant to a contract, lease or other arrangement made prior to such date. Where rent is paid, charged, billed, or falls due on either a weekly, monthly or other term basis, the rent so paid, charged, billed or falling due shall be subject to the tax herein imposed to the extent that it covers any portion of the period on and after April 1, 2026. Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Treasurer may by regulation provide for credit and/or refund of the amount of such tax upon application therefor as provided in section 406 of this Local Law.

- e. For the purpose of the proper administration of this Local Law and to prevent evasion of the tax hereby imposed, it shall be presumed that all rents are subject to tax until the contrary is established. The burden of proving a rent for occupancy is not taxable hereunder shall be upon the operator, except where pursuant to Section 302(b) an occupant is required to file returns and pay directly to the Treasurer the tax herein imposed, the burden of proving that a rent for occupancy is not taxable shall be upon the occupant. Where an occupant claims exemption from the tax under the provisions of Section 304, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a certificate duly executed by an exempt corporation or association certifying that the occupant is its agent, representative, or employee, together with a certificate executed by the occupant that his/her occupancy is paid or to be paid by such exempt corporation or association, and is necessary or required in the course of or in connection with the occupant's duties as a representative of such corporation or association. Where deemed necessary by the operator, he/she may further require that any occupant claiming exemption from the tax furnish a copy of a certificate issued by the Treasurer certifying that the corporation or association therein named is exempt from the tax under Section 304.

303. Determination of Taxable Rent:

- a. The tax shall be imposed upon the total consideration received for occupancy of a room or rooms in a hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, and short term or vacation rental, including all charges by whatever term designated, valued in money, whether received in money or otherwise.
- b. When the occupant becomes a permanent resident, the operator shall discontinue collection of the tax.

304. Exempt Organizations:

- a. Except as otherwise provided in this section, any use or occupancy by any of the following shall not be subject to the tax imposed by this Local Law:
- i. The State of New York or any public corporation (including a public corporation created pursuant to an agreement or compact with another state or Canada), improvement district or political subdivision of the state;
 - ii. The United States of America, insofar as it is immune for taxation;
 - iii. Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this subdivision shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this subdivision.
- b. Where any organization described in Section 304(a)(iii) carries on its activities in furtherance of the purposes for which it was organized, in premises in which, as part of said activities, it operates a hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, and short term or vacation rental, occupancy of rooms in the premises and rents therefrom received by such corporation or association shall not be subject to tax hereunder.

TITLE 400 - REGISTRATION, RECORDS, RETURNS, PAYMENT, REFUNDS

401. Registration: Within ten (10) days after the effective date of this Local Law, or in the case of operators commencing business after such effective date of this Local Law, within three (3) days after such commencement or opening, every operator shall file with the Treasurer an application for a certificate of authority empowering such operator to collect the tax from occupants. Upon receipt of such application, the Treasurer shall issue a certificate of authority to such operator which when authenticated shall constitute the authority for the purposes of this Local Law. Each application for a certificate of authority shall state the hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, and short term or vacation rental to which it is applicable; the name of the operator of such hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, and short term or vacation rental, the address of such operator, the taxpayer identification number assigned to such operator, the state of incorporation and the date upon which such corporation obtained authority to do business in this state, if not organized in this state, the names of each

partner, if a partnership, and such other information as the Treasurer may require. Such certificates of authority shall be prominently displayed by the operator in such manner that it may be seen and come to the notice of all occupants and persons seeking occupancy. Such certificates shall be non-assignable and non-transferable and shall be surrendered immediately to the Treasurer upon the cessation of business at the hotel or motel named or upon its sale or transfer.

402. Records To Be Maintained: Every operator shall keep records of every occupancy and of all rent paid, charged, or due thereon and of the tax payable thereon, in such form as the Treasurer by regulation requires. Such records shall be available for inspection and examination at any time upon demand by the Treasurer or his/her duly authorized agent or employee and shall be preserved for a period of three (3) years, except that the Treasurer may consent to their destruction within that period or may require that they be kept longer.
403. Returns:
- a. Every operator shall file with the Treasurer a return that reflects occupancy, the rents charged and received, and the taxes payable thereon for the quarterly periods ending March 31, June 30, September 30 and December 31 of each year, on and after the first day of April, 2026. Such returns shall be filed within thirty (30) days after the end of the quarterly period covered thereby. The Treasurer may permit or require returns to be made by other periods and upon such dates as he/she may specify. If the Treasurer deems it necessary in order to ensure the payment of the tax imposed by this Local Law, he/she may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section and upon such dates as he/she may specify.
 - b. The form of returns shall be prescribed by the Treasurer and shall contain such information as he/she may deem necessary for the proper administration of this Local Law. The Treasurer may require amended returns to be filed within twenty (20) days after notice and to contain the information specified in the notice.
 - c. If a return required by this Local Law is not filed, or a return filed is incorrect or insufficient on its face, the Treasurer shall take the necessary steps to enforce the filing of such a return or of a corrected return.
404. Payment of Tax: At the time of filing a return per the requirements of Section 403, each operator shall pay to the Treasurer three percent (3%) of the total of all rents subject to tax pursuant this Local Law, as well as all other moneys collected by the operator acting or purporting to act under the provisions of this Local Law. Where the Treasurer, in his/her discretion, deems it necessary to protect revenues to be obtained under this Local Law, the Treasurer may require an operator to file with him/her a bond, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as the Treasurer may fix, to secure the payment of any tax and/or penalties and interest due or which may become due from such operator. In the event the Treasurer determines that an operator is to file such bond, he/she shall give notice to such operator to that effect specifying the amount of the bond required. The operator shall file such bond within five (5) days after the giving of such notice unless within such five (5) days the operator shall request in writing a hearing before the Treasurer at which the necessity, propriety and amount of the bond shall be determined by the Treasurer. Such determination shall be final and shall be complied with within fifteen (15) days after the giving of such notice thereof. In lieu of such bond, securities approved by the Treasurer or cash in such amount as he/she may prescribe, may be deposited which shall be kept in the custody of the Treasurer, who may at any time without notice to the depositor apply them to any tax and/or interest or penalties due, and for that purpose the securities may be sold by him/her at public or private sale without notice to the depositor thereof.
405. Determination of Tax: If a return required by this Local Law is not filed, or if a return when filed is incorrect or insufficient, the amount of tax due shall be determined by the Treasurer from such information as may be obtainable and, if necessary, the tax may be estimated on the basis of external indices, such as number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and/or other factors.
- Notice of such determination shall be given to the operator required to file a return. Such notice shall contain a statement in bold face type conspicuously placed on the notice advising the person that the amount of tax was estimated, the tax may be challenged through a hearing process, and the petition for such challenge must be filed with the Treasurer within thirty (30) days.

- a. The Treasurer's determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty (30) days after giving notice of such determination, shall apply to the Treasurer for a hearing, or unless the Treasurer of his/her own motion shall re-determine the same. After such hearing, the Treasurer shall give prompt notice of his/her determination to the person against whom the tax was assessed. The determination of the Treasurer shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by proceeding under Article 78 of the Civil Practice Law and Rules if application therefor is made to the Supreme Court within thirty (30) days after the giving of the notice of such determination. A proceeding under Article 78 of the Civil Practice Law and Rules shall not be instituted unless the amount of any tax sought to be reviewed, with penalties and interest thereof, if any, shall be first deposited with the Treasurer and there shall be filed with the Treasurer an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the Supreme Court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of the proceeding, or at the option of the applicant, such undertaking filed with the Treasurer may be in a sum sufficient to cover the taxes, penalties and interest thereon stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the applicant shall not be required to deposit such taxes, penalties and interest as a condition precedent to the application.

406. Refunds:

- a. In the manner provided in this section, the Treasurer shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid if application to the Treasurer for such refund shall be made within one (1) year from the payment thereof. Whenever a refund is made by the Treasurer, he/she shall state his/her reason therefor in writing. Such application may be made by the occupant, operator or other person who has actually paid the tax. No actual refund of money shall be made to any operator of tax which the operator collected from an occupant until he/she shall first establish to the satisfaction of the Treasurer, under such regulations as the Treasurer may prescribe, that he/she has repaid to the occupant the amount for which the application for refund is made. The Treasurer may in lieu of any refund required to be made, allow credit therefor on payments due from the applicant.
- b. An application for a refund or credit made as herein provided shall be deemed an application for a revision of any tax, penalty or interest complained of and the Treasurer may receive evidence with respect thereto. After making his/her determination, the Treasurer shall give notice thereof to the applicant who shall be entitled to review said determination by a proceeding pursuant to Article 78 of the Civil Practice Law and Rules, provided such proceeding is instituted within thirty (30) days after the giving of the notice of determination, and provided a final determination of tax due was not previously made. Such a proceeding shall not be instituted unless an undertaking is filed with the Treasurer in such amount and with such sureties as a justice of the Supreme Court shall approve to the effect that if such proceedings be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.
- c. A person shall not be entitled to a revision, refund or credit under this section of a tax, interest or penalty which had been determined to be due pursuant to the provisions of section 405 of this Local Law where he/she has had a hearing or an opportunity for a hearing, as provided in said section, or has failed to avail himself/herself of the remedies therein provided. No refund or credit shall be made of a tax, interest or penalty paid after a determination by the Treasurer made pursuant to section 405 of this Local Law unless it is found that such determination was erroneous, illegal or unconstitutional or otherwise improper by the Treasurer after a hearing or in a proceeding under Article 78 of the Civil Practice Law and Rules pursuant to the provisions of said section. In that event, a refund or credit without interest shall be made of the tax, interest or penalty found to have been overpaid.

407. Reserves: In cases where the occupant or operator has applied for a refund and has instituted a proceeding under Article 78 of the Civil Practice Law and Rules to review a determination adverse to him/her on his/her

application for refund, the Treasurer shall set up appropriate reserves to meet any decision adverse to the County.

408. Remedies Exclusive: The remedies provided by Sections 405 and 406 of this Local Law shall be exclusive remedies available to any person for the review of tax liability imposed by this Local Law, and no determination or proposed determination of tax or determination on any application for refund shall be enjoined or reviewed by an action for declaratory judgment, an action for money had and received or by an action or proceeding other than a proceeding under Article 78 of the Civil Practice Law and Rules.

TITLE 500 - ENFORCEMENT OF COLLECTION OF TAX, PENALTIES AND INTEREST

501. Proceedings to Recover Tax:

- a. Whenever any operator or any officer of a corporate operator, any occupant or other person shall fail to collect and pay over any tax and/or to pay any tax, penalty or interest imposed by this Local Law as herein provided, the County Attorney shall, upon the request of the Treasurer, bring or cause to be brought an action to enforce the payment of the same on behalf of the County of Livingston in any court of the State of New York or of any other state or of the United States. If, however, the Treasurer in his/her discretion believes that any such operator or officer of such operator, occupant or other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, he/she may declare such tax or penalty to be immediately due and payable and may issue a warrant immediately.
- b. As an additional or alternate remedy, the Treasurer may issue a warrant, directed to the Sheriff commanding him/her to levy upon and sell the real and personal property of the operator or officer of the corporate operator or other person liable for the tax which may be found within the County for the payment of the amount thereof, with any penalties and interest and the cost of executing the warrant, and to return such warrant to the Treasurer and to pay to him/her the money collected by virtue thereof within sixty (60) days after the receipt of such warrant. The Sheriff shall, within five (5) days after the receipt of the warrant, file with the County Clerk a copy thereof, and thereupon such Clerk shall enter in the judgment docket the name of the person mentioned in the warrant and the amount of the tax, penalties and interest for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the person against whom the warrant is issued. The Sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by law in respect to executions issued against property judgments of a court of record and for services in executing the warrant he/she shall be entitled to the same fees, which he/she may collect in the same manner. In the discretion of the Treasurer, a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Treasurer and in the execution thereof such officer or employee shall have all the powers conferred by law upon sheriffs, but shall be entitled to no fee or compensation in the excess of the actual expenses paid in the performance of such duty. If a warrant is returned not satisfied in full, the Treasurer may from time-to-time issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County has recovered judgment therefor and execution thereon has been returned unsatisfied.
- c. Whenever an operator shall make a sale, transfer, or assignment in bulk of any part or the whole of his/her hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, or short term or vacation rental, or his/her lease, license or other agreement or right to possess or operate such hotel, motel, tourist home, cottage, cabin, condominium, bed and breakfast, or short term or vacation rental, otherwise than in the ordinary and regular course of business, the purchaser, transferee or assignee shall at least ten (10) days before taking possession of the subject of the sale, transfer or assignment, or paying therefor, notify the Treasurer by registered or certified mail, return receipt requested, of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to or informed the purchaser, transferee or assignee that it owes any tax pursuant to this Local Law, and whether or not the purchaser, transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.
- d. Whenever the purchaser, transferee or assignee shall fail to give notice to the Treasurer as required by the preceding paragraph or whenever the Treasurer informs the purchaser, transferee or assignee that a

possible claim for such tax or taxes exists, any sums of money, property or choses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferor or assignor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller, transferor or assignor to the County, and the purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property or choses in action to the extent of the amount of the County's claim. For failure to comply with the provisions of this subdivision, the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed under the provisions of Article 6 of the Uniform Commercial Code, shall be personally liable for the payment to the County of any such taxes theretofore or thereafter determined to be due to the County from the seller, transferor, or assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this Local Law.

502. Penalties and Interest:

- a. Any person failing to file a return or failing to pay or pay over any tax to the Treasurer within the time required by this Local Law shall be subject to a penalty of five percent (5%) of the amount of tax due for each month or portion thereof during which such tax due shall remain unpaid, but in no event shall such penalty exceed twenty-five percent (25%) of the tax due, plus interest computed at the rate and in the manner provided in Section 924-a of the Real Property Tax Law, but in no event shall such interest be less than one percent (1%) of such tax for each month of delay. The Treasurer, if satisfied that the delay was excusable, may remit all or part of the penalty, but not interest computed at the rate of six percent (6%) per year. Such penalties and interest shall be paid and disposed of in the same manner as other revenues of such tax. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this Local Law.
- b. Any operator or officer of a corporate operator or occupant failing to file a return required by this Local Law, or filing or causing to be filed, or making or causing to be made or giving a causing to be given any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this Local Law, which is willfully false, or willfully failing to file a bond required by this Local Law, or failing to file a registration certificate and such data in connection therewith as the Treasurer by regulation or otherwise may require, or to display or surrender a certificate of authority as required by this Local Law, or assigning or transferring such certificate of authority, or willfully failing to charge separately from the rent the tax herein imposed or to state such tax separately on any bill, statement or receipt for rent issued or willfully failing to collect such tax from an occupant, or who shall refer or cause reference to be made to this tax in a form or manner other than that required by this Local Law, shall, in addition to the penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars (\$1,000.00), or imprisonment for not more than one (1) year, or both such fine and imprisonment.
- c. A certificate of the Treasurer to the effect that a tax has not been paid, that a return, bond or registration has not been filed, or that information has not been supplied pursuant to the provisions of this Local Law, shall be presumptive evidence thereof.

503. Returns to be Secret:

- a. Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for the Treasurer or any officer or employee of the Treasurer to divulge or make known in any manner the contents of any return required to be filed with the Treasurer pursuant to this Local Law, or to divulge or make known in any manner any particulars set forth in any such return. The Treasurer shall not be required to produce any returns or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the Treasurer in an action or proceeding under the provisions of the tax law or in any other action or proceeding involving the collection of a tax due under this Local Law to which the County or the Treasurer is a party or claimant, or on behalf of any party to any action, proceeding or hearing under the provisions of this Local Law when the returns or facts shown thereby are directly involved in such action, proceeding or hearing, in any of which events the court, or in the case of a hearing, the Treasurer may require the production of, and may admit into evidence, so much of said returns, or of the facts shown thereby, as are pertinent to the action, proceeding or hearing and no more.

- b. Nothing herein shall be construed to prohibit the delivery to a person who has filed a return or his/her duly authorized representative a certified copy of any return filed in connection with his/her tax, nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the County Attorney or other legal representatives of the County of the return of any person required to collect or pay tax who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been recommended or instituted for the collection of a tax or penalty. Returns shall be preserved for three (3) years and thereafter until the Treasurer permits them to be destroyed.
- b. Any violation of Section 503(a) shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00), or by imprisonment not exceeding one (1) year, or both, in the discretion of the court, and if the offender be an officer or employee of the County he/she shall be dismissed from office and be incapable of holding any public office for a period of five (5) years thereafter.

504. Notices and Limitations of Time:

- a. Any notice authorized or required under the provisions of this Local Law may be given by mailing the same to the person for whom it is intended in a postpaid envelope addressed to such person at the address given in the last return filed by him/her pursuant to the provisions of this Local Law, or in any application made by him/her, or if no return has been filed or application made, then to such address as may be obtainable. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed. Any period of time which is determined according to the provisions of this Local Law by giving the notice shall commence to run from the date of mailing of such notice.
- b. The provisions of the Civil Practice Law and Rules or any other law relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the County to levy, appraise, assess, determine or enforce the collection of any tax or penalty provided by this Local Law. Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three (3) years from the date of filing of a return; provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.
- c. Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period be extended, the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period.

TITLE 600 - DISPOSITION OF REVENUES

601. Disposition of Revenues: All revenues resulting from the imposition of the tax under this Local Law shall be paid into the treasury of the County of Livingston and shall be credited to and deposited in the general fund of the County. Said funds shall be made available thereafter for the promotion of tourism and tourist attractions in the County, as well as for the promotion of tourism and tourist attractions of the larger region of which the County is a part. Funding for regional promotion shall not exceed fifty percent (50%) of the revenue received hereunder in any year. The County of Livingston is permitted to retain up to five percent (5%) of the revenue to defray the costs of administering the tax. The promotion of tourism and tourist attractions may be carried out by an appropriate organization or organizations as designated by the Livingston County Board of Supervisors.

TITLE 700 - SEPARABILITY AND EFFECTIVE DATE

701. Separability: If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.
702. Effective Date: This Local Law shall take effect upon its filing in the Office of the Secretary of State.

Chairman LeFeber asked Shannon Hillier to comment on the local law. Ms. Hillier explained that this extends our current hotel motel occupancy tax for a period of April 1, 2026-March 31, 2029. The tax remains at 3% and the

provisions are the same as the current local law.

ABSTRACT OF CLAIMS

RESOLUTION NO. 2026-41 APPROVING ABSTRACT OF CLAIMS #2A-FEBRUARY 11, 2026

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #2A dated February 11, 2026 in the total amount of \$3,086,060.01.

Dated at Geneseo, New York

February 11, 2026

Ways and Means Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE

RESOLUTION NO. 2026-42 PROCLAIMING THE MONTH OF MARCH 2026 AS COLORECTAL CANCER AWARENESS MONTH

WHEREAS, the County of Livingston joins to support observances that raise awareness of health issues affecting people across our state, nation, and the world, including various types of cancer like colorectal cancer (the colon and rectum as the primary location); and

WHEREAS, colorectal cancer is the second leading cause of cancer-related deaths and the fourth most likely cancer diagnosis among men and women of all ethnicities and races in the United States. It is estimated that one in twenty-four men and women will develop colorectal cancer during their lifetime; and

WHEREAS, colorectal cancer diagnosis rates have been declining since the mid-1980s, mostly due to screening and lifestyle changes such as quitting smoking and reducing obesity; however, rates of cancer diagnosis for those younger than 50 years of age have been on the rise; and

WHEREAS, one in five colorectal cancer patients are diagnosed between the ages of 20 and 54 with the recent younger onset being unknown due to early colorectal cancer frequently having no symptoms. The following factors increase a person's risk of developing this disease: family history and hereditary conditions, obesity, physical inactivity, diet, smoking, and excessive alcohol use; and

WHEREAS, those with a personal or family history of colon polyps, colorectal cancer, or a personal history of inflammatory bowel disease, including either ulcerative colitis or Crohn's disease, are at higher risk for developing colorectal cancer and should talk to their doctors about when to begin screening and how often to be screened; and

WHEREAS, men and women of any age with blood in their stool, general and frequent lower stomach or lower back pain, discomfort, cramping, unexplained weight loss, change in bowel habits (especially narrowing of stools), and chronic fatigue should talk to their doctor; and

WHEREAS, colorectal cancer often can be prevented through regular screenings that can detect small growths called polyps which can be removed before they develop into cancer; and

WHEREAS, regular screening, beginning at age 45, is the key to preventing colorectal cancer and finding it early. The U.S. Preventive Services Task Force recommends that adults age 45 to 75 be screened for colorectal cancer and adults age 76 to 85 talk to their doctor about screening; and

WHEREAS, screening for colorectal cancer is a covered benefit through Medicaid as well as health plans participating in the New York State of Health. In addition, the New York State Cancer Services Program offers colorectal cancer screenings to eligible uninsured individuals in every county and New York City borough; now, therefore, be it

RESOLVED, in celebration of Livingston County achieving the national goal of screening 80% of adults ages 50 and older for colorectal cancer in 2019, with a new goal to achieve 80% screening rates and higher in every community per the National Colorectal Cancer Roundtable, the Livingston County Board of Supervisors does hereby proclaim the month of March 2026 as Colorectal Cancer Awareness Month in Livingston County. New Yorkers and people everywhere are called upon to raise their awareness of colorectal cancer and take preventive steps to safeguard their health and the health of loved ones from this disease.

Dated at Geneseo, New York

February 11, 2026

Human Services Committee

RESOLUTION NO. 2026-43 APPOINTING MEMBERS TO THE LIVINGSTON COUNTY LAND BANK BOARD: TARA R. GARDNER & TRACY MCCAUGHEY

RESOLVED, that the following members are hereby appointed to the Livingston County Land Bank Board of Directors for the term designated:

Name	Address	Rep./Title	Term
Tara R. Gardner	11 South Street, Geneseo, NY 14454	Member	2/11/2026-2/10/2028
Tracy McCaughey	1 Murray Hill Drive, Mt. Morris, NY 14510	Member	2/11/2026-2/10/2028

Dated at Geneseo, New York
February 11, 2026
Public Services Committee

RESOLUTION NO. 2026-44 APPOINTING MEMBER TO THE LIVINGSTON COUNTY PLANNING BOARD: NICHOLAS SIMS

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

Name	Address	Title/Representing	Term
Nicholas Sims	3199 State Street, Caledonia, NY 14423	Village of Caledonia	2/11/2026-12/31/2027

Dated at Geneseo, New York
February 11, 2026
Public Services Committee

RESOLUTION NO. 2026-45 APPOINTING MEMBERS TO THE LIVINGSTON COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS: BRAD MACAULEY, JON WHITE, SUSAN J. ERDLER & WILLIAM WADSWORTH

RESOLVED, that the following members are hereby appointed to the Livingston County Soil and Water Conservation District Board of Directors for the terms designated:

Name	Address	Rep./Title	Term
Susan J. Erdle	8302 Kysorville-Byersville Road, Dansville, NY 14437	Supervisor Member	1/1/26-12/31/28
Brad Macauley	5244 Booher Hill Road, Geneseo, NY 14454	Farm Bureau Member	1/1/26-12/31/28
William Wadsworth	P.O. Box 127, Geneseo NY 14454	Supervisor Member	1/1/26-12/31/28
Jon White	114 Temple Hill Street, Geneseo, NY 14454	At Large Member	1/1/26-12/31/28

and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall forward a certified copy of this Resolution to the Livingston County Soil and Water Conservation District Board of Directors.

Dated at Geneseo, New York
February 11, 2026
Public Services Committee

RESOLUTION NO. 2026-46 ADOPTING 2026 OFFICIAL LIST OF COUNTY OFFICIALS REQUIRED TO FILE AN ANNUAL STATEMENT OF FINANCIAL DISCLOSURE UNDER SECTION 1, SUBSECTION IV, C OF LOCAL LAW NO. 3 OF THE YEAR 2018

WHEREAS, the County Department Heads have reviewed and recommend to the Chairman of the Board of Supervisors the 2026 Official List of County Officials Required to File an Annual Statement of Financial Disclosure; now, therefore, be it

RESOLVED, the Livingston County Board of Supervisors hereby adopts the list on file with the Clerk of the Board, which constitutes the 2026 Official List of County Officials Required to File an Annual Statement of Financial Disclosure pursuant to the provisions of the Local Law No. 2018-3.

Dated at Geneseo, New York
February 11, 2026
Ways and Means Committee

RESOLUTION NO. 2026-47 PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO.

C-2026 EXTENDING THE EXISTING LIVINGSTON COUNTY GUEST ROOM OCCUPANCY TAX

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on February 11, 2026, a proposed Local Law entitled Extending The Existing Livingston County Guest Room Occupancy Tax; now, therefore, be it

RESOLVED, that a public hearing shall be held on said proposed Local Law by this Board on the February 25, 2026, at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center, Geneseo, New York; and be it further

RESOLVED, that at least six (6) days' notice shall be given by posting thereof on the bulletin board of the Livingston County Government Center and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York
February 11, 2026
Ways and Means Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Wester moved and Mr. White to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE

Center for Nursing and Rehabilitation

RESOLUTION NO. 2026-48 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION: UNITEDHEALTHCARE OF NEW YORK, INC.

Mrs. Walker 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 Center for Nursing and Rehabilitation, 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>
United HealthCare of New York, Inc. 1 Pennsylvania Plaza, 8 th Floor New York, NY 10119	Commence on date of execution and continue for one (1) year, automatically renewing annually thereafter, unless terminated by either party	Fee Schedule

For: Agreement as a Participating Provider of Services for our Adult Day Health Care Program (ADHC)

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
N/A-Revenue	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input type="checkbox"/> <i>Exempt Prof. Services:</i>		<input checked="" type="checkbox"/> <i>Other: Payor Contract</i>

Dated at Geneseo, New York
February 11, 2026
Human Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

Department Of Health

RESOLUTION NO. 2026-49 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: ALLYSA WALLACE, ARBOR HOUSING AND DEVELOPMENT, CALEDONIA-MUMFORD CENTRAL SCHOOL DISTRICT, CATHOLIC CHARITIES OF THE DIOCESE OF ROCHESTER DBA CATHOLIC CHARITIES STEUBEN/LIVINGSTON, COMPEER WEST INC., COUNTY OF STEUBEN, HILLSIDE CHILDREN'S CENTER (2), KEARSTIN E. KNAPP, LAKEVIEW

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HEALTH SERVICES INC., LIVING OPPORTUNITIES OF DEPAUL INC., MENTAL HEALTH ASSOCIATION OF ROCHESTER-MONROE COUNTY, INC., NYSARC, INC. GENESEE-LIVINGSTON-ORLEANS-WYOMING COUNTIES CHAPTER DBA ARC GLOW, SEEDLINGS SPEECH LANGUAGE THERAPY, PLLC & WYOMING PROPERTIES, LLC

Mrs. Walker 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 Department of Health, and any future amendments to said contracts, according to the terms designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Alyssa Wallace 8864 Warner Road Wayland, NY 14572	2/1/26-1/31/31	Per rate table

For: Speech Provider for Pre-K Program

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Medicaid, Livingston County, NYS Education Department	% varies	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Arbor Housing and Development 26 Bridge Street Corning, NY 14830	1/1/26-12/31/28	\$116,101.00 per year. Adjustable – not to exceed maximum amount of State funding.
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For: Mental Health Supportive Housing Units

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
New York State Office of Mental Health	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Caledonia-Mumford Central School District 99 North Street Caledonia, NY 14423	1/15/26-2/14/31	Related Services per rate table; Evaluation rates set by NYS Education Dept
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For: Related Services and Evaluations for Pre-K Program

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County, Medicaid, NYS Education Department	% varies	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Steuben/Livingston 6279 South Hornell Road Hornell, NY 14843	1/1/26-12/31/28	\$184,692.00 per year. Adjustable – not to exceed maximum amount of State funding.
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For: Mental Health Youth Mentoring, Jail Services, Adult Care Coordination, Children's Non-Medicaid Health Home, Adult and Children Non-Medicaid PSR/Skill Building

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
New York State Office of Mental Health, Federal Salary Share, Livingston County, State Aid	20%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Compeer West, Inc. 1179 Kenmore Avenue Buffalo, NY 14217	1/1/26-12/31/28	\$58,636.00 per year. Adjustable – not to exceed maximum amount of State funding.
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For: Mental Health Adult Mentoring Program

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<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
New York State Office of Mental Health	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

County of Steuben 1/1/26-12/31/26 \$67,500.00

3 East Pulteney Square
Bath, NY 14810

For: Execution of the Weights and Measures Program for retail facilities throughout Livingston County

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County	100 %	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input type="checkbox"/> <i>Exempt Prof. Services:</i>		<input checked="" type="checkbox"/> <i>Other: N/A – Intermunicipal Agreement</i>

Hillside Children’s Center 1/1/26-12/31/28 \$80,500.00 per year.

1183 Monroe Avenue
Rochester, NY 14620

Adjustable – not to exceed maximum amount of State funding.

For: Mental Health Youth Peer Advocacy Services

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Opioid Settlement Fund	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Hillside Children’s Center 1/1/26-12/31/28 \$187,237.00 per year.

1183 Monroe Avenue
Rochester, NY 14620

Adjustable – not to exceed maximum amount of State funding.

For: Mental Health GLOW Family Support

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
New York State Office of Mental Health	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Kearstin E. Knapp 2/1/26-1/31/31 Per rate table

10342 Hotaling Road
Dansville, NY 14437

For: Speech Provider for Pre-K Program

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County, Medicaid, NYS Education Department	% varies	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Lakeview Health Services, Inc. 1/1/26-12/31/28 \$82,599.00 per year.

600 West Washington Street
Geneva, NY 14456

Adjustable – not to exceed maximum amount of State funding.

For: Mental Health Supported Housing

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
New York State Office of Mental Health	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Living Opportunities of DePaul, Inc. 1/1/26-12/31/28 \$119,804.00 per year.

2475 George Urban Boulevard, Suite 201

Adjustable – not to exceed

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Depew, NY 14043

maximum amount of State
funding.

For: Mental Health Adult Crisis Transitional Housing

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
New York State Office of Mental Health	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Mental Health Association of Rochester-Monroe County, Inc. 1/1/26-12/31/28 \$51,758.00 per year.
 274 North Goodman, Unit D103 Adjustable – not to exceed
 Rochester, NY 14607 maximum amount of State
 For: Mental Health Adult Mentoring Program funding.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
New York State Office of Mental Health	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

NYSARC, Inc. Genesee-Livingston-Orleans-Wyoming Counties Chapter d/b/a Arc GLOW 1/1/26-12/31/28 \$82,466.00 per year.
 18 Main Street Adjustable – not to exceed
 Mt. Morris, NY 14510 maximum amount of State
 For: Mental Health Assisted Competitive Employment – Hilltop Industries funding

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
New York State Office of Mental Health	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Seedlings Speech Language Therapy, PLLC 1/1/26-12/31/30 Per rate table
 2604 Elmwood Avenue, PMB 291
 Rochester, NY 14619
 For: Speech Provider for Pre-K Program

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Livingston County, Medicaid, NYS Education Department	% varies	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Wyoming Properties, LLC 3/1/26-2/28/27 \$500.00 monthly/ \$6,000.00
 2071 Crittenden Road per year
 Alden, NY 14004
 For: Warsaw WIC Clinic Lease Agreement

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
New York State Women, Infants and Children Grant	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i> N/A - Lease Agreement

Dated at Geneseo, New York

February 11, 2026

Human Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

Department Of Social Services

RESOLUTION NO. 2026-50 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: ARBOR HOUSING & DEVELOPMENT

REPORT OF THE SUPERVISORS' PROCEEDINGS 52

Mrs. Walker 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, and any future amendments to said contract, according to the terms designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Arbor Housing & Development	2/1/26-12/31/26	Per Day Rate – Set by State
26 Bridge Street		
Corning, NY 14830		
For: Residential Domestic Violence Services		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
TANF – AP/DV Title XX under 200%	0-100%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Dated at Geneseo, New York

February 11, 2026

Human Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

Central Services

**RESOLUTION NO. 2026-51 AWARDING BID FOR CENTRAL SERVICES FOR BID #2025-50
GOVERNMENT CENTER ROOF REPLACEMENT: RMG CUSTOM METAL, LLC**

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

WHEREAS, after the proper legal advertisement seeking bids for roof replacement at the Livingston County Government Center, four (4) bids were received and opened on January 21, 2026; now, therefore, be it

RESOLVED, that the following contractor is hereby accepted as the lowest responsible bidder and, if applicable, the Chairman of the Livingston County Board of Supervisors is authorized to execute a contract, 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>
RMG Custom Metal, LLC	2/1/2026-12/31/2026	\$ 1,339,487.00
39 Main Street		
Scottsville, NY 14546		
For: Removal and replacement of existing roof and gutters on the Government Center		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
CIP	100%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Dated at Geneseo, New York

February 11, 2026

Public Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

County Historian

**RESOLUTION NO. 2026-52 ESTABLISHING LIVINGSTON COUNTY HISTORIAN LECTURE FEE
EFFECTIVE APRIL 1, 2026**

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

WHEREAS, the Livingston County Historian receives requests for lectures hosted by closed groups, where the general public is not expected or invited, and a fee for such services does not presently exist; now, therefore, be it

RESOLVED, that the Livingston County Historian is hereby authorized to charge the party seeking a closed-group lecture a flat fee of \$50.00 to offset the cost of lecture preparation and travel.

Dated at Geneseo, New York

February 11, 2026

Public Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

Highway

RESOLUTION NO. 2026-53 AUTHORIZING THE IMPLEMENTATION AND SUPPLEMENTAL AGREEMENT, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE: COUNTY ROAD 26 (ROCHESTER STREET) OVER UNNAMED CREEK CULVERT REPLACEMENT PROJECT IN THE TOWN OF AVON, PIN 4LV0.07

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

WHEREAS, County Road 26 (Rochester Street) over unnamed creek Culvert Replacement Project, known as P.I.N. 4LV0.07, (the Project") is eligible for funding under Title 23 U.S. Code, as amended, which calls for the apportionment of the costs of such project to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, Livingston County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering and Design phases of the Project; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby approves the Project; and it is hereby further

RESOLVED, that the Livingston County Board of Supervisors hereby authorizes the Chairman of the Board to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and Design work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$283,500.00 is hereby appropriated from Livingston County Budget Appropriations and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Livingston County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Livingston County Highway Superintendent thereof; and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
NYS Department of Transportation	12/6/25-12/6/35	\$283,500.00
50 Wolf Road		
Albany, NY 12232		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>	
FHWA, NYS Marchiselli Funds, Livingston County Highway Budget Appropriations	5%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

Dated at Geneseo, New York

February 11, 2026

Public Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

RESOLUTION NO. 2026-54 AUTHORIZING THE IMPLEMENTATION AND SUPPLEMENTAL AGREEMENT, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE: COUNTY ROAD 84 (RIVER ROAD) FROM ROUTE NY-5 TO MONROE COUNTY LINE HIGHWAY REHABILITATION IN THE TOWN OF CALEDONIA, PIN 4LV0.08

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

WHEREAS, County Road 84 (River Road) from Route NY-5 to the Monroe County Line Rehabilitation Project, known as P.I.N. 4LV0.08, (the Project") is eligible for funding under Title 23 U.S. Code, as amended, which calls for the apportionment of the costs of such project to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

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WHEREAS, Livingston County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and Design phases of the Project; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby approves the Project; and it is hereby further

RESOLVED, that the Livingston County Board of Supervisors hereby authorizes the Chairman of the Board to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and Design work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$1,281,000.00 is hereby appropriated from Livingston County Budget Appropriations and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Livingston County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Livingston County Highway Superintendent thereof; and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
NYS Department of Transportation	12/6/25-12/6/35	\$1,281,000.00
50 Wolf Road		
Albany, NY 12232		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
FHWA, NYS Marchiselli Funds, Livingston County Highway Budget Appropriations	5%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Dated at Geneseo, New York

February 11, 2026

Public Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

RESOLUTION NO. 2026-55 AUTHORIZING THE IMPLEMENTATION AND FUNDING OF A STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE TRANSPORTATION FEDERAL-AID PROJECT TO FULLY FUND THE LOCAL SHARE OF FEDERAL-AND STATE-AID ELIGIBLE AND INELIGIBLE PROJECT COSTS AND APPROPRIATING FUNDS THEREFOR

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

WHEREAS, the County Road 84 (River Road) from Route NY-5 to Monroe County Line Highway Rehabilitation Project, known as P.I.N. 4LV0.08, (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, Livingston County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Right-of-Way incidental work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby approves the Project; and it is hereby further

RESOLVED, that the Livingston County Board of Supervisors hereby authorizes the Chairman of the Board to pay in the first instance the full non-federal share of the cost of Right-of-Way Incidental work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$23,100.00 is hereby appropriated from the Livingston County Budget Appropriations and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the non-federal share of the costs of the Project exceed the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Livingston County Highway Superintendent thereof, and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of the non-federal share of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project. and it is further

RESOLVED, this Resolution shall take effect immediately.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
NYS Department of Transportation	12/6/25-12/6/35	\$23,100.00
50 Wolf Road		
Albany, NY 12232		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
FHWA, NYS Marchiselli Funds, Livingston County Highway Budget Appropriations	5%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Dated at Geneseo, New York

February 11, 2026

Public Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

RESOLUTION NO. 2026-56 AMENDING RESOLUTION NOS. 2020-59, 2025-69, AND 2025-444 AND AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT AMENDMENT FOR THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT: NEW YORK STATE DEPARTMENT OF TRANSPORTATION

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

WHEREAS, Resolution Nos. 2020-59, and 2025-444 authorized the Chairman of the Livingston County Board of Supervisors to sign a contract with the New York State Department of Transportation for snow and ice control on State Roads. Said contract was for an initial term commencing July 1, 2019, that remained in effect until June 30, 2024; and

WHEREAS, Resolution No. 2025-69 authorized the Board Chairman to sign contract extensions for three (3) additional five (5) year periods, each a renewal term, including but not limited to the first renewal period that commenced July 1, 2024 and remains in effect until June 30, 2029; and

WHEREAS, given the severity of the 2024-2025 winter, Resolution No. 2025-444 increased the estimated expenditure amount for the 2025-2026 winter season to \$807,293.42 for an agreed upon reduction in lane miles to 232.2 lane miles; and

WHEREAS, the New York State Department of Transportation has now revised the 2025-2026 winter season expenditure amount to \$694,272.34; now, therefore, be it

RESOLVED, that Resolution No. 2025-444 is hereby amended; and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract amendment with the New York State Department of Transportation.

Dated at Geneseo, New York

February 11, 2026

Public Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

Office Of Emergency Management

RESOLUTION NO. 2026-57 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY OFFICE OF EMERGENCY MANAGEMENT: EM1 TECHNOLOGIES, INC.

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 contract for the Livingston County Office of Emergency Management, 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>
EM1 Technologies, Inc.	3/1/2026-2/28/2027	\$6,000.00
1111B South Governors Avenue Suite 23972 Dover, DE 19904		
For: Emergency Plan AI Platform		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Operating budget	100%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Dated at Geneseo, New York

February 11, 2026

Public Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

Planning

RESOLUTION NO. 2026-58 AWARDING BID FOR THE LIVINGSTON COUNTY PLANNING DEPARTMENT FOR LIVINGSTON COUNTY CONNECTALL MUNICIPAL INFRASTRUCTURE BROADBAND INFRASTRUCTURE MATERIALS (BID #2026-06): MILLENNIUM

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

WHEREAS, after the proper legal advertisement seeking bids for Livingston County ConnectALL Municipal Infrastructure Program Broadband Infrastructure Materials, one (1) bid was received and opened on January 28, 2026; now, therefore, be it

RESOLVED, that the following contractor is hereby accepted as the lowest responsible bidder and, if applicable, the Chairman of the Livingston County Board of Supervisors is authorized to execute a contract, 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>
Millennium	2/11/2026-12/31/2026	Per Rate Sheet
2121 Hobbs Drive Delavan, WI 53115		
For: Various materials for broadband project		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Municipal Infrastructure Program (MIP) grant	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Dated at Geneseo, New York

February 11, 2026

Public Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

RESOLUTION NO. 2026-59 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY PLANNING DEPARTMENT: LABELLA ASSOCIATES, D.P.C. (2)

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 contracts, according to the terms designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
LaBella Associates, D.P.C.	1/1/26-12/31/26	Per Fee Schedule
300 State Street, Suite 201		

Rochester, NY 14614

For: One Touch Make Ready Engineering for Avangrid (NYSEG)

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Municipal Infrastructure Program (MIP) grant	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

LaBella Associates, D.P.C. 1/1/26-12/31/26 Per Fee Schedule
 300 State Street, Suite 201
 Rochester, NY 14614
 For: One Touch Make Ready Engineering for National Grid

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Municipal Infrastructure Program (MIP) grant	0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method</i> <input type="checkbox"/> <i>Cooperative-Contract#</i>		<input type="checkbox"/> <i>Piggyback-Contract#</i>
<input type="checkbox"/> <i>Quotes</i> <input checked="" type="checkbox"/> <i>Exempt Prof. Services:</i>		<input type="checkbox"/> <i>Other:</i>

Dated at Geneseo, New York
 February 11, 2026
 Public Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

RESOLUTION NO. 2026-60 AMENDING PORTIONS OF RESOLUTION NOS. 2025-161 AND 2025-308 AND AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT AMENDMENT FOR THE LIVINGSTON COUNTY PLANNING DEPARTMENT: C&S ENGINEERS, INC.

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

WHEREAS, Resolution No. 2025-161 authorized the Chairman of the Livingston County Board of Supervisors to sign a contract for professional engineering services to evaluate the existing water system for the County’s Murray Hill Mt. Morris campus. Said contract commenced March 1, 2025, and remains in effect until March 31, 2026, for a total sum not to exceed \$3,300.00; and

WHEREAS, Resolution No. 2025-308 authorized the Board Chairman to sign a contract amendment to expand the defined scope of services to include the completion of a condition assessment, alternative comparison, and provide capital improvement cost estimates for an additional cost of \$26,100.00; and

WHEREAS, the parties now mutually desire to again expand the scope of work to include a hydraulic analysis of one additional alternative for water services and incorporate the new alternative as well as continued committee discussions and alternatives into the report for an additional cost of \$15,600.00. The additional services will also require the contract term to be extended to December 31, 2026 and shall increase the total contract sum to an amount not to exceed \$45,000.00; now, therefore, be it

RESOLVED, that the contract with C&S Engineers, Inc. is hereby amended to increase the total contract sum to an amount not to exceed \$45,000.00 and to establish a new contract end date of December 31, 2026; and be it further

RESOLVED, that portions of Resolution Nos. 2025-161 and 2025-308 is hereby amended; and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract amendment with C&S Engineers, Inc. to expand the agreed upon scope of services, increase the total contract amount and extend the contract term.

Dated at Geneseo, New York
 February 11, 2026
 Public Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

Sheriff

RESOLUTION NO. 2026-61 AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR 2025-52 PUBLIC SAFETY RADIO SYSTEM MAINTENANCE SERVICES: WESTERN NEW YORK RADIO SERVICES

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

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WHEREAS, the County of Livingston solicited Request for Proposals for 2025-52 Public Safety Radio System Maintenance Services, and two (2) proposals were received; now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Western New York Radio Services	Three (3) year period with options to renew for three (3) additional one (1) year periods.	Year 1 \$52,140.00 Year 2 \$52,140.00 Year 3 \$54,650.00 Year 4 \$54,650.00 Year 5 \$57,390.00 Year 6 \$57,390.00 Optional T&M costs per proposal
12384 Wheeler Road Medina, NY 14103		

For: Public safety radio system maintenance

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Departmental budget	100%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Dated at Geneseo, New York

February 11, 2026

Public Services Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

County Administrator/Budget Officer

RESOLUTION NO. 2026-62 AMENDING THE 2026 LIVINGSTON COUNTY BUDGET: OFFICE FOR THE AGING & SHERIFF'S OFFICE (3)

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

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

Dated at Geneseo, New York

February 11, 2026

Ways and Means Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

County Attorney

RESOLUTION NO. 2026-63 AUTHORIZING LEASE WITH NOYES MEMORIAL HOSPITAL FOR THE DIALYSIS CENTER

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

RESOLVED, that the Livingston County Board of Supervisors finds that approximately 10,508 square feet located in the former Geneseo Skilled Nursing Facility is no longer necessary for Livingston County public purposes; and, be it further

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to sign a lease with Noyes Memorial Hospital for said space for a period of three (3) years commencing March 1, 2026 and ending February 28, 2029, a three (3) year period, at \$9,682.27 per month for the first year, increasing 3% each subsequent year. Said lease agreement being subject to the approval of the County Attorney and County Administrator.

Dated at Geneseo, New York

February 11, 2026

Ways and Means Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

Human Resources

RESOLUTION NO. 2026-64 AMENDING THE 2026 LIVINGSTON COUNTY SALARY SCHEDULE: DEPARTMENT OF HEALTH, HIGHWAY DEPARTMENT, HUMAN RESOURCES & PUBLIC DEFENDER

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

RESOLVED, that the 2026 Livingston County Salary Schedule is amended as follows:

Department of Health:

- Create two (2) full-time Clerk Typist positions at Wage Grade 2 CSEA Full-Time Contract effective February 11, 2026.

For: Difficulty with applicants passing the Senior Typist exam. Recruiting one clerical position for WIC and one for Mental Health.

Highway Department

- Create one (1) full-time Highway Administrative Manager position at the salary range of \$80,000.00- \$90,000.00 on the Department Head Salary Schedule effective immediately.

For: Succession planning for anticipated 2026 retirement.

Human Resources:

- Create one (1) full-time HRIS Specialist I position at the salary of \$35.00 per hour effective February 16, 2026.

For: Reorganization of NeoGov duties following 2025 resignations within department.

Public Defender:

- Create one (1) full-time Investigator position at Wage Grade 14 CSEA Contract effective February 11, 2026.

For: Hiring an Investigator to assist the Public Defender's Office in conducting defense investigations in both criminal and civil (Family Court) matters.

Dated at Geneseo, New York

February 11, 2026

Ways and Means Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

Other

RESOLUTION NO. 2026-65 AUTHORIZING THE PURCHASE OF ONE (1) 2026 FORD EXPLORER FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: VANBORTEL FORD, INC.

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

RESOLVED, that the Livingston County Department of Social Services is hereby authorized to purchase from VanBortel Ford, Inc. of 71 Marsh Road East, Rochester, New York 14445, one (1) 2026 Ford Explorer for a total cost not to exceed \$36,379.86.

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Administrative	60%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<i>Procurement Method:</i> <input checked="" type="checkbox"/> <i>Cooperative-Contract#</i> NYS OGS Mini-bid #DSS26-2 & PC68953 <input type="checkbox"/> <i>Piggyback-Contract#</i> <input type="checkbox"/> <i>Quotes</i> <input type="checkbox"/> <i>Exempt Prof. Services:</i> <input type="checkbox"/> <i>Other:</i>		

Dated at Geneseo, New York

February 11, 2026

Ways and Means Committee

The roll was called as follows: Ayes-4,540; Noes-0; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

CLOSE PUBLIC HEARINGS

Chairman LeFeber asked if anyone from the public wished to comment regarding the public hearing. No one wished to speak. Ms. Hillier shared that there was one additional comment received via email opposing the local law. The Chairman asked if any Supervisor wished to comment.

Three Supervisors commented against the local law:

- Susan Erdle
- Richard White
- David DiSalvo

Four Supervisors commented for the local law:

- Donald Wester
- William Wadsworth
- Eric Gott
- Deborah Babbitt Henry

Chairman LeFeber thanked everyone that has attended and spoken on this local law and explained that the local law has been considered in each committee over the last week. A 2/3 vote is still required to adopt the local law. The Chairman declared the public hearings closed.

MOTION TO MOVE

There being no further discussion on the proposed local law, Chairman LeFeber asked for a motion to present Local Law No. B-2026 Authorizing The Lease Or Sale Of County Real Property Without Public Advertisement Or Competitive Bidding to the floor for a vote.

Motion made by Mr. Wester and seconded by Mrs. Babbitt Henry. Carried.

The roll was called as follows: Ayes-3,533; Noes-White, 179; Cates, 352; DiSalvo, 375; Erdle, 101; Total 1007; Absent-Horr, 447; Davis, 67, Total 514; Adopted.

MOTION TO MOVE LOCAL LAW NO. B – 2026 AUTHORIZING THE LEASE OR SALE OF COUNTY REAL PROPERTY WITHOUT PUBLIC ADVERTISEMENT OR COMPETITIVE BIDDING

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

Section 1. Legislative Intent

It is the intent of this Local Law to permit Livingston County to lease or sell County real property pursuant to a private lease or sale without the public advertisement required by New York State County Law §215(6).

Section 2. Authorization

Notwithstanding the provisions of County Law §215(6), Livingston County is hereby authorized to lease or sell County real property pursuant to a private lease or sale approved by resolution of the Livingston County Board of Supervisors, without public advertisement or competitive bidding.

Section 3. Exceptions

The sale of real property acquired by Livingston County by virtue of tax sale or other delinquent tax enforcement proceedings shall not be controlled by this Local Law.

Section 4. Determination of No Public Use

- a) No lease of County real property shall be made unless the Livingston County Board of Supervisors determines by majority vote that said real property is not required for public use.
- b) No sale of all the right, title and interest of the County in and to County real property shall be made unless the Livingston County Board of Supervisors determines such County real property is no longer necessary for public use and such sale is approved by resolution adopted by the affirmative vote of two-thirds of the total membership of the Board taken by roll call vote and entered in the minutes of the Board.

Section 5. Effective Date

This Local Law is subject to a permissive referendum. It shall take effect immediately upon filing with the New York State Secretary of State.

Dated at Geneseo, New York

January 14, 2026 (Introduced)

February 11, 2026 (Adopted)

Michele R. Rees, CLBC, IIMC-CMC

Clerk of the Board

VOTE ON LOCAL LAW

RESOLUTION NO. 2026-66 ADOPTION OF LOCAL LAW NO. 4-2026 AUTHORIZING THE LEASE OR SALE OF COUNTY REAL PROPERTY WITHOUT PUBLIC ADVERTISEMENT OR COMPETITIVE BIDDING

WHEREAS, proposed Local Law No. B-2026 entitled Authorizing The Lease Or Sale Of County Real Property Without Public Advertisement Or Competitive Bidding was heretofore introduced on January 14, 2026; and

WHEREAS, in accordance with State law, a public hearing upon proposed Local Law No. B-2026 was duly held before this Board of Supervisors on January 28, 2026, at which time it was determined that the public hearing should remain open until February 11, 2026 for further discussion; and

WHEREAS, said proposed Local Law in final form has been on the desks of the members of this Board of Supervisors since January 14, 2026, constituting a period of over six (6) days; now, therefore, be it

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RESOLVED, that the aforesaid proposed Local Law No. B-2026 entitled Authorizing The Lease Or Sale Of County Real Property Without Public Advertisement Or Competitive Bidding introduced on January 14, 2026, is hereby approved and adopted as Local Law No. 4-2026.

Dated at Geneseo, NY

February 11, 2026

2/3 Vote

The roll was called as follows: Ayes-2,652; Noes-White, 132; Cates, 262; DiSalvo, 280; Schuster, 100; Erdle, 74; Total 848; Absent-Horr, 336; Davis, 48, Total 514; Adopted.

ADJOURNMENT

Motion made by Mr. Pangrazio and seconded by Mr. Wester to adjourn until Wednesday, February 25, 2026 at 1:30 p.m. Carried.

The Board adjourned at 2:28 p.m.