

**ORGANIZATIONAL MEETING
WEDNESDAY, JANUARY 5, 1998
1:30 PM**

The Board met in accordance with the rules.

The meeting was called to order by the Clerk of the Board.

The roll was called showing all members present.

The Pledge of Allegiance.

TEMPORARY CHAIRMAN

Motion was made by Mr. Kramer and seconded by Mr. Layland that Mr. Moore act as Temporary Chairman.
Carried.

Mr. Moore took the chair and called for nominations for the Chairman of the Board for the year 1998.

CHAIRMAN OF THE BOARD

Motion made by Mr. Bassage and seconded by Mr. Essler that the name of Dennis R. House be placed in nomination for the Chairman of the Board.

Mr. Layland moved and Mr. Kramer seconded to close the nomination and instructed the Clerk to cast one ballot.
Carried.

Mr. House was declared Chairman of the Board for 1998.

Mr. House was escorted to the chair by Mrs. Cansdale and Mr. Essler.

Mr. House thanked the Board for appointing him Chairman. Mr. House stated that over the years the Board has dealt with many issues that were mundane and critical. The coming year looks to be similar. The new mine at Hampton Corners should be breaking ground in the spring and will involve the board in some issues. The unemployment rate in the county is increasing. The Economic Development Department has had several successful projects in 1997 providing employment opportunities in Livingston County. The fact that 50% of the Livingston County workforce is employed outside the county impacts our unemployment rate as large employers downsize. Other issues are certain to arise during the year providing the Board of Supervisors with challenges and opportunities. Mr. House stated he looks forward to working with this board.

VICE CHAIRMAN

Mr. House stated pursuant to the Rules of Order Article 21 (2) the Chairman has the right to designate any member to occupy the Chair in his absence, and announced Richard Jake Essler as Vice Chairman for the year 1998.

RESOLUTIONS

Mr. House stated the following resolutions will need to be moved and seconded from the floor and directed the Clerk to proceed with the agenda.

RESOLUTION NO. 98-001. APPOINTING THE COUNTY AUDITOR

Mr. Layland moved and Mr. Marks seconded to present the following resolution and moved its adoption:

RESOLVED, that the Livingston County Board of Supervisors hereby appoints Terrence P. Donegan as County Auditor for a term to commence January 1, 1998 and terminate December 31, 1999.

Dated at Geneseo, New York

January 5, 1998

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 96-002. APPOINTING COUNTY ATTORNEY

Mr. Kramer moved and Mrs. Avery seconded to present the following resolution and moved its adoption:

RESOLVED, that the Livingston County Board of Supervisors hereby appoints David J. Morris as County Attorney for a term to commence January 1, 1998 and terminate December 31, 1999.

Dated at Geneseo, New York

January 5, 1998

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 96-003. APPOINTING PUBLIC DEFENDER

Mr. Bassage moved and Mr. Kramer seconded to present the following resolution and moved its adoption:

RESOLVED, that John Putney is appointed to the position of Public Defender for a term commencing January 1, 1998 and terminating December 31, 1999.

Dated at Geneseo, New York

January 5, 1998

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

The Clerk of the Board announced

1. that New York State Association of Counties is holding a conference February 1-3, 1998 at the Desmond Hotel in Albany. Anyone wishing to attend this conference should notify the Clerk.;
2. that she is collecting \$20.00 from each Supervisor to replenish the flower fund;
3. those new Supervisors who plan to lock their desk and mail box may attain a key from the Clerk.

Mr. House distributed the Standing Committees for 1998 as follows:

LIVINGSTON COUNTY BOARD OF SUPERVISORS

STANDING COMMITTEES 1998

AGRICULTURE AND SOIL CONSERVATION:

Stewart, Chairman
Davis, Vice Chairman
Daley

PUBLIC SAFETY:

Moore, Chairman
Avery, Vice Chairman
Daley

BUILDINGS, GROUNDS & PARKS:

Merrick, Chairman
Moore, Vice Chairman
Kramer

PUBLIC WORKS & TRANSPORTATION:

Stewart, Chairman
Jaeger, Vice Chairman
Wahl

FINANCE:

Essler, Chairman
Layland, Vice Chairman
Wahl

SALARY & NEGOTIATING:

Layland, Chairman
Essler, Vice Chairman
Bassage
Merrick
Wahl

HEALTH:

Bassage, Chairman
Avery, Vice Chairman
Derrenbacher
Marks
Olverd

SOCIAL SERVICES:

Avery, Chairman
Marks, Vice Chairman
Daley
Kramer
Olverd

HIGHWAY:

Marks, Chairman
Stewart, Vice Chairman

SUPERVISORS:

Essler, Chairman

Davis
Layland
Olverd

Moore, Vice Chairman
Derrenbacher

JUDICIAL:

Jaeger, Chairman
Merrick, Vice Chairman
Cansdale

TAX:

Kramer, Chairman
Wahl, Vice Chairman
Derrenbacher

**LEGISLATIVE & PUBLIC
RELATIONS:**

Jaeger, Chairman
Bassage, Vice Chairman
Cansdale

Motion made by Mr. Layland and seconded by Mr. Moore to adjourn the meeting to Wednesday, January 14, 1998 at 1:30 PM. Carried.

The Board adjourned at 1:40 PM.

**REGULAR BOARD MEETING
WEDNESDAY, JANUARY 14, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Stewart and Derrenbacher.

The Pledge of Allegiance.

MINUTES

Minutes of 12/17/97 Regular Meeting, 12/24/97 Special meeting , and 1/5/98 Organizational Meeting were approved as presented.

COMMUNICATIONS

1. Thank you note from Robert F. Hart
2. Thank you note from Virginia Amico
3. Thank you note from Michele Rees
4. Received and filed the adopted 1998 Livingston County Industrial Development Agency Budget
5. Notification from the State of New York Department of Agriculture and Markets regarding the requirement to conduct a review of Agricultural District No. 1
6. Notification from the State of New York Department of Agriculture and Markets regarding the requirement to conduct a review of Agricultural District No. 4
7. Receipt of the Draft Environmental Impact Statement for the Proposed Conrail Acquisition including Volume 1,2,3A,3B,4,5A,5B,5C,6 (filed under separate cover)
8. Resignation from James M. Steele from the Livingston County Industrial Development Agency

RESOLUTION NO. 98-004. APPROVING ABSTRACT OF CLAIMS #12B - DECEMBER 26, 1997

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #12B dated December 26, 1997, in the total amount of \$1,949,073.47.

Dated at Geneseo, New York

January 14, 1998

Finance Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-005. APPROVING ABSTRACT OF CLAIMS #1A - JANUARY 14, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #1A dated January 14, 1998, in the total amount of \$1,176,897.44.

Dated at Geneseo, New York

January 14, 1998

Finance Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

PRIVILEGE OF THE FLOOR

Mr. House announced that Tina Nadelen, Regional Representative for Governor Pataki, was scheduled to

address the Board today, however, the Governor requested her presence at another function.

RESOLUTION NO. 98-006. APPOINTING MEMBER TO THE AGRICULTURAL AND FARMLAND PROTECTION BOARD

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

RESOLVED, that the following person is hereby appointed to the Livingston County Agricultural and Farmland Protection Board for a term coterminous with his tenure in the stated office:

James Merrick, Supervisor, Town of Groveland

Dated at Geneseo, New York

January 14, 1998

Agriculture Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-007. APPROVING TRANSFER OF FUNDS - VARIOUS (PUBLIC HEALTH)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

January 14, 1998

Finance Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-008. INCREASING PETTY CASH FOR OFFICE OF COUNTY CLERK AND ESTABLISHING PETTY CASH FOR ECONOMIC DEVELOPMENT

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

WHEREAS, the Office of County Clerk is in need of \$25.00 of additional funds for Department of Motor Vehicle cash drawers, it is hereby

RESOLVED, that the petty cash amount for the Office of County Clerk be increased from \$625.00 to \$650.00, and

WHEREAS, the Office of Economic Development is requesting a petty cash fund be established for miscellaneous office expenditures, it is hereby

RESOLVED, that the County Treasurer is hereby authorized to establish a petty cash fund for the Office of Economic Development in the amount of \$150.00.

Dated at Geneseo, New York

January 14, 1998

Finance Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-009. ESTABLISHING PETTY CASH FOR VARIOUS DEPARTMENTS

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

RESOLVED, that the following petty cash amounts and designees be established for the year 1998 as follows:

<u>DEPARTMENT</u>	<u>CUSTODIAN</u>	<u>AMOUNT</u>
Board of Sup./Cty. Adm.	Terrence Donegan	\$ 100.00

Counseling Services	Mark Brown	2,500.00
County Clerk	James Culbertson	650.00
Economic Development	Patrick Rountree	150.00
Health Related Facility	Peter Carter	2,300.00
Highway	Donald Higgins	1,000.00
J.T.P.A.	Gloria Brand	300.00
Personnel	Tish Lynn	100.00
Planning	David Woods	125.00
Probation	Barbara Campbell	350.00
Public Health	Joan Ellison	150.00
Sewer District	Judy Travis	150.00
Sheriff=s Dept.	John York	2,500.00
Skilled Nursing Facility	Robert Wallace	500.00
Social Services	W. Michael Woodhouse	2,000.00
Treasurer	Arlene Johnston	2,000.00
Weights & Measurers	Michael Cloonan	150.00
Women=s Health Center	Joan Ellison	500.00
Youth Bureau	Gloria Brand	100.00

Dated at Geneseo, New York

January 14, 1998

Finance Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-010. AWARDING BID FOR PERSONAL COMPUTER MAINTENANCE

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

WHEREAS, after due advertisement, bids were opened on December 29, 1997, by the Office of the Livingston County Administrator for personal computer maintenance and

WHEREAS, Business Methods Inc. of 150 Metro Park, Rochester, NY 14623 presented the lowest responsible bid for personal computer maintenance, it is hereby

RESOLVED, that the Livingston County Data Processing and Livingston County Department of Social Services, are hereby authorized to place equipment service calls from Business Methods, Inc. beginning February 1, 1998 through January 31, 2000, with an option to renew for one additional twelve (12) month period, not to exceed amounts listed on price tabulation sheet filed in the Office of the County Administrator, and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

January 14, 1998

Finance Committee

Dale Nieswiadomy, Director of Data Processing, explained the bid results.

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-011. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR THE LIVINGSTON COUNTY PUBLIC HEALTH DEPARTMENT

Mr. Bassage 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 term designated, subject to review by the County Administrator and County Attorney:

- 1) Perry Veterinary Clinic for Veterinary Services(extension of 1994 contract) to expire 11/21/98
- 2) New York State Department of Health for the Early Intervention
Administrative Reimbursement (EI), and the Infant-Child Health
Assessment Program (I-CHAP) 10/1/97 - 9/30/98
- 3) Health Research Incorporated to Provide Lead Testing 1/1/98 - 12/31/98

Copy of contracts on file in Clerk=s office.

Dated at Geneseo, New York

January 14, 1998

Health Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367;
Adopted.

RESOLUTION NO. 98-012. APPROVING CONTRACT BETWEEN THE NEW YORK STATE DEPARTMENT OF HEALTH AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR RADON AWARENESS AND TESTING PROJECT GRANT

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a Contract between New York State Department of Health and the Livingston County Department of Health for Radon Awareness and Testing Project Grant commencing 3/1/98 and expiring 2/31/99, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

January 14, 1998

Health Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367;
Adopted.

RESOLUTION NO. 98-013. APPROVING CONTRACT BETWEEN HEALTH RESEARCH INCORPORATED AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR ASSIST GRANT

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a Contract between Health Research Incorporated and the Livingston County Department of Health for ASSIST Grant, commencing 9/30/97 and terminating 9/29/98, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

January 14, 1998

Health Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367;
Adopted.

RESOLUTION NO. 98-014. AUTHORIZING THE CHAIRMAN TO SIGN LETTERS OF COMMITMENT WITH PREMIER PURCHASING PARTNERS FOR THE PURCHASE OF ADHESIVE SKIN CLOSURES (3M-MINNESOTA MINING AND MANUFACTURING) AND TAPE PRODUCTS (3M-MINNESOTA MINING AND MANUFACTURING)

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

WHEREAS, the Livingston County Health Care Facilities require use of adhesive skin closures (Contract PP-

MS-022C) contract period July 1, 1997 through June 30, 2002, and tape products (Contract PP-MS-022B), contract period July 1, 1997 through June 30, 2002, in their day-to-day operation, and such products are available to participants of Premier Purchasing Partners, and

WHEREAS, the Livingston County Health Care Facilities are members of the group purchasing organization (Premier Purchasing Partners), it is hereby

RESOLVED, that the Chairman is hereby authorized to sign Letters of Commitment with Premier Purchasing Partners for the purchase of adhesive skin closures and tape products for said contract period, subject to review by the County Administrator and County Attorney.

Copy of letters of commitment on file in Clerk=s office.

Dated at Geneseo, New York

January 14, 1998

Health Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-015. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY COMMUNITY SERVICES BOARD

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

RESOLVED, that the following persons are hereby appointed to the Livingston County Community Services Board and Subcommittees:

Livingston County Community Services Board

Sandra Wright, Liv. Cty. DSS, 3 Livingston County Campus, Mt. Morris, NY 14510	1/1/98-12/31/01
Elisabeth Rogers, 27 Tuscarora Avenue, Geneseo, NY 14454	1/1/98-12/31/01
Tom Cook, 3190 Jane Street, Caledonia, NY 14423	1/1/98-12/31/01
Robert Olson, 2186 Leicester Road, Leicester, NY 14481	1/1/98-12/31/01
Laura Canne, P.O. Box 31, Caledonia, NY 14423	1/1/98-12/31/01
Marie Lynn Sweet, 121 Big Tree Street, Livonia, NY 14487	1/1/97-12/31/00
filling the unexpired term of Kathy Giordano	

Mental Health Subcommittee

Jonatha Nilsson, 6996 Harder Road, Hemlock, NY 14466	1/1/98-12/31/01
Bettylou Willis, 1992 Lake Avenue, Apt. 8, Lima, NY 14485	1/1/98-12/31/01
Tom Cook, 3190 Jane Street, Caledonia, NY 14423	1/1/98-12/31/01

Developmental Disabilities Subcommittee

Anne Williams, Liv. Cty. DSS, 3 Livingston Campus, Mt. Morris, NY 14437	1/1/98-12/31/01
Marie Lynn Sweet, 121 Big Tree Street, Livonia, NY 14487	1/1/96-12/31/99
filling the unexpired term of Nancy Fitzpatrick	
Robert Olson, 2186 Leicester Road, Leicester, NY 14481	1/1/97-12/31/00
filling the unexpired term of Richard Merges	

Chemical Dependency Subcommittee

Laura Elliot-Engel, P.O. Box 186, Livonia, NY 14487	1/1/98-12/31/01
Nancy Parker, 4600 Federal Road, Livonia, NY 14487	1/1/98-12/31/01
Laura Canne, Box 31, Caledonia, NY 14423	1/1/95-12/31/98
filling the unexpired term of Ken Book	

Dated at Geneseo, New York

January 14, 1998

Health Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-016. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR THE LIVINGSTON COUNTY COMMUNITY SERVICES DEPARTMENT

Mr. Bassage 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 term designated, subject to review by the County Administrator and County Attorney:

1) Catholic Charities of Livingston County	1/1/98-12/31/98
2) Compeer of Livingston County	1/1/98-12/31/98
3) The Health Association (Operation Friendship, Transportation, WorkGuide)	1/1/98-12/31/98
4) Hillside Children=s Center (GLOW, PACT)	1/1/98-12/31/98
5) Liv. Wyo. ARC (Hilltop Industries, Children=s Initiative)	1/1/98-12/31/98
6) Lakeview Mental Health Services	1/1/98-12/31/98
7) Steuben Charge Against Poverty (SCAP) (Supported Housing, Crisis Respite)	1/1/98-12/31/98
8) Livingston County Council on Alcoholism & Substance Abuse	1/1/98-12/31/98

Copy of contracts on file in Clerk=s office.

Dated at Geneseo, New York

January 14, 1998

Health Committee

Mark Brown, Director of Community Services, briefly explained the foregoing contracts.

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-017. AUTHORIZING PURCHASE OF TWO (2) 1-TON UTILITY TRUCKS FOR HIGHWAY DEPARTMENT

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

WHEREAS, the 1998 equipment budget of the Highway Department includes funds to replace various vehicles, now, therefore be it

RESOLVED, that the Superintendent of Highways be, and he hereby is, authorized to purchase two (2) new 1998 Chevrolet 1-Ton Utility Trucks through NYS Contract #PO52724 from Robert Green Truck Division of Rock Hill, New York in an amount not to exceed Fifty One Thousand Seven Hundred Eleven Dollars (\$51,711.00).

Dated at Geneseo, New York

January 14, 1998

Highway Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-018. AUTHORIZING A COOPERATIVE BIDDING AGREEMENT FOR TIMBER BRIDGE MATERIALS BETWEEN THE COUNTY OF LIVINGSTON AND THE COUNTY OF ALLEGANY

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

WHEREAS, pursuant to section 119-m and 119-o Article 5-G of the General Municipal Law, Counties may enter into cooperative agreements, it is hereby

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

agreement with the County of Allegany for joint bidding process for the purchase of timber bridge materials under a ASystems Purchasing Program, pursuant to the specific terms of the agreement, subject to review by the County Administrator and County Attorney.

Copy of contracts on file in Clerk's office.

Dated at Geneseo, New York

January 14, 1998

Highway Committee

Donald Higgins, County Highway Superintendent, explained the benefit of this joint bidding process.

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-019. AWARDING BIDS AND AUTHORIZING PURCHASE OF MATERIALS (AGGREGATES) FOR THE HIGHWAY DEPARTMENT FOR THE CALENDAR YEAR 1998

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

WHEREAS, after due advertisement, bids for materials (aggregates) were opened on January 6, 1998 by the Highway Department, and

WHEREAS, the Bid Specifications, Bid Submissions, Bid Tabulations and Bid Award Package are all on file at the office of the Livingston County Highway Department, and

WHEREAS, authorization to purchase materials is contingent upon execution of an approved County Service Contract with each vendor, now, therefore be it

RESOLVED, that the Livingston County Superintendent of Highways be, and he hereby is, authorized and empowered to purchase highway materials from the bidders per bid specifications during the calendar year 1998.

Dated at Geneseo, New York

January 14, 1998

Highway Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-020. APPOINTING REPRESENTATIVE FROM LIVINGSTON COUNTY TO SERVE ON THE FINGER LAKES ASSOCIATION BOARD OF DIRECTORS

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

RESOLVED, that Timothy R. Wahl, 3829 Federal Road, Livonia, NY 14487, be and hereby is appointed to the Finger Lakes Association Board of Directors for a term to expire December 31, 1998.

Dated at Geneseo, New York

January 14, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-21. APPOINTING MEMBER TO THE LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

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

WHEREAS, James M. Steele has resigned from the Livingston County Industrial Development Agency effective immediately, it is hereby

RESOLVED, that Richard J. Essler, 23 South Walnut Street, Nunda, NY 14517, is hereby appointed to the Livingston County Industrial Development Agency effective immediately, to serve a term at the pleasure of the Livingston County Board of Supervisors, and it is further

RESOLVED, that a copy of this resolution be sent to the Office of Secretary of State, Department of

Miscellaneous Records, 162 Washington Avenue, Albany, New York 12231.

Dated at Geneseo, New York

January 14, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-022. APPOINTING MEMBERS TO THE GENESEE FINGER LAKES REGIONAL PLANNING COUNCIL

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

RESOLVED, that the following persons are hereby appointed as Livingston County representatives to the Genesee/Finger Lakes Regional Planning Council for the year 1998:

Dennis R. House, Chairman of the Board

Richard J. Essler

Robert Yull

Timothy R. Wahl, Alternate

David Woods, Ex-officio member

Dated at Geneseo, New York

January 14, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-23. APPOINTING VOTING REPRESENTATIVES TO THE INTERCOUNTY ASSOCIATION OF WESTERN NEW YORK FOR THE YEAR 1998

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

RESOLVED, that the following persons are hereby appointed as Livingston County voting representatives for the Intercounty Association of Western New York for the year 1998:

Dennis R. House, Chairman of the Board

Livingston County Government Center

Board of Supervisors, Room 302

Geneseo, NY 14454

Richard J. Essler, Supervisor Town of Nunda

23 South Walnut Street

Nunda, NY 14517

James Layland, Supervisor, Town of Caledonia

3196 Church Street

Caledonia, NY 14423

Dated at Geneseo, New York

January 14, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-024. APPOINTING MEMBERS TO LIVINGSTON COUNTY PLANNING BOARD

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

RESOLVED, that the following persons are hereby reappointed to the Livingston County Planning Board for a term commencing January 1, 1998 and expiring December 31, 2000:

Town of Caledonia - Randy Rodger, 2263 Ellicott Rd., Caledonia, NY 14423

Village of Caledonia - Barbara Kemnitz, 3181 East Ave., Caledonia, NY 14423

Town of York - Marjorie Fasano, 3386 Retsof Rd., Retsof, NY 14539

Town of Groveland - Ruth Lea, 5545 Cottonwood Dr., Conesus, NY 14435

Town of Geneseo - Jeff Carone, 59 Second St., Geneseo, NY 14454

Village of Geneseo - Robert Yull, 78 North St., Geneseo, NY 14454

Town of Lima - Dennis Neenan, 2275 Clay St., Lima, NY 14485

Town of Leicester - Barry Caplan, c/o Sundance Books, 106 Main St., Geneseo, NY 14454

Village of Mount Morris - Ann Hunt, 3 Case St., Mount Morris, NY 14510

Dated at Geneseo, New York

January 14, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-25. APPOINTING MEMBERS TO THE COMMUNITY INITIATIVES COUNCIL

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

RESOLVED, that the following persons are hereby reappointed to the Livingston County Community Initiatives Council, as representatives of the Low Income Sector, for a term commencing on January 1, 1998 and expiring December 31, 2000:

Debbie Terry, 29 Meadow Drive, Geneseo, NY 14454

Michael Deming, 40 Meadow Drive, Geneseo, NY 14454

Judy Dernbach, 10260 Pennycook Rd., Hunt, NY 14846

Vacant

Vacant

Dated at Geneseo, New York

January 14, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-26. APPOINTING MEMBERS TO LIVINGSTON COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

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

RESOLVED, that the following persons are hereby appointed to the Livingston County Environmental Management Council for a term commencing January 1, 1998 and expiring December 31, 1999:

To represent Industry-Commerce:

Anne Culp, Associate Environmental Engineer, Elf Atochem North America, Inc., P.O. Box 188, Geneseo, NY 14454

Vacant

Vacant

Vacant

Vacant

To represent Agriculture:

Rob Donnan, 4722 Chandler Rd., Piffard, NY 14533
 David Swanson, 7014 Begole Rd., Mount Morris, NY 14510
 Susan Walker, 7630 Walker Rd., Wayland, NY 14572
 Vacant
 Vacant

Citizens:

Jean Meekin, 3991 Graywood Center Rd., Geneseo, NY 14454
 Barbara Davis, 5258 Lakeville Rd., Geneseo, NY 14454
 David W. Parish, 5 Crossett Rd., Geneseo, NY 14454
 Ellen Coyne, 5117 Littleville Rd., Avon, NY 14414
 Randel Fuller, 6222 West Lake Rd., Conesus, NY 14435
 Jean O'Connor, 4950 Lakeville Rd., Geneseo, NY 14454
 Vacant
 Vacant
 Vacant

Dated at Geneseo, New York

January 14, 1998

Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367;
 Adopted.

RESOLUTION NO. 98-27. APPOINTING MEMBER TO THE LIVINGSTON COUNTY YOUTH BOARD

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

RESOLVED, that this Board of Supervisors does hereby approve the appointment of the following person to the Livingston County Youth Board to serve the term designated:

<u>NAME</u>	<u>REPRESENTS</u>	<u>TERM EXPIRES</u>
Donna Horton	Cooperative Extension	8/31/00

26 Crestwood Circle

Dansville, NY 14437

replacing Barbara Schirmer

Dated at Geneseo, New York

January 14, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367;
 Adopted.

RESOLUTION NO. 98-28. ADOPTING 1998 OFFICIAL LIST OF COUNTY OFFICIALS REQUIRED TO FILE AN ANNUAL STATEMENT OF FINANCIAL DISCLOSURE UNDER SECTION 2F OF LOCAL LAW NO. 4, 1990

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

WHEREAS, the Ethics Board of Livingston County has recommended to the Chairman of the Board of Supervisors the 1998 Official List of County Officials required to file an annual statement of financial disclosure, it is hereby

RESOLVED, that the Livingston County Board of Supervisors adopts the attached list which constitutes the 1998 Official List of County Officials required to file an annual statement of financial disclosure pursuant to the provisions of the Local Law No. 4 of the year 1990.

APPENDIX 2
1998 OFFICIAL LIST OF COUNTY OFFICIALS REQUIRED TO FILE
ANNUAL DISCLOSURE UNDER SECTION 2(f) OF LOCAL LAW #4 - 1990

BOARD OF ELECTIONS

Susan N. Guenther, Election Commissioner
Gerald L. Smith, Election Commissioner
Laura M. Schoonover, Deputy Commissioner
Nancy L. Leven, Deputy Commissioner

BOARD OF SUPERVISORS

Joseph A. Daley
James Layland
Donna L. Avery
Harold Stewart
James C. Merrick
Gary D. Moore
Lance H. Bassage
Timothy R. Wahl
James F. Olverd
Gerald R. Derrenbacher
Richard J. Essler
Emery Jaeger
Ivan C. Davis
Leopold Marks
Howard Kramer
Marjorie Cansdale
Dennis R. House
Virginia Amico, Clerk of the Board

CAMPUS SKILLED NURSING FACILITY

Franklin Bassett, Senior Administrator
Greg Miller, Shared Services Coordinator
Peter Carter, Senior Fiscal Manager
Eileen Farlow, Director of Nursing Services
Cheryl Beach, Housekeeper
Debra Sanford, Leisure Time Activities Director
Sharon Quirk, Senior Social Work Assistant
Gail A. Sparling, R.N. Coordinator Adult Day Health Care
Anthony Jarzyna, Occupational Therapist
Sue DeGroff, Pharmacist

CENTRAL SERVICES

David Allen, Supervisors, Buildings & Grounds
Laird Simons, Working Foreman

COMMUNITY SERVICES

Mark Brown, Community Services Director, Counseling Services Director
Dr. Nadene Hunter, Chairperson of Community Services Board

CONESUS LAKE COUNTY SEWER DISTRICT

Catherine Muscarella, Director of Public Works

Joseph Kornbau, Sr. Plant Operator

COUNTY ADMINISTRATOR

Dominic F. Mazza, County Administrator

Lisa M. Grosse, Administrative Assistant

Michele Rees, Confidential Secretary

Katherine Montemarano, Records Inventory Supervisor

COUNTY ATTORNEY

David Morris, County Attorney

Dennis Cohen, Assistant County Attorney

COUNTY AUDITOR

Terrence P. Donegan, County Auditor

COUNTY CLERK

James Culbertson, County Clerk

Mary Strickland, Deputy County Clerk

COUNTY TREASURER

Arlene K. Johnston, County Treasurer

Carolyn Taylor, Deputy County Treasurer

DATA PROCESSING

Dale Nieswiadomy, Director

DISTRICT ATTORNEY

Thomas E. Moran, District Attorney

Kenneth Bennett, Assistant

Jennifer M. Sommers, Assistant

Robert Wiggins, Assistant

ECONOMIC DEVELOPMENT

Patrick Rountree, Administrative Director

INDUSTRIAL DEVELOPMENT AGENCY MEMBERS

Philip Brooks

George Traber

Susan Doerflinger

Anthony Morrow

Walt Isaac

Richard J. Essler

EMERGENCY MANAGEMENT SERVICES

Kevin Niedermaier, Emergency Management Services Director

EMPLOYMENT & TRAINING & YOUTH BUREAU

Gloria A. Brand, Employment and Training Director III,

HIGHWAY

Donald N. Higgins, Superintendent of Highways

Dennis J. Barefoot, Deputy Superintendent of Highways

HISTORIAN

Mary P. Schaap, County Historian

Amie Alden, Deputy County Historian

LIVINGSTON COUNTY WATER AND SEWER AUTHORITY

Frank Riedman

Dennis L. Witte

Francis E. Kosakowski

Norman G. Sparks

Michael D. Kane

Peter Kanouse

Joseph Daley

Catherine Muscarella, Coordinator/Secretary

OFFICE FOR THE AGING

Kaaren Smith, Director

Kathy VanWagnen, Director, Senior Nutrition Program

Brigid Cotton, Director, Foster Grandparent Program

Edie Philipson, Finance Manager

PERSONNEL

Tish E. Lynn, Personnel Officer

Lauraine M. Beach, Personnel Assistant

PLANNING

David Woods, Planning Director

Angela Ellis, Planner

Donald Huff, Energy Programs Supervisor

Ruth Swift, Housing Programs Coordinator

COUNTY PLANNING BOARD

Dora Coates, Chairman

Barry Ingalsbe, Vice Chairman

AGRICULTURE & FARMLAND PROTECTION BOARD

Jon White, Chairperson

Dick Anderson, Vice Chairman

ENVIRONMENTAL MANAGEMENT COUNCIL

Susan Walker, Chairman

Randel Fuller, Vice Chairman

COMMUNITY INITIATIVES COUNCIL

Debbie Terry, Chairperson
, Vice Chairperson

PROBATION

Barbara Campbell, Probation Director II
Karen Weidman, Probation Supervisor

PUBLIC DEFENDER

John Putney, Public Defender
James McCann
Gordon J. Lawrence II
Kyle D. MacKay
Kelly Donohue
Marcea A. Clark

PUBLIC HEALTH

Joan H. Ellison, Public Health Director
Mary Margaret Stallone, Director of Patient Services
Ralph VanHouten, Director, Environmental Health
Nadene Hunter, MD, Medical Consultant
Catherine Whitney, EMS Coordinator
James Peraino, Fiscal Manager
Roxanne Clark, Dog Control Officer
Cheryl Pletcher, Hospice Administrator
Karen Hanglow, Health Care Services Coordinator

REAL PROPERTY TAX

Richard J. Sheflin, Director

SHERIFF

John M. York, Sheriff
Daniel P. Maloney, Undersheriff
Clark M. Young Jr., Major
Joseph Rychlicki, Major
James Rose, Major

SKILLED NURSING FACILITY

Robert Wallace, Administrator
Ann Martello, Director of Nursing Services
Joe D'Imperio, Building Maintenance Supervisor
Kathy Baumgardner, Leisure Time Activities Director
Richard Baumgardner, Physical Therapist
Marc Negrotto, Physical Therapist
Dorothy McClurg, Senior Cleaner

SOCIAL SERVICES

W. Michael Woodhouse, Commissioner of Social Services
Jack Sylvester, Social Services Attorney
Diane Deane, Director of Administrative Services

Sandy Wright, Director of Services
 Sharon Tinelli, Head Social Welfare Examiner
 James Brand, Staff Development Coordinator
 Paula Callaro, Case Supervisor
 Evelyn Vacca, Secretary to the Commissioner
 Dale Sells, Employment Coordinator

WEIGHTS & MEASURES

Michael Cloonan, Director of Weights & Measures

Dennis R. House, Chairman
 Livingston County
 Board of Supervisors

Dated at Geneseo, New York

January 14, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-029. APPOINTING TO THE LIVINGSTON COUNTY FIRE ADVISORY BOARD

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

RESOLVED, that the following persons are hereby appointed to the Livingston County Fire Advisory Board for the term designated:

	TERM
James Kretchmer 5465 Partridge Corners Road Conesus NY 14435	12/31/00
Norbert Lang Depot Road Springwater, NY 14560	12/31/00
Mel Linsner 4826 Lima Road Geneseo, NY 14454	12/31/00
David Wolf 27 Chestnut Avenue Dansville, NY 14437	12/31/00
Gary Moore Chairman, Public Safety 2085 Dunkley Road Leicester, NY 14481	12/31/00

Dated at Geneseo, New York

January 14, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-030. AUTHORIZING A CONTRACT WITH ONTARIO COUNTY FOR THE HOUSING OF PRISONERS

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

WHEREAS, the County of Livingston and the County of Ontario desire to enter into a cooperative agreement pursuant to General Municipal Law, section 119-o for the housing, from time to time, of Livingston County prisoners in the Ontario County Jail, and

WHEREAS, the two counties have negotiated such an agreement, a copy of which is available in the Office of the Clerk of the Board, it is hereby

RESOLVED, that the 1998 Agreement between the County of Livingston and the County of Ontario, is hereby approved and the Chairman of the Board of Supervisors is hereby authorized to execute said agreement on behalf of the County of Livingston, after review by the County Administrator and County Attorney.

Copy of contract on file in Clerk's office.

Dated at Geneseo, New York

January 14, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-031. APPOINTING HEARING BOARD MEMBER FOR THE ADMINISTRATION OF THE LIVINGSTON COUNTY SOURCE SEPARATION LAW - APPLIN

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

WHEREAS, the Livingston County Board of Supervisors adopted a Local Source Separation and Recycling Law on July 22, 1992, and

WHEREAS, a Hearing Board is required to conduct hearings for arbitration of differences between the County and permittees on matters concerning interpretation and execution of the provisions of the Local Law, now therefore be it

RESOLVED, that the following person be appointed to the Hearing Board for the term commencing January 1, 1998 through December 31, 2000:

Kenneth R. Applin
24 Second Street
Geneseo, NY 14454

Dated at Geneseo, New York

January 14, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-032. APPOINTING MEMBERS TO THE GLOW REGION SOLID WASTE MANAGEMENT COMMITTEE

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

WHEREAS, Livingston County is an active member of the GLOW Region Solid Waste Management Committee, and

WHEREAS, the GLOW Intermunicipal Agreement establishes the GLOW Committee and the Committee's membership consists of:

1. The highest ranking elected legislative officer of each County or his designee.
2. Two additional representatives and one alternate representative of each County nominated by the highest ranking elected legislative officer of the County and confirmed by the County's legislative body.

RESOLVED, that the following persons are hereby appointed to the GLOW Region Solid Waste Management Committee for the year 1998:

Dennis R. House

Emery Jaeger
 Gary D. Moore
 Catherine Muscarella, Alternate

and be it further

RESOLVED, that previous appointments inconsistent with the above are hereby rescinded.

Dated at Geneseo, New York

January 14, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-033. APPOINTING MEMBERS TO THE BOARD OF THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY

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

RESOLVED, that the following individuals be reappointed to the board of the Livingston County Water and Sewer Authority for the terms designated:

MEMBER	TERM EXPIRES
Norman G. Sparks 6176 Elm Street Conesus, NY 14435	12/31/00
Michael D. Kane 14 Clara Barton Street Dansville, NY 14437	12/31/00

Dated at Geneseo, New York

January 14, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-034. AUTHORIZING PURCHASE OF A ONE-TON PICKUP TRUCK FOR THE CONESUS LAKE COUNTY SEWER DISTRICT

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

WHEREAS, the budget of the Conesus Lake County Sewer District includes funds for the purchase of a one-ton pickup truck, it is hereby

RESOLVED, that the Conesus Lake County Sewer District Public Works Director is hereby authorized to purchase one (1) new 1998 Chevrolet CK30903, One-Ton 4 Wheel Drive Heavy Duty Pickup Truck from Robert Green Truck Division of Rock Hill, New York, through N.Y.S. Contract, at a total cost of \$22,483.50

Dated at Geneseo, New York

January 14, 1998

Public Works Committee

Catherine Muscarella, Public Works Director, stated that the present vehicle is in need of major repair and is breaking down causing employees to be stranded.

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-035. APPROVING APPLICATION FOR COUNTY WATER DISTRICT #1

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

WHEREAS, the Livingston County Board of Supervisors by resolution 97-155 approved the creation of County

Water District #1 and authorized the Clerk of the Board of Supervisors to file an application with the State Comptroller, now therefore be it

RESOLVED, that the application for permission of the State Comptroller to create County Water District No. 1, verified the 14th day of October, 1997, was prepared at the direction of the Livingston County Board of Supervisors, and be it further

RESOLVED, that the Livingston County Board of Supervisors believes the contents of the application to be accurate, and be it further

RESOLVED, that the Livingston County Board of Supervisors has determined that the district is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof.

Dated at Geneseo, New York

January 14, 1998

Public Works Committee

Catherine Muscarella, Public Works Director, explained the boundaries of County Water District #1. There was discussion regarding the definition of service unit and the possibility of someday the district including the residents of Scottsburg. The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-36. AWARDING BID FOR THE REPLACEMENT OF PLUMBING AT THE CONESUS LAKE COUNTY SEWER DISTRICT

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

WHEREAS, the plumbing at the Conesus Lake County Sewer District is in need of replacement, and

WHEREAS, after proper legal advertisement for bids for the replacement of plumbing at the Conesus Lake County Sewer District, (2) bids were received, then opened on January 5, 1998, now, therefore, be it

RESOLVED, that the bid of Donals Mechanical Contractors Inc. of 5901 Big Tree Road, Lakeville, New York 14480 in an amount not to exceed Twelve Thousand Seven Hundred Forty Five Dollars (\$12,745.00) be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

January 14, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-037. AMENDING THE 1998 SALARY SCHEDULE - VARIOUS DEPARTMENTS

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

RESOLVED, that the 1998 Salary Schedule be amended according to the attached chart effective January 1, 1998.

CORRECTIONS TO 1998 SALARY SCHEDULE

Department	Employee Name	From	To
Conesus Lake Sewer District (p. 12)	Michael Shaver		Add: 4/12/98, \$17.84***
County Clerk (p. 12)	Two Vacant Index Clerk Positions		Delete
County Clerk (p. 13)	Diana Moffat	\$14.49****	\$14.92***
County Clerk (p. 13)	Two Vacant Motor		Delete

	Vehicle Clerk Positions		
Health Related Facility (p. 19)	Teresa Fisher		Add her to schedule: Nursing Assistant, 12/7/97, NH, \$8.18
Health Related Facility (p. 22)	Jane Maloney	12/20/98, \$13.96**	12/20/98, \$13.69**
Public Health (p. 30)	Doris Smith	1/18/98	1/18/98, \$11.58**
Public Health (p. 30)	Lisa Beardsley		Add: 7/19/98, \$16.50*
Public Health (p. 31)	Bethany Wadsworth	16.56**	17.08**
Public Health (p. 34)	Carol Thompson	17.39	17.95
Sheriff (p. 35)	Rodney Schirmer	16.64*	16.64**
Sheriff (p. 38)	Joseph Granita	16.50**	16.50***
Sheriff (p. 39)	Ray Ellis	Deputy Sheriff/Sergeant (Road Patrol)	Deputy Sheriff/Investigator
Sheriff (p. 39)	Michael Bradley	16.41*	16.90*
Social Services (p. 53)	Mary Lou Chapman	12.68*	12.68**
Social Services (p. 53)	Nancy Gray	12.68*	12.68**

Dated at Geneseo, New York

January 14, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-38. AMENDING THE 1998 SALARY SCHEDULE - COUNTY CLERK

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

RESOLVED, that the 1998 Salary Schedule for the following department be amended as follows:

COUNTY CLERK

Create one (1) Index Clerk position, salary grade 7, eliminating one (1) part-time Index Clerk position.

Dated at Geneseo, New York

January 14, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-39. SETTING LIVINGSTON COUNTY BOARD OF SUPERVISORS= MEETING DATES FOR THE YEAR 1998

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

WHEREAS, the Rules of Order of the Livingston County Board of Supervisors set the regular meetings of the Board on the second and fourth Wednesday of each month at 1:30 p.m., and

WHEREAS, the Rules of Order allow the Board of Supervisors to change the regularly scheduled meetings by resolution approved by a two-thirds vote, now therefore be it

RESOLVED, that the regular meetings of the Board of Supervisors for the months of August, and November 1998 are changed to the following dates: August 19, 1998 and November 18, 1998 (Annual Meeting).

Dated at Geneseo, New York

January 14, 1998

Supervisors Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-040. AUTHORIZING ASSISTANCE TO VARIOUS TOWNS FOR REAL PROPERTY TAX ASSESSMENT REVIEW DEFENSE COSTS

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

WHEREAS, Resolution No. 85-253 authorized Towns within the County to request assistance from the county for defense costs relating to proceedings brought against the Towns to review real property tax assessments, and

WHEREAS, the Town of North Dansville has requested assistance in regard to proceedings brought by Rochester Telephone Corp., and

WHEREAS, the Tax Committee, the Director of Real Property Tax Services and the County Attorney have reviewed the request, now therefore be it

RESOLVED, that the County of Livingston agrees to assist the Town of North Dansville in regard to the real property tax assessment proceedings brought by Rochester Telephone Corp., such assistance to be coordinated through the Tax Committee, The Director of Real Property Tax Services and the County Attorney.

Dated at Geneseo, New York

January 14, 1998

Tax Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

RESOLUTION NO. 98-041. CORRECTING TAX ROLL - TOWNS OF LIMA, NUNDA, PORTAGE, YORK

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

WHEREAS, The Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to ten (9) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessors for the Towns of Lima, Nunda, Portage, and York on the tax rolls for the years hereinafter set forth, and

WHEREAS, said premises were incorrectly assessed and/or taxed for reasons set forth in the applications for correction requested from the Director of Real Property Tax Services attached hereto,

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

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

Year, Town & Premises	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refunds	Chg. Back
1. 1998 Lima	Livingston County	238.54	232.01	0.00	6.53
ZALUDNY, Marilyn Dow	Town of Lima	<u>271.61</u>	<u>271.61</u>	<u>0.00</u>	<u>0.00</u>

Tax Map Number 37.9-1-2	Total	\$510.15	\$503.62	\$0.00	\$6.53
2. 1998 Nunda DELANEY, Richard	Livingston County	179.18	179.18	0.00	0.00
Tax Map Number 198-1-29	Liv.Co. Penalties	26.95	0.00	0.00	26.95
	Town of Nunda	189.18	189.18	0.00	0.00
	Keshequa Sch. Relevy	384.98	0.00	0.00	384.98
	Nunda Fire	<u>18.51</u>	<u>18.51</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$798.80	\$386.87	\$0.00	\$411.93
3. 1998 Portage HOWELL, Gordon	Livingston County	336.63	252.47	0.00	84.16
Tax Map Number 196-1-28	Town of Portage	467.01	350.26	0.00	116.75
	Portage Fire #1	<u>36.16</u>	<u>36.16</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$839.80	\$638.89	\$0.00	\$200.91
4. 1998 York DOOLITTLE, William	Livingston County	543.85	543.85	0.00	0.00
Tax Map Number 31-1-60	Town of York	339.24	339.24	0.00	0.00
	York Fire 1	68.27	68.27	0.00	0.00
	York Light 1	19.18	19.18	0.00	0.00
	Water 2 Ext.1 (Occ)	<u>546.00</u>	<u>395.62</u>	<u>0.00</u>	<u>150.38</u>
	Total	\$1516.54	\$1366.16	\$0.00	\$150.38
5. 1998 York DOOLITTLE, Evelyn R.	Livingston County	512.15	512.15	0.00	0.00
Tax Map Number 41-1-6	Town of York	319.47	319.47	0.00	0.00
	York Fire 1	75.17	75.17	0.00	0.00
	York Light 1	21.12	21.12	0.00	0.00
	Water 2 Ext.1(Occ)	<u>546.00</u>	<u>395.62</u>	<u>0.00</u>	<u>150.38</u>
	Total	\$1473.91	\$1323.53	\$0.00	\$150.38
6. 1998 York MT.PLEASANT CEMETERY	Livingston County	0.00	0.00	0.00	0.00
Tax Map Number 41-1-37	Town of York	0.00	0.00	0.00	0.00
	York Fire 1	0.00	0.00	0.00	0.00
	York Light 1	0.00	0.00	0.00	0.00
	Water 2(Occupied)	<u>168.21</u>	<u>0.00</u>	<u>0.00</u>	<u>168.21</u>
	Total	\$168.21	\$0.00	\$0.00	\$168.21
7. 1998 York METHODIST CHURCH	Livingston County	0.00	0.00	0.00	0.00
Tax Map Number 42.5-1-16	Town of York	0.00	0.00	0.00	0.00
	York Fire 1	0.00	0.00	0.00	0.00
	York Light 1	0.00	0.00	0.00	0.00
	Water 2(Occupied)	<u>168.21</u>	<u>0.00</u>	<u>0.00</u>	<u>168.21</u>
	Total	\$168.21	\$0.00	\$0.00	\$168.21
8. 1998 York MASON, Diane	Livingston County	18.40	18.40	0.00	0.00
Tax Map Number 42.05-1-52	Town of York	11.48	11.48	0.00	0.00
	York Fire 1	2.03	2.03	0.00	0.00
	York Light 1	0.57	0.57	0.00	0.00
	Water 2 (Occupied)	<u>168.21</u>	<u>0.00</u>	<u>0.00</u>	<u>168.21</u>
	Total	\$200.69	\$32.48	\$0.00	\$168.21
9. 1998 York LAWNEL FARMS, INC.	Livingston County	817.57	2725.65	0.00	1908.08
Tax Map Number 50-1-15	Town of York	509.99	1700.21	0.00	1190.22
	York Fire 1	<u>469.38</u>	<u>679.79</u>	<u>0.00</u>	<u>210.41</u>
	Total	\$1796.94	\$5105.65	\$0.00	\$3308.71
10. 1998 York CHRISTIANO, L.R.,Jr.	Livingston County	574.19	488.06	0.00	86.13
Tax Map Number 61.18-2-1	Town of York	358.17	304.44	0.00	53.73
	York Fire 1	63.32	63.32	0.00	0.00
	York Light 1	17.79	17.79	0.00	0.00

York Water 1	<u>183.02</u>	<u>183.02</u>	<u>0.00</u>	<u>0.00</u>
Total	\$1196.49	\$1056.63	\$0.00	\$139.86

Dated at Geneseo, New York

January 14, 1998

Tax Committee

The roll was called as follows: Ayes - 1,447; Noes - 0; Absent - Stewart, 187; Derrenbacher, 180 Total 367; Adopted.

OTHER BUSINESS

1. Mr. House distributed the Revised Standing Committees for 1998:

STANDING COMMITTEES 1998

AGRICULTURE AND SOIL CONSERVATION:

Stewart, Chairman
Davis, Vice Chairman
Daley

BUILDINGS, GROUNDS & PARKS:

Merrick, Chairman
Moore, Vice Chairman
Kramer

FINANCE:

Essler, Chairman
Layland, Vice Chairman
Wahl

HEALTH:

Bassage, Chairman
Avery, Vice Chairman
Derrenbacher
Marks
Olverd

HIGHWAY:

Marks, Chairman
Stewart, Vice Chairman
Davis
Layland
Olverd

JUDICIAL:

Jaeger, Chairman
Merrick, Vice Chairman
Cansdale

LEGISLATIVE & PUBLIC RELATIONS:

Jaeger, Chairman
Bassage, Vice Chairman
Cansdale

PUBLIC SAFETY:

Moore, Chairman
Avery, Vice Chairman
Daley

PUBLIC WORKS & TRANSPORTATION:

Stewart, Chairman
Jaeger, Vice Chairman
Wahl

SALARY & NEGOTIATING:

Layland, Chairman
Essler, Vice Chairman
Bassage
Merrick
Cansdale

SOCIAL SERVICES:

Avery, Chairman
Marks, Vice Chairman
Daley
Kramer
Olverd

SUPERVISORS:

Essler, Chairman
Moore, Vice Chairman
Derrenbacher

TAX:

Kramer, Chairman
Wahl, Vice Chairman
Derrenbacher

2. Mr. Kramer announced the Tax Committee will be meeting immediately following the Board meeting.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Kramer to adjourn until Wednesday, January 28, 1998 at 1:30 p.m.
Carried.

The Board adjourned at 2:43 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, JANUARY 28, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Derrenbacher and Kramer.

The Pledge of Allegiance.

MINUTES

Minutes of 1/14/98 Regular Meeting were approved as presented.

INTRODUCTION OF LOCAL LAW

LOCAL LAW NO. A 1998 - PROVIDING A PARTIAL EXEMPTION FROM REAL PROPERTY TAXES TO PERSONS WITH DISABILITIES WHO HAVE LIMITED INCOME

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

Section 1.

This Local Law is adopted pursuant to the authority granted by Real Property Tax Law §459-c. All definitions, terms and conditions of such statute shall apply to this Local Law.

Section 2.

Real property owned by a person with disabilities whose income is limited by such disabilities, and used as the legal residence of such person, shall be entitled to a partial exemption from taxation to the extent of 50% of the assessed valuation.

Section 3.

To be eligible for the exemption authorized by Real Property Tax Law §459-c and implemented by this Local Law, the maximum income of such person shall not exceed \$12,500.00. Any such person having a higher income shall be eligible for an exemption in accordance with the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE ASSESSED</u>
<u>VALUATION EXEMPT FROM TAXATION</u>	
More than \$12,500.00 but less than \$13,500.00	45 per centum
\$13,500.00 or more but less than \$14,500.00	40 per centum
\$14,500.00 or more but less than \$15,500.00	35 per centum
\$15,500.00 or more but less than \$16,400.00	30 per centum
\$16,400.00 or more but less than \$17,300.00	25 per centum
\$17,300.00 or more but less than \$18,200.00	20 per centum
\$18,200.00 or more but less than \$19,100.00	15 per centum
\$19,100.00 or more but less than \$20,000.00	10 per centum
\$20,000.00 or more but less than \$20,900.00	5 per centum

Section 4.

This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.

Dated at Geneseo, New York
January 28, 1998 (Introduced)

COMMUNICATIONS

1. Thank you note from James M. Steele

RESOLUTION NO. 98-042. APPROVING ABSTRACT OF CLAIMS #1B - JANUARY 28, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #1B dated January 28, 1998, in the total amount of \$1,183,501.36.

Dated at Geneseo, New York
January 28, 1998

Finance Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

PRIVILEGE OF THE FLOOR

1. Tina Nadelan, Regional Representative for Governor Pataki, explained her duties as Regional Representative and distributed guidelines for gubernatorial messages.

RESOLUTION NO. 98-043. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY SOIL AND WATER CONSERVATION BOARD

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

RESOLVED, that the following members be appointed to the Livingston County Soil & Water Conservation District Board of Directors for a term to expire 12/31/98:

James C. Merrick	Supervisor Member
Gary D. Moore	Supervisor Member

Dated at Geneseo, New York
January 28, 1998

Agriculture Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-044. APPOINTING MEMBERS TO THE NYS FISH AND WILDLIFE MANAGEMENT BOARD

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

RESOLVED, that the following persons are hereby appointed to the NYS Fish and Wildlife Management Board for a term commencing January 1, 1998 and terminating December 31, 1999:

Ivan C. Davis, Supervisor Representative, 10042 S. River Road, Hunt, NY 14846
Lance H. Bassage, Alternate Supervisor Representative, 7192 W. Main Street, Lima, NY 14485
Phil Kinney, Sportsman Representative, 32 Quay Street, Dansville, NY 14437
John N. Taylor, Alt. Sportsman Representative, 3238 Fowlerville Road, Caledonia, NY 14423
Dana Mehlenbacher, Farm Bureau Representative, 10051 Hunt Hollow Road, Hunt, NY 14846

Dated at Geneseo, New York
January 28, 1998

Agriculture Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-045. APPOINTING MEMBER TO THE REGION 8 FOREST PRACTICE BOARD

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

RESOLVED, that the Livingston County Board of Supervisors hereby appoints the following person to the Region 8 Forest Practice Board for a three-year term commencing January 1, 1998 and ending December 31, 2000:

Gerald Ayers, 2020 Linwood Road, Linwood, NY 14486

Dated at Geneseo, New York

January 28, 1998

Agriculture Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-046. APPOINTING MEMBERS TO THE RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL

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

RESOLVED, that the following persons are hereby appointed to the Resource Conservation and Development Council for a three-year term commencing January 1, 1998 and terminating December 31, 2000:

Dean Mehlenbacher, District Representative, 10117 Hunt Hollow Road, Hunt, NY 14846

Joanne Crossman, Member, 2538 Skelly Road, Caledonia, NY 14423

Gerald R. Derrenbacher, Supervisor Member, 1 Morse Street, Dansville, NY 14437

Peter Kanouse, Alternate, Soil & Water Conservation District, 128 Main Street, Leicester, NY 14481

Dated at Geneseo, New York

January 28, 1998

Agriculture Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-047. AUTHORIZING THE PURCHASE OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE FOR USE BY THE HIGHWAY DEPARTMENT OF THE COUNTY OF LIVINGSTON, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,300,000, AND AUTHORIZING THE ISSUANCE OF \$1,300,000 SERIAL BONDS OF SAID COUNTY TO PAY THE COST THEREOF

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

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

Section 1. The purchase of machinery and apparatus for construction and maintenance for use by the Highway Department of the County of Livingston, New York, is hereby authorized at a maximum estimated cost of \$1,300,000.

Section 2. It is hereby determined that the plan for the financing of such maximum estimated cost is by the issuance of \$1,300,000 serial bonds of said County, hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is at least five years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance law.

Section 4. The faith and credit of said County of Livingston, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized

including the date, denominations, maturities and interest payment dates, within the limitation prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

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

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in full in the Livingston County News and The Clarion, the official newspapers of such County, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

Dated at Geneseo, New York

January 28, 1998

Finance Committee

Highway Committee

The County Administrator explained the financial implications of the bond and Donald Higgins, County Superintendent of Highways, reviewed the proposed equipment to be purchased. Mr. Moore questioned whether the department has given consideration to leasing any of the equipment. Mr. Higgins stated there is a need to have the equipment available when needed, and the Towns have increased their use of the equipment in the past few years. The County Administrator stated that the Highway Department does utilize a bid for leasing certain equipment. Mr. Moore questioned the need to purchase a large dozer. Mr. Higgins stated a large dozer is advantageous when doing stream work. Mr. Merrick stated the existing dozer broke down while doing some work at Hampton Corners and concurred that a large dozer is needed. Mr. Daley questioned whether the proposed list of equipment was new pieces of equipment or replacing existing equipment. Mr. Higgins provided an explanation of new equipment and equipment they are replacing. Mr. Daley questioned whether the Highway Department has sufficient personnel to operate the additional equipment. Mr. Higgins stated that a proposal to add a Mechanical Equipment Operator III will be presented later in the meeting.

The roll was called as follows: (2/3 vote)

Ayes - 1,571; Noes - 0; Absent - Derrenbacher, 185; Kramer, 76 Total 261; Adopted.

RESOLUTION NO. 98-048. AWARDING BID OF SURPLUS MOTOR

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

WHEREAS, after due advertisement, one bid was received and opened on January 12, 1998, by the Office of the Livingston County Administrator for the sale of a 1994 Johnson 150 HP motor owned by the Sheriff's Department, and

WHEREAS, the bid package was sent to seven marinas in addition to being advertised in the official newspapers, it is hereby

RESOLVED, that the Livingston County Board of Supervisors authorizes the sale of one surplus 1994

Johnson 150 HP motor, for the purchase price of \$350.00 to Francis E. Kosakowski, 3510 Pebble Beach, Lakeville, NY 14480.

Dated at Geneseo, New York

January 28, 1998

Finance Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-049. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY BOARD OF HEALTH - BASSAGE, CAREY

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

RESOLVED, that the following persons are hereby appointed to the Livingston County Board of Health for a six-year term commencing January 1, 1998 and ending December 31, 2003.

Lance H. Bassage, Chairman of Health Committee, 7192 W. Main Street, Lima, NY 14485

Carol Carey, 2 Melody Lane, Geneseo, NY 14454

Dated at Geneseo, New York

January 28, 1998

Health Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-050. APPROVING CONTRACT BETWEEN ROBERTS WESLEYAN COLLEGE AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR STUDENT CLINICAL EXPERIENCE

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between Roberts Wesleyan College and the Livingston County Department of Health to provide student clinical experience, commencing January 1, 1998 and terminating December 31, 1998, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

January 28, 1998

Health Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-051. ACCEPTING A GRANT AWARD BETWEEN THE DIVISION OF CRIMINAL JUSTICE SERVICES AND LIVINGSTON COUNTY FOR THE STOP DOMESTIC VIOLENCE AGAINST WOMEN GRANT

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

WHEREAS, the Division of Criminal Justice Services has approved a grant in the amount of \$129,275 to AStop Domestic Violence Against Women,≡ and

WHEREAS, the overall goal of the project is to reduce the incidents of domestic violence in Livingston County, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the grant award for the Stop Domestic Violence Against Women grant for the period March 1, 1998 through February 28, 1999 in the amount of \$129,275, subject to review by the County Administrator and County Attorney.

The grant award is on file in the Clerk=s office.

Dated at Geneseo, New York

January 28, 1998

Judicial Committee

District Attorney Thomas Moran stated the grant award was approved because of efforts contributed by the District Attorney's office, Sheriff's office, Community Services, Legal Assistance of the Finger Lakes, and Chances and Changes. The District Attorney explained that protection of the victim, prosecution of the criminal will be enhanced, law enforcement will be enhanced and an attempt to stop the violence through counseling are all benefits of the grant. Mr. Moore questioned how the money will be used and an explanation was provided. Mr. Bassage questioned the effective dates of the grant award and how it affects the personnel. The District Attorney and the County Administrator concurred that all personnel will be hired with the knowledge that they are on board providing the grant exist.

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-052. APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

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

WHEREAS, the County of Livingston has appropriated the sum of \$8,449.43 as its share of the 1998 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

WHEREAS, pursuant to Section 119-oo of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated Paul L. Howard, Executive Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$220,000.00; now, therefore be it,

RESOLVED, that the Livingston County Board of Supervisors hereby approves such bond as the official undertaking required pursuant to Section 119-oo of the General Municipal Law.

Dated at Geneseo, New York

January 28, 1998

Legislative Committee

The County Administrator explained that Livingston County is a member of the Genesee/Finger Lakes Regional Planning Council, and they require the County to adopt the foregoing resolution.

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-053. APPOINTING MEMBER TO THE LIVINGSTON COUNTY BOARD OF ETHICS - ELLISON

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

RESOLVED, that Joan Ellison of 39 West Avenue, Livonia, NY 14487 is hereby appointed to the Livingston County Board of Ethics for a three-year term to commence January 1, 1998 and expire December 31, 2000.

Dated at Geneseo, New York

January 28, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,362; Noes - Daley, 194; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-054. AWARDING BID FOR WEATHERIZATION MATERIALS - HOME WEATHERIZATION ASSISTANCE PROGRAM

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

WHEREAS, after due advertisement, bids were opened on January 5, 1998 by the Office of the Livingston County Administrator for the purchase of Weatherization materials used by the Livingston County Home Weatherization Assistance Program, and the following bidders were the low acceptable bids, for various materials, which are on file at the Office of the Livingston County Administrator:

Ace General Hardware
21 Chapel Street
Mt. Morris, NY 14510

A.R. Christiano Hardware
123 Main Street
Leicester, NY 14481

Bonded Insulation
P.O. Box 337
78 North Pawling Street
Hagaman, NY 12086

Distributors Unlimited
RD#2 Box 236A
Newport, PA 17074

Nunda Lumber
P.O. Box 730
Nunda, NY 14517

Power Survey & Control Corp.
2 Cooper Avenue
Rensselaer, NY 12144

NOW, THEREFORE, BE IT RESOLVED, that the Livingston County Weatherization Department is hereby authorized to purchase Weatherization materials from the bidders hereinbefore set forth during the terms of their bid, beginning February 1, 1998 and ending January 31, 1999, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign said contracts, subject to review by the County Administrator and County Attorney.

Copy of contracts on file in the Clerk=s office.

Dated at Geneseo, New York

January 28, 1998

Legislative Committee

David Woods, Planning Director, explained that the original bid did not include some of the long-time suppliers and as a result was rebid in an attempt to get more bidders and better prices. The above resolution is awarding to the lowest responsible bidder.

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-055. AUTHORIZING AMENDED CSBG CONTRACT WITH NEW YORK STATE DEPARTMENT OF STATE

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

WHEREAS, the New York State Department of State has awarded Livingston County \$25,747 in

supplemental FY 1998 CSBG funds; and

WHEREAS, the Livingston County Community Initiatives Council has allocated these funds and \$642 in unexpended FFY 1997 CSBG funds to human service agencies in Livingston County; now therefore be it

RESOLVED, that the Chairman be, and he hereby is, authorized to sign necessary CSBG contract documents with the New York State Department of State, after review by the County Attorney and County Administrator; and be it further

RESOLVED, that the Planning Director be, and he hereby is, authorized to sign delegate agency agreements and amendments with CSBG delegate agencies pursuant to said contracts, after review by the County Attorney and County Administrator.

Copy of contract on file in the Clerk=s office.

Dated at Geneseo, New York

January 28, 1998

Legislative Committee

David Woods, Planning Director, explained the appropriation of funds approved by the Community Initiatives Council.

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-056. AUTHORIZING LOCAL ADMINISTRATOR TO SIGN 1998 HOUSING PROGRAM CONTRACT EXTENSIONS

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

RESOLVED, that the Local Administrator of the Planning Department=s Office of Housing Assistance be, and she hereby is, authorized to sign contract extensions with the NYS Housing Finance Agency and the NYS Division of Housing and Community Renewal, for the Section 8 Certificate, Section 8 Voucher, and Section 8 Moderate Rehabilitation Programs, after review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

January 28, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-057. APPOINTING MEMBER TO THE GENESEE-LIVINGSTON-ORLEANS-WYOMING (GLOW) PRIVATE INDUSTRY COUNCIL

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

RESOLVED, that this Board of Supervisors does hereby approve the appointment of the following person to the Genesee-Livingston-Orleans-Wyoming Private Industry Council for such designated term:

Joseph Galante

Term Expires: 6/30/98

Education Representative

6012 Rowland Road

Conesus, NY 14435

replaces unexpired term of Charles Moore

Dated at Geneseo, New York

January 28, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-058. PROCLAIMING THE MONTH OF MARCH 1998 AS LIVINGSTON COUNTY JOB SHADOW MONTH

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

WHEREAS, the Livingston County Business/Education Alliance, GLOW School-to-Work Partnership, Genesee Region Tech Prep, Livingston County Chamber of Commerce, JSEC, Employment & Training, and New York State Department of Labor have joined efforts to provide area students an opportunity for career exploration in Livingston County, and

WHEREAS, the student job shadowing program demonstrates business and education=s partnership commitment to providing youth of our community with insight to current job market trends, expectations and responsibilities, and

WHEREAS, the shadowing experience will allow students to see business in action throughout Livingston County, exposing students to a variety of career fields and the application of academic skills in the workforce. Now therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby proclaim the month of March 1998 as
ALIVINGSTON COUNTY JOB SHADOW MONTH

Dated at Geneseo, New York

January 28, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-059. AMENDING THE 1998 SALARY SCHEDULE - PUBLIC HEALTH

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

RESOLVED, that the 1998 Salary Schedule for the following department be amended as follows:

PUBLIC HEALTH

Create one (1) Senior Public Health Sanitarian at Salary Grade 16

Create one (1) Senior Public Health Educator at Salary Grade 15

Create one (1) Part-time Public Health Social Worker at Salary Grade 15

Create one (1) Home Health Aide at Salary Grade 4

Dated at Geneseo, New York

January 28, 1998

Salary & Negotiating Committee

Mr. Layland stated that the above positions are a result of the Public Health Department reorganizing.

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-060. AMENDING THE 1998 SALARY SCHEDULE - HIGHWAY AND DATA PROCESSING

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

RESOLVED, that the 1998 Salary Schedule for the following departments be amended as follows:

HIGHWAY

Create one (1) Motor Equipment Operator III position at Salary Grade 11

DATA PROCESSING

Create one (1) Computer Training Coordinator/Operator at Salary Grade 14

Dated at Geneseo, New York

January 28, 1998

Salary & Negotiating Committee

Mr. Layland stated that both positions have been included in the 1998 budget. Mr. Daley questioned whether there may be a need for additional highway staff. Mr. House stated when a department head is in need of personnel, they discuss the issue with the County Administrator and Salary & Negotiating Committee. The Highway Department

will be monitored as they proceed into the construction season to determine if they need additional staff.
The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-061. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE - PUBLIC HEALTH

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

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

PUBLIC HEALTH

Create one (1) Finance Supervisor position at a salary range of \$28,000 to \$32,000.

Dated at Geneseo, New York

January 28, 1998

Salary & Negotiating Committee

Mr. Layland explained this position will provide an assistant to James Piraino.

The roll was called as follows: Ayes - 1,484; Noes - Moore, 72; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-062. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE - PUBLIC DEFENDER

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

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

PUBLIC DEFENDER

Create one (1) Part-time Assistant Public Defender at a salary of \$16,000

Dated at Geneseo, New York

January 28, 1998

Salary & Negotiating Committee

Mr. Layland explained this part-time position will handle the parole denial appeals in an attempt to control the assigned counsel costs. The County Administrator provided a historical background of this issue for the new supervisors and mentioned this is clearly an unfunded mandate. The County spent approximately \$43,000 last year on assigned counsel for these appeal cases. The County Administrator stated he has this on his agenda to discuss when he attends the NYSAC conference February 1-3, 1998.

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-063. ESTABLISHING WORK PERIOD FOR LAW ENFORCEMENT PERSONNEL

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

WHEREAS, the Board of Supervisors desires to formally adopt a twenty-eight day work period for all County law enforcement personnel to reflect its current and past practice; it is hereby

RESOLVED, that the Board of Supervisors adopts a twenty-eight day work period for all County law enforcement personnel as defined in Title 29, Part 553 of the Code of Federal Regulations.

Dated at Geneseo, New York

January 28, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-064. AUTHORIZING RECONVEYANCE OF LAND ACQUIRED BY TAX FORECLOSURE

Mr. Wahl moved and Mr. Daley seconded to present the following resolution:

WHEREAS, the County of Livingston recently acquired, by tax foreclosure, property owned by Daniel and Antonina Rowcliffe and located at 3258 East Avenue, Caledonia, New York and

WHEREAS, Daniel and Antonina Rowcliffe have requested that the County reconvey the property to them, and

WHEREAS, the Tax Committee has recommended the reconveyance under the conditions set forth below, now, therefore be it

RESOLVED, that the County of Livingston agrees to reconvey the premises located at 3258 East Avenue, Caledonia, New York Tax Map No. 8.5-1-46 to Daniel and Antonina Rowcliffe for the sum of \$16,000.00 provided proof of payment of the 1998 Town/County Tax is provided, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the necessary documents for the reconveyance as prepared by the County Attorney.

Dated at Geneseo, New York

January 28, 1998

Tax Committee

County Treasurer Arlene Johnston explained the tax foreclosure process for this particular case and stated the Tax Committee approved to reconvey the property.

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-065. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. A 1998

Mr. Wahl moved and Mrs. Avery seconded to present the following resolution:

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on January 28, 1998, a proposed Local Law entitled Local Law A 1998, Providing a Partial Exemption from Real Property Taxes to Persons with Disabilities Who Have Limited Income, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 11th day of February, 1998 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York, and at least six (6) days notice posting thereof on the bulletin board of the Government Center in this County, and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

January 28, 1998

Tax Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

RESOLUTION NO. 98-066. CORRECTING TAX ROLL - TOWNS OF LIVONIA, NORTH DANSVILLE AND OSSIAN

Mr. Wahl moved and Mr. Bassage seconded to present the following resolution:

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to four (4) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Towns of Livonia, North Dansville and Ossian on the tax roll for the years hereinafter set forth, and

WHEREAS, said premises were incorrectly assessed and/or taxed for reasons set forth in the applications for correction requested from the Director of Real Property Tax Services attached hereto,

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

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

Year, Town & Premises	Jurisdiction	Tax Bill	Tax Bill	Refunds	Chg. Back
1. 1998 Livonia	Livingston County	229.87	229.87	0.00	0.00
FARLEY, Ronald E. &	Town of Livonia	140.38	140.38	0.00	0.00
Kathrin A.	Livonia Fire 1	35.14	35.14	0.00	0.00
Tax Map Number	Livonia Light 4	20.23	0.00	20.23	20.23
85-1-8	Livonia Water 1	<u>54.82</u>	<u>54.82</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$480.44	\$460.21	\$20.23	\$20.23
2. 1998 N.Dansville	Livingston County	281.93	155.06	0.00	126.87
KELLEY, Blanche M.	Town of N.Dansville	<u>64.43</u>	<u>35.43</u>	<u>0.00</u>	<u>29.00</u>
Tax Map Number	Total	\$346.36	\$190.49	\$0.00	\$155.87
203.10-2-49					
3. 1998 Ossian	Livingston County	90.08	90.08	0.00	0.00
PALMER, Robert F.	Liv. Co. (Penalties)	0.00	15.11	0.00	0.00
Tax Map Number	Town of Ossian	101.10	101.10	0.00	0.00
202-1-10.1	Dans.Sch. Relevy	0.00	215.81	0.00	0.00
	Ossian Fire 1	<u>3.12</u>	<u>3.12</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$194.30	\$425.22	\$0.00	\$0.00
4. 1998 Ossian	Livingston County	90.08	90.08	0.00	0.00
CIRANNI, John J.	Liv. Co. (Penalties)	15.11	0.00	0.00	0.00
Tax Map Number	Town of Ossian	101.10	101.10	0.00	0.00
202-1-11.11	Dans.Sch. Relevy	215.81	0.00	0.00	0.00
	Ossian Fire 1	<u>3.12</u>	<u>3.12</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$425.22	\$194.30	\$0.00	\$0.00

Dated at Geneseo, New York

January 28, 1998

Tax Committee

The roll was called as follows: Ayes - 1,556; Noes - 0; Absent - Derrenbacher, 180; Kramer, 78 Total 224; Adopted.

OTHER BUSINESS

1. Mr. House asked the Towns to notify the Clerk of the Board whether their Town is going to enact the \$2.00 fee for the late payment notice.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Moore to adjourn until Wednesday, February 11, 1998 at 1:30 p.m. Carried.

The Board adjourned at 2:43 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, FEBRUARY 11, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Mr. Daley.

The Pledge of Allegiance.

MINUTES

Minutes of 1/28/98 Regular Meeting were approved as presented.

PUBLIC HEARINGS

The Public Hearings to receive comments on:

- X Local Law No. A 1998 Providing a Partial Exemption from Real Property Taxes to Persons with Disabilities Who Have Limited Income

- X Small Cities Grant Program

were called in accordance with the notices published in the official newspapers.

The Chairman announced that any person wishing to be heard would have the opportunity to do so at this time.

- 1) Stuart I. Brown explained the process of the grant application and the benefits it will provide to the County.
- 2) Patrick Rountree reviewed the handout which was distributed (on file).
- 3) Bud VanArsdale supported the need for the Small Cities Grant.
- 4) Several Board members posed questions to the team regarding the Small Cities Grant.

The Chairman stated that the Public Hearing for the Small Cities Grant Program would remain open until the resolution is presented and the Public Hearing on Local Law No. A 1998 would remain open until the end of the meeting.

COMMUNICATIONS

1. Acknowledgment from Senator Joseph L. Bruno for receipt of Res. No. 97-100 Opposing the 1997-98 Proposed NYS Executive Budget Reducing the County Share of DMV Mail-in Registrations and Licenses
2. Petition on file for the Extension of the Conesus Lake County Sewer District
3. Intercounty Association of Western New York meeting notice, Allegany County host, February 19, 1998, 9:30 AM, Alfred State College, Wellsville Campus
PROGRAM: Craig Clark, Dean, Alfred State College Vocational Division: An overview of the programs provided
4. A letter of support has been filed from George Traber III, Chairman of the Industrial Development Agency regarding the approval of the Small Cities Application to HUD
5. Information was distributed regarding the 1998 Household Hazardous Waste Collection Program

RESOLUTION NO. 98-067. APPROVING ABSTRACT OF CLAIMS #2A - FEBRUARY 11, 1998

Mr. Essler 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, 1998, in the total amount of \$1,081,813.85.

Dated at Geneseo, New York

February 11, 1998

Finance Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

PRIVILEGE OF THE FLOOR

There was not a request for Privilege of the Floor.

RESOLUTION NO. 98-068. APPROVING TRANSFER OF FUNDS - VARIOUS (OFFICE FOR THE AGING, PLANNING, PUBLIC HEALTH)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

February 11, 1998

Finance Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-069. AUTHORIZING 1998 APPROPRIATION TO COOPERATIVE EXTENSION ASSOCIATION FOR LIVINGSTON COUNTY

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

RESOLVED, that the sum of \$278,400.00 is hereby appropriated to the Cooperative Extension Association of Livingston County for the fiscal year beginning January 1, 1998, and ending December 31, 1998, to be expended in accordance with budgets submitted to the Board of Supervisors, and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to pay the sum not to exceed \$278,400.00 in twelve monthly installments in advance of the first day of each month beginning January 1, 1998, to the duly elected and properly bonded Treasurer of the Cooperative Extension Association of Livingston County, and be it further

RESOLVED, that the Chairman of the Board of Supervisors of Livingston County is hereby authorized to sign and execute such Memorandum of Agreement as may be duly approved by Cornell University as agent for the State, outlining the above conditions and methods of payment and directing the said budget of said association referred to herein and requiring annual report at the end of the year containing therein a true and accurate account of all receipts and expenditures of said County Association for the fiscal year, subject to review by the County Administrator and County Attorney.

Copy of Agreement on file in Clerk's office.

Dated at Geneseo, New York

February 11, 1998

Finance Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-070. SUPPORTING TESTING OF LOCAL JAIL AND STATE CORRECTIONAL FACILITY INMATES

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

WHEREAS, many residents of the County of Livingston are employed at various local jails and state correctional facilities; and

WHEREAS, these residents are in daily contact with inmates of these facilities, and

WHEREAS, there is the potential for the transmission of communicable diseases such as HIV, Hepatitis and Tuberculosis from the inmates to the correctional employees, especially during altercations with inmates, and

WHEREAS, the transmission of these diseases to County residents who work at these facilities may result in further transmission to the population at large, now, it is therefore

RESOLVED, that the Livingston County Board of Supervisors supports legislation mandating the testing of all inmates upon their admission to a local jail or state correctional facility, and yearly thereafter, for communicable diseases, including HIV, Hepatitis and Tuberculosis, and it is

RESOLVED, that certified copies of this resolution be forwarded to Governor George Pataki, Senator Dale M. Volker, Senator Jess Present, Assemblyman

Dated at Geneseo, New York

February 11, 1998

Health Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-071. APPROVING CONTRACT BETWEEN ROB LILLIS OF EVALUMETRICS RESEARCH AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR THE DEVELOPMENT AND IMPLEMENTATION OF A PHONE SURVEY PERTAINING TO VIOLENCE

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between Rob Lillis of Evalumetrics Research and the Livingston County Department of Health to provide the development and implementation of a phone survey pertaining to violence, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

February 11, 1998

Health Committee

Joan Ellison, Public Health Director, explained the basis of the survey.

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-072. AUTHORIZING CONTRACTS BETWEEN THE COUNTY OF LIVINGSTON AND CYNTHIA SCHROEDER, R.D. FOR DIETARY CONSULTATION SERVICES FOR THE OFFICE FOR THE AGING

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

WHEREAS, the Livingston County Office for the Aging desires to contract with Cynthia Schroeder, R.D., for dietetic consultation and support services, it is hereby

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with Cynthia Schroeder, R.D. for dietetic consultation and support services commencing January 1, 1998 and terminating December 31, 1998 averaging two (2) hours per week, subject to review by the County Attorney and County Administrator, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with Cynthia Schroeder, R.D. for dietetic consultation and support services commencing January 1, 1998 and terminating December 31, 1998 averaging five and 3/4 (5.75) hours per week, subject to review by the County Attorney and County Administrator, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with Cynthia Schroeder, R.D. for dietetic consultation and support services commencing January 1, 1998 and terminating

March 31, 1999 averaging four and 1/4 (4.25) hours per week, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

February 11, 1998

Health Committee

Kaaren Smith, Director of Office for the Aging, explained that NYS requires a registered dietician to provide nutrition counseling to clients at a rate of \$25.00 per hour.

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-073. AUTHORIZING CONTRACT BETWEEN THE VILLAGE OF AVON AND MASONIC TEMPLE/PHOENIX AND THE COUNTY OF LIVINGSTON FOR THE LEASE OF SPACE FOR THE OFFICE FOR THE AGING MEAL PROGRAM

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

WHEREAS, Livingston County desires to lease space from the Village of Avon, 74 Genesee Street, Avon, New York and the Masonic Temple/Phoenix, 68 Elizabeth Street, Dansville, New York for the Office for the Aging Meal Program, it is hereby

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the lease between the Village of Avon for a term of one year commencing January 1, 1998, in the sum of \$3,600 per year to be paid in monthly installments of \$300.00, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the lease between the Masonic Temple/Phoenix for a term of one year commencing January, 1998, in the sum of \$6,000 per year to be paid in monthly installments of \$500.00, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

February 11, 1998

Health Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-074. AUTHORIZING THE CHAIRMAN TO SIGN LETTERS OF COMMITMENT WITH PREMIER PURCHASING PARTNERS FOR THE PURCHASE OF PATIENT PLASTIC UTENSIL PRODUCTS AND RESPIRATORY THERAPY PRODUCTS

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

WHEREAS, the Livingston County Health Care Facilities require use of patient plastic utensil products (Contract PP-MS-016) contract period April 1, 1997 through March 31, 2002, and respiratory therapy products (Contract PP-MS-012C), contract period February 1, 1997 through January 1, 2004, in their day-to-day operation, and such products are available to participants of Premier Purchasing Partners, and

WHEREAS, the Livingston County Health Care Facilities are members of the group purchasing organization (Premier Purchasing Partners), it is hereby

RESOLVED, that the Chairman is hereby authorized to sign Letters of Commitment with Premier Purchasing Partners for the purchase of patient plastic utensil products and respiratory therapy products for said contract period, subject to review by the County Administrator and County Attorney.

Copy of Letters of Commitment on file in the Clerk=s office.

Dated at Geneseo, New York

February 11, 1998

Health Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-075. AUTHORIZING EXTENSION OF SNOW AND ICE AGREEMENT BETWEEN NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND LIVINGSTON COUNTY THROUGH THE 1999-2000 SEASON

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

WHEREAS, the County of Livingston, pursuant to Section 12 of the Highway Law, relating to control of snow & ice on State highways in towns and incorporated villages, has heretofore entered into an Agreement with the State of New York for such purposes, and

WHEREAS, Section 7 and 10 of said Agreement respectively provide a method of modifications of the map of affected State highways and of annually updating the estimated expenditure, and

WHEREAS, it would be in the interest of Livingston County to extend the Agreement as modified and updated, for an additional one year, through the 1999-2000 season, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors of Livingston County is hereby authorized and directed on behalf of Livingston County to execute an Agreement affecting such extension and modification, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk's office.

Dated at Geneseo, New York

February 11, 1998

Highway Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-076. APPROVING MAXIMUM WAGE RATES FOR TOWN, VILLAGE AND COUNTY HIGHWAY EMPLOYEES WHILE ENGAGED IN SNOW AND ICE WORK ON STATE HIGHWAYS FROM 1/1/98 - 12/31/98 AND FOR WORK DONE FOR THE COUNTY DURING THAT PERIOD

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

RESOLVED, that the maximum wage rates shown on the attached schedule for Town, Village and County Highway Employees be, and the same hereby are, approved for snow and ice control on State Highways and for work done within the County of Livingston from 1/1/98 - 12/31/98.

STATE OF NEW YORK - DEPARTMENT OF PUBLIC WORKS

Division of Operation and Maintenance

**MAXIMUM WAGE RATES - COUNTY, TOWN, VILLAGE EMPLOYEES
SNOW AND ICE CONTROL ON STATE HIGHWAYS**

COUNTY LIVINGSTON SEASON OF 1997-1998

DATE: 1/1/98

Title:

Rate:

Employed By:

TOWN OF AVON

TOWN OF AVON

Tim Quinlan	Deputy & Equip Oper.	14.35*	
Charles Mader	Equip. Operator	14.35	Pay overtime for all hours except 40 between
Bill Neff	"	14.35	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Tom Crye	"	14.35	
Wes Clements	"	14.35	SUMMER HOURS: Approx. May -Sept
Norm Barrett	P.T.	10.00	6:00am - 4:30pm, Mon-Th (4 - 10 hr. days)
Don Snyder	"	10.00	2 HR. CALL-IN POLICY

Bill Farrell	"	10.00	*Deputy does not get extra pay

**TOWN OF CALEDONIA
CALEDONIA**

TOWN OF

James Sawyer	Deputy & Equip. Oper.	14.77	Pay overtime for all hours except 40 between
John Pike	Equip. Operator	14.52	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Mark Schroeder	"	14.52	SUMMER HOURS:
Tom Martin	"	11.00	6:00am - 4:30pm, Mon - Th (4 - 10 hr. days)
" "	" 5/1/98	14.52	
Ivan Carson	P.T.	8.25	PART TIME - O.T. after 40 hrs., no benefits
Marc Chapman	"	8.25	
Walter Joe Weiland	"	8.25	2 HR. CALL-IN POLICY
Kyle Sayers	"	8.25	

TOWN OF CONESUS

TOWN OF CONESUS

Timothy Partridge	Deputy & Equip. Oper.	14.90	Pay overtime for all hours except 40 between
Gerrard Schreiner	Equip. Operator	14.40	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Ron Schillinger	"	14.40	
David Losey	"	14.40	2 HR. CALL-IN POLICY
Tim Sparks	"	12.40	FRI. & SAT. WILL BE CALL IN
John Clarke	"	12.40	SUMMER HOURS: Approx. Apr. - Sept.
Dick Paul	P.T.	9.00	6:00am - 4:30 Mon-Th (4 - 10 hr. days)
Harry Rowe	"	9.00	WINTER HOURS
			G. Schreiner, 3pm - 11:30pm, Mon - Fri
			J. Clarke, 11:00pm-7:30am, Mon.-Fri.
			(eff. 1/1/98- ?)
			\$1.00 per hour more for these shifts

TOWN OF GENESEO

TOWN OF GENESEO

Dean Art Carney	Deputy & Equip. Oper.	15.25	Pay overtime for all hours except 40 between
Wayne Semmel	Equip. Operator	14.50	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Samuel Young	"	14.50	
Fred Yates	"	14.50	SUMMER HOURS:
Donald Rice	"	14.50	6:30am - 4pm, Mon - Th, 6:30am - 10:30am,
			Fri
Allan Flickner	"	14.00	
"	" 5/5/98	14.50	
Sam Linsner	P.T.	10.40	
Damon Knights	"	8.60	2 HOUR CALL-IN POLICY

**TOWN OF GROVELAND
GROVELAND**

TOWN OF

Mark Caldwell	Deputy & Equip. Oper.	12.95	Pay overtime for all hours except 40 between
William Wilson	Equip. Operator	12.60	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Philip Scott Rongo	"	12.60	

David Anderson	"	12.60	SUMMER HOURS:
Scott Rice	P.T.	7.00	6:30am - 4pm, Mon - Th, 6:30am - 10:30am Fri
Seymour Linsner	"	6.25	2 HOUR CALL-IN POLICY
Carl Blekkenk	"	6.25	NIGHT SHIFT DIFFERENTIAL - \$.60/hr.

TOWN OF LEICESTER**TOWN OF LEICESTER**

Mauro Montemarano	Equip. Operator	14.05	Pay overtime for all hours except 40 between
Edward Roffe	"	14.05	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Edward Hauslauer	"	14.05	
Carl Deming	"	14.05	SUMMER HOURS: Approx. Apr. - Sept.
Jim Dodge	"	14.05	6am - 4:30pm, Mon - Th (4 - 10 hr. days)
Bob Cassidy	P.T.	7.50	
Russ Paige	"	7.50	2 HR. CALL-IN POLICY
Mike Parsons	"	7.50	

TOWN OF LIMA**TOWN OF LIMA**

Kenneth Colvin	Deputy & Equip. Oper.	14.69	Pay overtime for all hours except 40 between
Jerry Thomas	Equip. Operator	13.97	7am - 4:30pm, Mon - Th, 7am - 11am, Fri
Ken Arner	"	13.97	Ken Arner: 7am - 11am, Fri (40 hrs.)
Paul Luft	P.T.	9.68	ACTUAL WORKING HOURS (43 1/2):
Jack Donegan	"	9.68	7am - 4:30pm, Mon - Th, 7am - 3pm, Fri
Rich Westmiller	"	9.68	SUMMER HOURS: 6am-4:30pm (M-Th),
			6am-9:30am (Fri)
Ken East	"	9.68	Ken Arner: 7am - 11am, Fri (40 hrs.)
			NO CALL-IN POLICY

TOWN OF LIVONIA**TOWN OF LIVONIA**

David Peck	Deputy & Equip. Oper.	15.85	Pay overtime for all hours except 40 between
Kenneth Witherow	Equip. Operator	14.85	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Raymond Gascon	"	14.85	SUMMER HOURS: Approx. Apr. - Nov.
James Smith	"	14.85	6am - 4:30pm, Mon - Th (4 - 10 hr. days)
William Kurtz	"	14.85	NIGHT SHIFT: 10pm - 6:30am, Sun - Th
Richard Hughes	"	14.85	NIGHT SHIFT DIFFERENTIAL: \$1.00/hr.
Elmer Swick	P.T.	11.02	2 HOUR CALL-IN POLICY
Vince Schuster	"	11.02	1 1/2 pay, double/Christmas
			PART TIME: O.T. only after 8 hr./day

TOWN OF MT. MORRIS**TOWN OF MT.**

John Nasca	Deputy & Equip. Oper.	13.69	Pay overtime for all hours except 40 between
John Nichols	Equip. Operator	12.30*	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Burton Mann	"	12.28	
Allen McClements	"	13.85	SUMMER HOURS:
Vern Dillon	P.T.	12.00	6:30am - 5pm, Mon - Th (4 - 10 hr. days)

Roy Yorks	"	10.95	
Ben Kysor	"	10.00	4 HR. CALL-IN POLICY
Don Bryant	"	8.10	1 1/2 pay; 2 1/2 pay/Holiday
Jason Bryant	"	6.75	

* \$.75/hr more included in this rate because
he does not take hospitalization.

TOWN OF NORTH DANSVILLE DANSVILLE

TOWN OF NORTH

Fred Canfield	Deputy & Equip. Oper.	12.75	Pay overtime for all hours except 40 between
Kevin Robinson	Equip. Operator	11.25	7am - 3:30pm, Mon - Fri (1/2 hr. noon) F.T.
			ONLY
John Dibble	P.T.	6.00	SUMMER HOURS: Approx. May - Oct.
			6:30am - 5pm, Mon - Th (4 - 10 hr. days)
			3 HOUR CALL-IN POLICY

TOWN OF NUNDA

TOWN OF NUNDA

Hugh Thompson	Deputy & Equip. Oper.	14.25	Pay overtime for all hours except 40 between
Kenneth Weaver	Equip. Operator	13.75	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Bruce Buchinger	"	13.75	
Rodney Green	"	13.75	SUMMER HOURS: Approx. May - Oct
Luke Fraser	P.T.	7.50	6:30am - 5pm, Mon - Th (4 - 10 hr. days)
Calvin Moffat	"	7.50	PART TIME: O.T. after 8hr./day
Troy Bennett	"	7.50	
Bill Truax	"	7.50	2 HOUR CALL-IN POLICY

TOWN OF OSSIAN

TOWN OF OSSIAN

Burton Brokaw	Deputy & Equip. Oper.	11.95	Pay overtime for all hours except 40 between
Doug Carter	Equip. Operator	11.70	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Bob Smith	"	10.50	
Bob Smith	" 7/1/98	11.00	
Doug Brokaw	P.T.	7.85	SUMMER HOURS: Approx. Apr - Sept
Don Rawleigh	"	7.85	6:30am - 5pm, Mon - Th (4 - 10 hr. days)
			NO CALL-IN POLICY

TOWN OF PORTAGE

TOWN OF PORTAGE

Harold Dennis Perry	Equip. Operator	12.00	Pay overtime for all hours except 40 between
Stephen Howe	"	12.00	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Fred Garwood	"	11.50	
" "	" 1/12/98	12.00	
Malcom Perry	P.T.	7.45	SUMMER HOURS: Approx. Apr - Oct
Don Pike, Jr.	"	7.45	6:30am - 5pm, Mon - Th (4 - 10 hr. days)
Ron Pattridge	"	7.45	NO CALL-IN POLICY

TOWN OF SPARTA

TOWN OF SPARTA

Bill Fronk	Deputy & Equip. Oper.	12.70	Pay overtime for all hours except 40 between
Ron Schuster	Equip. Operator	12.20	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Kevin Herrington	"	12.20	
Peter Swarts	Seasonal	8.50	SUMMER HOURS: Approx. Apr - Oct.
			6am - 4:30pm, Mon - Th (4 - 10 hr. days)
			2 HOUR CALL-IN POLICY

TOWN OF SPRINGWATER

TOWN OF

Floyd Wester	Deputy & Equip. Oper.	13.25	Pay overtime for all hours except 40 between
Richard Mastin	Equip. Operator	13.00	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Mike Barber	"	13.00	NIGHT SHIFT:
Jack Gessner	"	13.00	7pm - 3:30am, 3 men split shift
Mark Humphrey	"	13.00	No shift differential
Stephen Holmes	"	11.00	They actually work 7am-4:30pm (45 hour week)
"	" 4/1/98	11.75	
"	" 7/1/98	12.50	NO CALL-IN POLICY
"	" 10/1/98	13.00	
Harlan Cowley	P.T.	10.00	

TOWN OF WEST SPARTA

TOWN OF WEST

Daniel Pragle	Deputy & Equip. Oper.	12.14*	Pay overtime for all hours except 40 between
Larry Johnson	Equip. Operator	12.14	7am - 3:30pm, Mon - Fri (1/2 hr. noon) F.T.
			ONLY
Ricky Pernicone	"	12.14	SUMMER HOURS:
W. Kramer	P.T. Experience	9.00	6am - 4:30pm, Mon - Th (4 - 10 hr. days)
T. Wampole	"	9.00	NO CALL-IN POLICY
B. Kysor	"	9.00	* Deputy gets \$.50/hr. extra when Supt is off

TOWN OF YORK

TOWN OF YORK

George Landers	Deputy & Equip. Oper.	15.11	Pay overtime for all hours except 40 between
Michael Nevin	Equip. Operator	14.61	7am - 3:30pm, Mon - Fri (1/2 hr. noon)
Larry McClurg	"	14.61	
John (Jack) Deming	"	14.61	PART TIME - O.T. after 8hr./day, or
Dave Templeton	"	14.61	40 hr./week with no scheduled hours.
Bruce MacIntyre	P.T.	9.00	
Don Lubanski	"	9.00	SUMMER HOURS: May-Sept
Don Barnhardt	"	9.00	6am-4:30pm, Mon - Th (4 - 10 hr. days)
James Mapes	"	9.00	OT after 10 hours daily or 40 hours weekly
Louis Price	"	9.00	2 HOUR CALL-IN
Mike Orlando	"	9.00	\$750.00 BONUS JULY 1st

LIVINGSTON COUNTY

LIVINGSTON

COUNTY

Kevin Barnhart	MEO II	12.23
Dean Bourgoine	MEO III	14.78
Christopher Buckley	MEO II	12.23
Thomas Canute	MEO III	14.78
" "	" 8/15/98	15.07
Raymond Clark	MEO III	15.07
Stephen Cowley	W. Foreman	16.24
David Crawford	Rd. Maint. Foreman	18.69
Michael Donovan	MEO II	12.23
Christopher Grosse	MEO II	12.23
Howard Guldenschuh	MEO II	13.96
Charles Hamsher	MEO II	13.22
William Henry	MEO II	13.96
Lawrence LaRue	Eng. Tech.	17.10
Brian Mastin	Weld./Fab.	16.50
Cathy MacPherson	Sign Shop Tech.	11.78
Michael Mott	Eng. Tech.	14.91
Richard Paul	Br. Const. Foreman	19.09
Fred Shutt	MEO III	14.49
" "	" 3/1/98	14.78
Dan Walkley	W. Foreman	16.58
" "	" 1/3/98	16.92
Dave Wentworth	Rd. Maint. Foreman	18.29
" "	" 11/7/98	18.69
Steven Widener	Sr. Sign Tech.	15.36
David Wilkins	MEO III	15.07
Ronald Brown	Shop Foreman	19.49
Michael Gridley	Auto. Mech.	16.58
John Kenney	Auto. Mech.	16.58
" "	" 5/22/98	16.92

**VILLAGE OF CALEDONIA
CALEDONIA****VILLAGE OF**

Donald Marble	Public Works Maint.	18.06
Robert Frew	"	14.56
Donald Manley	"	13.00
John Metzger	"	11.50
Steve Canne	"	11.76
Vince Puffer	"	12.76
Callan	P.T. Summer help	7.00

RATES EFFECTIVE: 6/1/97 - 5/31/98

VILLAGE OF NUNDA**VILLAGE OF NUNDA**

Larry Walsworth	Superintendent	13.73
Ronald Macomber	Equip. Operator	13.01
James Garwood	"	12.76

WINTER HOURS: 7am - 3:30pm, Mon - Fri

SUPERINTENDENT: 1 1/2 pay for O.T.

Bob King	"	11.35	
Jim Strathearn	"	10.00	RATES EFFECTIVE: 6/1/97 - 5/31/98

Dated at Geneseo, New York

February 11, 1998

Highway Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-077. AUTHORIZING THE LIVINGSTON COUNTY ALTERNATIVES TO INCARCERATION ADVISORY BOARD TO SUBMIT AN APPROVED 1998 ATI SERVICE PLAN UPDATE PROPOSING THE CONTINUATION OF STATE FUNDING FOR THE SHERIFF=S WORK RELEASE PROGRAM

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

WHEREAS, the Livingston County ATI Advisory Board has reviewed and approved the 1998 Service Plan Update for submission to the New York State Division of Probation and Correctional Alternatives recommending continued State funding for the Sheriff=s Work Release Program, and

WHEREAS, this ATI Service Plan will be used to prepare a new contract between Livingston County and the New York State Division of Probation and Correctional Alternatives for the period January 1, 1998 through December 31, 1998, providing for 50% reimbursement of approved expenditures up to \$21,600 for the Sheriff=s Work Release Program, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the 1998 Service Plan Update for submission to the New York State Division of Probation and Correctional Alternatives, subject to review by the County Administrator and County Attorney.

Dated at Geneseo, New York

February 11, 1998

Judicial Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-078. SUPPORTING LEGISLATION WHICH MODIFIES AID TO PROSECUTION IN AN EQUITABLE, FAIR, AND JUST MANNER

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

WHEREAS, the State of New York presently aids thirty-one of sixty-two Counties of the State of New York by grants of funds for aid to prosecution, and

WHEREAS, the taxpayers of each county throughout the State pay taxes to the State government, and

WHEREAS, the present distribution of aid to prosecution funds is inequitable and unfair to the thirty-one counties not receiving funds, and

WHEREAS, District Attorney=s offices throughout the State face similar difficulties and financial needs, now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Livingston supports enactment of legislation to equitably divide aid to prosecution funds so that all counties are treated equally and fairly, and be it further

RESOLVED, that the Board of Supervisors of the County of Livingston shall forward copies of this resolution to Governor George E. Pataki; Senators Ronald B. Stafford, Dale E. Volker, and Jess Present; Assemblymen Thomas Reynolds, Gerald E. Johnson, and Craig Doran and all others deemed necessary and proper.

Dated at Geneseo, New York

February 11, 1998

Judicial Committee

Mr. Moore requested an explanation of why there is an unfair distribution of funds. The County Administrator responded that many years ago when the State allocated funding, certain counties received the funding and some did

not.

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

PUBLIC HEARING

The Chairman asked if anyone wished to speak regarding the Public Hearing on the Small Cities Grant Application. No one wished to speak.

The Chairman declared the public hearing closed.

RESOLUTION NO. 98-079. AUTHORIZING SUBMISSION OF SMALL CITIES APPLICATION TO HUD

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

RESOLVED, that the Chairman of the County Board of Supervisors, Livingston County, New York, is hereby authorized as the official representative of the County to execute and submit the Small Cities application to HUD, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information as may be required.

Dated at Geneseo, New York

February 11, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-080. AUTHORIZING A CONTRACT WITH ONEIDA COUNTY FOR THE HOUSING OF PRISONERS AT THE CENTRAL NEW YORK PSYCHIATRIC CENTER

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

WHEREAS, the County of Livingston and the County of Oneida desire to enter into a cooperative agreement pursuant to General Municipal Law, section 119-o for the housing, from time to time, of Livingston County prisoners in the Central New York Psychiatric Center Forensic Unit, and

WHEREAS, the two counties have negotiated such an agreement, a copy of which is available in the Office of the Clerk of the Board, it is hereby

RESOLVED, that the 1998 Agreement between the County of Livingston and the County of Oneida, is hereby approved and the Chairman of the Board of Supervisors is hereby authorized to execute said agreement on behalf of the County of Livingston, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

February 11, 1998

Public Safety Committee

Mr. Jaeger questioned the cost per day. The County Administrator responded that Oneida County charges \$110/day and Monroe County charges \$100/day. The County Administrator stated that it is important that the County have many housing of prisoner contracts to use when necessary.

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-081. AUTHORIZING A CONTRACT WITH LAIDLAW ENVIRONMENTAL SERVICES (NORTH EAST), INC. FOR THE GLOW HOUSEHOLD HAZARDOUS WASTE COLLECTION PROJECT

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

WHEREAS, the GLOW Region Solid Waste Management Committee has grant funding from the New York State Department of Environmental Conservation for a Household Hazardous Waste Collection Project; and

WHEREAS, the GLOW Region Solid Waste Management Committee is recommending Laidlaw Environmental Services (North East), Inc. be selected as the contractor for the GLOW Household Hazardous Waste

Collection Project, now, therefore, be it

RESOLVED, the Chairman of the Livingston County Board of Supervisors is authorized and directed to execute the necessary contract with Laidlaw Environmental Services (North East), Inc. for an amount not to exceed \$25,200.00 for the GLOW Household Hazardous Waste Collection Project, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk's office.

Dated at Geneseo, New York

February 11, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-082. INCREASING MILEAGE RATE

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

RESOLVED, that the standard mileage rate for Livingston County is hereby 3224 per mile effective March 1, 1998.

Dated at Geneseo, New York

February 11, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

RESOLUTION NO. 98-083. CORRECTING TAX ROLL - TOWNS OF LIMA AND YORK

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

WHEREAS, The Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to two (2) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessors for the Towns of Lima and York on the tax rolls for the years hereinafter set forth, and

WHEREAS, said premises were incorrectly assessed and/or taxed for reasons set forth in the applications for correction requested from the Director of Real Property Tax Services attached hereto,

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

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

Year, Town & Premises	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refunds	Chg. Back
1. 1998 Lima	Livingston County	246.63	246.63	0.00	0.00
MOORE, Stephen & Barbara	Liv.Co.Penalties	44.45	21.01	0.00	23.43
Tax Map Number	Town of Lima	125.47	125.47	0.00	0.00
37.10-1-39	Lima Village Relevy	<u>370.41</u>	<u>170.19</u>	<u>0.00</u>	<u>200.22</u>
	Total	\$786.96	\$563.31	\$0.00	\$223.65
2. 1998 York	Livingston County	441.68	441.68	0.00	0.00
TAYLOR, John	Town of York	275.51	275.51	0.00	0.00
Tax Map Number	York Fire	48.71	48.71	0.00	0.00
42.5-1-56.1	York Light	13.68	13.68	0.00	0.00
	Water Dist.#2(Occ.)	<u>336.41</u>	<u>168.21</u>	<u>168.20</u>	<u>168.20</u>
	Total	\$1115.99	\$947.79	\$168.20	\$168.20

Dated at Geneseo, New York

February 11, 1998

Tax Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

PUBLIC HEARING

The Chairman asked if anyone wished to speak regarding the Public Hearing on Local Law No. A 1998.

Mr. Kramer stated the Tax Committee reviewed this matter and felt it was justifiable to enact a law similar to the age 65 exemption.

The Chairman declared the public hearing closed and directed the Clerk of the Board to call the roll on Local Law No. A 1998.

OTHER BUSINESS

1. Mr. House announced that if you are interested in touring the County facilities to notify the Clerk of the Board of a good date and time to do so and she will coordinate the tour. Mr. House stated that the Health Committee will be touring the Skilled Nursing Facilities on March 18, 1998 at 8:30 a.m.
2. Mr. Bassage announced that Joan Ellison has arranged for Dr. Davis to come to a joint Health and Public Safety meeting on March 11, 1998 after the Board of Supervisors meeting to discuss emergency management services.

EXECUTIVE SESSION

Motion made by Mr. Merrick and seconded by Mr. Essler that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing the proposed acquisition, sale or lease of real property, and that Dennis R. House act as Chairman and Virginia O. Amico as Secretary of the Committee of the Whole, and County Administrator Dominic Mazza remain present. Carried.

The Board reconvened in regular session. The following report was presented.

REPORT OF THE COMMITTEE OF THE WHOLE

The Board of Supervisors having met in Executive Session for the purpose of discussing the proposed acquisition, sale or lease of real property hereby reports as follows:

1. No action taken.

Dated February 11, 1998

Dennis R. House, Chairman

Virginia O. Amico, Secretary

Motion made by Mr. Layland and seconded by Mrs. Avery that the Report of the Committee of the Whole be accepted. Carried.

Mr. House stated it was called to his attention that the Local Law voted on prior to executive session should have been moved to the table.

MOTION TO VOTE ON LOCAL LAW NO. A 1998

Mr. Layland moved and Mr. Essler seconded to call from the table proposed Local Law No. A 1998.

LOCAL LAW NO. 2 - 1998

A LOCAL LAW PROVIDING A PARTIAL EXEMPTION FROM REAL PROPERTY TAXES TO PERSONS WITH DISABILITIES WHO HAVE LIMITED INCOME

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

Section 1.

This Local Law is adopted pursuant to the authority granted by Real Property Tax Law §459-c. All definitions, terms and conditions of such statute shall apply to this Local Law.

Section 2.

Real property owned by a person with disabilities whose income is limited by such disabilities, and used as the legal residence of such person, shall be entitled to a partial exemption from taxation to the extent of 50% of the assessed valuation.

Section 3.

To be eligible for the exemption authorized by Real Property Tax Law §459-c and implemented by this Local Law, the maximum income of such person shall not exceed \$12,500.00. Any such person having a higher income shall be eligible for an exemption in accordance with the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE ASSESSED</u> <u>VALUATION EXEMPT FROM TAXATION</u>
More than \$12,500.00 but less than \$13,500.00	45 per centum
\$13,500.00 or more but less than \$14,500.00	40 per centum
\$14,500.00 or more but less than \$15,500.00	35 per centum
\$15,500.00 or more but less than \$16,400.00	30 per centum
\$16,400.00 or more but less than \$17,300.00	25 per centum
\$17,300.00 or more but less than \$18,200.00	20 per centum
\$18,200.00 or more but less than \$19,100.00	15 per centum
\$19,100.00 or more but less than \$20,000.00	10 per centum
\$20,000.00 or more but less than \$20,900.00	5 per centum

Section 4.

This Local Law shall take affect immediately upon its filing in the Office of the Secretary of State.

Dated at Geneseo, New York
January 28, 1998 (Introduced)
February 11, 1998

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 195; Adopted.

ADJOURNMENT

Motion made by Mr. Kramer and seconded by Mr. Layland to adjourn until Wednesday, February 25, 1998 at 1:30

p.m. Carried.

The Board adjourned at 2:40 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, FEBRUARY 25, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present.

The Pledge of Allegiance.

MINUTES

Minutes of 2/11/98 Regular Meeting were approved as presented.

COMMUNICATIONS

1. Petitions filed for the Extension of the Conesus Lake County Sewer District - Livonia Center
2. Notice of Claim in the matter of Terri Marie Foges versus the County of Livingston and Livingston County Skilled Nursing Facility - Geneseo
3. Notice of Claim in the matter of Renee Collins versus the County of Livingston and Livingston County Sheriff
4. Reminder of the Tour of the County Facilities scheduled on Friday, February 27, 1998 at 9:00 a.m. Please meet in the County Administrator's office. Confirm your attendance with the Clerk.
5. The NYS Office of the State Comptroller presenting 1998 Teleconference Series "What Every Elected Official Needs to Know," March 12, 24 and April 2, 1998. The brochure is on your desk.
6. An Employment Practices Liability Workshop is being offered by NYMIR on Thursday, March 5, 1998. The workshop will be divided into two sessions, a morning session from 9:00 a.m. - 11:30 a.m. and an afternoon session from 1:00 p.m. - 3:30 p.m. Please let Virginia know if you are interested in attending either of these sessions.
7. Letter from Martin G. Minemier thanking the Board of Supervisors for adopting Res. No. 98-70 Supporting Testing of Local Jail and State Correctional Facility Inmates
8. Letter from the Livingston County Board of Ethics regarding a referral from former Supervisor Francis E. Kosakowski

RESOLUTION NO. 98-084. APPROVING ABSTRACT OF CLAIMS #2B - FEBRUARY 25, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #2B dated February 25, 1998, in the total amount of \$626,164.25.

Dated at Geneseo, New York

February 25, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

PRIVILEGE OF THE FLOOR

There was not a request for Privilege of the Floor.

RESOLUTION NO. 98-085. PROCLAIMING MARCH 16-20, 1998 AS WEIGHTS AND MEASURES WEEK

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

WHEREAS, March 1, 1998 will mark the 199th anniversary of the first enactment by the Congress of the

United States of weights and measures law, citing the necessity for standard weights and measures enforcement as a public service; and

WHEREAS, the Livingston County Weights and Measures Department, along with our local officials, are continuing to perform their duty of inspecting all weighing and measuring services within the limits of this jurisdiction to ensure "fair play" in all commercial transactions for the protection of all citizens of the County of Livingston, whether they be buyers or sellers; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby proclaim the week of March 16 through March 20, 1998 as "Weights and Measures Week" in Livingston County, and urges all county merchants and residents to recognize the very valuable contribution which state and local weights and measures officials are making to the welfare of our community.

Dated at Geneseo, New York

February 25, 1998

Agriculture Committee

Michael Cloonan, Director of Weights and Measures, explained that the NYS Weights and Measures Association conference will be held in Livingston County from March 16-19, 1998.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-086. APPROVING TRANSFER OF FUNDS - VARIOUS (PUBLIC HEALTH, OFFICE FOR THE AGING)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

February 25, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-087. ADOPTING LIVINGSTON COUNTY PURCHASING POLICY

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

RESOLVED, that the Livingston County Board of Supervisors hereby adopts the attached Livingston County Purchasing Policy, effective March 1, 1998, said policy to supersede the existing purchasing policy.

PURCHASING POLICY INDEX

The page numbers have been changed to coincide with the page numbers in the proceedings.

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CONFIRMING PURCHASE ORDERS	Page 51
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DEFINITIONS	Page 45
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INTRODUCTION

Pursuant to General Municipal Law Section 104-b, goods and services which are not required by law to be procured by political subdivisions or any districts therein pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys in the best interest of the taxpayers of the political subdivision or district, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing board of every political subdivision and any district therein, by resolution, will adopt internal policies and procedures governing all procurement of goods and services which are not required to be made pursuant to the competitive bidding requirements of section one hundred three of this article or any other general, special or local law.

Pursuant to Livingston County Local Law No. #3 of 1988, the County Administrator administers and oversees all purchasing functions of the County. This policy is the basis for the County's purchasing policies and procedures.

When changes become necessary, new pages covering such changes will be sent to all County Departments. Those who have copies are requested to keep them up to date by inserting the new sheets and removing those which they replace.

The purchase function involves the procurement of materials, supplies, equipment, and services at the lowest possible cost consistent with the quality needed to meet the required standards of the County. Although procedures change, fundamentals do not. Our goal is the promotion of the County's best interest through intelligent action and fair dealing which will result in obtaining the maximum projected value for each dollar of expenditures.

This policy has been prepared as a guide to performing the procurement function in accordance with County policies. It is intended to serve as a continuing reminder of the duties and responsibilities involved in procuring required items, while at the same time maintaining the County's reputation for fairness and integrity.

ETHICS OF PURCHASING

In order to eliminate any suspicion of wrong doing, unfairness or conflicts of interest prior to any purchase of materials, goods, or supplies, the County Administrator will:

1. Consider the interest of the County in the betterment of its government;
2. Endeavor to obtain the greatest value for every dollar expended;
3. Be receptive to advice and suggestions from department heads, insofar as such advice and suggestions are not in conflict with legal or moral restriction in purchasing procedures;
4. Strive for knowledge of municipal equipment and supplies in order to recommend items that may either reduce cost or increase municipal efficiency;
5. Insist on and expect honesty in sales representation whether offered verbally or in writing, through advertising or by providing samples of a product;
6. Give all responsible bidders equal considerations and the assurance of unbiased judgment in determining whether their product meets specifications;

7. Discourage the offer of, and to decline any and all gifts which in any way might influence the purchase of municipal equipment and supplies;
8. Accord a prompt and courteous reception, insofar as conditions permit, to all who call on legitimate business missions, and cooperate with governmental and trade associations in the promotion and development of sound business methods in purchasing the County equipment and supplies.

DEFINITIONS

1. "Blanket Order" will be used to eliminate the necessity for the issuance of separate orders for groups of items which are purchased frequently from the same vendor.
2. "Board of Supervisors" will mean the governing body of the County.
3. "Confirming Purchase Order" is used to provide a purchase order number in cases where necessity for immediate action exists.
4. "Encumbering" will mean the act of reserving funds from the current operating budget for payment of goods and services ordered but not received.
5. "Invoice" will mean a formal billing submitted by a vendor showing the amount due and terms of payment for supplies delivered or services rendered.
6. "Municipality" will mean the County of Livingston.
7. "Professional and Personal Services" will mean those services which are provided to the County of Livingston which will be exempt from the competitive bidding procedures as outlined in this policy.
8. "Public Emergency" will mean for the procurement of goods or services arising out of an accident or other unforeseen occurrence or condition, whereby circumstances affecting public buildings, public property, or the life, health, safety or property of the inhabitants of the County are involved.
9. "Purchase Order" will mean formal notice to a vendor to furnish the supplies or services described in detail thereon. A Purchase Order is a formal contract with the vendor.
10. "Purchasing" will mean the act of obtaining supplies, equipment, or services necessary to carry out a particular function of the County.
11. "Purchasing Director" will mean the person who has been appointed to said position and who is responsible for the purchasing function of the County.
12. "Quotation" will mean an informal notice "usually written" by a vendor setting forth the terms which he or she will furnish supplies or service to the County.
13. "Requisition" will be a written request to the County Administrator for one or more items or necessary services.
14. "Requisitioner" will mean the official or department head, or the authorized subordinate, initiating a request for goods or service.

15. "Specifications" will mean a written description of needed supplies, equipment or services setting forth in a clear concise manner the characteristics of the items and/or services to be purchased, and the circumstances under which the purchase will be made.
16. "Vendor" will mean a supplier of goods or services to the County.

PURCHASING POLICY LIMITS AND GUIDELINES

Pursuant to Section 104-b, which requires that procedures for purchasing goods or services that fall below the new monetary bid limits must be established and approved by the governing board, the following guidelines are established for all purchase contracts **for all Livingston County Departments**. The only exception to these guidelines is the use of the blanket purchase order as described later in this policy.

All orders for any purchase in excess of \$50.00 (per invoice, per vendor), with the exception of blanket order items, will be placed by purchasing through the purchase order system which will allow for proper encumbering of the funds. In all cases, the requesting department is responsible for supplying purchasing with adequate information to purchase the item requested. Whenever available an actual copy of the vendor's catalog cut with description should be attached.

Purchase Amount	Requisition Required?	3 Quotes Needed? **	Type of Quotes	Responsible to obtain quotes	Purchase order to be issued?
Up to \$50	No	No	N/A	N/A	No
\$50.01 - \$100 *	Yes	No	N/A	N/A	Yes
\$101 - \$500 *	Yes	Yes	Verbal	Department	Yes
\$501 - \$9,999	Yes	Yes	Written	Department (with Purchasing's assistance)	Yes
\$10,000 & over	Sealed Bid			Purchasing	

*** Note:** Purchase orders are required for all purchases made by the Highway Department in excess of \$100.00. Quotes are required for all purchases in excess of \$250.00.

**** Quotes must be obtained for the purchase of any and all items that cost \$100 (\$250 Highway) or more. Like purchases such as purchasing a large quantity of low-priced items require quotes if the total exceeds \$100 (i.e., if a department needs to purchase 15 hammers at a cost of approximately \$20.00 each quotes should be obtained.) If the requesting department is unable to obtain additional quotes due to the nature of the purchase it must be noted on the requisition, Purchasing and the County Auditor will make the final determination.**

All items purchased which cost in excess of \$100.00 that are not purchased through an available contract must have 3 quotes. All quotes obtained by the department must be attached to the requisition form at the time of submitting the requisition to purchasing. The telephone price quote form may be used when obtaining quotes. Upon approval, a purchase order will be issued.

When ever possible purchase orders will be issued within 1 - 3 working days upon receipt of the requisition.

Purchase orders will not be issued if funds are not available in the appropriate line. Transfers must be completed before a purchase order will be issued.

ALL PUBLIC WORKS

(Public Works applies to those items or projects involving labor or both materials and labor)

Up to \$3,000	Discretion of the County Administrator
\$3,001 to \$5,000	Telephone Quote - minimum of 3
\$5,001 to \$19,999	Written Quote - minimum of 3
\$20,000 & over	Sealed Bid

All awards will be made to the lowest responsible bidder if possible. Circumstances, which will be documented, may dictate purchase from other than a low bidder (i.e., delivery requirements, quantity requirements, if a pick up, location of a vendor, known past experience of a vendor, etc.)

Whereby Livingston County has entered into a Cooperative Purchase Agreement with other entities, and award has been made through the competitive bidding process, those items do not need to be purchased through the Purchase Requisition system, these items will be covered under a Blanket Purchase Order.

ENCUMBRANCES: An encumbrance is an obligation in the form of a purchase order, contract or salary commitment which is chargeable to an appropriation and for which a part of the appropriation is reserved prior to incurring the liability and prior to actual expenditure of funds.

It is important that departments operate within the appropriations provided by the governing board. To accomplish this, expenditures must be closely controlled; in fact, controls are required by various laws pertaining to local governments.

The proper use of an encumbrance system reduces the possibility that appropriations will be overexpended. In addition, an encumbered obligation may be paid in the next year fiscal without further appropriation by the governing board.

PURCHASING POLICY AND CONTROL

1. The Purchasing Director will be responsible for developing and administering the purchasing program.
2. **All bid packages for competitive bidding will be prepared by Purchasing with the exception of the Highway Department. Bids for the Highway Department will be prepared by the department but must be reviewed for final approval by Purchasing in conjunction with the County Attorney.** All bid packages must be reviewed **and approved** before the notice to bidders is legally advertised. The requesting departments are to submit the necessary information as outlined in the competitive bidding section of this policy.

3. **No quotes are to be solicited or purchases made, for any PC's or data processing related equipment or services without prior approval from the County Administrator and the Data Processing Department.**
4. The purchasing procedures employed will comply with all applicable laws and regulations of the State and County.
5. Purchasing contracts for materials, equipment and supplies involving an estimated annual expenditure of more than \$10,000 and public works contracts involving more than \$20,000 will be awarded only after public advertising soliciting formal bids (Section 103 of the General Municipal Law.)
6. Opportunity will be provided to all responsible suppliers to do business with the County. To this end, the Purchasing Director will develop and maintain lists of potential bidders for the various types of materials, equipment and supplies. Such lists should be used in the development of a mailing list for distribution of specifications and invitations to bid. Any supplier may be included in the list upon request.
7. All contracts which require public advertising and competitive bidding will be awarded as provided by law and rules and regulations of the Board. All said contracts will be on file in the Purchasing Department.
8. Where formal bidding procedures are not required by law and/or resolution, quotations will be solicited where deemed advantageous by the County Administrator.
9. Purchases should be made through available State Contracts of the Office of General Services, Division of Purchasing, from a preferred source pursuant to Sections 175(a) and 175(b) of the New York State Finance Law or under County contracts pursuant to Section 408-a of the County law, whenever such purchases are in the best interest of the County. A list of current contracts is available from Purchasing. A requisition must be completed and a Purchase Order will be issued for all purchases from State Contracts, additional quotes need not be obtained.
10. Requests for renovations or maintenance to County property are to be submitted to the Maintenance Director, upon receipt the issues will be reviewed with the Buildings Committee and the County Administrator.
11. All requests for furniture from departments located in the Livingston County Government Center will be reviewed by the County Administrator and may be forwarded to the architect for consideration and suggested vendors.
12. Supplies used by various officers and departments should be uniform whenever consistent with operational goals and in the interest of efficiency or economy. The department head must justify the need for a special type of item; the Purchasing Director must evaluate the request for special supplies or services which only one vendor may supply.
13. No official or employee will be interested financially in any contract entered into by the local government as defined in Article 18 of the General Municipal Law. This also precludes acceptance of gratuities, financial or otherwise, by the above persons, from any supplier or materials or services to the County.
14. The County of Livingston will not be deemed responsible for commitments made circumventing these procedures.

DEPARTMENTAL LEVEL - PURCHASE REQUISITION

1. **PURPOSE:** Provides a means of initiating the ordering process for goods and services. Provides a formal record, within the department, that such goods and/or services have been requisitioned. Provides the proper authority to procure the item requested.
2. **FREQUENCY:** Prepared whenever goods and services are required for items at a cost of \$50 and above.
3. **DISTRIBUTION:** The requisition is a two (2) part form.
White (original) - Send to Purchasing with quotes when required
Yellow - To be kept by the department
4. **PREPARATION:** **The requisitioning department must complete all information requested on the requisition.** When requesting items, a vendor may be suggested by the requisitioning department on the purchase requisition. A department may have a definite reason for ordering from a suggested vendor. It is possible that the quality of the merchandise from an alternate vendor may be inferior. In such cases, the requisition should state that the department will accept no substitutes and the reasoning thereof. If the Purchasing Department chooses another vendor, the department will be notified. The Purchasing Director in conjunction with the County Administrator will make the final decision as to price and vendor. Upon approval, a purchase order will be issued by purchasing.
5. **RESPONSIBILITY:** The Individual departments insure that items ordered and expenditures are within the budgetary appropriations. The individual departments are to provide adequate catalogs, references and descriptions of items needed so that the purchasing department may be able to procure desired commodity and/or services.
6. **PLANNING:** Anticipate your needs. Having established what you need and within the limitations of your budget, requisition these needs as far in advance as possible. Obviously, the key here is time. The time element affords the Purchasing Department the opportunity to solicit competition, and get the best value possible for expenditures of tax dollars.
7. Upon receipt of the requisition by the Purchasing Department a determination is made as to the type of purchase:
 - a. From current County bid awards.
 - b. From New York State Contracts - these contracts by State Division of Standards and Purchase awarded after formal bidding by New York State and made available to political subdivisions by State Law.
 - c. **From the list of Preferred Source offerings required under Article XI of the State Finance Law.**
 - d. Requires formal bid preparation.
 - e. Requires quotations: informal notice by a vendor setting forth terms under which he will furnish supplies or services.
 - f. Order can be issued based on information received from using the department.
 - g. Requires Request for Proposals: this procedure is used primarily in obtaining professional and personal services.

PURCHASING DEPARTMENT - PURCHASE ORDER

1. **PURPOSE:** Provides a formal document and authority for the purchase of goods and services. Provides documentation that goods and services have been ordered and received. Provides the necessary authority to pay vendor claims for goods and services. Initiates and substantiates various accounting processes. Provides the necessary tax-exempt sale proof needed by vendors. A complete executed purchase order becomes a valid contract by and between the County of Livingston and the Vendor providing the goods and services.
2. **FREQUENCY:** Prepared by the Purchasing Department as required, upon receipt of purchase requisition.
3. **RESPONSIBILITY:** In all instances, **Purchase orders are required to be completed for all purchases (per invoice, per vendor) in excess of \$50.00 before a purchase is made.** The sole exception: emergency purchase orders to be described later.
4. **DISTRIBUTION:**

White (original)	Mailed to the vendor by purchasing or returned to department for verbal ordering.
Yellow	Remains in purchasing's open file until goods are received.
Pink	Department's file copy
Blue	Signed by the receiving department and then returned to Purchasing when goods are received. Do not return the blue copy for blanket orders.
Green	Forwarded to County Auditor with voucher for payment

BLANKET PURCHASE ORDERS

1. **PURPOSE:** To eliminate the necessity for the issuance of separate orders for groups of items which are purchased frequently from the same vendor. To permit the department to purchase items of this nature on an "as needed" basis when there is no provision to maintain an inventory.
2. **RESPONSIBILITY:** The amount and period of the blanket purchase order will be determined by the respective department head in conjunction with the Purchasing Director and County Auditor. It should be based on information available in the records covering previous fiscal years and present departmental needs.

Blanket Orders will be issued for the following circumstances:

- **To vendors which Livingston County has entered into a contract with such as annual bids for supplies, State Contracts or any other type of approved contract.**
 - **To vendors without a contract, for the occasional purchase of such items as may be necessary in the department's day to day operations. Items may not be purchased in amounts which meet or exceed the requirements of this competitive bidding policy. Requests for blanket orders will be issued on a case by case basis and will be rescinded if purchasing policy limits are exceeded.**
3. **FREQUENCY:** Issued as needed to various vendors for purchases of those items considered being of an

immediate need or for purposes of consolidating purchases.

4. DISTRIBUTION: The same as regular purchase orders.

5. PREPARATION: The same as regular purchase orders.

The department **must** keep a record of these purchases made to insure that they do not exceed the amount allowed by the blanket purchase order. Any over expenditure, depending on the circumstances, may not be approved for payment. If it appears that the amount on the Blanket Purchase Order may not be sufficient to cover the time period allowed, the Purchasing Director must be contacted immediately.

Additional purchase orders will be issued “after the fact” to cover overages on a case by case basis. A detailed explanation will be required. Continuous overages may not be approved.

CONFIRMING PURCHASE ORDERS

1. DEFINITION: To provide a purchase order number in cases where necessity for immediate action exists.

Emergency - General Municipal Law Section 103 (4) clearly states, "in case of a public emergency arising out of an accident or other unforeseen occurrence of condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants require action."

2. PROCEDURE: When a department has an urgent situation, the following procedures will be followed:

- a. Prior to calling the Purchasing Department, the requisitioning department should be prepared to supply the following information:
 1. The reason the purchase is urgent.
 2. The department name and budget code.
 3. A complete description and accurate cost of the item to be purchased.
 4. The name and address of the vendor from whom the goods are to be purchased.
- b. Requisitioning department will verify the necessary budgetary appropriation.
- c. **Purchasing, in conjunction with the County Administrator** will determine if a purchase is in fact urgent.
- d. **If it is determined** that an urgent situation does exist the immediate availability of the required goods or services will be given prime consideration in the selection of the vendor.
- e. The Purchasing Department will verbally approve the purchase of emergency orders and keep record of same.
- f. The Purchasing Department prepares the confirming purchase order and provides the regular distribution.
- g. The individual who picks up the items from the vendor must obtain an extended invoice containing:
 1. Quantity and description of items purchased.
 2. The unit and total cost.

3. The purchase order number assigned by the Purchasing Department after confirming order is issued.
 4. Signature of the person receiving the goods.
- h. The ordering department will prepare a requisition containing the same information as would normally be included. The requisition should be marked Confirming Purchase and forwarded to the Purchasing Department the same day.
3. **RESPONSIBILITY:** The Purchasing Department **WILL NOT** approve a confirming purchase order when the purchase is not justified, where the purchase is being made to circumvent established procedures, or where there is lack of proper planning.

RECEIPT OF GOODS - DEPARTMENT

Upon receipt of goods and/or services, the department fills out their receiving copy of the purchase order with the exact quantity received noted by receiving signature. The appropriate copy is then returned to the Purchasing Department for the file and a copy is submitted with the voucher for payment. Upon receipt of goods and/or services by the receiving department, if it is determined that the goods and/or services are not what was initially ordered, a vendor complaint memo immediately should be completed and forwarded to the Purchasing Department for immediate action. The Purchasing Department will pursue all avenues to resolve the discrepancies that exist.

Upon receipt of deliveries to County departments, an inspection for damaged goods, quantity, etc., should be made by the employee before the employee signs for shipment. If there are any discrepancies or damages noticed at the time of delivery, the employee will note these on the delivery slip before affixing his or her signature accepting deliveries. This procedure will assist the County from incurring payments for damaged goods and/or goods not actually received.

Do not forward the receiving copy to the Purchasing department until the entire order has been received.

In the event of a partial order, a notation should be made on the receiving copy and this copy retained by the department until all goods and/or services have been rendered.

The Purchasing Department will be responsible for insuring that all purchases were made in accordance with these procedures. The requisitioning department is responsible for being sure that the receiving copy of the Purchase Order has been completed properly and all invoices, packing slips and other necessary information are attached for audit.

A claim to be submitted to the Livingston County Auditor for payment will qualify when the following conditions are met:

- a. Itemized in sufficient detail for audit
- b. Accompanied by a copy of the purchase order signed by the receiving department. This copy should state the item has been received or the services rendered and must be approved by the department head.
- c. Proper budget codes
- d. Proper vendor codes.

As standard business procedure, all County vendors are entitled to prompt payment. All receiving copies of the purchase requisition should be processed with a voucher when appropriate.

If the County Auditors receives any claims for materials, supplies or services for which a purchase requisition and purchase order were not issued and approved, and the funds were not encumbered as per policy, the County Auditor in conjunction with the County Administrator will have the authority to nullify the payment of such claim.

REQUESTS FOR PRINTING

When the need arises for forms, documents, letterhead, etc. used by your department to be printed, Board of Elections must be contacted first at all times to determine if they are able to do the type of work needed. In the event that Board of Elections is unable to complete your printing request, written documentation must be sent with a purchase requisition stating why you are unable to have the printing done by Board of Elections, i.e. unable to typeset or number forms, the department is also required to submit three (3) quotes with the requisition from vendors able to do the necessary printing.

Due to the fact that at various times of the year printing is not done by Board of Elections (you will be given exact dates at the beginning of each year), the lack of planning and anticipating your needs for printed items will not be reasons for approval for using another vendor other than the Livingston County Board of Elections. Approval will only be granted in cases of emergency approved by the County Administrator.

Pursuant to Resolution #97 - 142 adopted by the Livingston County Board of Supervisors May 14, 1997, all envelopes and letterhead used by Livingston County departments will now be standardized with the Livingston County seal and will be printed on white 24# stock with black ink.

All envelopes will be supplied by an outside vendor through the competitive bidding process. On an annual basis Purchasing will consolidate the purchase of all printed envelopes for all County departments.

PROFESSIONAL SERVICES

Professional services as generally known, include, but are not limited to Physicians, Psychiatrists, Psychologists, Pharmacists, Engineers, Accounting firms, Attorneys and individuals who supply a service that requires specific training to perform a task that is unique and not readily available from most sources.

Requests for Proposals (RFPs), detailed later in this policy, for services rendered will be used on contracts that are expected to exceed \$10,000 in one fiscal year. Requests will be solicited from a minimum of three vendors if available. If using one of these methods is not practicable, the County will enter into an agreement for professional services to be negotiated between the vendor and Livingston County.

INSURANCE

All agreements for insurance coverage will be investigated by the Livingston County Administrator. If competition is available in the market, RFP's will be requested, evaluated and award made. If no competition is available, a contract will be negotiated between the County and the respective carrier.

ANNUAL REVIEW

The governing board will annually review these policies and procedures. The County Administrator will be responsible for conducting an annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

UNINTENTIONAL FAILURE TO COMPLY

The unintentional failure to fully comply with the provisions of this General Municipal Law, Section 104-b will not be grounds to void action taken or give rise to a cause of action against the County of Livingston or any officer or employee thereof.

EXCEPTIONS TO PURCHASING SYSTEM

Thus far, we have discussed the procedures to be followed when a purchase requisition is needed. There are, however, certain expenditures for which the processing of a purchase requisition is unnecessary. The following should be made without purchase requisitions:

1. All single purchases less than \$50.00 - the benefit derived by the County using the purchase order system is minimal for purchases less than \$50.00. The Purchasing Department can be used as a resource, however, in securing the items which cost under the \$50.00 limit. However, discretion must be exercised by all departments to limit purchases of less than \$50.00 to a minimum. If, in the opinion of the County Administrator, Auditor or Purchasing an unreasonable number of purchases are made in this manner, it will be brought to the attention of the violator and corrective action will be taken.
2. Contracts for professional services which are exempt under the General Municipal Law, Section 103.
3. Reimbursement of petty cash funds - the custodian of the petty cash fund will request replenishment of the fund in advance of its depletion.
4. Utility bills.
5. Service contracts for a fixed monthly or annual rental.
6. Interdepartmental Charges: the interdepartmental charge back services are the means by which the County departments are able to charge other County departments for services rendered and/or goods or supplies.
7. Medical examinations.
8. Legal Notices - a proof of publication should be attached to the County Voucher when submitted for payment.
9. Postage meter and stamp costs.
10. Subscriptions, valid memberships and dues, and books. **Departments must obtain approval for the subscription prior to ordering**, the Department's **request** should **include** documentation indicating:
 - a. the actual benefit derived by the County and individual from the subscription or membership.
 - b. why the subscription or membership should be charged against the County rather than being a personal charge.
11. Mileage, Travel and Conference Reimbursement. A Travel Request and Authorization form should be attached to the County Voucher when submitted for payment.
13. All other expenses as determined by the County Administrator on an individual basis. In these cases, a

County Voucher should be completed, in detail, by the departments to include:

- a. vendors name and address
- b. description of goods and/or services
- c. unit price
- d. extension and total cost
- e. budget code
- f. department head approval

The completed claims voucher should then be attached to supporting invoices and forwarded to the County Auditor for payment.

CONFLICT OF INTEREST

No County officer or employee will have an interest in any contract with the County of which he or she is an officer or employee, when such employee has the power or duty to:

1. Negotiate, prepare, authorize or approve a contract or authorize or approve its payment.
2. Audit bills or claims.
3. Appoint an officer or employee who has any of the powers or duties set forth above.

"Contract" in this context refers to any claim, demand against or agreement with the County, either express or implied.

Any County officer or employee who has, will have, or acquires an interest in, any actual or proposed contract with the County of which he or she is an officer or employee, will publicly disclose the nature and extent of such interest in writing to the County Administrator as soon as he or she has knowledge of an actual or prospective interest. This written disclosure will be kept on file.

If any officer or employee had reason to believe that he may have a conflict of interest, the office of the County Attorney should be contacted immediately.

COMPETITIVE BIDDING PURCHASES IN EXCESS OF \$10,000.00 (PUBLIC WORKS \$20,000.00)

General Municipal Law, Section 103 requires purchase contracts exceeding \$10,000.00 and public works contracts exceeding \$20,000.00 be awarded to the lowest responsible bidder after public advertising requesting submission of sealed bids.

In determining the necessity for competitive bidding, an aggregate cost of an item or commodity estimated to be purchased in a fiscal year is considered. The exception being where state contracts are utilized.

If any purchases or projects are under bidding limits but suspected to exceed the \$10,000 limit, discretion will be used and the bidding procedure will take effect.

The term "Public Works Contract" applies to those items or projects involving labor or both materials and labor.

Included in this category would be construction, paving, printing and repair contracts.

Requests for bid preparation should be made directly to the purchasing department. At least two (2) weeks notice will be given by the requesting department to allow for the preparation of the bid package and legal advertising. The following information is required from the requesting department:

- a. Description of the items to be bid.
- b. What is to be included in the specifications.
(A sample or previously used specifications are to be included whenever available)
- c. Date when requesting department requires the delivery of goods and/or services being bid
- d. List of suggested vendors when available
- e. **The adopted budget amount for the goods or services.**

The Purchasing Department will prepare the bid package, advertise, and after review with the County Administrator and department head, make recommendation to the Board of Supervisors for award of bid. Complete bidding records will be filed in the Office of the County Administrator, with the exception of the Highway Department, to maintain one local source of bid information.

The advertisement for bids will contain a statement of time and place where all bids will be publicly opened and read. Bids will be opened by the Purchasing Director and the appropriate department head or another designated individual.

The opening of the bids is conducted at a public meeting and all interested parties may attend.

A reasonable period should elapse between the public opening and announcement of the successful bidder to permit careful examination of the bids. (The law provides a sixty (60) day period.)

The Purchasing Department will be responsible for notifying the vendor awarded and the vendors not awarded the contract upon adoption of a Board Resolution.



LIVINGSTON COUNTY
OFFICE OF COUNTY ATTORNEY
 Livingston County Government Center
 6 Court Street, Room 302
 Geneseo, New York 14454

(716) 243-7033
 (716) 468-2770

Fax (716) 243-7045

David J. Morris
 County Attorney

Assistant County Attorney
 Dennis S. Cohen (716) 538-4428

TO: All Department Heads

FROM: David J. Morris

DATE: January 29, 1998

RE: **Bidding and award procedures**

The following procedures are to be followed after a sealed bid for goods or services is opened:

1. The bids are to be opened and reviewed by Purchasing and the appropriate Department Head.
2. The bid results are tabulated and forwarded with a recommendation for award to the appropriate committee either by Purchasing or the Department.
3. Upon approval by the appropriate committee, the vendor will be notified to submit the required insurance certificate and bonds (if required) for approval **prior** to award by the Livingston County Board of Supervisors.
4. Upon an award, a contract is drawn up by the County Attorney and sent to the vendor by Purchasing for a signature. The signed contract is then forwarded to the Chairman of the Board for final approval.
5. A fully executed contract is returned to the vendor and the department head. The department is then authorized to use the vendor commencing with the effective date of the contract.
6. Purchasing will send letters to all bidders informing them of the results.

Please call with any questions. Thank you.

REQUEST FOR PROPOSAL GUIDELINES

Professional services cannot be defined to the extent that materials can be, therefore, emphasis should be on accurately evaluating the capability of the firms that are interested in performing professional services for the public sector. The competitive sealed proposal method (**RFP**) is most appropriate in such cases.

The request for proposal (competitive sealed proposals method) is a more flexible method of source selection, in that competitive sealed bidding is essentially the equivalent of "competitive negotiations". "Competitive Sealed Proposals" accurately describe this method of procurement and avoid the adverse inferences that are generally made when the term "negotiations" is used.

Procedurally, the competitive sealed proposals method involves the development and issuance of a Request for Competitive Sealed Proposals (an RFP) by the government; the receipt and registration of proposals; the evaluation of proposals; the discussions with final offerors; and the award of the contract. The contract is awarded to the responsible offeror whose proposal is most advantageous to the government, taking into consideration price and qualitative evaluation factors set forth in the RFP.

The competitive sealed proposals method (RFP) differs from the competitive sealed bidding method in at least two important aspects. First when the competitive sealed proposals method is used, government holds discussions, and bargains with the offerors whose proposals are acceptable or potentially acceptable. Second, unlike the competitive sealed bid method which compares the prices of responsive bidders to determine award, the competitive sealed proposal method evaluates proposal against proposal on a cost and qualitative basis to determine award.

The County Administrator will accept request for proposals from the department when submitted in writing. The information required to initiate a RFP shall include:

- a. A work statement or performance specification
- b. Time frames in which the work is to be completed
- c. Specific criteria to be used in evaluating the proposal

A department decision to solicit RFP's for the services desired must be documented and justified to the County Administrator's satisfaction.

After RFP's are received, the County Administrator and appropriate Committees of the Board, will review the proposals with the requesting department to evaluate and review:

- a. General quality and responsiveness of offers
- b. Organizations and personnel
- c. Price and bid-price breakdown, or price range and cost schedule.

After the above has been completed then the following three alternatives will be available for the County:

- a. A selection will be made by the most responsive proposal by a qualified firm for the work. A clear understanding of the contract provisions will be sought, and a agreement of a fair and reasonable price if the offeror did not include the price in the proposal. If agreement is not achieved, negotiations will be discontinued and the County will proceed to the second most responsive proposal by a qualified firm.
- b. A selection of two or three most responsive proposals by qualified firms for the work will be made. A clear understanding will be sought of the contract provisions, and a agreement on a fair and

reasonable price if the offeror did not include the price in the proposal. A selection of a firm will be made on the basis of that firm submitting the most responsive proposal, price and other factors considered.

- c. The process as in (b) above, letting the final selection of the successful firm based on price alone.

SURPLUS ITEMS

The disposal of obsolete and/or surplus items such as motor vehicles and office equipment no longer used will be handled in the following manner.

- 1. Items to be declared surplus include those items with a value of \$100 or more and a useful life of more than one year, generally those indicated in the County's fixed asset inventory.**
- 2. A list of the surplus items will be presented to the appropriate committee for review.**
- 3. Upon approval from the appropriate committee, a Board Resolution will be passed declaring the goods surplus and authorizing disposing of the surplus goods.**
- 4. The County Administrator will determine the best way to dispose of the items. The items will be disposed of by one of the following ways:**
 - The items will be offered for sale to other municipalities.**
 - An advertisement will be placed in the designated newspapers in the form of a legal notice listing the items for sale. Sealed bids will then be received.**
 - The surplus items will be sold through a public auction.**
 - The surplus items will be destroyed and disposed of with the normal refuse.**
- 5. A log of all surplus items and the disposition will be kept by Purchasing.**

VENDOR PROTESTS

Attempts will be made to be sure bid specifications, terms and conditions are thorough and correct, all appropriate steps will be followed when determining award of a bid package, even with careful evaluation vendor protests may be inevitable at some time;

The following guidelines will be followed when responding to a vendor's protest:

- 1. All vendor complaints will be directed to the Purchasing Department.**
 - a. Complaints must be in writing.**
 - b. Complaints must contain the following information:**
 - name, address and telephone number of the protester;**
 - the signature of the protester or its representative;**

- identification of the bid package;
 - detailed statement of the legal and factual grounds of the protest, including copies of relevant documents; and
 - form of relief being sought
- c. Complaints must be filed within five days of the recommendation of the award.

When a protest is first received, an immediate attempt will be made to contact the vendor to discuss the issue. The purchasing department will attempt to provide the protester with a thorough explanation of the evaluation factors.

2. The Purchasing Department in conjunction with the County Administrator and County Attorney will prepare a written protest decision within five days.

NON-COLLUSION STATEMENT (GENERAL MUNICIPAL LAW SECTION 103-d) - If competitive bidding is required by law, each bid must contain the following statement subscribed by the bidder and affirm by such bidder as true under penalty of perjury.

NON-COLLUSION CERTIFICATION

By submission of this bid, each bidder, and each person signing on behalf of any bidder, certifies, and in the case of a joint bid each party thereto certifies as to its own organization under a penalty of perjury that to the best knowledge and belief:

1. That process in this bid has been arrived at independently without collusion, consultation, communication, or agreement for the purpose of restricting competition, as to any matter relating to such process with any other bidder or with any competitor; and
2. Unless otherwise required by law, the prices which have been quoted in this bid have not been disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any bidder or to any competitor; and
3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

BID APPROVAL PROCESS

When competitive bidding is required for purchase contracts exceeding \$10,000 and public work contracts exceeding \$20,000, bids for goods and services will be awarded by the Board of Supervisors resolution after the following conditions are met:

- a. Sufficient appropriations within the department's current budget.
- b. The Department Head or their designated representative and the Purchasing Director have certified in writing that the bids were received and meet the intent of the specifications.
- c. The award is made to the lowest responsible bidder meeting specifications.
- d. The rejection of the low bid will be documented by the using department.

STANDARDIZATION

Section 103 of the General Municipal Law made it possible for the County to standardize on a particular type of material or equipment. The resolution approved by at least two-thirds of all Board members, will state that for reasons of efficiency or economy there is a need for standardization. It will contain a full explanation supporting such action.

The adoption of such a resolution does not eliminate the necessity for conformance to the competitive bidding requirements.

Standardization, as the word implies, restricts a purchase to a specific model or type of equipment or supply. For example, to limit the purchase of trucks to a particular make or model on the basis of past performance and/or future plans.

VENDOR COMPLAINT MEMOCOUNTY OF LIVINGSTON

DEPARTMENT _____

VENDOR _____

PURCHASE ORDER NUMBER _____

PROBLEM:

☐ DELAYED DELIVERY☐ INFERIOR PRODUCT☐ OTHER

EXPLANATION:

SIGNED _____ DATE _____

Send completed form to Purchasing

NON-COLLUSION BIDDING CERTIFICATE

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party certifies as to its own organization, under a penalty of perjury, that to the best of knowledge and belief:

1. The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
2. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit, a bid for the purpose of restricting competition.

In compliance with this invitation for bids, and subject to the conditions thereof, the undersigned offers and agrees, if this bid is accepted within (30) thirty days from the date of opening, to furnish any and all of the items upon which prices are submitted.

FIRM NAME

ADDRESS

SIGNED BY

TITLE

DATE

TELEPHONE #

BID CERTIFICATION AND APPROVAL

TITLE OF BID: _____

DATE AND TIME OF BID OPENING: _____

BIDS WERE RECEIVED FOR THE ABOVE AS FOLLOWS:

1. _____ \$ _____

2. _____ \$ _____

3. _____ \$ _____

4. _____ \$ _____

5. _____ \$ _____

THE UNDERSIGNED CERTIFIES THE ABOVE TO BE ACCURATE.

THE UNDERSIGNED CERTIFIES THE FOLLOWING CONDITIONS ARE MET.

___ Low bidder meets specifications

___ Sufficient funds in budget

___ Justification attached if above not met

RESOLUTION NUMBER _____

DATED _____

APPENDIX A

1. **NON-ASSIGNMENT CLAUSE.** In accordance with Section 109 of the **General Municipal Law**, this contract may not be assigned by the contractor or its right, title or interest there in assigned, transferred, conveyed, sublet or otherwise disposed of without the previous consent, in writing, of the County and any attempts to assign the contract without the County's written consent are null and void.

2. **WORKER'S COMPENSATION BENEFITS.** In accordance with Section 108 of the **General Municipal Law**, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the **Workers' Compensation Law**.

3. **NON-DISCRIMINATION REQUIREMENTS.** In accordance with Article 15 of the **Executive Law** (also known as the **Human Rights Law**) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, age, disability or marital status. Furthermore, in accordance with Section 220-e of the **Labor Law**, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the **Labor Law**, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

4. **WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the **Labor Law** or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statute, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.

5. **NON-COLLUSIVE BIDDING REQUIREMENT.** In accordance with Section 103-d of the **General Municipal Law**, if this contract was awarded based upon the submission of bids, Contractor warrants, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further warrants that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the County a non-collusive bidding certification on Contractor's behalf.

6. **SET-OFF RIGHTS**. The County shall have all of its common law and statutory rights of set-off. These rights shall include, but not be limited to, the County's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the County with regard to this contract.
7. **RECORD-KEEPING REQUIREMENT**. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract for a period of six (6) years following final payment or the termination of this contract, whichever is later, and any extensions thereto. The County Treasurer or County Administrator or any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to such books, records, documents, accounts and other evidential material during the contract term, extensions thereof and said six (6) year period thereafter for the purposes of inspection, auditing and copying. "Termination of this contract", as used in this clause 10, shall mean the later of completion of the work of the contract or the end date of the term stated in the contract.
8. **CONFLICTING TERMS**. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.
9. **GOVERNING LAW**. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.
10. **NO ARBITRATION AND SERVICE OF PROCESS**. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized) but must, instead, be heard in a court of competent jurisdiction of the State of New York. Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested.
11. **BUDGETED FUNDS**. This contract is executory only to the extent of funds available and the County shall incur no liability beyond the funds appropriated therefore.
12. **APPROVAL OF BOARD OF SUPERVISORS**. This contract is subject to and conditioned upon approval by the Livingston County Board of Supervisors.
13. **INCORPORATION**. The main contract contains a paragraph incorporating the terms of this appendix by reference and the parties herein have further signed and dated this appendix.

Livingston County

Contractor

APPENDIX B

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract. The word "Contractor" herein refers to any party to the contract, other than the County of Livingston (herein after "County").

- I. The County shall have the right to postpone, suspend, abandon or terminate this contract, and such actions shall in no event be deemed a breach of contract. In the event of any termination, postponement, delay, suspension or abandonment, the Contractor shall deliver to the County all data, reports, plans, or other documentation related to the performance of this contract, including but not limited to guarantees, warranties, as-build plans and shop drawings. In any of these events, the County shall make settlement with the Contractor upon an equitable basis as determined by the County which shall fix the value of the work which was performed by the Contractor prior to the postponement, suspension, abandonment or termination of this contract. This clause shall not apply to this contract if the contract contains other provisions applicable to postponement, suspension or termination of the contract.

- II. The Contractor agrees that it will indemnify and save harmless the County from and against all losses from claims, demands, payments, suits, actions, recoveries and judgments of every nature and description brought or recovered against it by reason of any omission or act of the contractor, its agents, employees, or subcontractors in the performance of this contract. This indemnification shall include all costs and disbursements incurred by the County in defending any suit, including attorneys' fees. Furthermore, at the option of the County, the Contractor shall provide defense for and defend all claims, demands and causes of action referred to above, and bear all other costs and expenses related thereto. The Contractor shall not be required to indemnify the County for any damage or loss arising out of the negligence or willful misconduct of the County, its agents or employees.

- III.
 - A. The Contractor warrants that to the best of the contractor's knowledge and belief, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest, as herein defined, or that the Contractor has disclosed all such relevant information to the County.

 - B. An organizational conflict of interest exists when the nature of the work to be performed under this contract may, without some restriction on future activities, either result in an unfair competitive advantage to the Contractor or impair the Contractor's objectivity in performing the work for the County.

 - C. The Contractor agrees that if an actual or potential organizational conflict of interest is discovered after award, the contractor will make a full disclosure in writing to the County. This disclosure shall include a description of actions which the Contractor has taken or proposes to take, after consultation with the County, to avoid, mitigate, or minimize the actual or potential conflict.

 - D. Remedies - The County may terminate this contract in whole or in part, if it deems such termination necessary to avoid an organizational conflict of interest. If the Contractor was aware, or discovered an actual or potential conflict after award and did not disclose or misrepresented relevant information to the County, the County may terminate the contract, or pursue such other remedies as may be permitted by the law or this contract. The terms of Clause I of this Appendix or other applicable contract provision regarding termination shall apply to termination by the County pursuant to this clause.

- E. The Contractor further agrees to insert in any subcontract hereunder, provisions which shall conform to the language of this clause.
- IV. All requests for payment by the Contractor must be submitted on forms supplied and approved by the County. Each payment request must contain such items of information and supporting documentation as required by the County, and shall be all inclusive for the period of time covered by the payment request.
- V. To the extent that federal funds are provided to the Contractor under this contract, the Contractor agrees that it will comply with all applicable federal laws and regulations, including but not limited to those laws and regulations under which the Federal funds were authorized.
- The Contractor further agrees to insert in any subcontract hereunder, provisions which shall conform substantially to the language of this clause, including this paragraph.
- VI. The Contractor shall have the status of an independent contractor, and in accordance with such status, agrees that it will conduct itself in a manner consistent with such status, and that it will neither hold itself out as, nor claim to be, an officer or employee of the County by reason of this contract. It further agrees that it will not make against the County any claim, demand or application to or for any right or privilege applicable to an officer or employee of the County, including but not limited to worker's compensation coverage, unemployment insurance benefits, social security coverage, or retirement membership or credit.
- VII. In the event of a conflict between the terms between this Appendix B and the terms of the Contract (including any and all attachments thereto and amendments thereof, but not including Appendix A), the terms of this Appendix B shall control. In the event of a conflict between the terms of this Appendix B and Appendix A, the terms of Appendix A shall control.
- VIII. The main contract shall contain a paragraph incorporating the terms of this appendix by reference and the parties therein shall further sign and date this appendix.

Livingston County

Contractor

rev. 7/21/97

APPENDIX C

LIVINGSTON COUNTY STANDARD CONTRACT INSURANCE REQUIREMENTS

- I. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the contractor/permittee hereby agrees to effectuate the naming of the County of Livingston as an unrestricted additional insured on the contractor's/permittee's insurance policies, with the exception of workers' compensation.

- II. The policy naming the County of Livingston as an additional insured shall:
 - be an insurance policy from an A.M. Best rated "secured" New York State licensed insurer;
 - contain a 30 day notice of cancellation;
 - state that the organization's coverage shall be primary coverage for the County of Livingston, its Board, employees and volunteers. Any insurance or self-insurance as maintained by the County of Livingston shall be in excess of the contractor's insurance, and shall not contribute with it.

- III. The contractor/permittee agrees to indemnify the County of Livingston for any applicable deductibles or self insurance reserves.

- IV. Required Insurance:
 - **Commercial General Liability Insurance**
\$1,000,000 per occurrence/ \$2,000,000 aggregate per project.
 - **Automobile Liability**
\$1,000,000 combined single limit for owned, hired and borrowed and non-owned motor vehicles.
 - **Workers' Compensation**
Statutory Workers' Compensation and Employers' Liability Insurance for all employees.
 - **Owners Contractors Protective Insurance**
\$1,000,000 per occurrence/\$2,000,000 aggregate, with the County of Livingston as the named insured.
 - **Professional Errors and Omissions Insurance (If professional service contract)**
\$1,000,000 per occurrence/ \$2,000,000 aggregate for the negligent professional acts of the contractor.

- V. Contractor/permittee acknowledges that failure to obtain such insurance on behalf of the County of Livingston constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the County of Livingston. The contractor/permittee is to provide the County of Livingston with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities. The failure of the County of Livingston to object

to the contents of the certificate or the absence of same shall not be deemed a waiver of any and all rights held by the County of Livingston.

- VI. If at any time any of the policies required herein shall be or become unsatisfactory to the County, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the county, the contractor shall upon notice to that effect from the County, promptly obtain approval and submit a certificate thereof. Upon failure of the contractor to furnish, deliver, and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated. Failure of the contractor to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the contractor from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the contractor concerning indemnification. All property losses shall be made payable to and adjusted with the County.

In the event that claims, for which the county may be liable, in excess of the insured amounts provided herein are filed by reason of any operations under the Agreement, the amount of excess or such claims or any portion thereof, may be withheld from payment due or to become due the contractor until such time as the contractor shall furnish such additional security covering such claims in form satisfactory to the County of Livingston.

The County reserves the right to require complete certified copies of all required insurance policies, at any time, which shall be delivered to the County within ten days of such request.

VII. CERTIFICATE OF INSURANCE:

The contractor/permittee shall file with the Livingston County Attorney prior to commencing work under this contract, a Certificate of Insurance, which shall include:

- a. Name and address of insured
- b. Issue date of certificate
- c. Insurance company name
- d. Type of coverage in effect
- e. Policy number
- f. Inception and expiration dates of policies included on certificate
- g. Limits of liability for all policies included on certificate
- h. Certificate holder shall be County of Livingston, Livingston County Government Center, 6 Court Street, Geneseo, New York 14454-1043.

Contractor/Vendor Signature

Date

Dated at Geneseo, New York

February 25, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-088. ADOPTING LIVINGSTON COUNTY TRAVEL AND CONFERENCE POLICY

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

RESOLVED, that the Livingston County Board of Supervisors hereby adopts the attached Livingston County Travel and Conference Policy, effective March 1, 1998, said policy to supersede the existing travel policy.

LIVINGSTON COUNTY
TRAVEL AND CONFERENCE POLICY
EFFECTIVE MARCH 1, 1998

The page numbers have been changed to coincide with the Proceedings.

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SECTION A

GENERAL INFORMATION

1. The Travel and Conference Policy described will be the general guide used for the reimbursement process. The policy is intended to encompass all travel and conference issues. Questions or issues not specifically answered by this policy will be addressed on an individual basis by the County Administrator.
2. This Travel and Conference Policy shall apply to all Livingston County employees and elected officials.
3. The County Administrator and Committee Chairman have the authority to approve or deny all travel and conference requests.
4. Travel and conference will be approved only when the benefit derived is of value to Livingston County.
5. Any travel or conference attendance taken prior to receiving approval may be deemed unauthorized and any expenses incurred may be denied.
6. Each overnight conference must be approved. "Travel Request and Authorization" forms must be completed in full, signed by the Department Head and submitted to the County Administrator's office and the Committee Chairman. The County Administrator will approve the request only after confirming with the appropriate Committee Chairman. A copy of the "Travel Request and Authorization" form is included at the end of this policy. (Exhibit 1)
7. Expenses incurred must be reasonable, necessary, actual and in accordance with the guidelines established in this policy. If actual expenses incurred are in excess of the estimated expense, a full justification for the additional expenses will be required before reimbursement is made. **A COPY OF THE APPROVED "TRAVEL REQUEST AND AUTHORIZATION" FORM MUST ACCOMPANY VOUCHER FOR REIMBURSEMENT.**
8. Travel or conference expenses must not exceed the funds appropriated in the adopted budget, unless budget transfers are initiated and approved prior to the requested travel.
9. The Board of Supervisors reserves the right to periodically review the funds expended on travel and conference. They may ask for reports detailing the conferences attended by employees in various departments.
10. A full justification for attending the conference may be required by the County Administrator or Committee Chairman prior to approval.
11. Employees may find the resources of a travel agency beneficial when out-of-town travel is necessary. Travel agencies can make arrangements for the trip in a more efficient manner and often can offer discounts or special price features. All travel arrangements and accommodations must be made in the most economical manner.

SECTION B

DEFINITIONS

CONFERENCE

A conference is defined to be a meeting or school conducted for the betterment of the County that does not require the employee's attendance for it to be held. If the meeting would occur even in the employee's absence it is defined as a conference. When an overnight stay is necessary, prior approval is required before the employee can attend. The object code to which the charge should be made is .4025.

OUT-OF-COUNTY TRAVEL

Out-of-County travel is official travel that occurs outside of Livingston County. An employee traveling outside of Livingston County conducting official County business is entitled to receive reimbursement for meal expenses, mileage, parking and toll expenses incurred.

Overnight lodging accommodations will be reimbursable only if prior written approval was given by the County Administrator after confirming with the appropriate Committee Chairman.

IN-COUNTY TRAVEL

In-County travel is official travel that occurs inside Livingston County. An employee traveling inside Livingston County conducting official County business is entitled to receive reimbursement for any mileage, parking, and toll expenses incurred, but will not be reimbursed for their meal expenses.

All charges for both Out-of-County and In-County travel should be properly charged to object code .4020 or .4340.

TRAVEL TO AND FROM OTHER COUNTY OFFICES

Employees may be asked to travel to and from other County offices in performing the duties of their job. (i.e. Mt. Morris Campus to Court House in Geneseo). The employee may receive reimbursement for the mileage incurred in travel of this nature.

STARTING WORK IN THE FIELD

If an employee is required to make home visits/transport clients or conduct some other form of official County business before arriving to work, they shall receive mileage reimbursement for the "**additional miles**" traveled for that purpose.

"**Additional miles**" is equal to the actual mileage incurred less the normal mileage from the employee's home to the office.

MEETINGS

Mandated

A mandated meeting is one that the Department Head requires the employee to attend as part of their regular duties, and occurs either before or after the employee's regularly scheduled workday.

Voluntary

A voluntary meeting is defined as being a meeting which the Department Head desires the employee to attend, but does not require the employee to attend. The meeting occurs either before or after the employee's regularly scheduled workday.

Note: For both mandated and voluntary meetings the employee has the option of receiving either the cost of a meal or mileage reimbursement to their home and return. The expense associated with either type of meeting should be charged to object code .4020.

EMERGENCY TRAVEL AND/OR CONFERENCES

Emergency travel cannot always be approved through the appropriate channels because of time constraints. If the employee recognizes the need for emergency travel they should at least receive verbal approval from the Department Head prior to leaving. A complete justification for the emergency travel must be documented on a claim voucher and submitted to the County Administrator who, upon review, will determine whether payment of the incurred expenses is warranted.

REIMBURSABLE EXPENSES

Expenses will be reimbursable if they are appropriate expenses of Livingston County. In that regard, the employees will be reimbursed for any expenses that are deemed allowable expenses. Allowable expenses are defined in Section D of this policy.

RECEIPT

A receipt is a document that provides evidence of incurred expenses.

Receipts are necessary to receive any reimbursement. In those cases where a receipt is required to support the expense, the receipt must contain the following information:

1. Name of establishment rendering the service.
2. Total amount of charge. Itemized receipts are preferred.
3. Date on which the expense was incurred.
4. Handwritten receipts will be accepted provided that the items listed above are included.

SECTION C

OVERVIEW OF TRAVEL AND CONFERENCE PROCEDURES

TRAVEL AND CONFERENCE REQUESTS

The following procedures should be followed when completing the "Travel Request and Authorization" form:

1. Employees should complete all pertinent information on the form. Information that is not completed but is deemed necessary will be required before approval is granted by the County Administrator and appropriate Committee Chairman.
2. Before being submitted to the County Administrator and Committee Chairman for approval of the conference, it is essential that proper measures have been taken to ensure that the funds are available in the budget line appropriated for such expenses. If shortfalls exist, a budget transfer should be initiated and approved before the request is submitted for approval.
3. The County Administrator and Committee Chairman reserve the right to reduce, increase, or deny the funds requested in connection with a conference or travel request.
4. The authority to grant requested travel advances also rests with the County Administrator and Committee Chairman. Travel advances may be granted in those situations where out-of-pocket expenses, if paid by the employee, would place undue financial hardship on that employee. Many of the expenses incurred in connection with a conference can be reimbursed by using a County claim voucher. Many hotels and motels accept County claim vouchers as a method of payment. The establishment will directly bill Livingston County for the expenses. Direct billing should be utilized wherever possible.
5. Employees who receive travel advances but do not attend the conference are required to return the entire amount of the travel advance. Sufficient documentation to substantiate the returned funds is required from the employee.
6. Travel advances must be accounted for when the employee returns. A claim voucher must be prepared listing the expenses incurred. All required receipts should be attached to the claim voucher. If the expenses incurred exceed the travel advance the employee will be reimbursed for the difference. If any portion of the travel advance is unused it should be returned by the employee to the source from which the advance was generated.
7. All claim vouchers for travel should be signed by both the employee and the Department Head before being submitted for payment to the County Auditor. **A completed "Travel Request and Authorization" form must be attached to the voucher, where applicable.** Vouchers for reimbursement that do not include this form will be returned to the Department.
8. Employees are required to prepare claim vouchers for travel within 10 days after returning from the conference.

SECTION D

REIMBURSABLE AND ALLOWABLE EXPENSES

This section of the Travel and Conference Policy describes allowable expenses for which Livingston

County will reimburse the employee. This section will also list those expenses which require the employee to submit a receipt to substantiate the expense. Reimbursement of expenses incurred will occur after the employee has completed the claim voucher which provides for an accounting of travel expenses.

LODGING

Arrangements for lodging accommodations, in connection with an approved conference, should be made in the most economical manner possible. An itemized bill detailing the expenses incurred at the hotel or motel should be attached to the claim voucher.

Expenses of spouses who accompany the County employee are not reimbursable. Expenses incurred by the County employee cannot be more than if the employee traveled alone.

An itemized receipt detailing the expenses incurred at the hotel or motel is required. Direct billing should be utilized whenever possible.

TRANSPORTATION

Arrangements for transportation should be made in the most economical manner possible. A County owned vehicle should be used whenever possible and practical. Other methods are acceptable provided that they are the most economical form of transportation. Car pooling should be used whenever possible and is strongly encouraged.

Air Travel

When air travel is necessary, the County will pay for the cost of coach or economy rates. Air travel should be the most direct route possible. Additional expenses incurred by indirect routing will be the responsibility of the employee. Additional expenses incurred for non-stop versus direct flight (with reasonable layover), will not be reimbursed.

Bus or Train Travel

When traveling by bus or train, the County will reimburse only those costs for economy rate accommodations.

Reimbursement for luxury accommodations will be reimbursed at the coach or economy rates. Additional expenses will be the responsibility of the employee.

County Owned Vehicles

The employee is encouraged to use a County vehicle whenever possible and practical. The employee will be reimbursed for all gasoline, parking and toll expenses provided that receipts substantiating the expenses are attached to the claim voucher.

Any unexpected maintenance expenses incurred for the County vehicle will be reimbursed, provided that the expenses did not result from negligence on the part of the employee. Receipts to substantiate the expenses will be required.

Employee Owned Vehicles

When the employee uses a personally owned vehicle, the employee will be reimbursed for mileage and maintenance costs at a rate of **32.5¢ per mile**, or the applicable rate as suggested by the Internal Revenue Service. The employee will be reimbursed for all parking and toll expenses incurred, provided that receipts are attached to the claim voucher.

Mileage reimbursement to a conference/seminar will be paid from home or work site, whichever is closer.

All required receipts must be attached to the claim voucher at the time that it is submitted to the County Auditor for payment.

MEAL EXPENSES

Reimbursement for meal expenses will be allowed for the following situations:

1. The employee has received prior approval to attend a conference and expenses for meals are necessary in connection with the conference.
2. While an employee is traveling out-of-county on official County business, that employee is entitled to reimbursement for meal expenses incurred. Meal expenses should be charged to object code .4020 and valid receipts, preferably itemized, must accompany the claim voucher submitted for reimbursement.

MEAL LIMITS

Reimbursement for meals will be made in accordance with General Municipal Law (Section 77-c) and the rates established by the Internal Revenue Service. The meal limits are as follows:

Breakfast	\$ 6.00	\$ 7.50*
Lunch	10.00	12.50*
Dinner	<u>18.00</u>	<u>22.00*</u>
 Maximum	 <u>\$34.00</u>	 <u>\$42.00*</u>

**These rates apply to New York City and any out-of-state areas.*

When meals are included in the cost of the conference, employees are **not** entitled to the per diem allowances.

Employees attending day conferences shall only be eligible for reimbursement for the meals for which the conference cost does not include those meals. Receipts for these meals are required.

With the exception noted above, employees attending overnight conferences are not required to submit receipts to obtain reimbursement, and will be reimbursed up to the maximum per diem rate.

BUSINESS LUNCHESES

Cost of meals for guests will be reimbursable if such a meeting will promote a County purpose. **Claim must state guests and topics discussed.** A valid receipt should accompany the claim.

TIPPING

Livingston County employees will be reimbursed for all actual and customary tips. The following tips are considered customary:

1. Tips for taxi cabs will be limited to 15% of the total fare. Receipts for the tips are not required from the employee, but receipts for the taxi cab fares are required.
2. Tips for meals will be limited to 15% of the total cost of the meal. Tips in excess of 15% will be the responsibility of the employee

TELEPHONE EXPENSES

Livingston County will pay for all business related phone calls for employees who have received approval to attend a conference. Personal phone calls will not be reimbursed.

POSTAGE EXPENSES

Livingston County will pay for all necessary postage expenses incurred for business related purposes. Postage expenses for personal purposes will be the responsibility of the employee.

UNAUTHORIZED EXPENSES

Employees will only be reimbursed for those expenses which are considered allowable and authorized. Unauthorized expenses would not be reimbursable expenses. The following expenses would be considered unauthorized expenses:

1. Alcoholic beverages
2. Maid or valet service
3. Laundry service
4. Newspapers or magazines
5. Personal items
6. Entertainment expenses
7. Repairs to employee owned vehicles

SALES TAX EXEMPTION CERTIFICATE

When employees are traveling within New York State they should use a New York State Tax Exemption Certificate to avoid sales tax payments on items other than food and gasoline. These certificates may be obtained from the Livingston County Auditor's office.

The County will not reimburse employees for New York State sales taxes paid in cases where a Sales Tax Exemption Certificate could have been used to avoid the payment.

When employees are traveling outside New York State, a New York State Tax Exemption Certificate may not be recognized. The employee will be reimbursed for sales tax paid in those states which do not recognize the Exemption Certificates.

SECTION E

BOARD OF SUPERVISORS

1. The members of the Board of Supervisors will be allowed mileage reimbursement on travel to and from all Committee and Regular Board Meetings. A lunch reimbursement at the per diem rate will be allowed on those days as well.
2. The Chairman of the Board of Supervisors will be allowed mileage reimbursement to and from work. Lunch reimbursement at the per diem rate will be allowed on days when the Chairman attends Legislative Meetings.
3. Any member of the Board of Supervisors wishing to attend a County related overnight conference must obtain prior approval of the Chairman of the Board of Supervisors. Once approved, all other travel and conference procedures as defined in Section C of this policy must be adhered to.

SECTION F

CONCLUSION

The Travel and Conference policy outlined shall be used to provide consistent treatment to all Livingston County employees. Specific questions regarding the treatment of an individual circumstance should be directed to the County Administrator for disposition.

All travel and conference expenses are subject to audit and review before payment will be made. **ANY VOUCHERS SUBMITTED FOR REIMBURSEMENT THAT DO NOT ADHERE TO THESE GUIDELINES WILL BE RETURNED TO THE DEPARTMENT.**

It is essential that every attempt is made to abide by these guidelines. The policy was established as a means of providing guidance and direction to the various Livingston County Departments and to answer some of the questions regarding the treatment of the travel and conference expenses.

Questions and concerns not specifically addressed by this policy may be directed to the County Administrator's office.

Dated at Geneseo, New York

February 25, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-089. AUTHORIZING PURCHASE OF TIMBER BRIDGE MATERIALS FOR HIGHWAY DEPARTMENT

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

WHEREAS, Livingston County Board Resolution 98-18 authorized a cooperative bidding agreement for timber bridge materials between the County of Livingston and the County of Allegany, and

WHEREAS, after legal advertisement, the County of Allegany on February 4, 1998 publicly opened and read sealed bids for Prefabricated, Glulamated, Timber Bridge Decks, and

WHEREAS, the bid of Associated Components, Inc. of Syracuse, NY (as authorized representative for Unidilla Laminated Products) was the lowest of two (2) bids received, and said bid meets all bid specifications, now, therefore be it

RESOLVED, that said bid, totaling \$102,430.00 for two (2) bridge structures, be accepted, and the Superintendent of Highways be, and he hereby is, authorized to purchase said timber bridge materials for said price, upon the successful bidder signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 25, 1998

Highway Committee

Donald Higgins, County Highway Superintendent, explained the advantages of this joint venture with Allegany County and the cost savings. Overall, \$5,000 has been saved as a result of joint bidding with Ontario and Allegany Counties.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-090. AUTHORIZING AMENDED CONTRACTS WITH FINGER LAKES ASSOCIATION AND LIVINGSTON COUNTY SOIL & WATER CONSERVATION DISTRICT FOR TRANSFER OF NYSDEC FUNDING FOR FINGER LAKES/LAKE ONTARIO WATERSHED PROTECTION ALLIANCE - CLAWS VIII

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

WHEREAS, Livingston County, as one of the voting members of the Water Resources Board of the Finger Lakes Association, Inc., has been allocated NYS Department of Environmental Conservation (NYSDEC) funds for the Finger Lakes/Lake Ontario Watershed Protection Alliance; and

WHEREAS, Resolution No. 96-333 authorized contracts with the Finger Lakes Association and the Livingston County Soil & Water Conservation District; now therefore be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors be, and he hereby is, authorized to sign a contract with the Finger Lakes Association to allow transfer of funding from the Finger Lakes Association for the Finger Lakes/Lake Ontario Watershed Protection Alliance program, after review by the County Administrator and the County Attorney; and to act as the official representative of Livingston County in connection with any and all contracts between Livingston County and the Finger Lakes Association; and be it further

RESOLVED, that a signed certified copy of this resolution be submitted to the Executive Director of the Finger Lakes Association along with said contract; and be it further

RESOLVED, that the Chairman be, and he hereby is, authorized to sign an amended contract with

the Livingston County Soil & Water Conservation District, pursuant to said contract with the Finger Lakes Association, after review by the County Administrator and the County Attorney.

Copy of contracts on file in Clerk's office.

Dated at Geneseo, New York

February 25, 1998

Legislative Committee

David Woods, Planning Director, reported that this resolution allows for a transfer of funds to be used for the watershed program.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-091. AUTHORIZING CONTRACTS WITH FINGER LAKES ASSOCIATION AND LIVINGSTON COUNTY SOIL & WATER CONSERVATION DISTRICT FOR TRANSFER OF NYSDEC FUNDING FOR FINGER LAKES/LAKE ONTARIO WATERSHED PROTECTION ALLIANCE - CLAWS IX

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

WHEREAS, Livingston County, as one of the voting members of the Water Resources Board of the Finger Lakes Association, Inc., has been allocated NYS Department of Environmental Conservation (NYSDEC) funds for the Finger Lakes/Lake Ontario Watershed Protection Alliance;

RESOLVED, that the Chairman of the Livingston County Board of Supervisors be, and he hereby is, authorized to sign a contract with the Finger Lakes Association to allow transfer of funding from the Finger Lakes Association for the Finger Lakes/Lake Ontario Watershed Protection Alliance program, after review by the County Administrator and the County Attorney; and to act as the official representative of Livingston County in connection with any and all contracts between Livingston County and the Finger Lakes Association; and be it further

RESOLVED, that a signed certified copy of this resolution be submitted to the Executive Director of the Finger Lakes Association along with said contract; and be it further

RESOLVED, that the Chairman be, and he hereby is, authorized to sign a contract with the Livingston County Soil & Water Conservation District, pursuant to said contract with the Finger Lakes Association, after review by the County Administrator and the County Attorney.

Copy of contracts on file in Clerk's office.

Dated at Geneseo, New York

February 25, 1998

Legislative Committee

David Woods, Planning Director, explained this is the same program as 98-092 but is a new program year, and the money will be used to purchase a vehicle for the Watershed Inspector.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-092. APPOINTING MEMBERS TO THE COMMUNITY INITIATIVES COUNCIL - CALABRESE, LANDERS, PARISH, MARTIN

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

RESOLVED, that the following persons are hereby appointed to the Livingston County Community Initiatives Council, in the Private Sector membership category for a term expiring December 31, 1998:

Rocco Calabrese, 4177 Lima Road, Geneseo, NY 14454

Kelly Jo Landers, 5699 Marrowback Road, Conesus, NY 14435

and be it further

RESOLVED, that the following persons are hereby appointed to the Livingston County Community Initiatives Council, in the Low Income membership category for a term expiring December 31, 2000:

David A. Parish, American Red Cross, County Government Center, Room 108, Geneseo, NY 14454

Robert Martin, 4812 Littleville Road, Avon, NY 14414

Dated at Geneseo, New York

February 25, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-093. REAPPOINTING ENVIRONMENTAL MANAGEMENT COUNCIL CHAIRPERSON

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

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

WHEREAS, on January 28, 1998, the EMC voted to recommend that the Board of Supervisors reappoint Susan Walker as Chairperson of the Environmental Management Council; now therefore be it

RESOLVED, that Susan Walker, 7630 Walker Road, Wayland, NY 14572, is hereby reappointed as Chairperson of the Livingston County Environmental Management Council, for a term to expire March 1, 1999. Dated at Geneseo, New York

February 25, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-094. APPOINTING EMC MEMBERS - VANHOUTEN AND WALSWORTH

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

RESOLVED, that Ralph VanHouten, Livingston County Health Department, 2 County Campus, Mt. Morris, NY 14510, be appointed to the Livingston County Environmental Management Council, as a representative of the General Citizen category, for a term to expire December 31, 1999; and be it further

RESOLVED, that Lorraine Walsworth, P.O. Box 233, Nunda, NY 14517, be appointed to the Livingston County Environmental Management Council, as a representative of Business/Industry, for a term to expire December 31, 1999.

Dated at Geneseo, New York

February 25, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-095. AUTHORIZING LIVINGSTON COUNTY SOIL & WATER CONSERVATION DISTRICT TO SELL EQUIPMENT PURCHASED PARTIALLY WITH NEW YORK STATE FINGER LAKES AQUATIC VEGETATION CONTROL PROGRAM FUNDS

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

WHEREAS, Livingston County has received various grants from the New York State Finger Lakes Aquatic Vegetation Control Program; and

WHEREAS, Livingston County has contracted with the Livingston County Soil & Water Conservation District to use these funds, in part, for the purchase of one 1992 finn hydroseeder under Contract No. C910003 and one 1994 Chevrolet cab and chassis under Contract No. C92005 as part of Livingston County's aquatic vegetation control and lake management program; and

WHEREAS, the Livingston County Soil & Water Conservation District has, by letter dated January 22, 1998, requested permission from Livingston County to sell the hydroseeder and Chevrolet cab and chassis, with sale proceeds to be used to purchase a 1998 hydroseeder and a 1998 cab and chassis and for other appropriate water quality and management programs; and

WHEREAS, the New York State Department of Environmental Conservation has, by letter dated February 18, 1998, given permission to sell this equipment; now therefore be it

RESOLVED, that the Livingston County Board of Supervisors does hereby authorize the Livingston County Soil & Water Conservation District to sell the hydroseeder and Chevrolet cab and chassis purchased partially with New York State Finger Lakes Aquatic Vegetation Control Program funds, with sale proceeds to be used to purchase a 1998 hydroseeder and a 1998 cab and chassis and for other appropriate water quality and management programs. Dated at Geneseo, New York

February 25, 1998

Legislative Committee

David Woods, Planning Director, explained that the Livingston County Soil & Water Conservation District is desirous to sell the old hydroseeder and purchase a new hydroseeder. The Board is required under contract to authorize this request.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-096. AUTHORIZING SUBMISSION OF APPLICATION TO NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL FOR RESTORE PROGRAM

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

WHEREAS, the New York State Division of Housing and Community Renewal (NYS DHCR) has announced the availability of funds under the RESTORE (Residential Emergency Services to Offer Home Repair for the Elderly) Program; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors be, and he hereby is, authorized to sign and submit an application to NYS DHCR for a grant of \$30,000 in RESTORE Program funds.

Copy of application on file in Clerk's office.

Dated at Geneseo, New York

February 25, 1998

Legislative Committee

David Woods, Planning Director, explained the RESTORE program. Mr. Davis questioned and David Woods reported that \$5,000 is the maximum repair cost for each residential home.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-097. AUTHORIZING CHAIRMAN TO SIGN AN AMENDED 1997-1998 WEATHERIZATION CONTRACT WITH THE NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL

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

WHEREAS, the New York State Division of Housing and Community Renewal has extended the termination date of the 1997-1998 Weatherization contract ; now therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and he hereby is, authorized to sign an amended 1997-1998 contract with the New York State Division of Housing and Community Renewal.

Copy of contract on file in Clerk's office.

Dated at Geneseo, New York

February 25, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 98-098. APPOINTING MEMBER TO THE
GENESEE-LIVINGSTON-ORLEANS-WYOMING (GLOW) PRIVATE INDUSTRY COUNCIL**

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

RESOLVED, that this Board of Supervisors does hereby approve the appointment of the following person to the Genesee-Livingston-Orleans-Wyoming Private Industry Council for such designated term:

David Guile Term Expires: June 30, 2000

At Large Labor Representative

72 Gilbert Street

LeRoy, NY 14482

replaces Thomas Zanghi

Dated at Geneseo, New York

February 25, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 98-099. ACCEPTING THE PETITION AS PRESENTED FOR THE
EXTENSION OF THE CONESUS LAKE COUNTY SEWER DISTRICT, AND ACCEPTING
MAPS, PLANS AND REPORT ON PROPOSED DISTRICT EXTENSION AND CALLING FOR
PUBLIC HEARING ON PROPOSED DISTRICT EXTENSION - LAKEVILLE VILLAGE
ESTATES**

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

WHEREAS, the petitioner for the extension of the Conesus Lake County Sewer District is the sole owner of the taxable real property to be included in the requested extension, and

WHEREAS, the petitioner has had maps and plans prepared of the area to be serviced by said extension, and

WHEREAS, the Public Works and Transportation Committee has reviewed and approved the maps, plans and report, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors accepts the petition as presented for the extension for the Conesus Lake County Sewer District, and be it further

RESOLVED, that the Livingston County Board of Supervisors accepts the maps, plans and report as presented, and be it further

RESOLVED, that a public hearing shall be held on March 25, 1998 at 1:35 p.m. to receive comments on the extension of the County Water District, and be it further

RESOLVED, that appropriate notices be published in the County's official newspapers.

Dated at Geneseo, New York

February 25, 1998

Public Works Committee

Catherine Muscarella, Public Works Director, reported the Lakeville Village Estates project has been formulating since 1993, and as a result, the developer and engineer have submitted all information necessary to initiate the project. There are 175 parcels to be developed in this project.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 98-100. ADOPTING FINDINGS FOR THE LAKEVILLE VILLAGE
ESTATES**

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

WHEREAS, the Public Works and Transportation Committee acting as the Board for the Conesus

Lake County Sewer District is considered an involved agency for the environmental review of the Lakeville Village Estates project, and

WHEREAS, the Town of Geneseo Planning Board acting as the lead agency, developed and adopted findings from a final and draft environmental impact statement, and

WHEREAS, the Public Works and Transportation Committee reviewed the environmental concerns of the project as related to the extension of the Conesus Lake County Sewer District, utilizing documents developed during the SEQRA Process, now, therefore, be it

RESOLVED, that the Public Works and Transportation Committee found that the final Environmental Impact Statement adequately addressed the environmental issues regarding the extension of the Conesus Lake County Sewer District, and be it further

RESOLVED, that the Livingston County Board of Supervisors adopts the Finding Statement developed by the Public Works and Transportation Committee regarding Lakeville Village Estates.

Dated at Geneseo, New York

February 25, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-101. ACCEPTING THE PETITION AS PRESENTED FOR THE EXTENSION OF THE CONESUS LAKE COUNTY SEWER DISTRICT AND DIRECTING THAT MAPS AND PLANS BE PREPARED - LIVONIA CENTER

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

WHEREAS, the County of Livingston has received a petition from the people in the Hamlet of Livonia Center requesting that the County Sewer District be extended now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors accepts the petition as presented, and be it further

RESOLVED, that the Livingston County Board of Supervisors directs the Public Works and Transportation Committee to have the appropriate maps and plans prepared as requested in the petition.

Dated at Geneseo, New York

February 25, 1998

Public Works Committee

Catherine Muscarella, Public Works Director, stated that this project was brought to referendum and was defeated 52-49. The project was brought back to the Committee via a citizens' petition. This resolution accepts the petition which allows the project to move forward.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-102. AMENDING THE 1998 SALARY SCHEDULE - PUBLIC HEALTH

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

RESOLVED, that the 1998 Salary Schedule for the following department be amended as follows:

PUBLIC HEALTH

Create two (2) Clerk Typist positions at Salary Grade 2

Delete one (1) Full-time Clerk position effective March 14, 1998

Delete one (1) Part-time Senior Typist position

Dated at Geneseo, New York

February 25, 1998

Salary & Negotiating Committee

Joan Ellison, Public Health Director, explained that overall, one position will be added.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-103. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE - DISTRICT ATTORNEY, BOARD OF SUPERVISORS

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

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

DISTRICT ATTORNEY

Create one (1) Full-time Assistant District Attorney position having a salary range of \$35,000 to \$42,000.

BOARD OF SUPERVISORS

Change the title of Confidential Secretary to Secretary to the County Administrator/County Attorney and increase the salary to \$27,000 per year effective March 29, 1998.

Dated at Geneseo, New York

February 25, 1998

Salary & Negotiating Committee

The full-time Assistant District Attorney position is funded by the Domestic Violence Grant. The title change of Confidential Secretary to Secretary to the County Administrator/County Attorney reflects the current job duties. Mr. Moore questioned whether the Domestic Violence Grant includes a benefit package. The County Administrator answered favorably.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-104. AUTHORIZING TRANSFER OF COUNTY PROPERTY ON ROUTE 256

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

WHEREAS, the State of New York has offered the County of Livingston the sum of \$2,200.00 for .813 acres of vacant land adjacent to Health Street in the Village of Dansville to be used by the State for highway improvements, now therefore, be it

RESOLVED, that the Chairman of the Board is authorizing to sign all documents necessary to effectuate the transfer, subject to review by the County Administrator and County Attorney.

Dated at Geneseo, New York

February 25, 1998

Tax Committee

Mr. Kramer explained that the State is desirous to improve the highway along Route 256 and is requesting to purchase some land in order to improve the embankment along Route 256.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-105. CORRECTING TAX ROLL - TOWN OF LIMA

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

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

WHEREAS, said premises were incorrectly assessed and/or taxed for reasons set forth in the applications for correction requested from the Director of Real Property Tax Services attached hereto,

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

RESOLVED, that the County Treasurer and/or Town Tax Collector is hereby authorized to make

the tax roll corrections and forward the corrected tax bill. The County Treasurer is authorized to issue refunds and/or make the appropriate chargebacks as hereinafter set forth for each application.

Year, Town & Premises	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refunds	Chg. Back
1. 1998 Lima	Livingston County	227.36	220.84	6.52	6.52
ZALUDNY, Marilyn Dow	Town of Lima	<u>258.69</u>	<u>258.69</u>	<u>0.00</u>	<u>0.00</u>
Tax Map Number 37.9-1-2	Total	\$486.05	\$479.53	\$6.52	\$6.52

Dated at Geneseo, New York

February 25, 1998

Tax Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

OTHER BUSINESS

1. Mr. Moore questioned whether an agreement has been made between the municipalities regarding the Conesus Lake Watershed Program. Mr. House reported a meeting was held and resulted in some positive decisions which will allow the program to move ahead. There is approximately 44,000 acres to be monitored by the Watershed Inspector.
2. Mr. House referred to number 8 on the communications for this meeting and reported that the County Attorney and County Administrator advised that the request made by Mr. Kosakowski, at the December 3, 1997 Board of Supervisors meeting, be referred to the Livingston County Board of Ethics. The Board of Ethics determined that Mr. Daley did not violate the Ethics Law. Mr. House stated he would refer the letter to the Livingston County Water and Sewer Authority.
3. Mr. House reminded those Supervisors attending the tour on Friday to confirm their attendance with the Clerk of the Board.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Jaeger to adjourn until Wednesday, March 11, 1998 at 1:30 p.m. Carried.

The Board adjourned at 2:20 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, MARCH 11, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present.

The Pledge of Allegiance.

MINUTES

Minutes of 2/25/98 Regular Meeting were approved as presented.

COMMUNICATIONS

1. Letters from Assemblymen Thomas Reynolds, Craig Doran and Jerry Johnson acknowledging receipt of Res. No. 98-70 Supporting Legislation Mandating the Testing of All Inmates and 98-078 Supporting Legislation which modifies Aid to Prosecution
2. Notification of Assemblyman Jerry Johnson's AOffice on the Move≡ outreach programs.
3. Notice of Public Hearing for the Town of Wayland to consider enactment of Local Law 1 and 2 of 1998
4. Letter of thanks from Robert F. Hart for the fruit basket

RESOLUTION NO. 98-106. APPROVING ABSTRACT OF CLAIMS #3A - MARCH 11, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #3A dated March 11, 1998, in the total amount of \$839,241.94.

Dated at Geneseo, New York

March 11, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

PRIVILEGE OF THE FLOOR

1. Mr. House announced that Donald Higgins, County Highway Superintendent, was scheduled to discuss the Highway resolutions; however, he will now be available to discuss each resolution as it is presented.
2. Joan Ellison, Public Health Director, presented the 1997 Annual Report of the Livingston County Department of Health.

RESOLUTION NO. 98-107. REAPPOINTING MEMBER TO THE NYS FISH AND WILDLIFE MANAGEMENT BOARD

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

RESOLVED, that the following person is hereby reappointed to the NYS Fish and Wildlife Management Board for a term commencing January 1, 1998 and terminating December 31, 1999:

Phil Kinney, Sportsman Representative, 32 Quay Street, Dansville, NY 14437

Dated at Geneseo, New York

March 11, 1998

Agriculture Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-108. AUTHORIZING A CONTRACT EXTENSION WITH NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS FOR THE PETROLEUM QUALITY TEST PROGRAM

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract extension with the Department of Agriculture and Markets for the Petroleum Quality Test Program for the period April 1, 1998 through March 31, 1999, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

March 11, 1998

Agriculture Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-109. APPROVING TRANSFER OF FUNDS - VARIOUS (PUBLIC HEALTH, PURCHASING, SHERIFF=S DEPARTMENT)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

March 11, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-110. APPROVING TRANSFER OF FUNDS FOR ADDITIONAL APPROPRIATIONS FOR THE HIGHWAY DEPARTMENT

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

March 11, 1998

Finance Committee

The County Administrator stated that due to the County=s excellent financial situation, the Finance Committee is recommending to appropriate an additional \$1,000,000 from fund balance. This money will be used to complete some paving and bridge work.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-111. ESTABLISHING CAPITAL PROJECT ACCOUNTS - COUNTY HIGHWAY FACILITY AND MACHINERY AND APPARATUS

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

WHEREAS, pursuant to Res. No. 97-313 Authorizing the Construction of a New County Highway Department Facility, and Authorizing Issuance of \$3,000,000 Serial Bonds for Cost Thereof, be it

RESOLVED, that Capital Project H5011.2900 be established to be financed by H5011.5710 Serial Bonds in the amount of \$3,000,000, and

WHEREAS, pursuant to Res. No. 98-47, Authorizing Purchase of Machinery and Apparatus for

Construction and Maintenance for use by County Highway Department and Authorizing Issuance of \$1,300,000 for Cost Thereof, be it

RESOLVED, that Capital Project H5130.2900 be established to be financed by H5130.570 Serial Bonds in the amount of \$1,300,000.

Dated at Geneseo, New York

March 11, 1998

Finance Committee

The County Administrator explained that this resolution establishes the capital project accounts for the Highway Facility and the purchase of machinery.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-112. URGING REINSTITUTION OF STATE REVENUE SHARING FOR COUNTIES THAT OPT TO ELIMINATE THE LOCAL SALES TAX ON CLOTHING

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

WHEREAS, New York State has already implemented legislation on the removal of state tax on clothing with the option of county sales tax elimination on clothing as of December 1999, and

WHEREAS, the Livingston Board of Supervisors supports the State's concept of eliminating sales tax on necessities such as clothing and the counties' local option to participate, and

WHEREAS, an independent study has determined that the elimination of sales tax in all 62 counties will result in significant revenue loss, and

WHEREAS, in many counties in New York State, this loss of revenue can only be offset by the increase in real property taxes, and

WHEREAS, county government is the only unit of local government that does not receive any state revenue sharing, and

WHEREAS, it is in the interest of the State to provide incentives to uniformly encourage all counties to eliminate all sales tax on clothing while avoiding a corresponding increase in local property taxes, now, therefore, be it

RESOLVED, the Livingston County Board of Supervisors strongly recommends the reinstitution of State revenue sharing for counties that opt to eliminate the local sales tax on clothing and that such revenue sharing would be equal to the loss and commence on the date of the local elimination of sales tax, and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall forward copies of this resolution to Governor George E. Pataki; Senators Dale E. Volker and Jess Present; Assemblymen Thomas Reynolds, Gerald E. Johnson, and Craig Doran and all others deemed necessary and proper.

Dated at Geneseo, New York

March 11, 1998

Finance Committee

The County Administrator stated that the State intends to eliminate the State sales tax on clothing by December of 1999 and the State is providing the Counties the option to eliminate the local tax. The impact to Livingston County is approximately \$300,000. This resolution recommends the reinstitution of State revenue sharing for counties that opt to eliminate the local sales tax on clothing.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-113. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR THE LIVINGSTON COUNTY PUBLIC HEALTH DEPARTMENT

Mr. Bassage 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 term designated, subject to review by the County Administrator and County Attorney:

- 1) Kevin George Mark to provide physical therapy services under the Early Intervention Program - January

- 1, 1998 and terminating December 31, 1998
- 2) Nicholas H. Noyes Memorial Hospital for reimbursement of Medicare billed charges - commencing January 1, 1998, no expiration date
- 3) Addendum to Physical Therapy of Lakeville contract for use of Physical Therapy Assistant - March 1, 1998 and terminating December 31, 2000
- 4) New York State Department of Health for Radon Outreach Program - March 1, 1998 and terminating February 28, 1999
- 5) Elizabeth Embser Wattenberg for coordinating Genesee Valley Health Network Grant - commencing January 5, 1998 and terminating December 31, 1998
- 6) New York State Center for Sudden Infant Death for reimbursement for follow up visits to families who have experienced SIDS - commencing January 1, 1998, no expiration date
- 7) Preferred Care for reimbursement for A Living with Diabetes Program - commencing March 1, 1998, no expiration date
- 8) Monroe County for Medical Examiner Services - commencing January 1, 1998 and terminating December 31, 1998

Copy of contracts on file in Clerk's office.

Dated at Geneseo, New York

March 11, 1998

Health Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-114. PROCLAIMING WEEK OF APRIL 6-12, 1998 AS PUBLIC HEALTH WEEK

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

WHEREAS, we as Americans, enjoy better health, live in healthier conditions, know more about how to take care of our health and live longer than any time in the past; and

WHEREAS, public health at the local, state and national levels use systematic, population-based approaches to:

- prevent epidemics and the spread of disease
- protect against environmental hazards
- prevent injuries
- promote and encourage healthy behaviors
- respond to disasters and assist communities in recovery
- assure the quality and accessibility of health services; and

WHEREAS, the Livingston County Health Department has made great progress in eliminating measles, reducing exposure to lead, promoting seat belts and bike helmets, reducing smoking, promoting healthier life styles and promoting quality care through its home care agency, hospice and clinics, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby proclaims April 6-12, 1998 as Public Health Week.

Dated at Geneseo, New York

March 11, 1998

Health Committee

Joan Ellison, Public Health Director, stated that this year the department is celebrating Public Health Week by working with area restaurants to assist them in providing menus offering healthy choices.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-115. AUTHORIZING LETTERS OF COMMITMENT WITH PREMIER PURCHASING PARTNERS FOR THE PURCHASE OF ITEMS NECESSARY FOR THE LIVINGSTON COUNTY HEALTH CARE FACILITIES

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

WHEREAS, the Livingston County Health Care Facilities periodically requires various items which are available to participants of Premier Purchasing Partners, a group purchasing organization, and

WHEREAS, the Health Committee desires to allow the Health Care Facilities to take advantage of the cost savings offered through Premier Purchasing Partners, now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes letters of commitment between Premier Purchasing Partners and the Livingston County Health Care Facilities for items deemed necessary for the Livingston County Health Care Facilities by the Director of the Health Care Facilities, and it is further

RESOLVED, that the Chairman is hereby authorized to sign agreements with Premier Purchasing Partners for the purchase of said items, subject to review by the County Administrator and County Attorney.

Copy of Letters of Commitment on file in Clerk=s office.

Dated at Geneseo, New York

March 11, 1998

Health Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-116. AUTHORIZING CONTRACT WITH NEW YORK STATE OFFICE FOR THE AGING FOR HEALTH INSURANCE INFORMATION, COUNSELING ASSISTANCE PROGRAM

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

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement commencing October 1, 1997 and terminating September 30, 1998, with New York State Office for the Aging for Health Insurance Information, Counseling Assistance Program, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

March 11, 1998

Health Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-117. AWARDING BIDS AND AUTHORIZING PURCHASE OF CONSTRUCTION MATERIALS AND SERVICES FOR THE HIGHWAY DEPARTMENT THROUGH CALENDER YEAR 1998

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

WHEREAS, after legal advertisement, bids for Construction Materials and Services were publicly opened and read, on February 26, 1998 in Room 205 of the Livingston County Government Center, and

WHEREAS, The Bid Specifications, Bid Submissions, Bid Tabulations and Bid Award Package are all on file at the office of the Livingston County Highway Department, for the following Materials and Services:

- a) Heavy-Wall Steel Pipe
- b) Corrugated Polyethylene Pipe
- c) Flowable and Controlled-Density Fill
- d) Transit-Mix Concrete
- e) Gabions
- f) Asphalt Concrete Mixes
- g) In-Place Asphalt Concrete Paving
- h) Superpave Hot-Mix Asphalt

now, therefore, be it

RESOLVED, that said bids be accepted, and the Superintendent of Highways be, and he hereby is, authorized to purchase said Materials and Services for said prices, upon each successful bidder signing a contract

with the County of Livingston, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 11, 1998

Highway Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-118. AWARDING BID AND AUTHORIZING PURCHASE OF ONE (1) NEW 1999 3/4-TON PICKUP TRUCK FOR HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for one (1) new 3/4-Ton, Crew-Cab, Short-Box Pickup Truck were publicly opened and read on February 26, 1998 in Room 205 of the Livingston County Government Center, and

WHEREAS, the bid of Vanderstyn Ford of Avon, N.Y. in the amount of \$23,388.00 without trade-in or \$16,388.00 with trade-in, for a 1999 Ford F250 Pickup Truck, was the lowest of three (3) bids received, and said bid meets all bid specifications, now, therefore, be it

RESOLVED, that said bid be accepted, subject to review and approval by the County Attorney and County Administrator, and the Superintendent of Highways be, and he hereby is, authorized to purchase said Pickup Truck for said price.

Dated at Geneseo, New York

March 11, 1998

Highway Committee

Mr. Moore questioned whether the old truck will be traded or sold through a sealed bid process. Donald Higgins, County Highway Superintendent, responded that the department will be preparing a sealed bid process.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-119. AWARDING BID AND AUTHORIZING PURCHASE OF A NEW BUCKET/THUMB/COUPLER SYSTEM FOR COUNTY'S EXCAVATOR

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

WHEREAS, an improved Bucket/Thumb/Coupler System is required for the Highway Department's 1996 Cat M-318 Excavator, and

WHEREAS, after legal advertisement, bids for a new system were publicly opened and read on February 26, 1998 in Room 205 of the Livingston County Government Center, and

WHEREAS, bid specification package were forwarded to six (6) potential bidders, and

WHEREAS, the bid of Syracuse Supply Corp. of Rochester, N.Y., in the amount of \$17,500.00 was the only bid proposal received, and said bid meets all bid specifications, now, therefore, be it

RESOLVED, that said bid be accepted, and the Superintendent of Highways be, and he hereby is, authorized to purchase said Bucket/Thumb/Coupler System for said price, contingent upon Syracuse Supply Corp. signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 11, 1998

Highway Committee

Donald Higgins, County Highway Superintendent, explained the purpose of a bucket/thumb/coupler system and how difficult it is to switch the buckets on the present system.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-120. AWARDING BID AND AUTHORIZING PURCHASE OF ONE (1) NEW 1998 TANDEM-AXLE TRUCK TRACTOR FOR HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for a new, unused Tandem-Axle Truck-Tractor were opened on March 3, 1998 in Room 303A of the Livingston County Government Center, and

WHEREAS, the bid of Genesee Truck Sales of Rochester, N.Y., in the amount of \$79,787.00 for a 1998 Freightliner FLD-120-SD Truck-Tractor, was the lowest of two (2) bids received, and said bid meets all necessary bid specifications, now, therefore, be it

RESOLVED, that said bid be accepted, subject to review and approval by the County Attorney and County Administrator, and the Superintendent of Highways be, and he hereby is, authorized to purchase said Truck-Tractor for said price.

Dated at Geneseo, New York

March 11, 1998

Highway Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-121. APPOINTING EMC MEMBERS - SCHONGAR, FERRIS, BUCCI

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

RESOLVED, that Laurence Schongar, 355 Genesee Street, Avon, NY 14414 be appointed to the Livingston County Environmental Management Council, as a representative of the General Citizen category, for a term to expire December 31, 1999; and be it further

RESOLVED, that the following persons be appointed to the Livingston County Environmental Management Council, as representatives of Business/Industry for a term to expire December 31, 1999:

Kimberly Dalton Ferris, Director of Environmental Health & Safety, 21 Schrader Building, 1 College Circle, SUNY Geneseo, Geneseo, NY 14454;

Joseph Bucci, Jr., 5049 Groveland Road, Geneseo, NY 14454.

Dated at Geneseo, New York

March 11, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-122. APPOINTING MEMBER TO THE COMMUNITY INITIATIVES COUNCIL - BLYTHE

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

RESOLVED, that the following person is hereby appointed to the Livingston County Community Initiatives Council, in the Private Sector membership category for a term expiring December 31, 1998:

Gary Blythe, R. G. & E., 56 Main Street, P.O. Box 127, Geneseo, NY 14454

Dated at Geneseo, New York

March 11, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-123. APPOINTING FIRE INVESTIGATOR - EMERGENCY MANAGEMENT SERVICES

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

RESOLVED, that the following person is hereby appointed as Fire Investigator for Emergency Management Services to serve a term at the pleasure of the Livingston County Board of Supervisors:

John Morgan

2181 Linwood Road

Linwood, NY 14525

Dated at Geneseo, New York

March 11, 1998

Public Safety Committee

Kevin Niedermaier, Emergency Management Services Director, explained that this person was recommended by the Fire Advisory Board. The departmental budget includes \$600 for mileage reimbursement.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-124. AUTHORIZING A CONTRACT WITH NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES FOR HOUSING OF STATE READY INMATES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute a contract with the New York State Department of Correctional Services for housing of State-ready inmates at a cost of \$74.00 per day per inmate commencing January 1, 1998 and terminating December 31, 1998, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

March 11, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-125. SEQR LEAD AGENCY DETERMINATION - PUBLIC SAFETY COMMUNICATIONS SYSTEM UPGRADE

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

WHEREAS, Livingston County is proposing a major upgrade to its public safety communications system; and

WHEREAS, the Livingston County Board of Supervisors has determined that the proposed project is a Type I action pursuant to the State Environmental Quality Review Act (SEQR); now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors be, and he hereby is, authorized to sign letters to other potentially involved public agencies requesting concurrence to Livingston County being Lead Agency for purposes of the SEQR review of the proposed project.

Dated at Geneseo, New York

March 11, 1998

Public Safety Committee

David Woods, Planning Director, explained the foregoing resolution. The SEQR process should be complete by May or June.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-126. AUTHORIZING CONTRACT WITH CRAIG WELCH, LAND SURVEYOR

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

WHEREAS, the proposed upgrade to Livingston County=s Public Safety Communications System requires survey and site planning services; and

WHEREAS, Craig Welch, Land Surveyor, has submitted a fee quote of \$1,200 for professional services; now therefore be it

RESOLVED, that the Chairman be, and he hereby is, authorized to sign a contract with Craig Welch, Land Surveyor, at a cost not-to-exceed \$1,200, after review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

March 11, 1998

Public Safety Committee

David Woods, Planning Director, explained the foregoing resolution.
The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-127. AUTHORIZING CONTRACT WITH CENTER FOR GOVERNMENTAL RESEARCH, INC.

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

WHEREAS, Livingston County=s Enhanced 911 system, and other County functions, are dependent upon up-to-date digital geographic base maps known as TIGER FILES; AND

WHEREAS, the Livingston County Board of Elections needs updated Election District Maps; now therefore be it

RESOLVED, that the Chairman be, and he hereby is, authorized to sign a contract with the Center for Governmental Research, Inc. for TIGER file maintenance, at a cost not-to-exceed \$5,000, and for preparation of Election District maps, at a cost of \$2,275, after review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

March 11, 1998

Public Safety Committee

David Woods, Planning Director, explained that due to time constraints and the workload in the Planning Department at the present time, it is necessary to contract this work.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-128. DECLARING SURPLUS PROPERTY FOR THE LIVINGSTON COUNTY SHERIFF=S DEPARTMENT

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

WHEREAS, the County of Livingston owns a certain item of personal property no longer necessary for public use, and

WHEREAS, such item of personal property owned by the County and no longer necessary for public use shall be declared to be "surplus property", it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following as surplus property to be disposed of as determined by the County Administrator:

LIVINGSTON COUNTY SHERIFF=S DEPARTMENT

400 Recording Tapes/Reels for the 911 Communications Center

Dated at Geneseo, New York

March 11, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-129. AUTHORIZING THE PURCHASE OF ONE VAN FOR THE LIVINGSTON COUNTY SHERIFF=S DEPARTMENT

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

RESOLVED, that the Livingston County Sheriff=s Department is hereby authorized to purchase one (1) 1998 Astro Cargo van through New York State Contract #P052696 from SunGeo Chevrolet, of Chittenango, New York, at a total cost of \$19,669.40.

Dated at Geneseo, New York

March 11, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-130. ACCEPTING MAPS, PLANS AND REPORT, AND ESTABLISHING PUBLIC HEARING FOR EXTENSION OF THE COUNTY SEWER DISTRICT- LIVONIA CENTER

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

WHEREAS, the County Board of Supervisors received a petition to extend the County Sewer District from the citizens of the Hamlet of Livonia Center, and

WHEREAS, the Board accepted the petition and directed that maps and plans be prepared pursuant to Resolution No. 98-101, and

WHEREAS, the Public Works and Transportation Committee accepted the maps, plans and report at the March 3, 1998, meeting of the Committee, and

WHEREAS, the Board of Supervisors has received such maps, plans and reports that describe the extension of the Conesus Lake County Sewer District, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors accepts the maps, plans and reports as presented, and be it further

RESOLVED, that a public hearing shall be held by this Board on the 8th day of April 1998 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York, and at least ten (10) days notice posting thereof on the bulletin board of the Government Center in the County, 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

March 11, 1998

Public Works Committee

Catherine Muscarella, Public Works Director, explained the foregoing resolution.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-131. APPROVING COUNTY WATER DISTRICT #1

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

WHEREAS, the Livingston County Board of Supervisors by resolution 97-103 accepted maps, plans, and reports for the creation of the County Water District, and

WHEREAS, the proposal for the proposed Zone Two servicing the Hamlet of Conesus, is based upon the receipt of not less than \$600,000 in grants from the Environmental Bond Fund and/or U.S. Department of Housing and Urban Development or other state or federal grant programs, to be used to defray the costs of the construction of the transmission main from the corner of East lake Road and Sliker Hill Road, to the Hamlet of Conesus, and

WHEREAS, a public hearing on said district creation was held on April 23, 1997, and

WHEREAS, the Livingston County Board of Supervisors heard and considered comments regarding the creation of the County Water District, now therefore be it

RESOLVED, that the Livingston County Board of Supervisors finds that all property and property owners within the proposed District are benefitted by the creation of the district, and be it further

RESOLVED, that all property and property owners benefitted are included within the limits of the proposed District, and be it further

RESOLVED, that the Livingston County Board of Supervisors finds that the maps, plans, reports and zones of assessment are appropriate and sufficient, and be it further

RESOLVED, that the Livingston County Board of Supervisors approves County Water District #1, which approval is subject to permissive referendum and be it further

RESOLVED, that no construction will proceed on the proposed transmission main from the corner of East lake Road and Sliker Hill Road to the Hamlet of Conesus, the cost of which is to be borne by Zone Two, until such time as the County has received a commitment for a grant in an amount not less than \$600,000 for construction of such facilities, and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall file an application with New York State

Department of Audit and Control for permission to create the aforementioned district 45 days after this resolution becomes effective provided no referendum is requested, and it is further

RESOLVED, that this resolution supersedes resolution no. 97-155.

Dated at Geneseo, New York

March 11, 1998

Public Works Committee

Catherine Muscarella, Public Works Director, explained the foregoing resolution.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-132. CORRECTING TAX ROLL - TOWN OF LIMA

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

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

WHEREAS, said premises were incorrectly assessed and/or taxed for reasons set forth in the applications for correction requested from the Director of Real Property Tax Services attached hereto,

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

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

Year, Town & Premises	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refunds	Chg. Back
1. 1998 Lima	Livingston County	246.63	246.63	0.00	0.00
MOORE, Stephen & Barbara	Liv.Co. Penalties	44.45	21.01	23.44	23.44
Tax Map Number	Town of Lima	125.47	125.47	0.00	0.00
37.10-1-39	Lima Village Relevy	<u>370.41</u>	<u>170.19</u>	<u>200.22</u>	<u>200.22</u>
	Total	\$786.96	\$563.30	\$223.66	\$223.66

Dated at Geneseo, New York

March 11, 1998

Tax Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

OTHER BUSINESS

1. Discussion of conversion of pagers - The E-911 Committee is recommending, that all fire and ambulance dispatching move to low band frequencies, pursuant to an agreement with the fire and ambulance services. The Chairman of the Board proposed a modification or replacement costs for converting pagers (on file). It is estimated that approximately 525 pagers will need to be converted. K. Niedermaier will present the proposal at a Fire Chief's meeting.
2. Mr. Moore announced that it has been brought to his attention by the E-911 committee that there are some house numbers within the towns that need updating. The Supervisors were asked to contact Mike Bradley of the Sheriff's Department or Angela Ellis of the Planning Department to determine if clarification is needed within their town.
3. Mr. Bassage reminded the Board of Supervisors that Dr. Davis, who serves as the EMS Director, is

scheduled to present data, regarding the response time of ambulances corps, immediately following this board meeting.

EXECUTIVE SESSION

Motion made by Mr. Moore and seconded by Mr. Bassage that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing matters leading to appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person and the proposed acquisition of real property, and that Dennis R. House act as Chairman and Virginia O. Amico as Secretary of the Committee of the Whole, and County Administrator Dominic Mazza remain present Lisa Grosse, Administrative Assistant; Terrence Donegan, County Auditor; and Tish Lynn, Personnel Officer were also in attendance for the first session. Patrick Rountree, Economic Developer, was in attendance for the second session. Carried.

The Board reconvened in regular session. The following report was presented.

REPORT OF THE COMMITTEE OF THE WHOLE

The Board of Supervisors having met in Executive Session for the purpose of discussing matters leading to appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person and the proposed acquisition of real property, hereby reports as follows:

1. No action taken.

Dated March 11, 1998

Dennis R. House, Chairman

Virginia O. Amico, Secretary

Motion made by Mr. Moore and seconded by Mr. Kramer that the Report of the Committee of the Whole be accepted. Carried.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Merrick to adjourn until Wednesday, March 25, 1998 at 1:30 p.m. Carried.

The Board adjourned at 3:48 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, MARCH 25, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present.

The Pledge of Allegiance.

MINUTES

Minutes of 3/11/98 Regular Meeting were approved as presented.

COMMUNICATIONS

1. Letter from Governor Pataki's Office acknowledging receipt of Res. No. 98-70 Supporting Legislation Mandating the Testing of All Inmates and 98-78 Supporting Legislation which modifies Aid to Prosecution.
2. Letter from Assemblyman Craig Doran acknowledging receipt of Res. No. 98-70 Supporting Legislation Mandating the Testing of All Inmates and 98-78 Supporting Legislation which modifies Aid to Prosecution and also receipt of Assembly Bill 285, Senate Bill 3903 addressing the issue of testing local jail and state correctional facility inmates and a table of State Funding for Aid to prosecution which addresses Res. No. 98-78.
3. Letters from Senator Jess Present acknowledging receipt of Res. No. 98-70 Supporting Legislation mandating the Testing of All Inmates and Res. No. 98-78 Supporting Legislation Which Modifies Aid to Prosecution
4. Letter from Assemblyman Jerry Johnson acknowledging receipt of Res. No. 98-112 Urging Reinstitution of State Revenue Sharing for Counties That Opt to Eliminate the Local sales tax on Clothing.
5. Letter of Thanks from Jefferson County for volunteer assistance during winter storm emergency in January.
6. Letter of Thanks from Judge Richard C. Wesley and staff for the new Court of Appeals Chambers.
7. Letter of Appreciation from Geneseo Garden Club for use of Strong Conference Room.
8. Letter of Thanks from Genesee Valley Council on the Arts for 1998 Allocation and in-kind donation of space and services on Campus.
9. Notice of Public Hearing from Town of Naples for Proposed Amendment to Zoning Law
10. Cornell Cooperative Extension is inviting the Board to the annual luncheon, April 8, 1998, 11:30 a.m. at the Campus House, Geneseo. Please notify the Clerk if you plan to attend.
11. Governor George Pataki is scheduled to visit Livingston County today. The Governor is scheduled to arrive at Kraft General Foods at 4:15 p.m. and then will be going to the Genesee River where a reception will be held.

RESOLUTION NO. 98-133. APPROVING ABSTRACT OF CLAIMS #3B - MARCH 25, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #3B dated March 25, 1998, in the total amount of \$1,045,842.73.

Dated at Geneseo, New York

March 25, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

PUBLIC HEARING

The Public Hearing to receive comments on the Conesus Lake County Sewer District Extension #9 - Lakeville Village Estates was called in accordance with the notices published in the official newspapers.

The Chairman announced that any person wishing to be heard would have the opportunity to do so at this time. No one wished to speak.

The Chairman stated that the Public Hearing would remain open until the end of the meeting.

PRIVILEGE OF THE FLOOR

There was not a request for Privilege of the Floor.

RESOLUTION NO. 98-134. APPOINTING MEMBER TO THE NYS FISH AND WILDLIFE MANAGEMENT BOARD

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

RESOLVED, that the following person is hereby appointed to the NYS Fish and Wildlife Management Board to fill the unexpired term of Dana R. Mehlenbacher expiring December 31, 1999:

Lonnie Meeusen, DVM, Nunda Veterinary Clinic, 1497 Portage Road, Nunda, NY 14517

Dated at Geneseo, New York

March 25, 1998

Agriculture Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-135. AUTHORIZING A CONTRACT WITH FRASER-VESPER ASSOCIATES PC FOR ENGINEERING AND DESIGN SERVICES FOR A HIGHWAY FACILITY / ANIMAL SHELTER AT HAMPTON CORNERS

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

WHEREAS, the Livingston County Board of Supervisors approved the final report for the study of Hampton Corners by Res. No. 95-392, it is hereby

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to sign a contract with Fraser-Vesper Associates PC of 1820 Doran Road, Lima, New York 14485-9755, for engineering and design services for a Highway Facility / Animal Shelter at Hampton Corners in an amount not to exceed One Hundred One Thousand Five Hundred Fifty Dollars (\$101,550.00), subject to review by the County Administrator and County Attorney.

Copy of the contract on file in Clerk's office.

Dated at Geneseo, New York

March 25, 1998

Buildings Committee

Highway Committee

Mr. Merrick stated that the County received six proposals and three firms were interviewed. There were some concerns regarding the result of the bid proposal from Fraser-Vesper Associates. A meeting was held which revisited those concerns and the Committee is recommending Fraser-Vesper Associates as the lowest responsible bidder.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-136. APPROVING TRANSFER OF FUNDS - VARIOUS (OFFICE FOR THE AGING)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

March 25, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-137. ACCEPTING GRANT AWARD FOR THE FOSTER GRANDPARENT PROGRAM

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

WHEREAS, the Livingston County Office for the Aging Foster Grandparent Program has been awarded a grant from The Corporation for National Service, now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors accepts said grant, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the grant award, subject to review by the County Attorney and County Administrator

Dated at Geneseo, New York

March 25, 1998

Health Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-138. APPROVING CONTRACT BETWEEN NICHOLAS H. NOYES MEMORIAL HOSPITAL AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR HOSPICE SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between Nicholas H. Noyes Memorial Hospital and the Livingston County Department of Health for Hospice Services, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

March 25, 1998

Health Committee

Mr. Jaeger questioned the services that will be provided. The County Attorney departed from the meeting to confirm with the Health Department and the resolution was deferred.

RESOLUTION NO. 98-139. APPOINTING LIVINGSTON COUNTY HIGHWAY SUPERINTENDENT

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

RESOLVED, that Donald Higgins of Dansville, New York is hereby appointed as Livingston County Highway Superintendent effective 4/4/98, for a term ending 4/3/2002.

Dated at Geneseo, New York

March 25, 1998

Highway Committee

Salary & Negotiating Committee

EXECUTIVE SESSION

Motion made by Mrs. Avery and seconded by Mr. Moore that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing matters leading to appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person, and that Dennis R. House act as Chairman and Virginia O. Amico as Secretary of the Committee of the Whole, and County Administrator Dominic Mazza remain present. Carried.

The Board reconvened in regular session. The following report was presented.

REPORT OF THE COMMITTEE OF THE WHOLE

The Board of Supervisors having met in Executive Session for the purpose of discussing matters leading to appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person, hereby reports as follows:

1. No action taken.

Dated March 25, 1998
Dennis R. House, Chairman
Virginia O. Amico, Secretary

Motion made by Mr. Moore and seconded by Mr. Daley that the Report of the Committee of the Whole be accepted. Carried.

RESOLUTION NO. 98-139. APPOINTING LIVINGSTON COUNTY HIGHWAY SUPERINTENDENT

The roll was called as follows: Ayes - 1,665; Noes - Avery, 71; Kramer, 78 Total 149; Absent - 0; Adopted.

RESOLUTION NO. 98-140. APPROVING APPOINTMENT OF LIVINGSTON COUNTY DEPUTY HIGHWAY SUPERINTENDENT

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

WHEREAS, Section 102-a of the Highway Law authorizes the County Highway Superintendent to appoint a Deputy Superintendent, with the approval of the Board of Supervisors, now, therefore, be it

RESOLVED, that the Board of Supervisors hereby approves the Superintendent's appointment of Dennis J. Barefoot of 2015 Genesee Street, Piffard, NY 14533 as Deputy Highway Superintendent, effective April 4, 1998 and terminating April 3, 2002.

Dated at Geneseo, New York

March 25, 1998

Highway Committee

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-141. AWARDING BID FOR CRANE REHABILITATION/REPAIR/ INSPECTION SERVICES FOR HIGHWAY DEPARTMENT

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

WHEREAS, due to infrequent previous use, the P & H T-250 Hydraulic Truck Crane obtained through the NYS OGS Federal Surplus Assistance Program, is in need of various reconditioning, rehabilitation, repair and inspection work, and

WHEREAS, said work should be performed by an authorized crane service and certified crane inspection center, and

WHEREAS, after legal advertisement, bids for said services were publicly opened and read on March 18, 1998 in Room 302 of the Livingston County Government Center, and

WHEREAS, the bid of Stephenson Equipment, Inc. of East Syracuse, N.Y. in the amount of \$31,595.00 was the only bid proposal received and said bid meets all bid specifications, now, therefore, be it

RESOLVED, that said bid be accepted, and the Superintendent of Highways is hereby authorized to purchase said services for said price, contingent upon Stephenson Equipment, Inc. signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 25, 1998

Highway Committee

Donald Higgins, County Highway Superintendent, reviewed the cost associated with the purchase of the crane.

Overall, the crane cost the County approximately \$45,000 versus the cost of a new crane at \$318,000.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-142. AUTHORIZING CHAIRMAN TO SIGN A WEATHERIZATION CONTRACT WITH THE NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL

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

WHEREAS, the New York State Division of Housing and Community Renewal has awarded \$216,080 in Weatherization funds to Livingston County, now therefore, be it

RESOLVED, that the Chairman be, and he hereby is, authorized to sign a Weatherization contract with the New York State Division of Housing and Community Renewal after review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

March 25, 1998

Legislative Committee

David Woods, Planning Director, stated that the 1998 funding will enable 90-95 homes to be repaired. The contract is effective from April 1, 1998 through March 30, 1999. The said amount is a reduction from last year.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-143. APPOINTING MEMBER TO LIVINGSTON COUNTY PLANNING BOARD - HILTS

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

RESOLVED, that Wesley Hilts, 7000 Creek Road, Mount Morris, New York 14510 is appointed to the Livingston County Planning Board, to fill the unexpired term of Burton Mann, as a representative of the Town of Mount Morris for a term expiring December 31, 1998.

Dated at Geneseo, New York

March 25, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-144. AWARDING BID FOR SIX (6) MARKED CARS FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT

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

WHEREAS, after proper legal advertisement for bids for the purchase of six (6) marked cars and trade of six vehicles for the Livingston County Sheriff's Department, bids were received, then opened on March 13, 1998, now, therefore, be it

RESOLVED, that the bid of DeLacy Ford Inc., 3061 Transit Road, Elma, New York 14059 for six (6) marked 1998 Ford Crown Victoria cars in an amount not to exceed Ninety Eight Thousand Two Hundred Thirty Eight Dollars (\$98,238.00) which includes trade-in allowances, be and hereby is accepted as the lowest responsible bid.

Dated at Geneseo, New York

March 25, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-145. AWARDING BID FOR PUMP STATION BUILDING ROOF REPAIRS

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

WHEREAS, the roofs on 12 of the generator buildings in the Conesus Lake County Sewer District need to be replaced, and

WHEREAS, after proper legal advertisement for bids for the replacement of the roofs at the District, ten (10) bids were received, then opened on February 23, 1998, now therefore, be it

RESOLVED, that the bid of All-Weather Contractors, Inc. of 510 Ellicott Road, Cheektowaga, New York 14227 in an amount not to exceed Twenty-One Thousand Four Hundred Eighty Dollars (\$21,480.00) be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

March 25, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-146. ESTABLISHING PUBLIC HEARING FOR RATE INCREASES FOR CONESUS LAKE COUNTY SEWER DISTRICT - VILLAGE OF LIVONIA

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

WHEREAS, the Conesus Lake County Sewer District has established that the current rate does not cover expenses for services rendered for treatment of sewage from the Village of Livonia, now, therefore, be it

RESOLVED, that a public hearing will be held on April 22, 1998 at 1:35 p.m. to receive all comments on the proposed rate increase, and be it further

RESOLVED, that the appropriate notices be published in the County=s official newspapers.

Dated at Geneseo, New York

March 25, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-147. OPPOSING SENATE BILL 4900 AND ASSEMBLY BILL 5910

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

WHEREAS, a bill has been introduced in the New York State Senate (Senate Bill 4900) and in New York State Assembly (Assembly Bill 5910) which would amend the Civil Service Law and make an elected sheriff a joint employer with the County as regards employees of the Sheriff=s Department, and

WHEREAS, this amendment would make the Sheriff a necessary party to collective bargaining negotiations and contracts and other contracts affecting County employees in the Sheriff=s Department, and

WHEREAS, the issues dealt with in collective bargaining, i.e. terms and conditions of employment, are more appropriately addressed by the Board of Supervisors, who are accountable to the citizens of the County for the expenditure of funds and raising of revenue, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors expresses its strong opposition to Senate Bill 4900 and Assembly Bill 5910 and urges it=s elected representatives to assist in the defeat of this legislation, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George Pataki, Senator Dale M. Volker, Senator Jess Present, Assemblyman Gerald E. Johnson, Assemblyman Craig Doran and Assemblyman Thomas Reynolds.

Dated at Geneseo, New York

March 25, 1998

Salary & Negotiating Committee

Mr. Layland stated that this resolution was adopted in 1997 opposing an Assembly Bill. Mr. Layland explained concerns with regard to the Sheriff becoming a joint employer during negotiations.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-148. AMENDING THE 1998 SALARY SCHEDULE - PUBLIC HEALTH & HIGHWAY

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

RESOLVED, that the 1998 Salary Schedule for the following departments be amended as follows:

PUBLIC HEALTH

Amend the Wage Rate for Carol Thompson to \$17.95 per hour effective January 1, 1998.

HIGHWAY

Create one Road Construction Foreman position at Salary Grade 14.

Dated at Geneseo, New York

March 25, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-149. CORRECTING TAX ROLL - TOWN OF YORK

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

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

WHEREAS, said premises were incorrectly assessed and/or taxed for reasons set forth in the applications for correction requested from the Director of Real Property Tax Services attached hereto,

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

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

Year, Town & Premises	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refunds	Chg. Back
1. 1998 York	Livingston County	62.57	62.57	0.00	0.00
POLLET, Richard	Town of York	39.03	39.03	0.00	0.00
Tax Map Number	York Fire	6.90	6.90	0.00	0.00
32.-1-37	York Light	1.94	1.94	0.00	0.00
	Water #2	<u>168.21</u>	<u>23.25</u>	<u>144.96</u>	<u>144.96</u>
Total	Total	\$278.65	\$133.69	\$144.96	\$144.96

Dated at Geneseo, New York

March 25, 1998

Tax Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

PUBLIC HEARING

The Chairman asked if anyone wished to speak regarding the Public Hearing to receive comments on the Conesus Lake County Sewer District Extension #9 - Lakeville Village Estates. No one wished to speak.

The Chairman declared the public hearing closed and directed the Clerk of the Board to read the resolution.

RESOLUTION NO. 98-150. APPROVING CONESUS LAKE COUNTY SEWER DISTRICT EXTENSION #9

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

WHEREAS, the Livingston County Board of Supervisors by Res. No. 98-99 accepted maps, plans and reports for the extension of the Conesus Lake County Sewer District, and

WHEREAS, a public hearing on said district extension was held on March 25, 1998, and

WHEREAS, the Livingston County Board of Supervisors heard and considered comments regarding the extension of the Conesus Lake County Sewer District, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors finds that all property and property owners within the proposed extension are benefited by the extension of the Conesus Lake County Sewer District, and be it further

RESOLVED, that all property and property owners benefited are included within the limits of the proposed extension, and be it further

RESOLVED, that the Livingston County Board of Supervisors finds that it is in the public interest to extend the district, and be it further

RESOLVED, that the Livingston County Board of Supervisors finds that the maps, plans, and reports, are appropriate and sufficient, and be it further

RESOLVED, that the Livingston County Board of Supervisors approves the Conesus Lake County Sewer Extension #9, and be it further

RESOLVED, that the permissive referendum requirement is waived based upon the certification of the Livingston County Board of Elections, a copy of which is attached hereto, that there are no qualified electors residing within the area included in the extension.

Dated at Geneseo, New York

March 25, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-138. APPROVING CONTRACT BETWEEN NICHOLAS H. NOYES MEMORIAL HOSPITAL AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR HOSPICE SERVICES

The County Attorney stated that he spoke with Cheryl Pletcher, Livingston County Department of Health Director of Patient Services, and this contract allows Noyes to provide acute care for hospice patients for those who cannot stay at home.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

OTHER BUSINESS

1. The Clerk reminded the Agriculture Committee that a meeting has been scheduled after the Board meeting.

EXECUTIVE SESSION

Motion made by Mr. Essler and seconded by Mr. Daley that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing the proposed acquisition of real property, and that Dennis R. House act as Chairman and Virginia O. Amico as Secretary of the Committee of the Whole, and County Administrator Dominic Mazza, County Attorney David Morris and Patrick Rountree remain present. Carried.

The Board reconvened in regular session. The following report was presented.

REPORT OF THE COMMITTEE OF THE WHOLE

The Board of Supervisors having met in Executive Session for the purpose of discussing the proposed acquisition of real property, hereby reports as follows:

1. No action taken.

Dated March 25, 1998

Dennis R. House, Chairman

Virginia O. Amico, Secretary

Motion made by Mr. Moore and seconded by Mr. Layland that the Report of the Committee of the Whole be accepted. Carried.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Olverd to adjourn until Wednesday, April 8, 1998 at 1:30 p.m. Carried.

The Board adjourned at 3:36 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, APRIL 8, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Marks and Moore.

The Pledge of Allegiance.

MINUTES

Minutes of 3/25/98 Regular Meeting were approved as presented.

COMMUNICATIONS

1. Acknowledgment from NYSAC, and Assemblymen Craig J. Doran and Thomas M. Reynolds regarding receipt of Res. No. 98-112 urging reinstitution of state revenue sharing for counties that opt to eliminate the local sales tax on clothing.
2. Acknowledgment from Assemblyman Gerald Johnson regarding receipt of Res. No. 98-147 opposing Senate Bill 4900/Assembly Bill 5910
3. The 1997 Audited Financial Statements and the Annual Report for the Livingston County Water and Sewer Authority is on file.
4. The 1974-1997 Western Off Track Betting Report has been submitted and filed.
5. Intercounty Association of Western New York meeting being held April 21, 1998, Genesee County, The Holiday Inn Hotel and Suites (formerly the Sheraton Inn), Batavia, New York.
PROGRAM: Genesee County=s 7th Annual County Government Week

RESOLUTION NO. 98-151. APPROVING ABSTRACT OF CLAIMS #4A - APRIL 8, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #4A dated April 8, 1998, in the total amount of \$1,305,418.29.

Dated at Geneseo, New York

April 8, 1998

Finance Committee

The roll was called as follows: Ayes - 1,691; Noes - 0; Absent - 123; Adopted.

PUBLIC HEARING

The Public Hearing to receive comments on the Conesus Lake County Sewer District Extension #8 - Livonia Center was called in accordance with the notices published in the official newspapers.

The Chairman announced that any person wishing to be heard would have the opportunity to do so at this time.

1. Chris Eades, 3794 Livonia Center Road, Livonia, New York - Spoke in favor of the District Extension - best solution to sanitary sewage problems
2. Elise D. Albertson, 6691 Richmond Mills Road, Livonia, New York - Spoke in opposition - felt the cost was excessive as lower cost options were available.
3. Letters of support were opened and read from Kathy and Bill VanBuskirk, 6781 Richmond Mills Road, Livonia Center, New York and two unsigned letters.

The Chairman stated that the Public Hearing would remain open until the end of the meeting.

PRIVILEGE OF THE FLOOR

1. Sheriff Road Patrol Accreditation - Sheriff John York described the accreditation process and acknowledged the special efforts of Undersheriff Dan Maloney and Deputy Adam Gary Miller, Sergeant Randall Morris, Brenda Smith, Pam Rychlicki, Joan Emery, and Heather Gross. Dennis McCarty Division of Criminal Justice Services (NYSDCJS) presented plaques in recognition of the Livingston County Sheriff=s Department Division of Criminal Justice Services having achieved the high standards necessary to receive accreditation by NYSDCJS.
2. County Treasurer Arlene Johnston presented her 1997 Annual Report.

RESOLUTION NO. 98-152. APPROVING TRANSFER OF FUNDS - VARIOUS (CENTRAL SERVICES, COUNTY CLERK, PUBLIC HEALTH, OFFICE FOR THE AGING)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

April 8, 1998

Finance Committee

The roll was called as follows: Ayes - 1,691; Noes - 0; Absent - 123; Adopted.

RESOLUTION NO. 98-153. ACCEPTING PORTION OF STATE HIGHWAY NO. 8112 (NY 63) TO BE ABANDONED BY NEW YORK STATE

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

WHEREAS, the NYS Department of Transportation (NYSDOT) is willing to discontinue its interest in that portion of New York State Highway No. 8112 more particularly shown on a map attached hereto, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors requests that NYSDOT discontinue its maintenance jurisdiction over that portion of State Highway No. 8112 as shown on a map attached hereto and requests that the NYSDOT execute an official order and file with the County Clerk, the Clerk of the Board of Supervisors and the Town Clerk of the Town of Groveland certified copies of said order together with the map of said premises, and be it further

RESOLVED, that the Livingston County Board of Supervisors is willing to accept the above mentioned portion of State Highway No. 8112, and it is further

RESOLVED, that three certified copies of this resolution shall be sent to the New York State Department of Transportation, 1530 Jefferson Road, Rochester, NY 14623-3161.

Dated at Geneseo, New York

April 8, 1998

Highway Committee

The roll was called as follows: Ayes - 1,691; Noes - 0; Absent - 123; Adopted.

RESOLUTION NO. 98-154. AUTHORIZING THE CHAIRMAN TO SIGN A QUIT CLAIM DEED AND RELATED DOCUMENTS TO TRANSFER A PARCEL ON WEST LAKE ROAD

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

WHEREAS, the State of New York has previously discontinued maintenance of certain portions of West Lake Road, and

WHEREAS, the Superintendent of Highways has determined that the following parcel of property is of no further use for highway purposes for the County of Livingston, and

WHEREAS, the Superintendent of Highways has recommended that the following parcel be abandoned to the adjoining landowner, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a quit claim deed and related documents to transfer the following parcel to the party listed upon payment to the County of Livingston of \$100.00:

Donald W. And Eileen O. Doerflinger

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Geneseo, County of Livingston, State of New York, and being part of Town Lot No. 146, bounded and described as follows:

Commencing at a point on the new easterly highway boundary line of West Lake Road, Scottsburg-Upper Lakeville, Part 2, State Highway No. 8397, New York State Route 256, said point being 38.00 feet easterly, measured at right angles, from Baseline Station 206 + 75.00 (said Baseline being designated as 1986 Survey Baseline >D=), said point of beginning being on the westerly line of Parcel 7A, as shown on NYSDOT AMap Showing portions of Scottsburg-Upper Lakeville, Part 2, State Highway No. 8397 over which maintenance jurisdiction is to be discontinued to the County of Livingston ---≡, dated 4/11/90, Sheet 7 of 10 sheets. Said Discontinuance or Abandonment parcel is further described in an OFFICIAL ORDER No. H2302, dated 3/16/93, pursuant to Sections 65 and 345-A of the Highway Law; thence

- 1.) North 19E 09' 15" East and along the retention line and new highway boundary line for a distance of 71.79 feet to point marked by an iron pipe; thence
- 2.) South 73E 03' 00" East and along the extension of the division line between lands of 920 West Lake Road, Inc. to south and lands of Robert E. Herriott and Joy A. Herriott (Liber 756 of Deeds at page 212) to the north, as described in a Boundary Line Agreement in (Liber 593 of Deeds at page 74), for a distance of 52.29 feet to a point marked by an iron pipe; thence
- 3.) South 21E 30' 00" West and along the assumed easterly highway line of old West Lake Road for a distance of 198.64 feet to a point marked by an iron pipe; thence
- 4.) North 76E 10' 00" West and along the extension of the division line between lands of said 920 West Lake Road, Inc. to the north and lands of Wilbert J. Arnold and Lulu R. Arnold (Liber 254 of Deeds at page 80) to the south, for a distance of 22.16 feet to a point; thence
- 5.) North 09E 16' 51" East and along the retention line and new highway boundary line of West Lake Road for a distance of 128.63 feet to the point of beginning.

Containing: 0.188 acres.

Subject to an Easement granted to the Conesus Lake County Sewer District (Liber 412 of Deeds at page 624) and (Liber 414 of Deeds at page 464).

Subject to a Right of Way in common with others for ingress and egress over old West Lake Road, as it continues to serve several properties to the north and south of the above described premises.

Together with a Right of Way in common with others for ingress and egress over old West Lake Road, as it continues to serve the above described premises and several properties to the north and south.

Dated at Geneseo, New York

April 8, 1998

Highway Committee

The roll was called as follows: Ayes - 1,691; Noes - 0; Absent - 123; Adopted.

RESOLUTION NO. 98-155. AUTHORIZING CHAIRMAN OF THE BOARD TO SIGN AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR CONTINUATION OF THE CONTRACT PROVIDING STATE FUNDS FOR THE SHERIFF'S WORK RELEASE PROGRAM

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

WHEREAS, the County of Livingston has applied to the Division of Probation and Correctional Alternatives for funding and has been allocated up to \$10,800 for continuation of the Sheriff's Work Release Program; and

WHEREAS, the County=s application has been approved for the period July 1, 1997 through December 31, 1997, it is hereby

RESOLVED, that the Chairman of the Board is authorized to sign the ATI contract extension agreement between the New York State Division of Probation and Correctional Alternatives and the County of Livingston for the period July 1, 1997 through December 31, 1997, for an amount of \$10,800, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

April 8, 1998

Judicial Committee

The roll was called as follows: Ayes - 1,691; Noes - 0; Absent - 123; Adopted.

RESOLUTION NO. 98-156. DESIGNATING THE WEEK OF MAY 3-7, 1998 AS NATIONAL TOURISM WEEK

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

WHEREAS, tourism plays a major economic impact in New York State, ranking second only to agriculture. In the Finger Lakes Region alone, there are over 6,000 businesses employing approximately 80,000 people with an annual payroll in excess of \$821,000,000. The Activity Index reflects over 9,000,000 visitations which generates an overall economic impact of 1.5 billion dollars; and

WHEREAS, being the oldest tourism promotion agency in the country and the largest in New York State, the Finger Lakes Association is proud of the role it has played for over 78 years in creating the positive image and strong identity this vacationland has come to enjoy; now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors hereby designate May 3-7, 1998 as National Tourism Week in Livingston County.

Dated at Geneseo, New York

April 8, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,691; Noes - 0; Absent - 123; Adopted.

RESOLUTION NO. 98-157. REAPPOINTING MEMBERS TO THE COMMUNITY INITIATIVES COUNCIL - CALABRESE, LANDERS

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

RESOLVED, that the following persons are hereby reappointed to the Livingston County Community Initiatives Council, as representatives of the Private Sector, for a term commencing on January 1, 1998 and expiring December 31, 1998:

Rocco Calabrese, 4177 Lima Road, Geneseo, NY 14454

Kelly Jo Landers, 5699 Marrowback Road, Conesus, NY 14435

Dated at Geneseo, New York

April 8, 1998

Committee

The roll was called as follows: Ayes - 1,619; Noes - 0; Absent - 123; Adopted.

RESOLUTION NO. 98-158. AWARDED BID FOR UNIFORMS FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT

Mrs. Avery presented the following resolution and moved its adoption:

WHEREAS, after due advertisement, bids were opened on March 16, 1998 by the Office of the Livingston County Administrator for uniforms to be used by the Livingston County Sheriff=s Department, now, therefore be it

RESOLVED, that the Livingston County Sheriff is hereby authorized to purchase uniforms from United Uniforms of 495 French Road, Amherst, New York 14228 for the period May 1, 1998 through April 30, 1999, according to prices on file in the Office of the County Administrator, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign said contract, subject to review by the County Administrator and County Attorney.

Dated at Geneseo, New York

April 8, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,691; Noes - 0; Absent - 123; Adopted.

RESOLUTION NO. 98-159. AMENDING THE 1998 SALARY SCHEDULE - VARIOUS

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

RESOLVED, that the 1998 Salary Schedule for the following departments be amended per the following chart.

VACANT POSITIONS TO DELETE

Department	Title	Date Vacant	Last Incumbent
Central Services	Carpenter	3/6/94	Laird Simons
	Cleaner	7/17/97	Donna Ludwig
	Cleaner	10/22/97	Margaret Friedman
	Painter	12/14/88	Joseph Maggerine
	Senior Account Clerk/Typist	12/31/95	Sally Donnelly
Sewer District	Administrator	7/30/93	Herbert Page
Campus Skilled Nursing Facility	Account Clerk	9/29/93	Carol Rittenhouse
	Activities Aide	4/15/86	Jo Ann Wolfanger
	Cleaner	3/2/98	Janice Sicurella
	Cleaner	12/26/97	Angeline Tarmino
Public Health	Outreach Worker	5/3/90	Karen Turner
	Registered Professional Nurse	1/12/96	Lou Anne Conrad
	Breastfeeding Coordinator	10/10/97	Carol Mulligan
Sheriff	Deputy Sheriff/ Communications Officer	11/22/97	Michael Bradley
Geneseo Skilled Nursing Facility	Cleaner	3/12/96	Dawn Brooks
	Cleaner	2/19/97	Lisa Semmel

	Laundry Worker	3/24/95	Carol Templeton
Social Services	Account Clerk/ Typist	12/12/97	Melissa Frisaris
	Senior Clerk	6/9/97	Joan Loop

Dated at Geneseo, New York

April 8, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,691; Noes - 0; Absent - 123; Adopted.

RESOLUTION NO. 98-160. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE - HIGHWAY

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

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

HIGHWAY

Create one (1) Highway Administrative Manager having a salary range of \$33,000 - \$35,000.

Dated at Geneseo, New York

April 8, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,613; Noes - 78; Absent - 123; Adopted.

RESOLUTION NO. 98-161. ADOPTING DRUG-FREE WORKPLACE POLICY

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

RESOLVED, that the Livingston County Board of Supervisors adopts the attached Drug-Free Workplace policy to be effective immediately upon adoption of this resolution.

LIVINGSTON COUNTY DRUG FREE WORKPLACE POLICY

It is the intention of Livingston County to comply fully with the Drug-Free Workplace Act of 1988, and to provide a workplace free from illegal drugs. In furtherance of this intention, the County has established this policy.

1. **Employees to be drug free.** Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is our intent to provide a drug-free work environment.

2. **No drugs in workplace.** The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on County premises or while conducting County business off County premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.

3. **Assistance for drug problems.** The County recognizes drug dependency as an illness and a major health problem. The County also recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use our employee assistance program and health insurance plans, as appropriate. Conscientious efforts to seek such help will not jeopardize any employee's job, and will not be noted in any personnel records.

4. **Reporting criminal convictions.** Employees must, as a condition of employment, abide by the terms of the above policy and report any conviction under a criminal drug statute for violations occurring on or off County premises while conducting County business. A conviction must be reported to the employee's Department Head

and to the County Personnel Officer within five (5) days after the conviction. (This requirement is mandated by the Drug-Free Workplace Act of 1988.)

Any questions regarding this policy should be directed to the County Personnel Officer at 243-7570.

Dominic F. Mazza
County Administrator

Dated at Geneseo, New York

April 8, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,691; Noes - 0; Absent - 123; Adopted.

RESOLUTION NO. 98-162. CORRECTING TAX ROLL - TOWNS OF AVON AND WEST SPARTA

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

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to one (2) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Towns of Avon and West Sparta on the tax roll for the years hereinafter set forth, and

WHEREAS, said premises were incorrectly assessed and/or taxed for reasons set forth in the applications for correction requested from the Director of Real Property Tax Services attached hereto,

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

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

Year, Town & Premises	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refunds	Chg. Back
1. 1998 Avon	Livingston County	127.01	4.14	0.00	122.87
NEW HORIZON CHRISTIAN	Liv. Co. Penalties	54.09	1.87	0.00	52.22
FELLOWSHIP	Town of Avon	54.02	3.70	0.00	50.32
Tax Map Number	Avon Sch. Relevy	357.22	11.65	0.00	345.57
45-1-32.6	Avon Fire 1	<u>18.40</u>	<u>.60</u>	<u>0.00</u>	<u>17.80</u>
	Total	\$610.74	\$21.96	\$0.00	\$588.78
2. 1998 West Sparta	Livingston County	409.05	306.79	0.00	102.26
LONG, Dean R. & Melissa J.	Town of West Sparta	523.01	392.26	0.00	130.75
Tax Map Number	Dansville Sch.Relevy	1062.85	1062.85	0.00	0.00
174-1-40	West Sparta Fire	<u>59.91</u>	<u>59.91</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$2054.82	\$1821.81	\$0.00	\$233.01

Dated at Geneseo, New York

April 8, 1998

Tax Committee

The roll was called as follows: Ayes - 1,691; Noes - 0; Absent - 123; Adopted.

PUBLIC HEARING

The Chairman asked if anyone wished to speak regarding the Public Hearing to receive comments on the Conesus Lake County Sewer District Extension #8 - Livonia Center.

The Chairman declared the public hearing closed. Mr. Timothy Wahl, Livonia Town Supervisor, requested the

Board=s support of this project. The Chairman directed the Clerk of the Board to read the resolution. The County Attorney has prepared the petition forms. The forms are located in the office of the Clerk of the Board.

RESOLUTION NO. 98-163. APPROVING CONESUS LAKE COUNTY SEWER DISTRICT EXTENSION #8

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

WHEREAS, the Livingston County Board of Supervisors by Res. No. 98-130 accepted maps, plans and reports for the extension of the Conesus Lake County Sewer District, and

WHEREAS, the proposal for the development in the hamlet of Livonia Center is based upon the receipt of not less than \$400,000.00 in grants from the Environmental Bond Fund, and or U.S. Department of Housing and Urban Development or other state or federal grant programs, to be used to defray the costs of the construction of the collection system, and

WHEREAS, a public hearing on said district extension was held on April 8, 1998, and

WHEREAS, the Livingston County Board of Supervisors heard and considered comments regarding the extension of the Conesus Lake County Sewer District, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors finds that all property and property owners within the proposed extension are benefited by the extension of the Conesus Lake County Sewer District, and be it further

RESOLVED, that all property and property owners benefited are included within the limits of the proposed extension, and be it further

RESOLVED, that the Livingston County Board of Supervisors finds that it is in the public interest to extend the district, and be it further

RESOLVED, that the Livingston County Board of Supervisors finds that the maps, plans, and reports, are appropriate and sufficient, and be it further

RESOLVED, that the Livingston County Board of Supervisors approves the Conesus Lake County Sewer Extension #8, which approval is subject to permissive referendum, and be it further

RESOLVED, that no construction will proceed on the proposed collection project, until such time as the County has received a commitment for a grant in an amount not less than \$400,000.00 for construction of such facilities, and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall file an application with New York State Department of Audit and Control for permission to create the aforementioned district 45 days after this resolution becomes effective provided no referendum is requested.

Dated at Geneseo, New York

April 8, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,691; Noes - 0; Absent - 123; Adopted.

Motion made by Mr. Stewart and seconded by Mr. Wahl to adopt the following order:

ORDER NO. 1 1998 AN ORDER ESTABLISHING THE EXTENSION OF THE CONESUS LAKE COUNTY SEWER DISTRICT IN THE COUNTY OF LIVINGSTON

WHEREAS, the approval of the State Comptroller is not necessary for the establishment of the proposed extension of the Conesus Lake County Sewer District, and

WHEREAS, it is now desired to adopt an order pursuant to Section 258 of the County Law establishing said extension of the Conesus Lake County Sewer District, now, therefore,

IT IS HEREBY ORDERED by the Board of Supervisors of the County of Livingston, New York, as follows:

Section 1. The Conesus Lake County Sewer District in the County of Livingston, New York is hereby extended to

comprise the area in said County consisting of part of the Town of Geneseo, more particularly bounded and described in Schedule A attached hereto.

Section 2. The Clerk of the Board of Supervisors is hereby authorized and directed to cause a certified copy of this order to be recorded in the Office of the Clerk of the County of Livingston, New York, in accordance with the provision of Section 259 of the County Law.

Section 3. This order shall take effect immediately.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Geneseo, Livingston County, New York, being parts of Lot 206 Sherer=s Survey and Lot 76 of Saxton Survey; Beginning at a point in the west line of West Lake Road at its intersection with the south line of the premises conveyed to Niagara Mohawk Power Corporation by Deed recorded in Liber 361 of Deeds, page 243; thence (1) running south 07E49' 24" west along the west line of said West Lake Road a distance of 67.08 feet to a point; thence (2) running south 08E15' 21" west along the west line of said West Lake Road a distance of 287.81 feet to a point; thence (3) running south 01E 52' 33" east, a distance of 189.12 feet to a point in the centerline of Old West Lake Road; thence (4) running north 81E17'20" west a distance of 33.00 feet to a point in the west line of Old West Lake Road; thence (5) running south 08E10'27" west along the west line of Old West Lake Road, a distance of 647.90 feet to a point; thence (6) running south 80E15'11" west along the northerly line of premises conveyed to Johnston, as described in Liber 390 of Deeds, page 220, a distance of 218.77 feet to a point; thence (7) running south 68E15' 00" west along the north line of premises conveyed to Godfrey as described in Liber 374 of Deeds, page 45, a distance of 127.63 feet to the northwest corner of premises therein; thence (8) running south 21E45' 00" east along the westerly line of said Godfrey premises a distance of 171.54 feet to a point in the north line of Geneseo-Lakeville Road (N.Y.S. Route 20A); thence (9) running south 68E03'57" west along the north line of said Geneseo-Lakeville Road (N.Y.S. Route 20A) a distance of 163.28 feet to a point on the north right-of-way line of Geneseo-Lakeville Road (N.Y.S. Route 20A); thence (10) running north 21E45'00" west a distance of 834.99 feet to a point; thence (11) running south 67E36'00" west a distance of 707.32 feet to a point; thence (12) running north 9E30'08" west a distance of 1,309.87 feet to a point; thence (13) running north 83E07'02" west a distance of 329.19 feet to a point; thence (14) running north 5E28'55" west a distance of 358.51 feet to a point; thence (15) running north 82E51'43" west a distance of 906.50 feet to a point; thence (16) running north 6E34'54" east a distance of 200.99 feet to a southwest corner of premises conveyed to Niagara Mohawk Power Corporation by Deed recorded in Liber 421 of Deeds, page 50; thence (17) running south 81E39'07" east along the south line of said Niagara Mohawk Power Corporation, a distance of 2,096.34 feet to an angle point therein; thence (18) running south 7E54'54" west along a westerly line of said Niagara Mohawk Power Corporation a distance of 770.50 feet to a corner; thence (20) running north 87E40'27" east along said south line of Niagara Mohawk Power Corporation and along south line of premises conveyed to said Niagara Mohawk Power Corporation by Deed recorded in Liber 361 of Deeds, page 243, a distance of 1,040.99 feet to the point or place of beginning.

	Weighted Vote	Ayes	Noes	Abstain

Joseph A. Daley, Supervisor, Town of Avon	194	<u>X</u>	_____	_____
James Layland, Supervisor, Town of Caledonia	141	<u>X</u>	_____	_____
Donna L. Avery, Supervisor, Town of Conesus	71	<u>X</u>	_____	_____
W. Harold Stewart, Supervisor, Town of Geneseo	187	<u>X</u>	_____	_____
James C. Merrick, Supervisor, Town of Groveland	54	<u>X</u>	_____	_____
Gary D. Moore, Supervisor, Town of Leicester	72	-	_____	_____
Lance H. Bassage, Supervisor, Town of Lima	128	<u>X</u>	_____	_____
Timothy R. Wahl, Supervisor, Town of Livonia	208	<u>X</u>	_____	_____
James F. Olverd, Supervisor, Town of Mt. Morris	146	<u>X</u>	_____	_____

Gerald R. Derrenbacher, Supervisor, Town of North Dansville	180	<u>X</u>	_____
Richard J. Essler, Supervisor, Town of Nunda	94	<u>X</u>	_____
Emery Jaeger, Supervisor, Town of Ossian	26	<u>X</u>	_____
Ivan C. Davis, Supervisor, Town of Portage	29	<u>X</u>	_____
Leopold Marks, Supervisor, Town of Sparta	51	<u>-</u>	_____
Howard J. Kramer, Supervisor, Town of Springwater	78	<u>X</u>	_____
Marjorie Cansdale, Supervisor, Town of West Sparta	43	<u>X</u>	_____
Dennis R. House, Supervisor, Town of York	112	<u>X</u>	_____
	1,814		
		Ayes	1,691
		Noes	
		Abstain	
		Absent	123

Adopted X Lost

EXECUTIVE SESSION

Motion made by Mrs. Avery and seconded by Mr. Daley that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing land acquisition, and that Dennis R. House act as Chairman and Virginia O. Amico as Secretary of the Committee of the Whole, and County Administrator Dominic Mazza remain present. Carried.

The Board reconvened in regular session. The following report was presented.

REPORT OF THE COMMITTEE OF THE WHOLE

The Board of Supervisors having met in Executive Session for the purpose of discussing land acquisition:

1. No action taken.

Dated April 8, 1998
Dennis R. House, Chairman
Virginia O. Amico, Secretary

Motion made by Mr. Layland and seconded by Mr. Daley that the Report of the Committee of the Whole be accepted. Carried.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Merrick to adjourn until Wednesday, April 22, 1998 at 1:30 p.m. Carried.

The Board adjourned at 2:47 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, APRIL 22, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Mr. Merrick.

The Pledge of Allegiance.

MINUTES

Minutes of 4/8/98 Regular Meeting were approved as presented.

COMMUNICATIONS

1. A tour of the Livingston Correctional Facilities, Groveland, New York has been scheduled for Friday, May 8, 1998 at 10:00 a.m. Meet at the Visitors Center. Please inform the Clerk if you plan to attend.
2. The 1997 Departmental Annual Reports are on file in the Office of the Clerk of the Board.
3. A Committee of the Whole meeting has been scheduled with the Livingston County Board of Health, after this regular meeting to discuss smoking regulations.
4. Acknowledgments from Governor Pataki, Senator Jess Present, Assemblyman Craig Doran, and NYSAC regarding receipt of Res. No. 98-147 opposing Senate Bill 4900/Assembly Bill 5910.
5. Acknowledgment from Daniel L. Feldman, Chair, Assembly Committee on Correction regarding receipt of support of legislative efforts providing for HIV/AIDS testing of inmates where a corrections officer or non-uniformed employee may have been exposed to the virus.

RESOLUTION NO. 98-164. APPROVING ABSTRACT OF CLAIMS #4B - APRIL 22, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #4B dated April 22, 1998, in the total amount of \$907,139.46.

Dated at Geneseo, New York

April 22, 1998

Finance Committee

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted

PUBLIC HEARING

The Public Hearing to receive comments on the proposed sewer rate increase for the Village of Livonia District was called in accordance with the notices published in the official newspapers.

Mr. House asked Catherine Muscarella, Director of Public Works, to explain the proposed rate increase for the district customers in the Village of Livonia of \$50.00 per quarter to cover costs of the District. C. Muscarella reviewed the handout distributed (on file).

The Chairman announced that any person wishing to be heard would have the opportunity to do so at this time.

1. Jim Kemp of P. O. Box 181, Livonia, NY 14487 opposed the rate increase.
2. Ralph Parker of P.O. Box 90, Livonia, NY 14487 opposed the rate increase.

The Chairman stated that the Public Hearing would remain open until the end of the meeting.

PRIVILEGE OF THE FLOOR

1. Timothy McMahon, of Catholic Charities of Livingston County was on the agenda to discuss the Livingston County Job Fair but did not appear.
2. David Woods, Planning Director, announced the Spring 1998 Regional Planning and Zoning Workshop to be held on Friday, May 15, 1998 at the Genesee River Hotel in Mt. Morris, New York sponsored by the Genesee/Finger Lakes Regional Planning Council. D. Woods asked all Supervisors to encourage appropriate persons from their towns to attend this workshop.
3. Sheriff John M. York presented the Livingston County Sheriff=s Department 1997 Annual Report.

RESOLUTION NO. 98-165. APPOINTING MEMBER TO THE NYS FISH AND WILDLIFE MANAGEMENT BOARD

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

RESOLVED, that the following person is hereby appointed to the NYS Fish and Wildlife Management Board to fill the unexpired term of Ed Derrenbacher expiring December 31, 1999:

Lonnie Meeusen, DVM, Nunda Veterinary Clinic, 1497 Portage Road, Nunda, NY 14517

Dated at Geneseo, New York

April 22, 1998

Agriculture Committee

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

RESOLUTION NO. 98-166. APPROVING TRANSFER OF FUNDS - VARIOUS (CENTRAL SERVICES, SHERIFF, SOCIAL SERVICES)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

April 22, 1998

Finance Committee

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

RESOLUTION NO. 98-167. PROCLAIMING WEEK OF MAY 10-16, 1998 NATIONAL NURSING HOME WEEK

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

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

WHEREAS, nursing homes at the local, state and national level engage in providing skilled nursing care and related services for individuals who require medical or nursing care, and rehabilitation services for the rehabilitation of injured, disabled, or sick persons; and

WHEREAS, the Livingston County Health Care Facilities, consisting of the Livingston County Skilled Nursing Facility located in Geneseo and the Livingston County Campus Skilled Nursing Facility located in Mt. Morris provide a variety of skilled nursing and rehabilitation services to meet the needs of Livingston County residents and the greater community, now therefore be it

RESOLVED, that May 10-16, 1998 be proclaimed National Nursing Home Week.

Dated at Geneseo, New York

April 22, 1998

Health Committee

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

RESOLUTION NO. 98-168. AWARDING BID AND AUTHORIZING PURCHASE OF THREE (3) NEW 1999 TRUCK CAB & CHASSIS UNITS FOR HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for two (2) new Tandem-Axle and one (1) new Tri-Axle Cab & Chassis Units were opened on April 9, 1998 in Room 303B of the Livingston County Government Center, and

WHEREAS, the bid of Genesee Truck Sales of Rochester, N.Y. in the total amount of \$210,300.00 for three (3) 1999 Sterling LT9511 Cab & Chassis Units, was the lowest of five (5) bids received from four (4) companies, and said bid meets all bid specifications, now, therefore, be it

RESOLVED, that said bid be accepted, subject to review and approval by the County Attorney and County Administrator, and the Superintendent of Highways be, and he hereby is, authorized to purchase said Cab & Chassis Units for said price.

Dated at Geneseo, New York

April 22, 1998

Highway Committee

Don Higgins, County Highway Superintendent, explained the results of the bid.

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

RESOLUTION NO. 98-169. SUPPORTING LIVINGSTON COUNTY JOB FAIR

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

WHEREAS, the Livingston County Department of Social Services (Take Pride Program), the Livingston County Employment and Training Department, the Livingston County Economic Development Department, the Livingston County Chamber of Commerce, the New York State Department of Labor, VESID and Catholic Charities of Livingston County sponsored the first Job Fair in Livingston County in 1997 which attracted 35 businesses and organizations and was attended by over 600 people; and

WHEREAS, these organizations have scheduled the 1998 Job Fair for May 7, 1998 at the Genesee River Hotel and Reception Center in Mt. Morris, New York, now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors supports the 1998 Livingston County Job Fair on May 7, 1998 and urges area employers and job seekers to attend.

Dated at Geneseo, New York

April 22, 1998

Legislative Committee

The County Administrator reported that the 1997 Job Fair was successful and that Catholic Charities did a nice job organizing the 1998 Job Fair. Mr. Mazza encouraged the Supervisors to visit the Job Fair on May 7, 1998.

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

RESOLUTION NO. 98-170. REAPPOINTING MEMBER TO THE GENESEE-LIVINGSTON-ORLEANS-WYOMING (GLOW) PRIVATE INDUSTRY COUNCIL

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

RESOLVED, that this Board of Supervisors does hereby approve the reappointment of the following person to the Genesee-Livingston-Orleans-Wyoming Private Industry Council for such designated term:

David Guile

Term Expires: June 30, 2000

At Large Labor Representative

72 Gilbert Street

LeRoy, NY 14482

replaces Thomas Zanghi

Dated at Geneseo, New York

April 22, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

RESOLUTION NO. 98-171. AWARDING BID FOR DRY CLEANING FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT

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

WHEREAS, after proper legal advertisement for bids for dry cleaning for the Livingston County Sheriff's Department, bids were received, then opened on April 6, 1998, now, therefore, be it

RESOLVED, that the bid of Nunda Cleaners of 25 South West Street, Nunda, New York 14417, be awarded according to prices on file in the Office of the County Administrator. This award shall be effective May 1, 1998 and terminate April 30, 1999, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a contract with Nunda Cleaners, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

April 22, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

RESOLUTION NO. 98-172. AWARDING BID FOR COFFEE AND COFFEE URNS USED BY THE LIVINGSTON COUNTY JAIL

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

WHEREAS, after proper legal advertisement for bids for coffee and coffee urns used by the Livingston County Jail, bids were received, then opened on April 14, 1998, now, therefore, be it

RESOLVED, that the bid of Paul deLima Co., Inc., P.O. Box 4813, Syracuse, New York 13221, be accepted according to prices on file in the Office of the County Administrator. This award shall be effective May 1, 1998 and terminate April 30, 1999, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a contract with Paul deLima Co., Inc., subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

April 22, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

RESOLUTION NO. 98-173. AUTHORIZING CONTRACT WITH ROCHESTER MUSEUM AND SCIENCE CENTER

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

WHEREAS, Resolution No. 98-125 stated Livingston County=s intent to be the Lead Agency for review of the proposed upgrade to the Public Safety Communication System, pursuant to the State Environmental Quality Review Act (SEQR); and

WHEREAS, the New York State Office of Parks, Recreation, and Historic Preservation is requiring that a Phase I Archeological Investigation of proposed tower sites be done as part of the SEQR review; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors be, and he hereby is, authorized to sign a contract with the Rochester Museum and Science Center, after review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

April 22, 1998

Public Safety Committee

David Woods, Planning Director, stated that the State is requiring an investigation of the archeological impacts of the project and this contract will allow the contractor to conduct the study. Mr. Jaeger questioned the cost of the study. D. Woods responded that the cost will be approximately \$3,000.00.

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

RESOLUTION NO. 98-174. AUTHORIZING SIGNATURE OF CHANGE ORDER NUMBER SEVEN (7) FOR THE AVON/LAKEVILLE SEWER EXTENSION PROJECT

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

WHEREAS, Resolution No. 96-204 authorized a contract with Beardsley Pipeline, Inc. for the Avon/Lakeville Sewer Extension Project, and

WHEREAS, the project is substantially complete and there have been several in field adjustments made in the project, now therefore be it

RESOLVED, that Change Order #7 be authorized and approved, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign Change Order #7 for an amount not to exceed Thirty-Two Thousand Two Hundred and Twelve Dollars and Eighty-Seven Cents (\$32,212.87), subject to review and approval by the County Attorney and County Administrator.

Copy of Change Order on file in Clerk=s office.

Dated at Geneseo, New York

April 22, 1998

Public Works Committee

Mr. Daley asked for a description of what is to be included in the Change Order. Catherine Muscarella, Public Works Director, explained the items included in the Change Order.

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

RESOLUTION NO. 98-175. AMENDING THE 1998 SALARY SCHEDULE - SOCIAL SERVICES, PLANNING, MENTAL HEALTH, CAMPUS SKILLED NURSING FACILITY, GENESEO SKILLED NURSING FACILITY

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

RESOLVED, that the 1998 Salary Schedule for the following departments be amended as follows:

SOCIAL SERVICES

Delete one (1) Data Entry Machine Operator position

Create one (1) Clerk Typist position

PLANNING

Convert the Temporary Winterization Aide position to a permanent Winterization Aide position

MENTAL HEALTH

Delete two (2) Community Mental Health Nurse positions

CAMPUS SKILLED NURSING FACILITY

Delete two (2) Cleaner positions

GENESEO SKILLED NURSING FACILITY

Delete one (1) Registered Professional Nurse position

Dated at Geneseo, New York

April 22, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

RESOLUTION NO. 98-176. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE - DISTRICT ATTORNEY

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

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

DISTRICT ATTORNEY

Increase the salary of Jennifer Sommers from \$37,050.00 to \$40,000.00 effective July 6, 1998.

Dated at Geneseo, New York

April 22, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

RESOLUTION NO. 98-177. AUTHORIZING CONVEYANCE OF COUNTY PROPERTIES ACQUIRED BY TAX DEEDS

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

WHEREAS, the County of Livingston has acquired title by tax deed to the following parcels of land, and

WHEREAS, the Livingston County Board of Supervisors' Tax Committee has auctioned said parcels, it is hereby

RESOLVED, that the following conveyances be approved:

Tax Map No. 36.-2-74	Town of Lima
Formerly owned by and/or assessed to:	Fauvel, Vada
Conveyed to: Charles Comer	Amt. \$200.00

Tax Map No. 85.10-1-53	Town of Livonia
Formerly owned by and/or assessed to:	Gerhart, Constance
Conveyed to: Charles Comer	Amt. \$6,200.00

Tax Map No. 85.-1-48.112	Town of Livonia
Formerly owned by and/or assessed to:	O=Leary, Dennis and Lori
Conveyed to: Bruce Kujawski	Amt. \$6,500.00

Tax Map No. 92.-1-7	Town of Livonia
Formerly owned by and/or assessed to:	Brennan, Dr. James
Conveyed to: Ruth Tucker	Amt. \$29,000.00

and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute the quit-claim deed of conveyances and any and all related documents prepared by the County Attorney

Dated at Geneseo, New York

April 22, 1998

Tax Committee

The roll was called as follows: Ayes - 1,760; Noes - 0; Absent - Merrick, 54; Adopted.

PUBLIC HEARING

The Chairman asked if anyone wished to speak regarding the Public Hearing to receive comments on the proposed

sewer rate increase for the Village of Livonia district. No one wished to speak.

The Chairman declared the public hearing closed.

OTHER BUSINESS

There was no other business to come before the Board.

MOTION TO CONVENE AS A COMMITTEE OF THE WHOLE

The Chairman announced that the agenda reads that adjournment is scheduled at this time; however, he is deferring adjournment because the board will meet in executive session later in the meeting. The Chairman asked for a motion to convene as a Committee of the Whole with the Livingston County Board of Health to discuss clean indoor air. Mr. Layland moved and Mr. Moore seconded to convene as a Committee of the Whole. Carried.

RECESS

The Chairman declared a three-minute recess.

RECONVENED

The Chairman called the Board to order.

COMMITTEE OF THE WHOLE

Mr. House explained that the forum of the Committee of the Whole allows only Supervisors and members of the Board of Health to speak. The public is welcome to listen to the dialogue.

Mr. Bassage asked the Board of Health members and Public Health Director Joan Ellison to come forward and sit in the chairs located in the front of the room. Mr. Bassage proceeded to introduce the Board of Health members including Carol Carey, Anne McCarthy, Dr. Gregory Liptak, Dr. Nadene Hunter and Dr. David Breen.

Mr. Bassage stated that the Health Committee of the Board of Supervisors has discussed clean indoor air for quite some time. The Health Committee asked the Board of Health to come to the Board meeting to present its position regarding clean indoor air.

Dr. Liptak reviewed the hazards of environmental tobacco smoke in restaurants (on file).

Anne McCarthy stated that the purpose of the Board of Health is to promote good health for all residents of the County. She mentioned issues such as being good role models for our children, McDonalds being smoke free, and the need to look at our responsibility to protect our community.

Dr. David Breen stated that studies have proven that breathing cigarette smoke in small places is extremely hazardous. Dr. Breen stated he has been informed that the clean indoor air issue has been an emotional issue for the Board of Supervisors. Dr. Breen briefly reviewed some statistical studies regarding the effects of smoking and breathing second-hand smoke and stated that both are contributing factors to lung disease, heart disease, asthma, and ear infections in adults and children. Dr. Breen stated it is the responsibility of the Board of Health to assure a safe environment for our citizens.

Mr. Bassage, Chairman of the Health Committee, stated that the committee will undoubtedly be bringing this issue to the Board of Supervisors for a vote and would welcome input from any Supervisor.

Mr. Wahl questioned what Monroe County was doing. Joan Ellison, Public Health Director, stated that prior to January, 1998 Monroe County had the same restrictions as Livingston County. Effective January 1, 1998 all

restaurants, bingo halls and bowling alleys must be 85% smoke free and by January, 1999 all will be 100% smoke free. Self-enclosed rooms with ventilation are acceptable.

Mr. Davis questioned the age group of the majority of the smokers. Dr. Liptak reviewed some statistics and stated that the female population is growing. Dr. Liptak stated that the Board of Health is concerned of those young people ages 15-19 who are working in a smoking environment.

Mr. Layland stated that he felt the existing smoking policy was good and that restaurant owners have the right to make their establishment smoke free. Mr. Layland stated that unless the Health Committee develops something innovative, he will not support anything further.

Dr. Breen stated that generally everywhere you go (examples were provided) is smoke free except restaurants. He is concerned for those people who have to work in those places which are not smoke free.

Dr. Liptak explained the New York State smoking law and the fact that restaurants are exempt from providing a smoke-free environment.

Mr. Daley stated he agrees that smoke is not good for individuals. Mr. Daley stated he felt there should be enhanced educational programs to instruct children not to begin smoking. Joan Ellison, Public Health Director, stated that there is a great deal of education in the schools starting from Kindergarten through Grade 12 geared toward each grade level. Mr. Daley challenged the Board of Health to develop a program to teach children the reasons why they should not begin to smoke.

Dr. Liptak responded that kids smoke to rebel. The tobacco industry attracts children to smoke. On behalf of the Board of Health, Dr. Liptak accepted the challenge made by Mr. Daley.

Mr. Davis stated that he felt laws should be enhanced to prohibit children from getting cigarettes.

Dr. Hunter stated that a study was conducted by Roswell Park Institute investigating the means in which children get cigarettes. Dr. Hunter stated that the Board of Health is concerned about the health of the public and the health of those people working in a smoking environment.

Mr. Moore suggested the use of tapes to educate children of the effects of smoking. Joan Ellison stated that tapes are used in addition to persons who have experienced a tracheotomy.

Mr. Layland challenged the Board of Health to educate the restaurant owners of the effects of smoking and second hand smoke and possibly the owners would make their establishments smoke free to avoid legislation. Mr. Layland questioned how the County would enforce the legislation.

Dr. Liptak responded that legislation does not solve everything but could control some problems as the seatbelt law and childproof caps do.

Mr. Kramer stated he is opposed to imposing rules and regulations to restaurant owners.

Mr. Essler questioned whether the Board of Health has discussed this matter with restaurant owners. The Board of Health has discussed the issue with the owner of the Dansville, Mt. Morris, Geneseo, Livonia McDonalds and restaurant owners in Avon and Geneseo.

Mr. Wahl stated he would like the Health Committee to propose some type of legislation and bring it back to the

Board of Supervisors.

Mrs Avery stated she felt that OSHA should be involved in protecting the employees of establishments. Mrs. Avery is uncomfortable passing legislation that would impact the restaurant owners, and requested that restaurants be required to post a sign on the outside of their building whether they have a smoking or non-smoking environment. This would allow people the choice of entering the establishment or not. Mrs. Avery also stated that more enhanced education should be provided to our children.

Mr. Jaeger firmly stated that the Board of Supervisor needs to look at a plan to protect the health of the public.

The Chairman asked if anyone had any other comments. No one wished to comment.

Mr. Moore departed.

RECESS

The Chairman declared a three-minute recess.

REGULAR SESSION

The Chairman declared that the Board will now convene in regular session.

EXECUTIVE SESSION

Motion made by Mr. Kramer and seconded by Mr. Layland that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing potential litigation, and that Dennis R. House act as Chairman and Virginia O. Amico as Secretary of the Committee of the Whole, and County Administrator Dominic Mazza, Real Property Tax Director Richard Sheflin and County Attorney David Morris remain present. Carried.

The Board reconvened in regular session. The following report was presented.

REPORT OF THE COMMITTEE OF THE WHOLE

The Board of Supervisors having met in Executive Session for the purpose of discussing potential litigation:

1. No action taken.

Dated April 22, 1998
Dennis R. House, Chairman
Virginia O. Amico, Secretary

Motion made by Mr. Kramer and seconded by Mr. Wahl that the Report of the Committee of the Whole be accepted. Carried.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Wahl to adjourn until Wednesday, May 13, 1998 at 1:30 p.m. Carried.

The Board adjourned at 4:25 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, MAY 13, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Mr. Layland.

The Pledge of Allegiance.

MINUTES

Minutes of 4/22/98 Regular Meeting were approved as presented.

COMMUNICATIONS

1. Summons and Complaint in the matter of Industrial Ceramics, Inc. versus the Livingston County Treasurer
2. Summons and Complaint in the matter of Tracy Bacchetta versus the Livingston County Department of Social Services
3. Notice of Claim in the matter of Laura D. Stiggins versus the Livingston County Health Related Facility
4. Letter from Assemblyman Craig Doran regarding Resolution 98-112 Urging Restitution of State Revenue Sharing for Counties That Opt to Eliminate the Local Sales Tax on Clothing
5. Please notify Michele Rees of availability for Board picture on June 10 at 11:00 a.m.
6. A tour of the Hornell Highway Facility has been scheduled for Wednesday, May 20, 1998. Please meet at the Government Center at 7:45 a.m. Please notify Michele today if you plan to attend.

RESOLUTION NO. 98-178. APPROVING ABSTRACT OF CLAIMS #5A - MAY 13, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #5A dated May 13, 1998, in the total amount of \$1,287,862.32.

Dated at Geneseo, New York

May 13, 1998

Finance Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

PRIVILEGE OF THE FLOOR

1. Mark Brown, Community Services Director, reviewed a handout reflecting Mental Health statistical information. Also, Mark Brown announced that May is Mental Health month and invited the Board of Supervisors to an Open House/Mental Health Fair, today, May 13, 1998, from 3:00 p.m. to 5:00 p.m. at the Livingston County Mental Health Services.
2. Frank Riedman, Chairman of the Livingston County Water and Sewer Authority, reviewed a brochure highlighting the mission statement, board members, and services of the Livingston County Water and Sewer Authority.

RESOLUTION NO. 98-179. EXPRESSING APPRECIATION TO CONRAD TUNNEY FOR LEADERSHIP AND SERVICE TO THE FINGER LAKES ASSOCIATION, INC

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

WHEREAS, Conrad Tunney has served as Executive Director and has been employed by the Finger Lakes Association, Inc. for thirty five (35) years, and

WHEREAS, during this time of service to the Finger Lakes Association, Inc., he performed outstanding and exemplary service to the Association and to the people of Livingston County, and

WHEREAS, through the guidance and efforts of Conrad Tunney, the Finger Lakes Association has grown from approximately 300 members in 1963 to 1,830 in 1997 and gained national prominence as being the oldest regional tourism promotion agency in the country and the largest in New York State, and

WHEREAS, Conrad Tunney was successful in gaining legislation signed by Governor Rockefeller on April 27, 1967 which officially identified the fourteen counties of the Finger Lakes Region, and

WHEREAS, Conrad Tunney was instrumental in establishing the highly successful AI Love New York campaign, it is hereby

RESOLVED, that the Livingston County Board of Supervisors recognizes Conrad Tunney for his 35 years of leadership, service and commitment to the Finger Lakes Association, Inc. and to the people of Livingston County.

Dated at Geneseo, New York

May 13, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-180. PROCLAIMING THE WEEK OF MAY 16-22, 1998 AS SAFE BOATING WEEK

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

WHEREAS, National Safe Boating Week is May 16-22, 1998, and

WHEREAS, the Livingston County Sheriff's Marine Patrol, the U.S.C.G. Auxiliary flotilla at Conesus Lake, the lake area Fire Departments and the Conesus Lake Association all provide support to make Conesus Lake a safe environment for our County residents, it is hereby

RESOLVED, that the Livingston County Board of Supervisors proclaims May 16-22, 1998 as Safe Boating Week in Livingston County .

Dated at Geneseo, New York

May 13, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-181. APPOINTING MEMBER TO THE LIVINGSTON COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD - CICERO

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

RESOLVED, that the following person is hereby appointed to the Livingston County Agricultural and Farmland Protection Board replacing Ronald Maxwell, who has resigned, for a term to expire June 1, 2001:

Agricultural Land Preservation Organization

Christopher Cicero, Livingston County Farm Bureau, 6670 Cadyville Road, Livonia, NY 14487

Dated at Geneseo, New York

May 13, 1998

Agriculture Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-182. APPROVING TRANSFER OF FUNDS - VARIOUS (OFFICE FOR THE AGING, PERSONNEL, PUBLIC HEALTH, SEWER DISTRICT)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

May 13, 1998

Finance Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-183. PROVIDING SALES TAX EXEMPTION ON CLOTHING

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

WHEREAS, the State of New York has enacted legislation exempting clothing purchases from the state-level sales tax during the period of September 1, 1998 to September 7, 1998, and

WHEREAS, Counties that have a local sales tax can enact a resolution to also exempt the County-level sales tax from said purchases, and

WHEREAS, the Board of Supervisors of Livingston County is also desirous to participate in the one-week exemption, now, therefore, be it

RESOLVED, that receipts from sales of and consideration given or contracted to be given for purchases of clothing exempt from state sales and compensating use taxes pursuant to paragraph 30 of subdivision (a) of section 1115 of the tax law shall also be exempt from sales and compensating use taxes imposed in this jurisdiction, and be it further

RESOLVED, this resolution shall take effect immediately and shall apply to sales made and uses occurring during the period commencing September 1, 1998 and ending September 7, 1998, although made or occurring under a prior contract.

Dated at Geneseo, New York

May 13, 1998

Finance Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-184. SUPPORTING ASSEMBLY BILL A.4218 REQUIRING ADVANCES TO MUNICIPALITIES FOR THE REIMBURSEMENT OF APPROVED COSTS UNDER THE EARLY INTERVENTION PROGRAM

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

WHEREAS, the Livingston County Board of Supervisors strongly supports Assembly Bill A.4218 requiring advances to municipalities for the reimbursement of approved costs under the Early Intervention Program, and

WHEREAS, given the cost to municipalities as well as the delay in reimbursement related to expenses incurred under the mandated preschool program for three and four-year olds with disabilities (governed by section 4410 of the New York State Education Law), this legislation will insure not only timely funding of the program, but also appropriate reimbursement from the State, and

WHEREAS, the combined cost of the Early Intervention Program and the mandated preschool program are fast approaching the \$1 billion mark, with local taxpayers contributing a significant portion to the cost, and

WHEREAS, it is critical for municipalities to be assured of timely and adequate reimbursement from the state to insure prompt payment to providers and a predictable cash flow for the municipality, it is hereby

RESOLVED, that the Livingston County Board of Supervisors supports Assembly Bill A.4218 to amend the Public Health Law, in relation to the advancement to the municipalities of approved costs under the Early Intervention Program.

Dated at Geneseo, New York

May 13, 1998

Finance Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-185. STANDARDIZING TELEPHONE SYSTEM EQUIPMENT

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

WHEREAS, the existing telephone systems of the Livingston County Government Center, Livingston County Courthouse, Livingston County Campus and Livingston County Jail are manufactured by Mitel Telecommunications Systems, Inc.; and

WHEREAS, the Livingston County Community Services and Nursing Facility on Lakeville Road, Geneseo, New York is in need of a telephone system upgrade; and

WHEREAS, the County of Livingston desires to standardized their county-wide telephone system with products manufactured by Mitel Telecommunications Systems, Inc. to allow for economy, uniformity, and networking of the entire telephone system; now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors, for reasons of economy and efficiency and to allow networking of the entire Livingston County Telephone System, has determined that there is a need to make Mitel Telecommunications Systems, Inc. brand telephone equipment standardized for all telephone system equipment at the Livingston County Community Services and Nursing Facility, said purchases to be otherwise in compliance with the provisions of the General Municipal Law.

Dated at Geneseo, New York

May 13, 1998

Finance Committee

The roll was called as follows: (3/5 vote required) Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-186. AUTHORIZING PAYMENT OF MORTGAGE TAX DISTRIBUTION - OCTOBER 1, 1997 THROUGH MARCH 31, 1998

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

WHEREAS, the Finance Committee submits the following report on Apportionment of the Mortgage Tax receipts for the period October 1, 1997 through March 31, 1998, among the several Towns and Villages of the County, it is hereby,

RESOLVED, that the County Treasurer be and hereby is directed to pay to the various municipalities the amount set forth herein:

TAX DISTRICT	AMOUNT	DISTRIBUTED TO TOWNS	DISTRIBUTED TO VILLAGES
AVON	63,810.82	49,529.62	14,281.20
CALEDONIA	32,096.10	24,799.74	7,296.36
CONESUS	16,679.90	16,679.90	
GENESEO	56,910.95	43,230.41	13,680.54
GROVELAND	8,500.90	8,500.90	
LEICESTER	6,126.69	5,569.61	557.08
LIMA	20,870.47	17,113.98	3,756.49
LIVONIA	47,284.66	44,071.88	3,212.78
MT. MORRIS	27,728.49	19,424.95	8,303.54
NORTH DANSVILLE	22,676.93	14,128.22	8,548.71
NUNDA	14,849.25	12,198.13	2,651.12
OSSIAN	3,700.60	3,700.60	
PORTAGE	4,997.27	4,997.27	
SPARTA	10,090.26	10,090.26	
SPRINGWATER	15,066.87	15,066.87	
WEST SPARTA	4,372.61	4,372.61	
YORK	18,160.95	18,160.95	
	<u>\$ 373,923.72</u>	<u>\$ 311,635.90</u>	<u>\$ 62,287.82</u>

Dated at Geneseo, New York

May 13, 1998

Finance Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-187. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY COMMUNITY SERVICES BOARD AND SUBCOMMITTEE

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

RESOLVED, that the following persons are hereby appointed to the Livingston County Community Services Board and Subcommittees:

Livingston County Community Services Board

Karen Duncombe, 64 North Main Street, Mt. Morris, NY 14510 to fill unexpired term of 1/1/95 - 12/31/98 formerly held by Richard Merges.

Developmental Disabilities Subcommittee

Yvonne Dietz, P.O. Box 265, Nunda, NY 14517 to fill unexpired term of 1/1/97 - 12/31/2000 formerly held by Kathy Giordano.

Dated at Geneseo, New York

May 13, 1998

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-188. PROCLAIMING WEEK OF MAY 17-23, 1998 AS EMERGENCY MEDICAL SERVICES WEEK

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

WHEREAS, the Emergency Medical Services community in Livingston County volunteer many hours to save lives and minimize the effects of unforeseen injuries; and

WHEREAS, EMS services are available 365 days a year, it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby declares May 17-23, 1998 as Emergency Medical Services Week in Livingston County to honor EMS personnel, nurses and physicians who serve their community through ambulance corps and in the emergency rooms in Livingston County.

Dated at Geneseo, New York

May 13, 1998

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-189. PROCLAIMING WEEK OF MAY 4-8, 1998 AS PUBLIC HEALTH NURSES WEEK

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

WHEREAS, the delivery of the best quality preventive and home health care to all residents is the function of the Livingston County Department of Health nursing staff, and

WHEREAS, this official agency established in 1924 is able to provide a wide range of health and supportive services which emphasizes the dignity and independence of residents in their homes; and

WHEREAS, contributions by the nursing staff of the Livingston County Department of Health over the past 74 years have strengthened the role of preventive and home health services within our county's total health care system, now therefore be it

RESOLVED, that the Board of Supervisors recognizes the contributions of Livingston County Department of Health's nursing staff, and do hereby proclaim the week of May 4-8, 1998 as Public Health Nursing Week.

Dated at Geneseo, New York

May 13, 1998

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-190. PROCLAIMING MAY 1998 AS RABIES AWARENESS MONTH

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

WHEREAS, rabies remains an urgent public health concern in New York State, as evidenced by an increased number of rabid animals in Livingston County during 1997; and

WHEREAS, rabies, if untreated, is invariably fatal to all mammals, including humans; as a result of animal exposure, more than 16,000 residents have received rabies treatment since 1990; while the animal rabies outbreak primarily has affected wildlife, a significant number of pets, particularly cats, have been diagnosed as rabid; animal lovers and pet owners must be aware that if an unvaccinated pet is exposed to a known or suspected rabid animal, the pet will have to be euthanized or strictly isolated for six months; and

WHEREAS, in recent years, there has been a significant increase in exposures to bat rabies; rabid bats have been found in Livingston County and in all but two of the State's 62 counties; while it is important to note that approximately 95 percent of bats submitted to the State Health Department for testing are negative for rabies, New Yorkers must remain aware of the risk for rabies from any contact with a bat; and

WHEREAS, given these facts, it is clear that a few common sense precautions must be taken by all Livingston County residents; avoid approaching or touching any wild or stray animal, make sure that pets are immunized against rabies, keep pet vaccinations up-to-date, and immediately consult the Livingston County Department of Health if an encounter with a bat occurs;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Livingston County Board of Supervisors does hereby proclaim official recognition to May 1998 as RABIES AWARENESS MONTH in Livingston County
Dated at Geneseo, New York

May 13, 1998

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-191. APPROVING AMENDMENT EXTENDING EXISTING CONTRACT BETWEEN ROCHESTER SPEECH AND HEARING CENTER AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign an amendment extending an existing contract between Rochester Speech and Hearing Center and the Livingston County Department of Health for Early Intervention Services, terminating on 4/30/98, subject to review by the County Administrator and County Attorney.

Dated at Geneseo, New York

May 13, 1998

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-192. APPROVING CONTRACTS FOR EARLY INTERVENTION SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign contracts between the Livingston County Department of Health and the following providers for Early Intervention Services, subject to review by the County Administrator and County Attorney:

Julie B. Caton, Ph.D.

Teresa Barnard

Dawn Kleinschmidt

Frank Gendreau

Copy of contracts on file in Clerk=s office.

Dated at Geneseo, New York

May 13, 1998

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-193. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR THE LIVINGSTON COUNTY PUBLIC HEALTH DEPARTMENT

Mr. Bassage 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 term designated, subject to review by the County Administrator and County Attorney:

1) Rochester Speech and Hearing Center for Early Intervention Services	5/1/98 - 12/31/98
2) The University of Rochester for Nurse Practitioner Services	6/1/98 - 5/31/99
3) New York State Department of Health AIDS Institute for HIV Prevention	1/1/98 - 12/31/98

Copy of contracts on file in Clerk=s office.

Dated at Geneseo, New York

May 13, 1998

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-194. AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN AN AGREEMENT BETWEEN THE NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR INTENSIVE SUPERVISION PROGRAM

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

WHEREAS, funding from New York State Division of Probation and Correctional Alternatives has been made available to the Livingston County Probation Department for an Intensive Supervision Program in an amount not to exceed \$14,500 annually, and

WHEREAS, these funds are 100% reimbursable for approved expenditures, it is hereby

RESOLVED, that the Chairman of the Board is hereby authorized to sign said agreement with the New York State Division of Probation and Correctional Alternatives for Intensive Supervision Program for the period January 1, 1998 to December 31, 1998, for an amount not to exceed Fourteen Thousand Five Hundred Dollars (\$14,500), subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

May 13, 1998

Judicial Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-195. AUTHORIZING CHAIRMAN OF THE BOARD TO SIGN AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR CONTINUATION OF THE CONTRACT PROVIDING STATE FUNDS FOR THE SHERIFF=S WORK RELEASE PROGRAM

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

WHEREAS, the County of Livingston has applied to the Division of Probation and Correctional Alternatives for funding and has been allocated up to \$21,600 for continuation of the Sheriff=s Work Release Program; and

WHEREAS, the County=s application has been approved for the period January 1, 1998 through December 31, 1998, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the ATI contract agreement between the New York State Division of Probation and Correctional Alternatives and the County

of Livingston for the period January 1, 1998 through December 31, 1998, for an amount of \$21,600, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

May 13, 1998

Judicial Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-196. DECLARING SURPLUS PROPERTY FOR THE LIVINGSTON COUNTY SHERIFF=S DEPARTMENT

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

WHEREAS, the County of Livingston owns certain items of personal property no longer necessary for public use, and

WHEREAS, such items of personal property owned by the County and no longer necessary for public use shall be declared to be "surplus property", it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following as surplus property to be disposed of as determined by the County Administrator:

LIVINGSTON COUNTY SHERIFF=S DEPARTMENT

1982 Dodge, 4 door sedan VIN # 1B3BD46D3CF125821

1969 Shasta House Trailer Long Point 120 VIN #P13910

Dated at Geneseo, New York

May 13, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-197. APPOINTING MEMBERS TO THE TRAFFIC SAFETY BOARD

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

RESOLVED, that the following persons are hereby appointed to the Livingston County Traffic Safety Board for the term designated:

All terms are retroactive to January 1, 1998.

NAME AND REPRESENTATION	TERM EXPIRATION
Donald Higgins, 6207 Main Street, Conesus, NY 14435 Superintendent of Livingston County Highway Department	12/31/98
Sgt. Joan Sprung, 4638 Route 63, Geneseo, NY 14454 New York State Police	12/31/98
Sgt. Chris Smith, 4 Court Street, Geneseo, NY 14454 Livingston County Sheriff=s Department	12/31/98
David Woods, Liv. Cty. Government Center, 6 Court Street, Geneseo, NY 14454 Livingston County Planning Department	12/31/98
Gary Moore, Liv. Cty. Government Center, 6 Court Street, Geneseo, NY 14454 Livingston County Public Safety, Chairman	12/31/98
Sheriff John York, 4 Court Street, Geneseo, NY 14454	12/31/98

Livingston County Sheriff=s Department

Joe Nenni, 5443 Geneseo Lakeville Road, Lakeville, NY 14480 12/31/98
Representing NYS DOT

Kevin Niedermaier, Liv. Cty. Government Center, 6 Court Street, Geneseo, NY 14454 12/31/98
Emergency Management Services

Patricia Niedermaier, 4 Court Street, Geneseo, NY 14454 12/31/98
Executive Secretary, Traffic Safety Board

Larry Witherow, 173 North Avenue, Avon, NY 14414 12/31/2000
Representing Village of Avon

Robert Ellison, 39 West Avenue, Livonia, NY 14487 12/31/2000
Representing Town and Village of Livonia

Robin Humphrey, P.O. Box 635, Dansville, NY 14437 12/31/2000
Representing Village of Dansville

Darrell Westurn, 6700 Swartz Road, Dansville, NY 14437 12/31/2000
Representing Town of Springwater

Dated at Geneseo, New York

May 13, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-198. SETTING A PUBLIC HEARING FOR PROPOSED APPROPRIATION FROM THE CONESUS LAKE COUNTY SEWER DISTRICT REPAIR RESERVE FUND

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

WHEREAS, the Livingston County Board of Supervisors proposes to appropriate certain funds from the Conesus Lake County Sewer District Repair Reserve Fund for necessary repairs, now, therefore, be it

RESOLVED, that the Clerk of the Livingston County Board of Supervisors shall cause the necessary notice pursuant to Section 6-d of the General Municipal Law to be published in the official newspapers, and be it further

RESOLVED, that a public hearing be held regarding the proposed appropriation on May 27, 1998 at 1:35 p.m. in the Board of Supervisors Assembly Room, Livingston County Government Center, Geneseo, New York.

Dated at Geneseo, New York

May 13, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-199. AUTHORIZING THE CHAIRMAN TO SIGN A GRANT APPLICATION FOR SLUDGE MANAGEMENT GRANT FROM NYSERDA

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

WHEREAS, NYSERDA is offering sludge management technologies grant, and

WHEREAS, the Conesus Lake County Sewer District has set aside funds to develop new sludge management technologies, now, be it

RESOLVED, that the Chairman is authorized to sign a grant application for a sludge management grant from

NYSERDA.

Dated at Geneseo, New York

May 13, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-200. APPROVING THE MAXIMUM EXPENDITURE FOR THE PROPOSED LIVINGSTON COUNTY WATER DISTRICT NO. 1

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

WHEREAS, the Board of Supervisors approved the report, plans and specifications for County Water District No. 1, and

WHEREAS, contained in those documents and in the public notice for the creation of the district was the maximum expenditure for the County Water District No. 1, and

WHEREAS, the Office of the State Comptroller has requested that the Board of Supervisors set forth in a resolution the maximum expenditure for the proposed Livingston County Water District No. 1, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors approves a total maximum expenditure of \$4,970,000 for the County Water District #1.

Dated at Geneseo, New York

May 13, 1998

Public Works Committee

Catherine Muscarella, Public Works Director, explained the need for this resolution.

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-201. CONFIRMING SEWER RATE CHANGE FOR PORTION OF CONESUS LAKE COUNTY SEWER DISTRICT (VILLAGE OF LIVONIA)

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

WHEREAS, a Public Hearing was held by the Public Works and Transportation Committee and the Livingston County Board of Supervisors on April 22, 1998 regarding a proposed increase in the sewer rate for property located within the Village limits of the Village of Livonia, and

WHEREAS, on May 5, 1998, the Public Works and Transportation Committee established a new rate of \$50.00 per quarter per unit for property located within the Village limits of the Village of Livonia, said rate to be effective with the August 1998 billing, now therefore be it

RESOLVED, that the Livingston County Board of Supervisors confirms the rate increase established by the Public Works and Transportation Committee.

Dated at Geneseo, New York

May 13, 1998

Public Works Committee

Catherine Muscarella, Public Works Director, reviewed the handout regarding the proposed rate increase (on file).

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

EXECUTIVE SESSION

Motion made by Mr. Essler and seconded by Mr. Moore that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing the employment of a particular person, and that Dennis R. House act as Chairman and Dominic F. Mazza as Secretary of the Committee of the Whole. Carried.

The Board reconvened in regular session. The following report was presented.

REPORT OF THE COMMITTEE OF THE WHOLE

The Board of Supervisors having met in Executive Session for the purpose of discussing the employment of a particular person:

1. No action taken.

Dated May 13, 1998

Dennis R. House, Chairman

Dominic F. Mazza, Secretary

Motion made by Mr. Kramer and seconded by Mr. Daley that the Report of the Committee of the Whole be accepted. Carried.

RESOLUTION NO. 98-202. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE - ECONOMIC DEVELOPMENT

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

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

ECONOMIC DEVELOPMENT

Appointing Aaron B. Gagne to Deputy Economic Developer at the salary of \$43,000, effective June 1, 1998.

Dated at Geneseo, New York

May 13, 1998

Salary & Negotiating Committee

Patrick Rountree, Economic Developer, expressed his appreciation for Board support of creating this position and introduced Aaron B. Gagne.

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-203. AMENDING THE 1998 SALARY SCHEDULE - PUBLIC HEALTH

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

RESOLVED, that the 1998 Salary Schedule for the following departments be amended as follows:

PUBLIC HEALTH

Create one (1) Senior Public Health Sanitarian Position at Salary Grade 16.

Dated at Geneseo, New York

May 13, 1998

Salary & Negotiating Committee

The person in this position will be responsible for enforcing the Conesus Lake Watershed regulations. The Board was advised that the program has been funded by the municipalities in the Conesus Lake Watershed except for the Town of Springwater.

The roll was called as follows: Ayes - 1,494; Noes - Moore, 72; Davis, 29; Kramer, 78 Total 179; Absent - Layland 141; Adopted.

RESOLUTION NO. 98-204. CORRECTING TAX ROLL - TOWN OF LIVONIA

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

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

WHEREAS, said premises were incorrectly assessed and/or taxed for reasons set forth in the applications for correction requested from the Director of Real Property Tax Services attached hereto,

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

corrected; and a notice of approval to the applicant, and be it further

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

Year, Town & Premises	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refunds	Chg. Back
1. 1998 Livonia	Livingston County	231.85	125.86	0.00	105.99
BEECHER, Leanna	Liv. Co. Penalties	90.54	49.20	0.00	41.34
Tax Map Number	Town of Livonia	143.59	78.86	0.00	64.73
66-1-39.2	Livonia Sch. Relevy	566.58	307.58	0.00	259.00
	Livonia Fire Dist. 3	<u>35.99</u>	<u>19.54</u>	<u>0.00</u>	<u>16.45</u>
	Total	\$1068.55	\$581.04	\$0.00	\$487.51

Dated at Geneseo, New York

May 13, 1998

Tax Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent - Layland 141; Adopted.

OTHER BUSINESS

1. Discussion of scheduling a date for a County highway tour. The Board suggested the dates of June 1, 8 or 15, 1998.
2. Mr. House announced that the 1998 Board picture will be June 10, 1998 at 11:00 a.m. in the Assembly Room.

ADJOURNMENT

Motion made by Mr. Bassage and seconded by Mr. Olverd to adjourn until Wednesday, May 27, 1998 at 1:30 p.m. Carried.

The Board adjourned at 3:20 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, MAY 27, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Daley and Stewart.

The Pledge of Allegiance.

MINUTES

Minutes of 5/13/98 Regular Meeting were approved as presented.

PUBLIC HEARING

The Public Hearing to receive comments on the proposed appropriation from the Conesus Lake County Sewer District Repair Reserve Fund was called in accordance with the notices published in the official newspapers.

Mr. House asked Catherine Muscarella, Director of Public Works, to explain the handout (on file) distributed reflecting the projects that will be completed.

The Chairman announced that any person wishing to be heard would have the opportunity to do so at this time. No one wished to speak.

The Chairman stated that the Public Hearing would remain open until the end of the meeting.

COMMUNICATIONS

1. Thank you note from the family of Robert Essler for the flower arrangement.
2. Notices of Public Hearing from the Village of Honeoye Falls regarding rezoning properties on West Main Street from Industrial Park to Light Industrial and Amending Chapter 190, Zoning.
3. Acknowledgments from Assemblymen Jerry Johnson and Craig Doran regarding Res. No. 98-184 supporting Assembly Bill A.4218 requiring advances to municipalities for the reimbursement of approved costs under the Early Intervention Program.
4. Letter from Tim McMahon, Executive Director of Catholic Charities of Livingston County thanking the Board for supporting the Livingston County Job Fair.
5. Letter from the 1941 Aircraft Group extending an invitation to the Second Annual Fly-In-Pancake Breakfast to be held June 7, 1998 from 7:00 AM to 11:00 AM held at the 1941 Aircraft Hangar on Big Tree Lane off Route 63, in Geneseo, New York. A schedule of other events is on file.

RESOLUTION NO. 98-205. APPROVING ABSTRACT OF CLAIMS #5B - MAY 27, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #5B dated May 27, 1998, in the total amount of \$915,303.64.

Dated at Geneseo, New York

May 27, 1998

Finance Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

PRIVILEGE OF THE FLOOR

There was not a request for Privilege of the Floor.

RESOLUTION NO. 98-206. AWARDING BID FOR ABOVE-GROUND GAS TANK

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

WHEREAS, after proper legal advertisement for bids for a 4,000 gallon above-ground gas tank, three bids were received, then opened on May 8, 1998, now, therefore, be it

RESOLVED, that the bid of Okar Equipment Company of 768 Brooks Avenue, Rochester, New York 14619 in an amount not to exceed Sixteen Thousand Nine Hundred Dollars (\$16,900.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

May 27, 1998

Buildings Committee

Mr. Merrick stated that the underground tank located in the Sheriff=s parking lot will be abandoned. The new tank will be used to refuel County vehicles.

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

RESOLUTION NO. 98-207. APPROVING TRANSFER OF FUNDS - VARIOUS (OFFICE FOR THE AGING)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

May 27, 1998

Finance Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

RESOLUTION NO. 98-208. INCREASING PETTY CASH FOR THE CONESUS LAKE COUNTY SEWER DISTRICT

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

WHEREAS, the Conesus Lake County Sewer District is in need of \$50.00 of additional funds to cover the cost of additional mailings created by the Solid Waste Department and other miscellaneous projects , it is hereby

RESOLVED, that the petty cash amount for the Conesus Lake County Sewer District be increased from \$150.00 to \$200.00.

Dated at Geneseo, New York

May 27, 1998

Finance Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

RESOLUTION NO. 98-209. AWARDING BID FOR MAINTENANCE OF COUNTY-OWNED VEHICLES EXCLUDING THE HIGHWAY DEPARTMENT

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

WHEREAS, after due advertisement, four (4) bids were received and opened on March 30, 1998, by the Office of the Livingston County Administrator for auto maintenance, and

WHEREAS, Balconi Pontiac of 84 Avon Road, Geneseo, New York 14454 presented the lowest responsible bid, it is hereby

RESOLVED, that the bid of Balconi Pontiac, be awarded according to prices on file in the Office of the County Administrator. This award shall be effective June 1, 1998 and terminate May 31, 1999, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a contract with Balconi Pontiac, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

May 27, 1998

Finance Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

RESOLUTION NO. 98-210. APPROVING CONTRACT BETWEEN THE MUNICIPALITIES AND THE COUNTY OF LIVINGSTON FOR CONESUS LAKE WATERSHED COOPERATIVE

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

WHEREAS, the County and the Villages of Geneseo, Avon, and Livonia and the Towns of Conesus, Sparta, Geneseo, Groveland, and Livonia (the Municipalities) are desirous of working together to implement watershed rules and regulations for the Conesus Lake Watershed, and

WHEREAS, the County and the Municipalities are desirous of working together to implement the Conesus Lake Watershed Management Plan, and

WHEREAS, the Town of Livonia and the County have received approval from the New York State Department of State, Division of Coastal Resources, of the application for an Intermunicipal Waterbody Management Planning Grant for the preparation of a Conesus Lake Watershed Management Plan, and

WHEREAS, the Municipalities and the County have an interest in protecting water quality and actively participating in the Conesus Lake Watershed Cooperative, and

WHEREAS, the Municipalities and the County of Livingston recognize the benefits of cooperating to achieve improved water quality and all have agreed to enter into a cooperative effort, "The Conesus Lake Watershed Cooperative", now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Conesus Lake Watershed Cooperative Agreement, subject to review by the County Attorney and County Administrator.

Copy of contracts on file in Clerk=s office.

Dated at Geneseo, New York

May 27, 1998

Health Committee

Mr. Moore questioned the need for this agreement. The County Administrator explained that the resolution allows all municipalities to sign a joint agreement to financially support the watershed program.

The roll was called as follows: Ayes - 1,355; Noes - Kramer, 78; Absent - Daley 194, Stewart 187, Total 381; Adopted.

RESOLUTION NO. 98-211. APPOINTING MEMBERS TO THE LOCAL CONDITIONAL RELEASE COMMISSION

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

WHEREAS, Res. No. 89-230 Established a Conditional Release Commission to determine whether individuals should be conditionally released from County Jail and to monitor them if they are released, and

WHEREAS, the term of Marc Connolly has expired and he does not desire to be reappointed, it is hereby

RESOLVED, that Mark Brown, Director of Community Services, 4223 Lakeville Road, Geneseo, NY 14454 is hereby appointed to the Local Conditional Release Commission for a term to expire December 31, 2001, and

WHEREAS, the term of Thomas Tremmer has expired and he desires to be reappointed, it is hereby

RESOLVED, that Thomas Tremmer of 6601 E. Avon Lima Road, Avon, New York 14414 is hereby appointed

to the Local Conditional Release Commission for a term to expire December 31, 2001.

Dated at Geneseo, New York

May 27, 1998

Judicial Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187; Total 381; Adopted.

RESOLUTION NO. 98-212. REAPPOINTING MEMBER TO LIVINGSTON COUNTY PLANNING BOARD - HILTS

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

RESOLVED, that Wesley Hilts, 7000 Creek Road, Mount Morris, New York 14510 is appointed to the Livingston County Planning Board, to fill the unexpired term of Burton Mann, as a representative of the Town of Mount Morris for a term expiring December 31, 1998.

Dated at Geneseo, New York

May 27, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

RESOLUTION NO. 98-213. APPOINTING MEMBER TO THE GENESEE-LIVINGSTON-ORLEANS-WYOMING (GLOW) PRIVATE INDUSTRY COUNCIL

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

RESOLVED, that this Board of Supervisors does hereby approve the appointment of the following person to the Genesee-Livingston-Orleans-Wyoming Private Industry Council for such designated term:

Lois Johnson

Term Expires: June 30, 1999

Private Business Sector Representative

22 Mill Street

Nunda, NY 14517

Dated at Geneseo, New York

May 27, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

RESOLUTION NO. 98-214. APPOINTING MEMBER TO THE LIVINGSTON COUNTY YOUTH BOARD

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

RESOLVED, that this Board of Supervisors does hereby approve the appointment of the following person to the Livingston County Youth Board to serve the term designated:

NAME

REPRESENTS

TERM EXPIRES

James Peraino

Liv. Cty. Department of Health 8/31/98

16 Tuscarora Avenue

Geneseo, NY 14454

Dated at Geneseo, New York

May 27, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

RESOLUTION NO. 98-215. APPOINTING MEMBER TO THE LIVINGSTON COUNTY FIRE ADVISORY BOARD

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

RESOLVED, that the following person is hereby appointed to the Livingston County Fire Advisory Board for the term designated:

TERM

Donna Avery
Public Safety Committee Member
6947 Stage Coach Road
Conesus, NY 14435
replacing James Layland

12/31/98

Dated at Geneseo, New York

May 27, 1998

Public Safety Committee

Mr. Moore thanked Mr. Layland for his time served on the Livingston County Fire Advisory Board.

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

RESOLUTION NO. 98-216. AWARDING BID FOR MEAT USED BY THE LIVINGSTON COUNTY JAIL

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

WHEREAS, after proper legal advertisement for bids for meat for the Livingston County Jail, two bids were received, then opened on May 11, 1998, now, therefore, be it

RESOLVED, that the bid of Palmer Food Services of 900 Jefferson Road, Rochester, NY 14623, be awarded according to prices on file in the Office of the County Administrator. This award shall be effective June 1, 1998 and terminate May 31, 1999, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a contract with Palmer Food Services, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

May 27, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

RESOLUTION NO. 98-217. AWARDING BID FOR FOOD USED BY THE LIVINGSTON COUNTY JAIL

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

WHEREAS, after due advertisement, bids were opened on May 11, 1998 by the Office of the Livingston County Administrator for the purchase of food items used by the Livingston County Jail, and the following bidders were the low acceptable bids, for various food groups, which are on file at the Office of the Livingston County Administrator:

Food	Perry Jacobstein, Inc. 15 Airline Drive Rochester, NY 14624

Bread	Kaufman=s Bakery, Inc. 1812 Brighton-Henrietta Townline Road Rochester, NY 14623

Dairy	Upstate Farms Cooperative, Inc. 45 Fulton Avenue Rochester, NY 14608

NOW, THEREFORE, BE IT RESOLVED, that the Livingston County Sheriff is hereby authorized to purchase food items from the bidders hereinbefore set forth during the terms of their bid, beginning June 1, 1998 and ending May 31, 1999 with two one-year renewal options to expire May 31, 2000 and May 31, 2001, respectively,

and it is further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign said contracts, subject to review by the County Administrator and County Attorney.

Copy of contracts on file in Clerk=s office.

Dated at Geneseo, New York

May 27, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

RESOLUTION NO. 98-218. AWARDING BID FOR THE INSTALLATION OF TWO NEW GENERATORS

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

WHEREAS, the pump stations 4w and 5w do not have back up power at the stations, and

WHEREAS, after proper legal advertisement for bids for the installation of two new generators for the Conesus Lake County Sewer District, three bids were opened on April 13, 1998, now, therefore, be it

RESOLVED, that the bid of Blackmon-Farrell Electric, Inc. of 107 Norris Drive, P. O. Box 10207, Rochester, New York, 14610 in an amount not to exceed Seventy Nine Thousand Two Hundred Dollars (\$79,200.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

May 27, 1998

Public Works Committee

Catherine Muscarella, Director of Public Works, explained that the Sewer District is presently using portable generators for backup. The purchase of two new generators will allow the portable generators to be used permanently at two stations.

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

The County Administrator announced that the resolution on the agenda awarding the bid for the installation of transfer switches for the Conesus Lake County Sewer District will not be presented at this meeting because the appropriation for this project is being requested at today=s public hearing.

RESOLUTION NO. 98-219. AUTHORIZING THE CHAIRMAN TO SIGN A PURCHASE OFFER FOR THE TANK SITE FOR THE COUNTY WATER DISTRICT #1 PROJECT

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

WHEREAS, County Water District #1 will construct a water main for the benefit of the Livonia and Conesus water areas, and

WHEREAS, various easements and a site for a water tank are necessary for the construction of the infrastructure, and

WHEREAS, the District has received an appraisal for the property upon which it is proposed to construct the water tank, now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to sign easement agreements and other necessary paperwork to execute the easements, subject to review by the County Attorney and County Administrator, and it is further

RESOLVED, that the Chairman of the Board is hereby authorized to sign a purchase offer for the tank site for the County Water District Project, subject to review by the County Attorney and County Administrator.

Copy of necessary paperwork on file in Clerk=s office.

Dated at Geneseo, New York

May 27, 1998

Public Works Committee

Catherine Muscarella, Director of Public Works, explained that this resolution will allow a purchase offer and 30-40 easements to be signed by the Chairman of the Board.

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

RESOLUTION NO. 98-220. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE - OFFICE FOR THE AGING

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

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

OFFICE FOR THE AGING

Amend the salary of Edyth Philipson to \$28,050 effective June 7, 1998.

Dated at Geneseo, New York

May 27, 1998

Salary & Negotiating Committee

Mr. Layland explained that Edyth Philipson is being paid out of miscellaneous adjustments for Office for the Aging bookkeeping work. This correction will change the salary schedule to reflect the actual amount she is being paid.

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Daley 194, Stewart 187, Total 381; Adopted.

PUBLIC HEARING

The Chairman asked if anyone wished to speak regarding the Public Hearing to receive comments on the proposed appropriation from the Conesus Lake County Sewer District Repair Reserve Fund. No one wished to speak.

The Chairman declared the public hearing closed.

OTHER BUSINESS

There was no other business to come before the Board.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Jaeger to adjourn until Wednesday, June 10, 1998 at 1:30 p.m. Carried.

The Board adjourned at 2:05 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, JUNE 10, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present.

The Pledge of Allegiance.

MINUTES

Minutes of 5/27/98 Regular Meeting were approved as presented.

COMMUNICATIONS

1. Letter from Assemblyman Craig Doran acknowledging receipt of Res. No. 98-184 supporting Assembly Bill 4218 requiring advances to municipalities for the reimbursement of approved costs under the Early Intervention Program.
2. GLOW Region Solid Waste Management Committee submitted Financial Statements ending December 31, 1997.
3. Letter from Mitchell S. Morris, Associate Counsel from the Office of the State Comptroller acknowledging receipt of resolution authorizing sales and use tax exemption on certain articles of clothing between September 1, 1998 and September 7, 1998.

RESOLUTION NO. 98-221. APPROVING ABSTRACT OF CLAIMS #6A - JUNE 10, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #6A dated June 10, 1998, in the total amount of \$817,549.40.

Dated at Geneseo, New York

June 10, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

PRIVILEGE OF THE FLOOR

There was not a request for Privilege of the Floor.

RESOLUTION NO. 98-222. AUTHORIZING LEASE WITH ROCHESTER TELEPHONE MOBILE COMMUNICATIONS

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a lease with Rochester Telephone Mobile Communications making available to Rochester Telephone Mobile Communications space on top of the Livingston County Water Tower on the Livingston County Campus together with a room in the building north of the tower for a period of five years, subject to earlier termination, after review by the County Administrator and County Attorney.

Copy of lease on file in Clerk=s office.

Dated at Geneseo, New York

June 10, 1998

Buildings Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-223. AUTHORIZING TRANSFER OF FUNDS - VARIOUS (CENTRAL SERVICES, DISTRICT ATTORNEY, EMPLOYMENT & TRAINING, SHERIFF, TOURISM)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

June 10, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-224. AUTHORIZING THE COUNTY TREASURER TO INCREASE CAPITAL PROJECTS ACCOUNT - CONESUS LAKE COUNTY SEWER DISTRICT

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

WHEREAS, the Conesus Lake County Sewer District has identified five capital projects which will be completed over the next several years, and

WHEREAS, the Livingston County Board of Supervisors held a public hearing on May 27, 1998 to hear comments on the projects and costs associated with the projects, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby authorize the County Treasurer to transfer

From G9550.9 Repair Reserve transfer	\$200,492.00
to Capital Fund	

and

Increase Capital Projects H8130.2900	\$200,492.00
From Estimated Revenue H8130.5031.	

Dated at Geneseo, New York

June 10, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-225. DECLARING SURPLUS PROPERTY FOR THE LIVINGSTON COUNTY BOARD OF SUPERVISORS

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

WHEREAS, the County of Livingston owns certain items of personal property no longer necessary for public use, and

WHEREAS, such items of personal property owned by the County and no longer necessary for public use shall be declared to be "surplus property", it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following as surplus property to be disposed of as determined by the County Administrator:

LIVINGSTON COUNTY BOARD OF SUPERVISORS

One (1) 1990 Ford Crown Victoria #58256

Dated at Geneseo, New York

June 10, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-226. AWARDING BID FOR VIDEO DISTRIBUTION SYSTEM FOR THE CAMPUS SKILLED NURSING FACILITY

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

WHEREAS, after proper legal advertisement for bids for a video distribution system for standard broadcast and cable signals for the Campus Skilled Nursing Facility, one (1) bid was received and opened on May 26, 1998, now, therefore, be it

RESOLVED, that the bid of Telecom Consulting Group N.E. Corp. of 10 Grove Street, Pittsford, NY 14534 in an amount not to exceed Fourteen Thousand Five Hundred Dollars (\$14,500.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

June 10, 1998

Health Committee

The County Administrator explained that the installation of cable signals will provide an opportunity for the patients to privately pay for cable service in their room.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-227. DECLARING SURPLUS PROPERTY FOR THE LIVINGSTON COUNTY SHERIFF=S DEPARTMENT

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

WHEREAS, the County of Livingston owns certain items of personal property no longer necessary for public use, and

WHEREAS, such items of personal property owned by the County and no longer necessary for public use shall be declared to be "surplus property", it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following as surplus property to be disposed of as determined by the County Administrator:

LIVINGSTON COUNTY SHERIFF=S DEPARTMENT

One (1) Radar speed gun-8 serial number 32-001989 with two (2) tuning forks serial numbers C-25387 and C-24862.

All items specified on the list dated 6/8/98 attached to this resolution.

List on file in Clerk=s office.

Dated at Geneseo, New York

June 10, 1998

Public Safety Committee

The County Administrator reviewed the list of surplus equipment.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-228. AWARDING BID FOR THE INSTALLATION OF TRANSFER SWITCHES

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

WHEREAS, the transfer switches currently in place in the pump stations for the Conesus Lake County Sewer District, are a point of failure in the back up power system, and

WHEREAS, after proper legal advertisement for bids for the installation of transfer switches, the District received four (4) bids which opened on April 13, 1998, now, therefore, be it

RESOLVED, that the bid of Blackmon-Farrell Electric, Inc. of 107 Norris Drive, P.O. Box 10207, Rochester, New York 14610 in an amount not to exceed Seventy Four Thousand Seven Hundred Seventy Two Dollars (\$74,772.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

June 10, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-229. SUPPORTING ASSEMBLY BILL 10745 AND SENATE BILL 6228 TO ALLOW ELECTED OFFICIALS TO SERVE THEIR COMMUNITIES WITHOUT JEOPARDIZING RETIREMENT BENEFITS RECEIVED THROUGH NEW YORK STATE AND LOCAL RETIREMENT SYSTEMS

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

WHEREAS, there are currently two bills pending before the State legislature, namely A.10745 and S.6228; and

WHEREAS, these bills would amend the Retirement and Social Security Law by adding a new section to permit a local elected official to retire from another position of public service covered by the retirement systems, and begin to collect retirement payments, without having to retire from the elected position; and

WHEREAS, the Livingston County Board of Supervisors wishes to support this pending legislation; it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby expressed its support of Assembly Bill number 10745 and Senate Bill number 6228 and encourages the Assembly and Senate to pass said bills to allow elected officials to serve their communities without jeopardizing retirement benefits received through the New York State and Local Retirement Systems, and it is further

RESOLVED, that certified copies of this resolution be forwarded to Senator Dale M. Volker, Senator Jess Present, Assemblyman Gerald E. Johnson, Assemblyman Craig Doran, Assemblyman Thomas Reynolds and the New York State Association of Counties.

Dated at Geneseo, New York

June 10, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-230. AMENDING THE 1998 SALARY SCHEDULE - PUBLIC HEALTH

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

RESOLVED, that the 1998 Salary Schedule for the following department be amended as follows:

PUBLIC HEALTH

Create one (1) Public Health Nurse/Registered Professional Nurse position.

Delete one (1) Registered Professional Nurse position effective June 30, 1998.

Dated at Geneseo, New York

June 10, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-231. CORRECTING TAX ROLL - TOWN OF CONESUS

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

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

WHEREAS, said premises were incorrectly assessed and/or taxed for reasons set forth in the application for correction requested from the Director of Real Property Tax Services attached hereto,

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

corrected; and a notice of approval to the applicant, and be it further

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

Taxing Year, Town & Premises	Original Jurisdiction	Corrected Tax Bill	Tax Bill	Refunds	Chg. Back
1. 1998 Conesus	Livingston County	56.00	0.00	56.00	56.00
KORNBAU, Clarence & Constance	Town of Conesus	50.56	50.56	0.00	0.00
Tax Map Number	Town of Con.(Penalties)	1.11	.55	.56	.56
119-1-13.2	Conesus Fire 1	<u>.13</u>	<u>4.13</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$111.80	\$55.24	\$56.56	\$56.56

Dated at Geneseo, New York

June 10, 1998

Tax Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-232. AUTHORIZING ASSISTANCE TO VARIOUS TOWNS FOR REAL PROPERTY TAX ASSESSMENT REVIEW DEFENSE COSTS

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

WHEREAS, Resolution No. 85-253 authorized Towns within the County to request assistance from the county for defense costs relating to proceedings brought against the Towns to review real property tax assessments, and

WHEREAS, the Towns of Avon and Groveland have requested assistance in regard to proceedings brought by Rochester Telephone Corp., and

WHEREAS, the Tax Committee, the Director of Real Property Tax Services and the County Attorney have reviewed the requests, now, therefore, be it

RESOLVED, that the County of Livingston agrees to assist the Towns of Avon and Groveland in regard to the real property tax assessment proceedings brought by Rochester Telephone Corp., such assistance to be coordinated through the Tax Committee, the Director of Real Property Tax Services and the County Attorney.

Dated at Geneseo, New York

June 10, 1998

Tax Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

OTHER BUSINESS

1. Mr. Moore questioned the status of the Rochester Telephone Assessment law suit. Mr. Kramer stated that the County is waiting to hear what the outcome of the law suit between New York Telephone and other counties.

ADJOURNMENT

Motion made by Mr. Bassage and seconded by Mr. Layland to adjourn until Wednesday, June 24, 1998 at 1:30 p.m. Carried.

The Board adjourned at 1:52 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, JUNE 24, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present.

The Pledge of Allegiance.

MINUTES

Minutes of 6/10/98 Regular Meeting and minutes of 6/17/98 Special Meeting were approved as presented.

COMMUNICATIONS

1. Letter from Janice G. Durfee, Office of Secretary of State, acknowledging receipt of resolution authorizing sales and use tax exemption on certain articles of clothing between September 1, 1998 and September 7, 1998.
2. Notice of Public Hearing with respect to the proposed Commercial Timber Harvesting Law of the Town of Naples.
3. Letter from Assemblyman Thomas M. Reynolds acknowledging receipt of Res. No. 98-184 supporting Assembly Bill 4218 requiring advances to municipalities for the reimbursement of approved costs under the early intervention program.
4. Memorandum on Supervisors' desk with regard to moving into executive session. Mr. House announced that the Clerk of the Board recently attended Clerk School and as a result recommends this procedure, as outlined in the memorandum, to move into executive session. Mr. House suggested that the Board keep a copy in their desk.
5. Receipt of Order from Office of the State Comptroller granting permission to establish Livingston County Water District No. 1

RESOLUTION NO. 98-235. APPROVING ABSTRACT OF CLAIMS #6B - JUNE 24, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #6B dated June 24, 1998, in the total amount of \$1,040,615.54.

Dated at Geneseo, New York

June 24, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

PRIVILEGE OF THE FLOOR

1. Dale Nieswiadomy, Director of Data Processing, briefed the Board on different matters to be concerned about with regard to computers and other equipment being compatible for the year 2000. Dale emphasized the fact that the hardware and software must be 2000 compatible. Dale stated that highway and sewer departments, etc. may have equipment that operate daily/weekly/monthly timers which may not be geared for the year 2000.

MOTION TO ADOPT ORDER NO. 2 1998 - LIVINGSTON COUNTY WATER DISTRICT NO. 1

Mr. Stewart moved and Mr. Wahl seconded to adopt Order No. 2 1998:

**ORDER OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS
ESTABLISHING LIVINGSTON COUNTY WATER DISTRICT NO. 1
ORDER NO. 2 OF 1998**

WHEREAS, following a public hearing duly called and conducted in accordance with Section 254 of the County Law, and based upon the evidence given thereat, the Board of Supervisors of the County of Livingston, New York duly adopted Resolution No. 98-131 on March 11, 1998 (which superseded Resolution No. 97-155), determining in the affirmative all of the questions set forth in Section 256 of the County Law and approving the establishment of Livingston County Water District No. 1 in and for said County, subject to permissive referendum;

WHEREAS, the period for the time for the submission of a valid petition requesting a referendum elapsed with no such petition having been filed; and

WHEREAS, in response to an application duly made pursuant to Section 258 of the County Law for the permission of the State Comptroller for the establishment of said District, an Order of the State Comptroller dated June 22, 1998 granting his permission therefore has been duly made; NOW, THEREFORE, BE IT

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

Section 1. The establishment of a water district in the County of Livingston, New York, to be known as Livingston County Water District No. 1, is hereby authorized and approved in accordance with the aforesaid order of the State Comptroller, to be bounded and described as set forth in Appendix A attached hereto and made a part hereof.

Section 2. The Clerk of the Board of Supervisors is hereby authorized and directed to cause a certified copy of this Order to be recorded in the Office of the Clerk of the County of Livingston in accordance with the provisions of Section 259 of the County Law.

Section 3. This Order shall take effect immediately.

Mr. House asked Catherine Muscarella, Director of Public Works, to explain Livingston County Water District No.1. The project consist of four projects: transmission project, East lake Road/Conesus Distribution Project, Conesus Hamlet Distribution Project and South Livonia/Conesus Replacement Project. The total project cost is \$4,970,000.00.

The question of the adoption of the foregoing Order was duly put to a vote on roll call, which resulted as follows:

	Weighted Vote	Ayes	Noes	Abstain
Joseph A. Daley, Supervisor, Town of Avon	194	<u>X</u>	___	
James Layland, Supervisor, Town of Caledonia	141	<u>X</u>	___	
Donna L. Avery, Supervisor, Town of Conesus	71	<u>X</u>	___	
W. Harold Stewart, Supervisor, Town of Geneseo	187	<u>X</u>	___	
James C. Merrick, Supervisor, Town of Groveland	54	<u>X</u>	___	
Gary D. Moore, Supervisor, Town of Leicester	72	<u>X</u>	___	
Lance H. Bassage, Supervisor, Town of Lima	128	<u>X</u>	___	
Timothy R. Wahl, Supervisor, Town of Livonia	208	<u>X</u>	___	
James F. Olverd, Supervisor, Town of Mt. Morris	146	<u>X</u>	___	
Gerald R. Derrenbacher, Supervisor, Town of North Dansville	180	<u>X</u>	___	
Richard J. Essler, Supervisor, Town of Nunda	94	<u>X</u>	___	
Emery Jaeger, Supervisor, Town of Ossian	26	<u>X</u>	___	
Ivan C. Davis, Supervisor, Town of Portage	29	<u>X</u>	___	
Leopold Marks, Supervisor, Town of Sparta	51	<u>X</u>	___	
Howard J. Kramer, Supervisor, Town of Springwater	78	<u>X</u>	___	
Marjorie Cansdale, Supervisor, Town of West Sparta	43	<u>X</u>	___	

Dennis R. House, Supervisor, Town of York

112	<u> X </u>	<u> </u>
1,814		
Ayes		1,814
Noes		0
Abstain		0
Absent		0

Adopted X Lost

The Order was thereupon declared duly adopted.

RESOLUTION NO. 98-236. AUTHORIZING TRANSFER OF FUNDS - VARIOUS (CONESUS LAKE COUNTY SEWER DISTRICT, DISTRICT ATTORNEY, EMPLOYMENT & TRAINING, OFFICE FOR THE AGING, PUBLIC HEALTH)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

June 24, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-237. INCREASING CAPITAL PROJECT - CAPITAL SEWER REPAIR

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

RESOLVED, that the County Treasurer is hereby authorized and directed to increase capital project H8130.2900 Capital Sewer Repair in the amount of \$54,000.00 from H8130.5031 Transfer from Other Funds.

Dated at Geneseo, New York

June 24, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-238. AWARDING BID FOR TELEPHONE SYSTEM AND VOICE MAIL SYSTEM FOR LIVINGSTON COUNTY

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

WHEREAS, after due advertisement, bids were opened on June 1, 1998, by the Office of the Livingston County Administrator for a telephone system and a voice mail system for Livingston County, it is hereby

RESOLVED, that the bid of Mitel Telecommunications Systems, Inc. of 9680 The Maples, Clarence, New York 14031 in an amount not to exceed One Hundred Seventy Three Thousand Six Hundred Sixty Six Dollars (\$173,666.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

June 24, 1998

Finance Committee

Dale Nieswiadomy, Director of Data Processing, explained there are four components included in the upgrade of the telephone system: Mt. Morris telephone switch, Geneseo SNF/Mental Health telephone switch, Livingston County Complex telephone switch and centralized voice mail.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-239. AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$4,970,000 SERIAL BONDS OF THE COUNTY OF LIVINGSTON, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF A WATER TRANSMISSION SYSTEM TO SERVE LIVINGSTON COUNTY WATER DISTRICT NO. 1 IN SAID COUNTY

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

WHEREAS, by proceedings heretofore duly had and taken pursuant to the County Law, the Board of Supervisors of the County of Livingston, New York, has duly established Livingston County Water District No. 1 in said County; and

WHEREAS, it is now desired to provide for the financing of the construction of a water transmission system, including incidental improvements, to serve such District; now, therefore, be it

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

Section 1. The specific object or purpose to be financed pursuant to this resolution is the construction of a water transmission system to serve Livingston County Water District No. 1 in the County of Livingston, New York, consisting of transmission lines, water mains, pumping station improvements, land or rights-in-land, buildings and original furnishings, equipment, machinery and apparatus required in connection therewith, as well as other incidental costs in connection therewith (the AProject), all substantially in accordance with the maps, plans and report accompanying the petition for the establishment of said District.

Section 2 The Project has been determined to constitute an Action under the State Environmental Quality Review Act and regulations promulgated pursuant thereto which will not result in any significant adverse environmental impacts and for which a negative declaration has been filed.

Section 3. The maximum estimated cost of the Project is \$4,970,000, and the plan for the financing thereof is by the issuance of not exceeding \$4,970,000 serial bonds of said County hereby authorized to be issued pursuant to the Local Finance Law; provided, however, that the amount of serials bonds herein authorized shall be reduced dollar for dollar to the extent of the receipt of grants-in-aid received therefor.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose if 40 years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will exceed five years**.

Section 5. The faith and credit of said County of Livingston, New York, are hereby irrevocably pledged for the payment of the principal of an interest on such bonds as the same respectively become due and payable. There shall be annually apportioned and assessed upon the several lots and parcels of land within said District and, as may be the case, within the zones of said District, upon a benefit assessment basis, an amount sufficient to pay the principal of an interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said County shall be subject to the levy of ad valorem taxes, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by the said Treasurer, consistent with the provisions of the Local Finance Law.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Treasurer, the chief fiscal officer, of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. The County Treasurer is hereby further authorized, at such officer=s sole discretion, to execute a loan agreement, a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including

amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the Project, or a portion thereof, by a bond issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

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

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in full in *The Lake and Valley Clarion* and *The Livingston County News*, which are hereby designated as the official newspapers of said County for such purposes, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

Dated at Geneseo, New York

June 24, 1998

Finance Committee

The roll was called as follows (2/3 vote): Ayes - 1,832; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-240. PROCLAIMING JULY 22, 1998 AS APPRECIATION DAY FOR TOWN AND VILLAGE CLERKS

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

WHEREAS, the Livingston County Board of Elections has requested a day of special recognition in honor of the Livingston County Town and Village Clerks in appreciation for all of the cooperation and assistance given by these men and women, it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby proclaims July 22, 1998 as Town and Village Clerk Appreciation Day throughout Livingston County.

Dated at Geneseo, New York

June 24, 1998

Judicial Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-241. REAPPOINTING MEMBER TO THE GLOW PRIVATE INDUSTRY COUNCIL

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

RESOLVED, that this Board of Supervisors does hereby approve the appointment of the following person to the GLOW Private Industry Council for such designated term:

Pam Kone Term Expires: June 30, 2001

5095 Triphammer Road

P.O. Box 162

Avon, NY 14414

Dated at Geneseo, New York

June 24, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-242. AWARDING BID FOR FURNACES FOR THE HOME WEATHERIZATION ASSISTANCE PROGRAM

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

WHEREAS, after due advertisement, bids were opened on June 1, 1998 by the Office of the Livingston County Administrator for the purchase of furnaces for the Home Weatherization Assistance Program, and the following bidders were the low acceptable bids, for various types of furnaces, which are on file at the Office of the Livingston County Administrator:

Mobile Home-gas and oil	Distributors Unlimited RD 2, Route 343 S Newport, PA 17074

High Efficiency Gas Fired High Efficiency Upflow Gas over 100,000 BTU=s Oil Fired Furnaces	Harris Supply 87 Franklin Street Dansville, NY 14437

High Efficiency Upflow Gas under 100,000 BTU=s	Ace General Hardware 21 Chapel Street Mt. Morris, NY 14510

NOW, THEREFORE, BE IT RESOLVED, that the Livingston County Director of Planning is hereby authorized to purchase furnaces from the bidders hereinbefore set forth during the terms of their bid, beginning July 1, 1998 and ending June 30, 1999, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign said contracts, subject to review by the County Administrator and County Attorney.

Dated at Geneseo, New York

June 24, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-243. AUTHORIZING AMENDED CONTRACT WITH CENTER FOR GOVERNMENTAL RESEARCH, INC.

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

WHEREAS, Resolution No. 98-127 authorized a contract with the Center for Governmental Research, Inc. and

WHEREAS, Livingston County desires to have additional services performed; now therefore be it

RESOLVED, that the Chairman be, and he hereby is, authorized to sign an amended contract with the Center for Governmental Research, Inc., after review by the County Attorney and County Administrator.

Dated at Geneseo, New York

June 24, 1998

Legislative Committee

David Woods, Planning Director, explained the need for additional services (1) geolocating motor vehicle accidents to satisfy the Governor=s Traffic Safety Committee grant and (2) providing maps for Agriculture District #1.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-244. AUTHORIZING CHAIRMAN TO SIGN FFY 1999 CSBG CONTRACT WITH

NEW YORK STATE DEPARTMENT OF STATE

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

WHEREAS, the New York State Department of State has awarded Federal Fiscal Year 1999 Community Services Block Grant funds to Livingston County; and

WHEREAS, the Community Initiatives Council has allocated these funds to human service agencies in Livingston County; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors be, and he hereby is, authorized to sign the FFY 1999 CSBG contract, and amendments thereto, with the New York State Department of State, after review by the County Attorney and County Administrator; and be it further

RESOLVED, that the Planning Director be, and he hereby is authorized to sign FFY 1999 Delegate Agency Agreements with CSBG delegate agencies, pursuant to said contract with the New York State Department of State, after review by the County Attorney and County Administrator; and be it further

RESOLVED, that the Planning Director shall be the authorized representative to sign CSBG Financial Reports, Program Reports, and Vouchers.

Dated at Geneseo, New York

June 24, 1998

Legislative Committee

David Woods, Planning Director, explained that the 1999 funding of \$136,057 is the highest ever and that the Community Initiatives Council has allocated to eight agencies including nine programs.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-245. REAPPOINTING MEMBER TO THE TRAFFIC SAFETY BOARD

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

RESOLVED, that the following person is hereby reappointed to the Livingston County Traffic Safety Board according to the terms designated:

NAME AND REPRESENTATION	TERM EXPIRATION
Sgt. Joan Sprung, 4638 Route 63, Geneseo, NY 14454	12/31/98
New York State Police	

Dated at Geneseo, New York

June 24, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-246. AUTHORIZING SIGNATURE OF CHANGE ORDER NUMBER EIGHT (8) FOR THE AVON/LAKEVILLE SEWER EXTENSION PROJECT

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

WHEREAS, Resolution No. 96-204 authorized a contract with Beardsley Pipeline, Inc. for the Avon/Lakeville Sewer Extension Project, and

WHEREAS, the project was extended to include an area on Polebridge Road, and

WHEREAS, restoration was not included in the extension as others were going to complete this work, and

WHEREAS, restoration needs to be completed, now, therefore be it

RESOLVED, that Change Order #8 be authorized and approved, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign Change Order #8 for an amount not to exceed Five Thousand Dollars (\$5,000.00), subject to review and approval by the County Attorney and County Administrator.

Dated at Geneseo, New York

June 24, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-247. AUTHORIZING ASSISTANCE TO THE TOWN OF LIVONIA FOR REAL PROPERTY TAX ASSESSMENT REVIEW DEFENSE COSTS

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

WHEREAS, Resolution No. 85-253 authorized Towns within the County to request assistance from the county for defense costs relating to proceedings brought against the Towns to review real property tax assessments, and

WHEREAS, the Town of Livonia has requested assistance in regard to proceedings brought by Rochester Telephone Corp., and

WHEREAS, the Tax Committee, the Director of Real Property Tax Services and the County Attorney have reviewed the request, now, therefore, be it

RESOLVED, that the County of Livingston agrees to assist the Town of Livonia in regard to the real property tax assessment proceedings brought by Rochester Telephone Corp., such assistance to be coordinated through the Tax Committee, the Director of Real Property Tax Services and the County Attorney.

Dated at Geneseo, New York

June 24, 1998

Tax Committee

Mr. Kramer directed the County Attorney to write a resolution for the July 8, 1998 meeting supporting all Towns because of a new rule as it pertains to the tax roll.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

OTHER BUSINESS

1. Mr. Kramer stated that the County took ownership of the property located across the road from the Dog Pound on Route 258 in the Town of Groveland, previously owned by Victoria Martin. Victoria Martin now desires to purchase the property for the taxes owed to the County (\$2,150.00). Mr. Kramer moved to accept \$2,150.00 from Victoria Martin for the property. Mr. Wahl seconded the motion. The County Attorney suggested to present a resolution at the next board meeting. Mr. House asked for a motion to withdraw the previous motion. Mr. Kramer moved and Mr. Essler seconded to withdraw the motion. Carried.
2. Mr. Merrick announced there will be a short Buildings Committee meeting after the Board meeting.

HONORING JOAN H. ELLISON AS RECIPIENT OF THE NEW YORK STATE PUBLIC HEALTH ASSOCIATION HERMANN M. BIGGS MEMORIAL MEDAL AWARD

Mr. House announced there is a personnel issue that the Board must address and granted Privilege of the Floor to the County Administrator.

The County Administrator stated that often times the Board has to deal with negative things when at the same time positive things are happening because of the dedicated people working within the County. Mr. Mazza stated there are four words that remind him of the people working in the County (1) conscience (2) commitment (3) compromise and (4) change. Mr. Mazza stated that Joan Ellison displays a button on her left shoulder which reads AThis is the way we have always done it≡ with a line through it. (Mr. Mazza displayed the symbol on the overhead projector.) Mr. Mazza explained the meaning of this button as it pertains to the Public Health Department. The County Administrator stated he is proud to announce that Livingston County recognizes Livingston County Public Health Director Joan H. Ellison as recipient of the New York State Public Health Association Hermann M. Biggs Memorial Medal Award. Mr. Mazza requested Joan Ellison to come forward. Mr. Mazza acknowledged Mrs. Ellison=s hard work and dedication and once again stated how proud we are of her accomplishments.

Ralph VanHouten, Director of Environmental Health, recognized that Joan Ellison is a true leader and a top expert in the public health field on a national level and commented on several issues as it relates to the Public Health Department.

Chairman Dennis R. House recognized the exceptional effort and dedication by Joan Ellison, and on behalf of the Livingston County Board of Supervisors, congratulated Mrs. Ellison as the recipient of the Hermann M. Biggs Memorial Medal Award.

Joan H. Ellison stated that when she was interviewed for the position of Director of Public Health she was asked the question why she would like to come to Livingston County. Mrs. Ellison=s stated that she knew the department had potential to grow. Mrs. Ellison stated that thanks to the dependable and creative staff, the Board of Health, the Board of Supervisors, and the County Administration, the department has grown and programs have been instituted to serve the community needs to become healthier. Mrs. Ellison thanked the Board of Supervisors, Administration staff and the staff of the Public Health Department for recognizing her today.

The County Administrator announced there will a reception in honor of Joan H. Ellison at the Genesee River Hotel, Mt. Morris, New York at 4:30 p.m. today.

RESOLUTION NO. 98-248. HONORING JOAN H. ELLISON AS RECIPIENT OF THE NEW YORK STATE PUBLIC HEALTH ASSOCIATION HERMANN M. BIGGS MEMORIAL MEDAL AWARD

Mr. Essler moved and Mr. Bassage seconded to present the following resolution:

WHEREAS, since August 6, 1979, Joan Ellison has served as the Livingston County Public Health Director, and

WHEREAS, during Joan Ellison=s tenure, the Livingston County Public Health Department has continuously provided outstanding services and quality care, through the development of programs that benefit and care for the citizens of Livingston County, and

WHEREAS, through Joan Ellison=s leadership, the Livingston County Health Department has been recognized as a preeminent public health agency in New York State, and

WHEREAS, Livingston County Public Health Director Joan Ellison has been selected as the 1998 recipient of the Hermann M. Biggs Memorial Medal Award, which is presented annually to individuals to recognize Aoutstanding achievement in public health in New York State,≡ it is hereby

RESOLVED, that the Livingston County Board of Supervisors, the County Administration, the staff of the Livingston County Public Health Department and the citizens of Livingston County join with the New York State Public Health Association in recognizing the achievements and accomplishments of Joan Ellison in the field of public health.

Dated at Geneseo, New York

June 24, 1998

Committee of the Whole

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Daley to adjourn until Wednesday, July 8, 1998 at 1:30 p.m. Carried.

The Board adjourned at 2:16 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, JULY 8, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Olverd and Marks and Ms. Cansdale.

The Pledge of Allegiance.

MINUTES

Minutes of 6/24/98 Regular Meeting were approved as presented.

COMMUNICATIONS

1. Acknowledgments from Senator Jess Present, Assemblymen Jerry Johnson, Thomas M. Reynolds and Craig Doran for receipt of Res. No. 98-229 supporting Assembly Bill 10745 and Senate Bill 6228 to allow elected officials to serve their communities without jeopardizing retirement benefits
2. Thank you card from Joan H. Ellison, Director of Public Health
3. Intercounty Association of Western New York meeting on July 16, 1998, 9:30 a.m., Monroe County, Bausch & Lomb Public Library, South Avenue, Rochester, NY.
PROGRAM: Tour Bausch & Lomb Public Library

INTRODUCTION OF LOCAL LAW

LOCAL LAW NO. B 1998 - A LOCAL LAW SUPERSEDING COUNTY LAW 214 (2) REGARDING PUBLICATION OF LOCAL LAWS

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

Section 1. Purpose and Intent

The Board of Supervisors of Livingston County intends by this local law to supersede the provisions of County Law 214 (2), which requires that a true copy of each local law be published in the official newspapers at least once a week for two successive weeks. In order to reduce cost, this Board desires that the publication of the full text of each local law be discontinued, and replaced with only that detail necessary to insure that the public remains fully informed. This local law is adopted pursuant to Article IX of the Constitution of the State of New York, as interpreted in Volume 92, Opinions of the Attorney General, Informal Opinion 1, and elsewhere.

Section 2. Publication Requirements

Upon the adoption of each local law of the County of Livingston, the Clerk of the Board of Supervisors shall cause the publication once in the official newspapers of the county of the notice of the adoption of said local law and an abstract of the provisions thereof. Said notice shall include the location and availability of a copy of the actual text of each local law. This publication shall be in lieu of that required by County Law 214 (2), which is hereby expressly superseded by this local law.

Section 3.

This Local Law shall take affect immediately.

Dated at Geneseo, New York
July 8, 1998 (Introduced)

The Chairman announced that there will be a resolution later in this meeting setting a public hearing for this local law.

RESOLUTION NO. 98-249. APPROVING ABSTRACT OF CLAIMS #7A - JULY 8, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #7A dated July 8, 1998, in the total amount of \$905,358.53.

Dated at Geneseo, New York

July 8, 1998

Finance Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd 146, Marks 51, Cansdale 43 Total 240; Adopted.

PRIVILEGE OF THE FLOOR

1. Joan Ellison, Director of Public Health, again thanked the Board of Supervisors for the recognition ceremony at the 6/24/98 Board meeting. Mrs. Ellison proceeded to explain the proposed Livingston County Smoking Code in detail (on file). Mr. Wahl questioned how the proposed law differs from Monroe County. Mrs. Ellison responded that Monroe County allows separate smoking rooms. Mr. Daley questioned whether the proposed law was similar to that of Niagara County=s law. Mrs. Ellison responded that Niagara County adopted three separate resolutions which did not follow the acts of neighboring counties and would not be appropriate for Livingston County. Mr. Merrick questioned whether this smoking law prohibits smoking in vehicles. Mrs. Ellison responded that the current smoking code prohibits smoking in County vehicles; however, the Committee did not feel they should regulate the companies fleet of vehicles. The Chairman stated that it is the intent of the Health Committee to seek comments and suggestions from the Board today, and on July 22, 1998 the proposed local law will be introduced and a public hearing will be set for August 19, 1998.

RESOLUTION NO. 98-250. AWARDING BID FOR PAINTING THE WATER TOWER ON THE LIVINGSTON COUNTY CAMPUS

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

WHEREAS, after proper legal advertisement for bids for painting the water tower on the Livingston County Campus, five bids were received, then opened on June 15, 1998, now, therefore, be it

RESOLVED, that the bid of Global Contracting & Painting, Inc., P.O. Box 606, Orchard Park, New York, in an amount not to exceed One Hundred Seventy Nine Thousand Five Hundred Dollars (\$179,500.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Contract on file in Clerk=s office.

Dated at Geneseo, New York

July 8, 1998

Buildings Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd 146, Marks 51, Cansdale 43 Total 240; Adopted.

RESOLUTION NO. 98-251. AWARDING BID FOR ELECTRICAL SERVICE ENTRANCE SYSTEM FOR BUILDING #3

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

WHEREAS, after proper legal advertisement for bids for an electrical service entrance system for Building #3, three bids were received, then opened on June 25, 1998, now, therefore, be it

RESOLVED, that the bid of O=Connell Electric Company of 830 Phillips Road, Victor, New York 14564, in an amount not to exceed Thirty One Thousand Six Hundred Dollars (\$31,600.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Contract on file in Clerk=s office.

Dated at Geneseo, New York

July 8, 1998

Buildings Committee

Mr. Merrick stated the installation of this electrical system will bring the building into compliance with the code. The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd 146, Marks 51, Cansdale 43 Total 240; Adopted

RESOLUTION NO. 98-252. AWARDING BID FOR THE REPAIR OF THE ROOF FOR BUILDING #8

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

WHEREAS, after proper legal advertisement for bids for the repair of the roof for Building #8, one bid was received, then opened on June 22, 1998, now, therefore, be it

RESOLVED, that the bid of Upstate Roofing, Inc. of 1300 Brighton-Henrietta Town-Line Road, Rochester, New York 14623, in an amount not to exceed Fifteen Thousand One Hundred Eighty-Nine Dollars (\$15,189.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Contract on file in Clerk=s office.

Dated at Geneseo, New York

July 8, 1998

Buildings Committee

Mr. Merrick explained that the County received one bidder probably due to the asbestos problem and the need for a performance bond. Mr. Daley questioned whether the bid price received was reasonable. The Chairman deferred to the County Attorney. The County Attorney explained that the Committee reviewed the bid and is comfortable. Mr. Merrick responded that the price is slightly higher than expected. The budgeted amount was between \$10,000-\$12,000. Mr. House stated that all contracts are subject to review by the County Attorney and directed the County Attorney to review the bid results with David Allen, Supervisor of Buildings and Grounds.

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd 146, Marks 51, Cansdale 43 Total 240; Adopted

Mr. Marks entered.

RESOLUTION NO. 98-253. AUTHORIZING TRANSFER OF FUNDS - VARIOUS (CENTRAL SERVICES, PUBLIC HEALTH)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

July 8, 1998

Finance Committee

The roll was called as follows: Ayes - 1,625; Noes - 0; Absent - Olverd 146, Cansdale 43 Total 189; Adopted

RESOLUTION NO. 98-254. DECLARING SURPLUS PROPERTY - COUNTY CLERK, OFFICE FOR THE AGING, DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, the County of Livingston owns certain items of personal property no longer necessary for public use, and

WHEREAS, such items of personal property owned by the County and no longer necessary for public use shall be declared to be "surplus property", it is hereby

RESOLVED, that the following departments hereby declare the following as surplus property to be disposed of as determined by the County Administrator:

COUNTY CLERK

OCE 35 mm Microfilm Reader/Printer Machine

OFFICE FOR THE AGING

1986 Chevrolet Astro Van (tan), VIN #1GCDM15ZXGB227598

1988 Chevrolet Celebrity Wagon (grey), VIN #2G1AW81RXJ2102199

DEPARTMENT OF SOCIAL SERVICES

30 x 60 metal desk, tag #387, Room 16

30 x 60 metal desk, tag # 680, Room 15

30 x 60 metal desk w/ return, tag # 605, Room 82

30 x 60 metal desk w/ return, tag #606, Room 70

30 x 60 metal desk w/ return, tag #607, Room 70

24 x 54 grey metal desk, no tag, Room 68

30 x 60 metal desk, tag # 643, Room 20

Dated at Geneseo, New York

July 8, 1998

Finance Committee

The roll was called as follows: Ayes - 1,625; Noes - 0; Absent - Olverd 146, Cansdale 43 Total 189; Adopted

RESOLUTION NO. 98-255. AUTHORIZING A PARTIAL ASSIGNMENT OF THE AVON CROSSROADS INDUSTRIAL PARK OPTION TO THE LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign an agreement assigning to the Livingston County Industrial Development Agency the County=s option to purchase approximately 25 acres of the Avon Crossroads Industrial Park.

Dated at Geneseo, New York

July 8, 1998

Finance Committee

Patrick Rountree, Director of Economic Development, presented a diagram of the acreage to be assigned to the LCIDA.

The roll was called as follows (2/3 vote): Ayes - 1,643; Noes - 0; Absent - Olverd 147, Cansdale 42 Total 189; Adopted

RESOLUTION NO. 98-256. AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT BETWEEN BARBARA SCHMIED AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR

DIETICIAN SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between Barbara Schmied and the Livingston County Department of Health for Dietician Services, subject to review by the County Administrator and County Attorney.

Contract on file in Clerk=s office.

Dated at Geneseo, New York

July 8, 1998

Health Committee

The roll was called as follows: Ayes - 1,625; Noes - 0; Absent - Olverd 146, Cansdale 43 Total 189; Adopted

RESOLUTION NO. 98-257. AUTHORIZING THE CHAIRMAN TO SIGN CONTRACTS FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign contracts between the Livingston County Department of Health and the following for early intervention services, subject to review by the County Administrator and County Attorney.

Mary Cariola Children's Center

ARC Children's Services

Elizabeth Hassett

Wyoming County Community Health System

Contracts on file in Clerk=s office.

Dated at Geneseo, New York

July 8, 1998

Health Committee

The roll was called as follows: Ayes - 1,625; Noes - 0; Absent - Olverd 146, Cansdale 43 Total 189; Adopted

Mr. House announced that number 9 on the Board agenda has been pulled. Mr. Bassage stated that this contract is to be reviewed by the EMS subcommittee

RESOLUTION NO. 98-258. AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT WITH F.F. THOMPSON HOSPITAL AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR EMS SURVEY

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with F. F. Thompson Hospital to conduct a survey of the local ambulance corps in order to determine corps' needs, gaps in service, need for and type of integration and all levels of EMS care, training needs, recruitment and retention strategies, subject to review by the County Administrator and County Attorney.

Contract on file in Clerk=s office.

Dated at Geneseo, New York

July 8, 1998

Health Committee

Mr. Kramer questioned whether the study was vital. Joan Ellison, Director of Public Health, stated that hopefully the study will generate information to be used to improve emergency medical services and offer different options for new programs to be implemented. Mr. Daley questioned when the study would be complete. Mrs. Ellison stated the study should be complete by the end of 1998. Board members questioned whether the study would rank Livingston County in comparison with other counties. Mrs. Ellison stated she would keep this in mind.

The roll was called as follows: Ayes - 1,625; Noes - 0; Absent - Olverd 146, Cansdale 43 Total 189; Adopted

RESOLUTION NO. 98-259. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR LIVINGSTON COUNTY OFFICE FOR THE AGING - LIVINGSTON AREA TRANSPORTATION SERVICES (LATS), FAMILY SERVICES OF ROCHESTER AND UNLIMITED CARE

Mr. Bassage 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, pending review by the County Administrator and County Attorney:

Livingston Area Transportation Services for transportation to meal sites	4/1/98 - 3/31/99
Unlimited Care for expand in-home services to the elderly	4/1/98 - 3/31/99
Family Services of Rochester for CSE legal services to the elderly	4/1/98 - 3/31/99
Family Services of Rochester for IIIB legal services to the elderly	4/1/98 - 6/30/99

Contracts on file in Clerk=s office.

Dated at Geneseo, New York

July 8, 1998

Health Committee

The roll was called as follows: Ayes - 1,625; Noes - 0; Absent - Olverd 146, Cansdale 43 Total 189; Adopted

RESOLUTION NO. 98-260. AUTHORIZING CHAIRMAN TO SIGN A CONTRACT WITH SOLUTIONS FOR SIGHT OPTOMETRIC ASSOCIATES, P.C. FOR OPTOMETRY SERVICES FOR RESIDENTS OF THE LIVINGSTON COUNTY HEALTH CARE FACILITIES

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

WHEREAS, the Livingston County Health Care Facilities are required to arrange for optometry services for its residents and Solutions for Sight Optometric Associates, P.C. is willing to provide mobile eye care services on site in the Livingston County Health Care Facilities; it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign an on-going contract with Solutions for Sight Optometric Associates, P.C., subject to review by the County Attorney and County Administrator.

Contract on file in Clerk=s office.

Dated at Geneseo, New York

July 8, 1998

Health Committee

Mr. Moore asked what services will be provided by this mobile unit. Frank Bassett, Senior Nursing Home Administrator responded that the mobile unit will provide primary eye care, e.g. glasses, eye exams, etc. not ophthalmologic services. The doctor who has been providing these services for 12 yrs. has decided to pursue new endeavors.

The roll was called as follows: Ayes - 1,625; Noes - 0; Absent - Olverd 146, Cansdale 43 Total 189; Adopted

RESOLUTION NO. 98-261. AUTHORIZING THE IMPLEMENTATION AND FUNDING FOR A STATE AMARCHISELLI≡ 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 - ROCHESTER STREET

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

WHEREAS, a Project for the Reconstruction of C. R. 26 from S. R. 20 to the Monroe County Line, P.I.N. 475186 (the AProject≡) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Livingston desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and/or right-of-way incidental work, including final

design, right-of-way acquisition, construction, and construction supervision and inspection 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 (ANYSDOT) pursuant to Agreement; now, therefore be it

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

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

RESOLVED, that the sum of \$39,682 was appropriated to cover the cost of participation in the P.E. and ROW Incidentals Phase of the Project, and such sum was deposited with the State Comptroller, as authorized by Resolution No. 93-82 attached hereto, and it is further

RESOLVED, that the sum of \$13,718 was appropriated to cover the cost of participation in the P.E. & ROW Incidentals Phase of the project as well as the new ROW Phase of the Project; and such sum was deposited with the State Comptroller, as authorized by Resolution No. 96-258 attached hereto; and it is further

RESOLVED, that the sum of \$424,800 is hereby appropriated to cover the cost of participation in the additional P.E. & ROW Incidentals Phase and construction, and construction supervision and inspection work for the project, and the County of Livingston is hereby authorized and directed to deposit such sum with the State Comptroller prior to the award of the contract; 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 County of Livingston shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Chairman of the County Board of Supervisors of the County of Livingston be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Chairman of the County Board of Supervisors of the County of Livingston with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality'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 therefor that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution 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.

Contract on file in Clerk's office.

Dated at Geneseo, New York

July 8, 1998

Highway Committee

Mr. Daley requested an explanation of this resolution. The Chairman explained that the Board approved the project in 1996 and this resolution provide the funding for the construction.

The roll was called as follows: Ayes - 1,625; Noes - 0; Absent - Olverd 146, Cansdale 43 Total 189; Adopted

RESOLUTION NO. 98-262. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. B 1998

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

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on July 8, 1998, a proposed Local Law entitled Local Law B 1998, A Local law Superseding County law 214 (2) Regarding Publication of Local Laws, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 22nd day of July, 1998 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York, and at least six (6) days notice posting thereof on the bulletin board of the Government Center in this County, and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

July 8, 1998

Supervisors Committee

The County Attorney explained that the County is required to public the entire text of local laws twice in the official newspapers which becomes quite costly if the law is lengthy. This proposed local law will allow the Clerk to public an abstract of the law which will include a statement that a complete copy of the law is available in the Clerk's office.

The roll was called as follows: Ayes - 1,625; Noes - 0; Absent - Olverd 146, Cansdale 43 Total 189; Adopted

RESOLUTION NO. 98-263. AUTHORIZING ASSISTANCE TO ALL TOWNS FOR REAL PROPERTY TAX ASSESSMENT REVIEW DEFENSE COSTS

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

WHEREAS, Resolution No. 85-253 authorized Towns within the County to request assistance from the county for defense costs relating to proceedings brought against the Towns to review real property tax assessments, and

WHEREAS, all seventeen towns in Livingston County, namely Avon, Caledonia, Conesus, Geneseo, Groveland, Leicester, Lima, Livonia, Mt. Morris, N. Dansville, Nunda, Ossian, Portage, Sparta, Springwater, W. Sparta, and York, have requested assistance in regard to several proceedings brought by Rochester Telephone Corp., and

WHEREAS, the Tax Committee, the Director of Real Property Tax Services and the County Attorney have reviewed the requests, now, therefore, be it

RESOLVED, that the County of Livingston agrees to assist all Towns in Livingston County in regard to any real property tax assessment proceedings brought by Rochester Telephone Corp., such assistance to be coordinated through the Tax Committee, the Director of Real Property Tax Services and the County Attorney.

Dated at Geneseo, New York

July 8, 1998

Tax Committee

The roll was called as follows: Ayes - 1,625; Noes - 0; Absent - Olverd 146, Cansdale 43 Total 189; Adopted

RESOLUTION NO. 98-264. CORRECTING TAX ROLL - TOWN OF CALEDONIA

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

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to three (3) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Town of Caledonia on the tax roll for the years hereinafter set forth, and

WHEREAS, said parcels were claimed to be incorrectly assessed and/or taxed for reasons set forth in the refund application submitted to the Director of Real Property Tax Services attached hereto,

NOW, THEREFORE, be it resolved that the Director of Real Property Tax Services is authorized and directed to forward a copy of this resolution to the officer having jurisdiction of the tax roll stating that the application has been denied, and a notice of the denial to the applicant, and be it further

RESOLVED, that the County Treasurer and/or Town Tax Collector is hereby notified that the applications have been denied and that refunds are not in order.

Year, Town & Premises	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refunds	Chg. Back

1. 1996 Caledonia
CALCHESTER ASSOCIATES, LP
Tax Map Numbers
7.12-1-42.1
7.12-1-42.21
7.12-1-42.22

APPLICATION DENIED

7.12-1-62
8.09-3-100

2. 1997 Caledonia
CALCHESTER ASSOCIATES, LP

APPLICATION DENIED

Tax Map Numbers

7.12-1-42.1
7.12-1-42.21
7.12-1-42.22
7.12-1-62
8.09-3-100

3. 1998 Caledonia
CALCHESTER ASSOCIATES, LP

APPLICATION DENIED

Tax Map Numbers

7.12-1-42.1
7.12-1-42.21
7.12-1-42.22
7.12-1-62
8.09-3-100

Dated at Geneseo, New York

July 8, 1998

Tax Committee

The roll was called as follows: Ayes - 1,625; Noes - 0; Absent - Olverd 146, Cansdale 43 Total 189; Adopted

OTHER BUSINESS

1. Local Conditional Release Commission Update - The Chairman stated that a letter had been sent requesting the resignation of Thomas Tremer and to date the Chairman had not received a resignation. Thomas Tremer was reappointed by Res. No. 98-211 on May 27, 1998. There is a policy in place that all appointed persons must take an Oath of Office in the County Clerk's office within 30 days from the appointment date. On July 2, 1998, the County Clerk reported to the Judicial Committee that Thomas Tremer had not taken his oath; therefore, the Committee declared the position vacant. The Chairman stated that a formal resignation letter had been received by Joseph Temperato, the other Conditional Release Member, and that the Chairman had tried to convince Mr. Temperato from resigning. Mr. Temperato is determined that he will not serve on the Commission. The Chairman reported that there are presently two vacancies on the Commission. The Chairman desires that a resolution be presented at the July 22, 1998 Board meeting to fill the vacancies. Mr. Daley questioned whether there has been any thought of increasing the membership of the Local Conditional Release Commission. The Chairman stated that the Judicial Committee intends to get three active members on the Commission and eventually expects to increase the membership.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Moore to adjourn until Wednesday, July 22, 1998 at 1:30 p.m. Carried.

The Board adjourned at 2:36 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, JULY 22, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Daley and Marks.

The Pledge of Allegiance.

MINUTES

Minutes of 7/8/98 Regular Meeting were approved as presented.

PUBLIC HEARING - 1:35 P.M.

The Public Hearing to receive comments on Local Law No. B 1998 - A Local Law Superseding County Law 214 (2) Regarding Publication of Local Laws was called in accordance with the notices published in the official newspapers.

The Chairman explained that County Law requires the Clerk to publish local laws twice in the official newspapers. This local law will allow the Clerk to publish a synopsis of local laws that exceed one page which will reduce the publishing cost.

The Chairman announced that any person wishing to be heard would have the opportunity to do so at this time. No one wished to speak.

The Chairman stated that the Public Hearing would remain open until the end of the meeting.

COMMUNICATIONS

1. NYSAC Fall Conference, September 13-15, 1998, Hyatt Regency, Buffalo, New York. If you plan to attend this conference, please notify the Clerk.

INTRODUCTION OF LOCAL LAW

LOCAL LAW NO. C - 1998

LIVINGSTON COUNTY SMOKING CODE

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

Section 1: Definitions.

The following words and phrases, whenever used in this Article, shall be construed as defined in this section:

1. **A**~~Bar~~ or *tavern* shall mean a business establishment that is devoted to the selling and serving of alcoholic beverages for consumption by patrons on the premises and in which the service of food is incidental to the business of the facility. Service of food shall be considered incidental if the food service generates less than forty percent (40%) of total annual gross sales.

2. **ABusiness**≡ shall mean any sole proprietorship, partnership, joint venture, corporation, or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered.
3. **AEmployee**≡ shall mean any person who is employed by any employer for direct or indirect monetary wages or profit, and any person who volunteers his or her services for a non-profit entity.
4. **AEmployer**≡ shall mean any person, partnership, corporation, including a municipal corporation, or non-profit entity who employs the services of one or more individual persons.
5. **AFood**≡ shall mean any edible substance, ice, beverage (excluding alcohol) or ingredient used or intended for use or for sale in whole or in part for human consumption.
6. **AMultiple Unit Residence**≡ shall mean any facility containing more than one residence unit, where common space or facilities are present for use by the residents or the general public.
7. **APlace of Employment**≡ shall mean any enclosed area under the control of a public or private employer which employees normally frequent during the course of employment, *including but not limited to work areas, employee lounges and restrooms, conference and classrooms, employee cafeterias, hallways, garages and indoor loading docks. A private residence is not a Aplace of employment unless it is used as a child care or health care facility.*
8. **APrivate Social Function**≡ shall mean any weddings, parties, testimonial dinners, or other similar gatherings in which the seating arrangements are under the control of the organizer or sponsor of the event and not the person who owns, manages, operates or otherwise controls the use of the place in which the function is held.
9. **APublic Place**≡ shall mean any area to which the public is invited or in which the public is permitted, including but not limited to banks, educational facilities, correctional facilities, health facilities, bingo halls, indoor recreational facilities, laundromats, public transportation facilities, reception areas, restaurants, bars, retail food production and marketing establishments, malls, retail service establishments, retail stores, showrooms, theaters, and waiting rooms and places of worship. A private residence is not a Apublic place≡ within the meaning of this Article, except that areas in a private residence where a child day care center, health care facility or other business (open to the public) is operated during the times of operation and areas in a private residence which constitute common areas of a multiple unit residence are Apublic places≡ within the meaning of the Article.
10. **ARestaurant**≡ shall mean any coffee shop, cafeteria, sandwich shop, private or public school cafeteria, and any other eating establishment which gives or offers food for sale to the public, guests, members or employees.
11. **ARestaurant Bar Area**≡ shall mean a contiguous area of a restaurant, containing a counter, which is primarily devoted to the selling and serving of alcoholic beverages. This area shall include seating that is immediately contiguous to the bar if the bar area is separated from the remaining seating area by a permanent partition or is on a separate floor.
12. **ARestaurant Dining Area**≡ shall mean the area(s) of a restaurant which are primarily devoted to the

serving and consumption of food.

13. **ARetail Tobacco Business** $\equiv$ shall mean a sole proprietorship, corporation, partnership or other enterprise in which the primary activity is the sale, manufacture or promotion of tobacco, tobacco products and accessories either at wholesale or retail and in which the sale, manufacture or promotion of other products generates less than 10 percent of total annual gross sales.
14. **ASeparate Smoking Room** $\equiv$ shall mean a room provided for smoking for employees in a place of employment. It must be served by a properly operating and properly maintained separate ventilation system, exhausted to the outside of the building in such a way as to prevent the re-introduction of smoke into the building and *it must be negatively pressurized or provided with doors which are self-closing or otherwise constructed in such a way as to prevent the escape of tobacco smoke to the smoke-free areas of the facility. A Separate Smoking Room shall not comprise more than twenty five percent (25%) of the total area open to the employees in a place of employment.*
15. **AService Line** $\equiv$ shall mean any indoor line at which one (1) or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.
16. **ASmoking** $\equiv$ shall mean inhaling of, exhaling or, burning of, or carrying of any lighted cigar, cigarette, weed, or other plant in any manner or in any form.
17. **ASports Arena** $\equiv$ shall mean any indoor stadium, sports pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, billiard parlors, and other similar places where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events.
18. **ASpectator Facilities** $\equiv$ shall mean any indoor facility where members of the general public assemble to view and/or participate in scheduled events involving competitions, exhibitions, entertainment productions, trade shows, conventions, or other events established for common purposes.

Section 2: Application of Article to County-Owned and Leased Facilities.

All enclosed facilities owned or leased by the County of Livingston shall be subject to the provisions of this Article.

Section 3: Regulation of Smoking in Public Places.

A. Smoking shall be prohibited in all enclosed public places within the County of Livingston, including but not limited to the following places:

- (1) Elevators.
- (2) Buses, taxicabs, and other means of public transit, and ticket, boarding, and waiting areas of public transit depots.
- (3) Restrooms.
- (4) Service lines.

- (5) Retail stores.
- (6) All areas available to and customarily used by the general public in all businesses and non-profit entities patronized by the public, including but not limited to professional offices, banks, laundromats, barber and beauty shops.
- (7) Restaurants.

(a) ***Restaurants shall designate as a non-smoking area its entire Restaurant Dining Area, the full 100% of its seating capacity.***

(b)(1) ***Restaurants with a bar shall designate as a non-smoking area its entire Restaurant Dining Area, the full 100% of its seating capacity.***

(2) ***Smoking may be allowed in the Restaurant Bar Area. However, effective January 1, 2005, smoking may only be allowed in the Restaurant Bar Area provided the bar area is serviced by a separate ventilation system. Such a system shall be properly operated and maintained and shall exhaust to the outside of the building in such away as to prevent the re-introduction of smoke into the building. The bar area and ventilation system shall be negatively pressurized under all operating conditions so as to prevent the escape of tobacco smoke to the smoke free areas of the facility.***

- (8) Galleries, libraries, museums and exhibition halls.
- (9) Any facility which is primarily used for exhibiting any motion picture, stage, drama, lecture, musical recital, cabaret, comedy production, concert or other similar performance.
- (10) Sports arenas, spectator facilities and convention halls.
- (11) Bowling Centers.

(a) Smoking shall be prohibited in the settee area (the area that includes the approach to the lanes, the scorers= tables and the adjacent seats occupied by the participating bowlers), restrooms and locker rooms. Additionally, Bowling Centers must provide a nonsmoking area in the concourse area (the area directly behind and immediately contiguous to settee area) constituting at least 25% of the concourse area. The restrooms and locker rooms shall be considered a part of the concourse area.

(b) ***Notwithstanding the provisions of subdivision (a) of this section, smoking shall not be allowed in any area of a Bowling Center during youth leagues and one hour prior to the commencement of youth leagues.***

- (12) Bingo Halls

Fifty per cent (50%) of the seating capacity must be designated as non-smoking unless otherwise prohibited by state or federal law.

- (13) Every room chamber, place of meeting or public assembly, including school buildings, under the control of any board, council, commission, committee, including joint committees, or agencies

of the County or any political subdivision of the County during such time as a public meeting is in progress.

(14) Waiting rooms, hallways, wards and semiprivate rooms of health facilities, including but not limited to hospitals, clinics, physical therapy facilities, doctors' offices, and dentists' offices.

(15) Lobbies, hallways, offices and other common areas in *multiple unit residences, condominiums, retirement facilities*, nursing homes, and multiple unit commercial facilities.

(16) *Livingston County Jail*

- B. This section shall not prohibit smoking rooms as defined in Section 1(14).
- C. Notwithstanding any other provision of this section, any owner, operator, manager, or other person who controls any establishment or facility may declare the entire establishment or facility as a non-smoking establishment.

Section 4: Regulation of Smoking in Places of Employment.

- A. It shall be the responsibility of employers to provide a smoke free work site for all employees, but employers are not required to incur any expense to make structural or other physical modifications.
- B. Each employer having any enclosed place of employment located within the County shall adopt, implement, make known, and maintain a written smoking policy which shall contain the following requirements:

Smoking shall be prohibited in all enclosed facilities within a place of employment without exception. This includes common work areas, auditoriums, building entryways, classrooms, conference and meeting rooms, indoor loading docks, garages, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairways, restrooms, and all other enclosed facilities.

- C. *The smoking policy shall be communicated to all employees within three (3) weeks of its adoption.*
- D. All employers shall supply a written copy of the smoking policy upon request to any existing or prospective employee.
- E. This section shall not prohibit smoking in separate rooms as defined in Section 1(14).

Section 5: Further restriction of smoking.

Notwithstanding any other provision of this Article, any owner, operator, manager, or other person who controls any establishment described in this Article may declare that entire establishment as a non-smoking establishment.

Section 6: Where Smoking Is Not Regulated.

- A. Notwithstanding any other provision of this Article to the contrary, the following areas shall not be subject to the smoking restrictions of this Article:

- (1) Bars, including Restaurant Bar Areas of restaurants.
 - (2) Private residences, except when used as child care or health care facilities, or when used as a work site which is open to the public or non-resident employee.
 - (3) Retail tobacco stores.
 - (4) Rooms in which private social functions are being held where seating arrangements are under the control of the sponsor of the function and not the owner or operator of the facility.
 - (5) Hotel and motel rooms rented to guests.
 - (6) Separate smoking room(s) as defined in Section 1(14).
- B. No area may be designated for smoking where prohibited by regulation of another agency having jurisdiction.

Section 7: Additional Responsibilities of Management.

The person in charge of the facility shall also be responsible to:

- A. Provide ashtrays and smoking receptacles where smoking is permitted by this Article and maintain locations where smoking is prohibited free of ashtrays or smoking receptacles.
- B. Enforce this Article by requesting compliance from patrons verbally or by presenting a non-smoking card, and by prohibiting employees from smoking, except in designated separate, totally enclosed, and separately ventilated smoking rooms.
- C. Develop and implement a plan of compliance that is acceptable to the Livingston County Department of Public Health and which specifies areas where smoking is prohibited, and where smoking is permitted, if any. The plan must include the manner in which this information is conveyed to the public and all employees. The plan shall be available for inspection by the Director of Public Health or the Director=s designees and shall be provided to the Livingston County Department of Public Health upon request.

Section 8: Variances and Waivers.

- A. **Variance.** The Livingston County Director of Public Health may, on written application and after review, grant a variance from a specific provision of this Article, subject to appropriate conditions which shall include a time schedule for compliance when such variance is in harmony with the general purposes and intent of this Article, and when there are practical difficulties or unnecessary hardship in complying with such provision.
- B. **Waiver.** The Livingston County Director of Public Health, in his or her sole discretion, may waive, in writing, any of the requirements of this Article when it reasonably appears to the Livingston County Director of Public Health that the public health will not be endangered by granting of such waiver and adequate alternative provisions have been made to protect the health of non-smokers. A written application for a waiver is required. Initial waivers shall be valid for a period of not more than twenty-

four (24) months and may be renewed upon written reapplication. Under conditions of renewal, waivers may be granted for periods of time as deemed appropriate by the Livingston County Director of Public Health.

- C. **Revocation.** The Livingston County Director of Public Health may revoke any waiver or variance after providing thirty (30) days written notice to the applicant/holder.

Section 9: Posting of Signs.

SMOKING IS PROHIBITED, or **NO SMOKING** signs, using the international **NO SMOKING** symbol - consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be prominently and conspicuously posted in every place where smoking is regulated by this Article. These signs shall be posted by the owner, by the operator, manager or other person having control of such place. ***SMOKING PERMITTED signs shall be posted where the conditions established in this Article have been met.*** Such signs shall be conspicuously posted at doors and entrance ways to all facilities where smoking is permitted anywhere within the facility and at the entrances to the areas within these facilities where smoking is to be permitted. ***SMOKING PERMITTED*** or ***NO SMOKING*** signs shall be protected from tampering, damage, removal or concealment.

Section 10: Enforcement.

- A. For the purpose of this Article the term Enforcement officer shall mean the Livingston County Board of Health, or its designee.
- B. If the enforcement officer determines after a hearing that a violation of this Article has occurred, a civil penalty may be imposed by the enforcement officer pursuant to Section 11 of this Article. Nothing herein shall be construed to prohibit an enforcement officer from commencing a proceeding for injunctive relief to compel compliance with this Article.
- C. Any person who desires to register a complaint under this Article may do so with any appropriate enforcement officer.
- D. The person, firm, corporation or other entity that owns, manages, operates or otherwise controls the use of an indoor area open to the public in which smoking is prohibited or restricted pursuant to this Article, shall inform, or shall designate an agent who shall be responsible for informing individuals smoking in an area in which smoking is not permitted that they are in violation of this Article.
- E. The decision of any enforcement officer shall be reviewable pursuant to Article seventy-eight of the Civil Practice Law and Rules.
- F. The enforcement officer, subsequent to any appeal having been finally determined, may bring an action to recover the civil penalty provided in Section 11 of this Article.
- G. ***The owner, operator, manager, or person in charge of the facility shall permit the Director of Public Health or the Director's designees entrance to the facility to determine compliance with this Article.***

Section 11: Violations and Penalties.

- A. It shall be unlawful for any person who owns, manages, operates, or otherwise controls the use of any premises subject to regulation under this Article to fail to comply with any of its provisions.

- B. It shall be unlawful for any person to smoke in any area where smoking is prohibited by the provisions of this Article.
- C. Any person who violates any provision of this Article shall be guilty of a violation, punishable by a civil penalty not to exceed *one thousand dollars (\$1,000)*.

Section 12: Other Applicable Laws.

This Article shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

Section 13: Severability.

If any provision, clause, sentence, or paragraph of this Article or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Article which can be given effect without the valid provision or application, and to this end the provisions of this Article are declared to be severable.

Section 14: Effective Date.

- A. This Article shall take effect one (1) year from the date of adoption.

The Chairman announced that there will be a resolution later in this meeting setting a public hearing for this local law.

RESOLUTION NO. 98-265. APPROVING ABSTRACT OF CLAIMS #7B - JULY 22, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #7B dated July 8, 1998, in the total amount of \$1,045,180.98.

Dated at Geneseo, New York

July 22, 1998

Finance Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

PRIVILEGE OF THE FLOOR

There was no request for Privilege of the Floor.

RESOLUTION NO. 98-266. AUTHORIZING TRANSFER OF FUNDS - VARIOUS (CENTRAL SERVICES, ECONOMIC DEVELOPMENT, MENTAL HEALTH, PLANNING, PUBLIC HEALTH, SHERIFF)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

July 22, 1998

Finance Committee

Mr. Kramer asked for an explanation to these transfers. The County Administrator explained that all transfers are internal except for a transfer of \$9,000 to Central Services to cover the remaining cost of a new truck.

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-267. AUTHORIZING PAYMENT TO LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO ACQUIRE LAND AND MAKE INFRASTRUCTURE IMPROVEMENT IN THE AVON CROSSROADS INDUSTRIAL PARK

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

WHEREAS, the County of Livingston entered into an option agreement with Espevee Land Co. In 1994 to acquire up to 117 acres in what is now known as the Crossroad Industrial Park, and

WHEREAS, an assignment of that option to the Livingston County Industrial Development Agency to acquire up to 25 acres in this parcel was authorized by the Livingston County Board of Supervisors by Resolution No. 98-255, and

WHEREAS, Lakeland Equipment Corporation and Champagne Specialties, Inc. have executed letters of intent or purchase agreements with the Livingston County Industrial Development Agency to acquire 6 acres and 4 acres respectively to construct new facilities, and

WHEREAS, Monroe Industries, owner of land in the Industrial Park, also intends to construct this year, and

WHEREAS, all local approval for the construction of these projects has been obtained, now, therefore be it

RESOLVED, that the Livingston County Industrial Development Agency will repay to the County of Livingston all net proceeds from the sale of real estate and any unspent project funds, and it is further

RESOLVED, that a grant in the amount of \$750,000.00 be paid to the Livingston County Industrial Development Agency for the purpose of land acquisition and the development of infrastructure in the Avon Crossroads Industrial Park, and it is further

RESOLVED, that the County Treasurer is hereby authorized and directed to make a payment of \$750,000.00 from the Economic Development Infrastructure Fund H6989.2900 to the Livingston County Industrial Development Agency.

Dated at Geneseo, New York

July 22, 1998

Finance Committee

Patrick Rountree, Economic Developer, introduced Denny Burdick and John Flint of Flint, Allen, White and Radley P.C. consulting engineers, who explained the site plan for the Avon Crossroads Industrial Park.

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-268. AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT WITH FLINT, ALLEN, WHITE AND RADLEY P.C. FOR ENGINEERING SERVICES FOR THE AVON CROSSROADS INDUSTRIAL PARK

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Flint, Allen, White and Radley P.C. of 245 Summit Point Drive, Suite 4, Henrietta, New York 14467 for engineering services for the Avon Crossroads Industrial Park in an amount not to exceed Sixty Nine Thousand Six Hundred Dollars (\$69,600.00), subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

July 22, 1998

Finance Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-269. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. C 1998 - LIVINGSTON COUNTY SMOKING CODE

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

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on July 22, 1998, a proposed Local Law entitled Local Law No. C 1998, Livingston County Smoking Code, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on August 19, 1998 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York, and at least six (6) days notice posting thereof on the bulletin board of the Government Center in this County, and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

July 22, 1998

Health Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-270. AUTHORIZING PURCHASE OF ONE (1) NEW HEAVY-DUTY 18" BRUSH CHIPPER FOR HIGHWAY DEPARTMENT

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

WHEREAS, the 1998 equipment budget of the Highway Department includes funds to purchase a new brush chipper, now, therefore be it

RESOLVED, that the Superintendent of Highways be, and he hereby is, authorized to purchase one (1) new Brush-Bandit Model 280 Heavy-Duty 18" Brush Chipper, through New York State Contract #PO52100, from Bachmann Services, Inc. of Elma, New York in an amount not to exceed \$27,811.50.

Dated at Geneseo, New York

July 22, 1998

Highway Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-271. AWARDING BID AND AUTHORIZING PURCHASE OF ONE (1) NEW 1998 90HP TRACK BULLDOZER FOR HIGHWAY DEPARTMENT.

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

WHEREAS, after legal advertisement, bids for one (1) new 90-Horsepower, 18,000-Pound Track Bulldozer were opened on July 7, 1998 in Room 303A of the Livingston County Government Center, and

WHEREAS, the bid of Syracuse Supply Company of Rochester, NY in the total amount of \$71,626.00 for one (1) new 1998 Caterpillar Model D5C III, was the lowest of three (3) bids received, and said bid meets bid specifications dated June 23, 1998, now, therefore, be it

RESOLVED, that said bid be accepted, and the Superintendent of Highways be, and he hereby is, authorized to purchase said 90 HP Track Bulldozer for said price, contingent upon Syracuse Supply Company signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

July 22, 1998

Highway Committee

Donald Higgins, County Highway Superintendent, explained this is a medium-size dozer and this purchase will provide the Highway Department with a total of three dozers. The next resolution is to purchase a 175 HP dozer which will replace the largest 1972 dozer. The purchase of the trailer will provide the department with an additional trailer. The recommendation is to award all to the lowest bidders.

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-272. AWARDING BID AND AUTHORIZING PURCHASE OF ONE (1) NEW 1998 175 HP TRACK BULLDOZER FOR HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for one (1) new 175-Horsepower, 40,000-Pound Track Bulldozer were opened on July 7, 1998 in Room 303A of the Livingston County Government Center, and

WHEREAS, the bid of Syracuse Supply Company of Rochester, New York in the total amount of \$185,852.00 for one (1) new 1998 Caterpillar Model D6R-XL, was the lowest of two (2) bids received, and said bid meets bid specifications dated June 23, 1998, now, therefore, be it

RESOLVED, that said bid be accepted, and the Superintendent of Highways be, and he hereby is, authorized to purchase said 175 HP Track Bulldozer for said price, contingent upon Syracuse Supply Company signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator
Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

July 22, 1998

Highway Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-273. AWARDING BID AND AUTHORIZING PURCHASE OF ONE (1) NEW 1998 35-TON EQUIPMENT TRAILER FOR HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for one (1) new Heavy-Duty, 35-Ton Equipment Trailer were opened on July 7, 1998 in Room 303A of the Livingston County Government Center, and

WHEREAS, a total of four (4) bids were received from three (3) vendors, with three (3) of the said bids meeting all necessary bid requirements, and

WHEREAS, the bid of Monroe Tractor & Implement Company, Inc. of Henrietta, N.Y. in the total amount of \$40,341.00 for one (1) new 1998 Talbert Model TDW-35-HRG-1-T1-RP was the lowest of said three (3) qualifying bids, and said bid meets all necessary bid specifications dated June 23, 1998, now, therefore, be it

RESOLVED, that said bid be accepted, and the Superintendent of Highways be, and he hereby is, authorized to purchase said 35-Ton Equipment Trailer for said price, contingent upon Monroe Tractor and Implement Company, Inc. signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

July 22, 1998

Highway Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-274. APPOINTING MEMBERS TO THE LOCAL CONDITIONAL RELEASE COMMISSION

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

WHEREAS, Res. No. 89-230 Established a Conditional Release Commission to determine whether individuals should be conditionally released from County Jail and to monitor them if they are released, and

WHEREAS, Joseph Temperato, appointed by Res. No. 97-54 for a term to expire September 5, 1999, has resigned, it is hereby

RESOLVED, that David W. Bovard of 6256 State Route 63 South, Dansville, New York 14437 is hereby appointed to the Local Conditional Release Commission for a term to expire September 5, 1999, and

WHEREAS, on July 2, 1998, the Judicial Committee declared the position held by Thomas Tremmer vacant, it is hereby

RESOLVED, that Marcea A. Clark of 58 Main Street, P.O. Box 397, Geneseo, New York 14454 is hereby appointed to the Local Conditional Release Commission for a term to expire December 31, 2001.

Dated at Geneseo, New York
 July 22, 1998
 Judicial Committee

The Chairman announced that these two appointments will bring the Conditional Release Commission to three members which will comply with the Corrections Law. The Chairman stated it is his desire to have five members on the Conditional Release Commission, and if any Supervisor, has a recommendation, they were directed to forward the recommendation to the Chairman's office. A list of the qualifications can be obtained from the Clerk.

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-275. PROCLAIMING THE WEEK OF JULY 26 - AUGUST 1, 1998 AS YOUTH WEEK 1998

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

WHEREAS, the Youth of Livingston County make contributions each day to the quality of life in New York State, and

WHEREAS, through their activities with various organizations, the youth of our county contribute greatly to many appreciated causes including but not limited to the raising of funds for many charitable organizations, enhancement of local community life, improving the natural environment, and

WHEREAS, the desire of the youth to learn, enhances the enthusiasm and desire of adults to help teach our youth and become more involved in activities with youth, and

WHEREAS, the care, consideration, and good mannerisms of our youth make those they come in contact with proud to have them as part of our community, and

WHEREAS, many of our County youth have demonstrated their commitment to these activities as indicated by the annual Teen Recognition recipients, and

WHEREAS, the accomplishments of young people often makes the difference between success and failure of a cause because of the enthusiasm, dedication, and energy they bring to the challenges and goals which they take up; now, therefore, be it

RESOLVED that the Livingston County Board of Supervisors proclaim the week of July 26-August 1, 1998 as Youth Week 1998.

Dated at Geneseo, New York
 July 22, 1998
 Legislative Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-276. REAPPOINTING MEMBER TO THE GLOW PRIVATE INDUSTRY COUNCIL

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

RESOLVED, that this Board of Supervisors does hereby approve the appointment of the following person to the GLOW Private Industry Council for such designated term:

David Guile Term Expires: June 30, 2000

At Large Labor Representative

72 Gilbert Street

LeRoy, NY 14482

replaces Thomas Zanghi

Dated at Geneseo, New York
 July 22, 1998
 Legislative Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-277. APPOINTING MEMBER TO THE LIVINGSTON COUNTY YOUTH BOARD

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

RESOLVED, that this Board of Supervisors does hereby approve the appointment of the following person to the Livingston County Youth Board to serve the term designated:

<u>NAME</u>	<u>REPRESENTS</u>	<u>TERM EXPIRES</u>
Gary Caudle 25 Dooer Avenue Avon, NY 14414 replaced Diane Montaque Dated at Geneseo, New York July 22, 1998 Legislative Committee	Town of Avon	8/31/00

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-278. AWARDING BID FOR THE HEMLOCK WATER SUPPLY PROJECT - CONTRACT 1 - PUMP STATION - GENERAL

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

WHEREAS, after proper legal advertisement for bids for the construction of the Hemlock Water Supply Project - Contract 1 Pump Station-General, three bids were received, then opened on April 27, 1998, now, therefore, be it

RESOLVED, that the bid of M. Hubbard Construction, Inc., of 4225 Railroad St., Mottville, New York 13119 in an amount not to exceed Three Hundred Forty-Five Thousand Dollars (\$345,000), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

July 22, 1998

Public Works Committee

Catherine Muscarella, Public Works Director, explained the next four resolutions as it pertains to Livingston County Water District #1. C. Muscarella reviewed the summary sheet distributed (on file).

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-279. AWARDING BID FOR THE HEMLOCK WATER SUPPLY PROJECT - CONTRACT NO. 2 - PUMP STATION - ELECTRICAL

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

WHEREAS, after proper legal advertisement for bids for the construction of the Hemlock Water Supply Project - Contract 2 Pump Station- Electrical, six bids were received, then opened on April 27, 1998, now, therefore, be it

RESOLVED, that the bid of R.G. Burns Electric, Inc., of 4106 Short Road, Stanley, New York 14561 in an amount not to exceed One Hundred Twenty-Five Thousand, Eight Hundred Forty-Nine Dollars (\$125,849), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York
July 22, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-280. AWARDING BID FOR THE HEMLOCK WATER SUPPLY PROJECT - CONTRACT NO. 3 - BIG TREE ROAD - WATER MAIN

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

WHEREAS, after proper legal advertisement for bids for the construction of the Hemlock Water Supply Project - Contract 3 - Big Tree Road - Water Main, twelve bids were received, then opened on April 20, 1998 now therefore be it

RESOLVED, that the bid of Beardsley Pipeline, Inc., P.O. Box 175, Livonia, New York 14487-0175 in an amount not to exceed Three Hundred Fifty-Five Thousand Four Hundred Thirty-Two Dollars and Fifty Cents (\$355,432.50), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

July 22, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-281. AWARDING BID FOR THE EAST LAKE WATER SUPPLY AND DISTRIBUTION PROJECT - CONTRACT NO. 1 - WATER MAIN

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

WHEREAS, after proper legal advertisement for bids for the construction of the East Lake Water Supply and Distribution Project - Contract 1- Water Main, eight bids were received, then opened on April 13, 1998, now, therefore, be it

RESOLVED, that the bid of LRS Excavating, Inc., 24 Ross Road, Lansing, New York 14882 in an amount not to exceed One Million One Hundred Eighty-Four Thousand Dollars (\$1,184,000), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

July 22, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-282. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE - GENESEO SKILLED NURSING FACILITY

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

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

GENESEO SKILLED NURSING FACILITY

Appoint Cynthia Kandrotas, 7087 River Road, Mt. Morris, New York 14510, to the position of Director of Nursing Services at an annual salary of \$45,000 effective August 10, 1998.

Dated at Geneseo, New York

July 22, 1998

Salary & Negotiating Committee

Frank Bassett, Senior Nursing Home Administrator, introduced Cynthia Kandrotas. Ms. Kandrotas provided a few positive remarks and thanked the Board for considering her appointment.

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-283. AUTHORIZING AGREEMENT WITH THE RANDOLPH CHILDREN'S HOME FOR NON-SECURE DETENTION SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized and directed to execute an agreement between the County of Livingston and the Randolph Children's Center providing for the conditions under which the Randolph Children's Center located in Randolph, New York, will receive juveniles from Livingston County during the period July 1, 1998 through June 30, 1999, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk's office.

Dated at Geneseo, New York

July 22, 1998

Social Services Committee

Michael Woodhouse, Commission of Social Services, explained that the County presently has a contract which guarantees one bed to house Livingston County juveniles. Mr. Woodhouse explained that there is an increasing need to have an additional bed and this year's contract includes a guarantee of two beds. The County does not pay for a bed unless the Center's census drops below 85%.

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

RESOLUTION NO. 98-284. AUTHORIZING CONVEYANCE OF COUNTY PROPERTIES ACQUIRED BY TAX DEEDS

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

WHEREAS, the County of Livingston has acquired title by tax deed to the following parcel of land, and

WHEREAS, the Livingston County Board of Supervisors' Tax Committee has determined that a reconveyance to the previous owner is in the County's best interest, it is hereby

RESOLVED, that the following conveyance be approved:

Tax Map No. 135.-1-6

Town of Groveland

Formerly owned by and/or assessed to:

Livingston County

Conveyed to: Martin, Victoria

Amt. \$2,127.86

Said sale amount representing payment in full of all back taxes, with penalties and interest and the current 1998 Town/County tax, and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute the quit-claim deed of conveyances and any and all related documents prepared by the County Attorney to complete the aforesaid conveyances.

Dated at Geneseo, New York

July 22, 1998

Tax Committee

Mr. Kramer explained that the County Treasurer's office and the Real Property Tax Office researched this parcel. The tax map reflects one (1) acre of land and the building in question is not included in the one acre. Mr. Merrick stated the Town of Groveland would like the building demolished and he had hoped that the County would be able to solve this problem. Mr. Merrick stated he would like the Tax Committee, the County Attorney, and the County Administrator to further investigate this matter. Mr. Merrick objected to unanimous consent.

PUBLIC HEARING

The Chairman asked if anyone wished to speak regarding the Public Hearing on Local Law No. B 1998.

The Chairman declared the public hearing closed.

Mr. Essler moved and Mr. Moore seconded to call Local Law No. B 1998 to the table.

LOCAL LAW NO. 3 - 1998

**A LOCAL LAW SUPERSEDING COUNTY LAW 214 (2)
REGARDING PUBLICATION OF LOCAL LAWS**

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

Section 1. Purpose and Intent

The Board of Supervisors of Livingston County intends by this local law to supersede the provisions of County Law 214 (2), which requires that a true copy of each local law be published in the official newspapers at least once a week for two successive weeks. In order to reduce cost, this Board desires that the publication of the full text of each local law be discontinued, and replaced with only that detail necessary to insure that the public remains fully informed. This local law is adopted pursuant to Article IX of the Constitution of the State of New York, as interpreted in Volume 92, Opinions of the Attorney General, Informal Opinion 1, and elsewhere.

Section 2. Publication Requirements

Upon the adoption of each local law of the County of Livingston, the Clerk of the Board of Supervisors shall cause the publication once in the official newspapers of the county of the notice of the adoption of said local law and an abstract of the provisions thereof. Said notice shall include the location and availability of a copy of the actual text of each local law. This publication shall be in lieu of that required by County Law 214 (2), which is hereby expressly superseded by this local law.

Section 3.

This Local Law shall take affect immediately.

Dated at Geneseo, New York

July 8, 1998 (Introduced)

July 22, 1998

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51; Total 245; Adopted.

OTHER BUSINESS

1. Mr. Kramer announced there will be a Tax Committee after the Board meeting to discuss Res. No. 98-284.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Moore to adjourn until Wednesday, August 19, 1998 at 1:30 p.m.
Carried.

The Board adjourned at 2:45 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, AUGUST 19, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present.

The Pledge of Allegiance.

MINUTES

Minutes of 7/22/98 Regular Meeting were approved as presented.

PUBLIC HEARING - 1:35 P.M.

The Public Hearing to receive comments on Local Law No. C 1998 - Livingston County Smoking Code was called in accordance with the notices published in the official newspapers.

Chairman House explained the procedures for conducting the public hearing and asked that each person sign the sheet provided on the podium.

Chairman House announced that any person wishing to be heard would have the opportunity to do so at this time. It was noted that written correspondence is on file from Harold Freeman, M.D., Chairman of Commission for a Healthy New York, in support of the Livingston County Smoking Code.

1. Brenda Donahue, Conesus - opposed
2. Donald Eldredge, Livonia - supported
3. Enice Neumann, Leicester - supported
4. Zackary Bauer, Sparta - supported
5. Harold Bauer, Sparta - supported
6. Dr. Andrew Hyland, Ph.D., Associate Biostatistician, Department of Cancer Control and Epidemiology, Roswell Park Cancer Institute, Buffalo - supported
7. B. Peter Brandt-Sorhem, Mt. Morris - supported
8. Mike Kime, Caledonia - opposed
9. M. Burroni, Livonia - opposed
10. Yvonne Diez, Nunda - supported
11. Amy Spezzano, York - supported
12. Carolyn Allen, Livonia - supported
13. Bruce Jackson, Dansville - opposed
14. Frank Alenell, Piffard - opposed
15. Laura Elliott-Engel, Springwater - supported
16. Emily Bauer, Sparta - supported
17. Gail Mosher, M.D. - supported
18. Gerald Scorsone, Mt. Morris - opposed
19. Fay Ace, Dansville - supported
20. William Gall, Mt. Morris - supported
21. Katrina Tinker, Linwood - supported
22. Daughter of Katrina Tinker, Linwood - supported
23. Stanley Swan, Andover - supported
24. Roger Clapp, Geneseo - opposed

25. Cindy Knoles, Dansville - supported
26. Jon Fraser, Mt. Morris - supported
27. Judy Backes, Livonia - supported
28. Rob Prvitera, Mt. Morris - supported
29. Pauline Thompson, Mt. Morris - supported
30. Paula Celesteno - supported
31. Eileen Gottschalk, Livonia - supported
32. Dr. Arnold Lubin, Erie County DOH, Buffalo - supported
33. Margaret Collins, Lung Association, Rochester - supported
34. Lyn Trembly, Geneseo - opposed
35. Vicki Williams, Geneseo - supported
36. Rev. Edward Phillips, Mt. Morris - supported
37. Sandy Wright, Avon - supported
38. Robert Sleight - supported
39. Linda Motz, Liv. Cty. Tobacco Control Coalition - supported
40. Mary Handy - supported
41. John Smith, Avon - supported
42. Debbie Gage, Liv. Cty. Tobacco Control Coalition - supported
43. David W. Parish, Geneseo - supported

Chairman House asked if anyone else wished to speak regarding the Public Hearing on Local Law No. C 1998.

Mr. Layland moved and Mr. Bassage seconded to call Local Law No. C 1998 to the table. Chairman House stated he needed to close the public hearing.

Chairman House declared the public hearing closed.

Chairman House asked if any Supervisor had a comment. The following Supervisors commented on Local Law No. C 1998: Caledonia Supervisor Layland stated that he feels the local law exceeds regulation to restaurant owners and provided background to his statement. Mr. Layland stated he would be voting no. Livonia Supervisor Wahl stated that the speakers today, the post cards he has received are 4:1 in favor of the law and the restaurant owners he polled are 5:1 in favor. Springwater Supervisor Kramer stated he felt the regulations of smoking should come from the State of New York, and he opposed the law. Ossian Supervisor Jaeger stated smoking is a public health issue, and he supported the law. Geneseo Supervisor Stewart stated that it is the Board's obligation to protect the public, and he supported the law. Sparta Supervisor Marks and a member of the Health Committee stated that he concurred with Supervisor Jaeger that smoking is a public health issue, and he supported the law. Conesus Supervisors Avery stated she continues to be in favor of requiring the restaurants to post signage outside their establishment. Lima Supervisor Bassage and Chairman of the Health Committee stated initially he had concerns that this was a rights issue. However, as a member of the Board of Health, he has gained knowledge and is convinced that smoking is a health issue, and he supported the law. Avon Supervisor Daley concurred with Supervisor Bassage, and he supported the law. Groveland Supervisor Merrick stated that he originally intended to vote no on this law but he does feel smoking is a public health issue, and he supported the law. Nunda Supervisor Essler concurred that smoking is a public health issue, and he supported the law.

Supervisor Daley questioned whether the law could be modified to change the effective date. County Attorney explained that the could be modified which would require the law to be resubmitted and another public hearing conducted. Chairman House stated that now is the time to react to this law. Supervisor Bassage stated that the Health Committee considered the time frame for the effective date and chose one year from the date of adoption.

Mr. Layland moved and Mr. Olverd seconded to call Local Law No. C 1998 to the table. Carried.

Chairman House thanked those in attendance for complying with the rules of conduct for the public hearing. Mr. Merrick asked if an explanation could be provided to the first speaker regarding her concern of a contradiction between Section 4 and Section 1 (14). The County Attorney provided an explanation and confirmed that the law does not contain a contradictory statement regarding this matter.

ADOPTION OF LOCAL LAW

LOCAL LAW NO. 4 - 1998

LIVINGSTON COUNTY SMOKING CODE

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

Section 1: Definitions.

The following words and phrases, whenever used in this Article, shall be construed as defined in this section:

1. **A Bar or tavern** shall mean a business establishment that is devoted to the selling and serving of alcoholic beverages for consumption by patrons on the premises and in which the service of food is incidental to the business of the facility. Service of food shall be considered incidental if the food service generates less than forty percent (40%) of total annual gross sales.
2. **ABusiness** shall mean any sole proprietorship, partnership, joint venture, corporation, or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered.
3. **AEmployee** shall mean any person who is employed by any employer for direct or indirect monetary wages or profit, and any person who volunteers his or her services for a non-profit entity.
4. **AEmployer** shall mean any person, partnership, corporation, including a municipal corporation, or non-profit entity who employs the services of one or more individual persons.
5. **AFood** shall mean any edible substance, ice, beverage (excluding alcohol) or ingredient used or intended for use or for sale in whole or in part for human consumption.
6. **AMultiple Unit Residence** shall mean any facility containing more than one residence unit, where common space or facilities are present for use by the residents or the general public.
7. **APlace of Employment** shall mean any enclosed area under the control of a public or private employer which employees normally frequent during the course of employment, including but not limited to work areas, employee lounges and restrooms, conference and classrooms, employee cafeterias, hallways, garages and indoor loading docks. A private residence is not a Aplace of employment unless it is used as a child care or health care facility.

8. **APrivate Social Function**≡ shall mean any weddings, parties, testimonial dinners, or other similar gatherings in which the seating arrangements are under the control of the organizer or sponsor of the event and not the person who owns, manages, operates or otherwise controls the use of the place in which the function is held.
9. **APublic Place**≡ shall mean any area to which the public is invited or in which the public is permitted, including but not limited to banks, educational facilities, correctional facilities, health facilities, bingo halls, indoor recreational facilities, laundromats, public transportation facilities, reception areas, restaurants, bars, retail food production and marketing establishments, malls, retail service establishments, retail stores, showrooms, theaters, and waiting rooms and places of worship. A private residence is not a Apublic place≡ within the meaning of this Article, except that areas in a private residence where a child day care center, health care facility or other business (open to the public) is operated during the times of operation and areas in a private residence which constitute common areas of a multiple unit residence are Apublic places≡ within the meaning of the Article.
10. **ARestaurant**≡ shall mean any coffee shop, cafeteria, sandwich shop, private or public school cafeteria, and any other eating establishment which gives or offers food for sale to the public, guests, members or employees.
11. **ARestaurant Bar Area**≡ shall mean a contiguous area of a restaurant, containing a counter, which is primarily devoted to the selling and serving of alcoholic beverages. This area shall include seating that is immediately contiguous to the bar if the bar area is separated from the remaining seating area by a permanent partition or is on a separate floor.
12. **ARestaurant Dining Area**≡ shall mean the area(s) of a restaurant which are primarily devoted to the serving and consumption of food.
13. **ARetail Tobacco Business**≡ shall mean a sole proprietorship, corporation, partnership or other enterprise in which the primary activity is the sale, manufacture or promotion of tobacco, tobacco products and accessories either at wholesale or retail and in which the sale, manufacture or promotion of other products generates less than 10 percent of total annual gross sales.
14. **ASeparate Smoking Room**≡ shall mean a room provided for smoking for employees in a place of employment. It must be served by a properly operating and properly maintained separate ventilation system, exhausted to the outside of the building in such a way as to prevent the re-introduction of smoke into the building and it must be negatively pressurized or provided with doors which are self-closing or otherwise constructed in such a way as to prevent the escape of tobacco smoke to the smoke-free areas of the facility. A Separate Smoking Room shall not comprise more than twenty five percent (25%) of the total area open to the employees in a place of employment.
15. **AService Line**≡ shall mean any indoor line at which one (1) or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.
16. **ASmoking**≡ shall mean inhaling of, exhaling or, burning of, or carrying of any lighted cigar, cigarette, weed, or other plant in any manner or in any form.
17. **ASports Arena**≡ shall mean any indoor stadium, sports pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, billiard parlors, and other similar places where members of the general public assemble either to engage in physical exercise, participate in athletic competition,

or witness sports events.

18. **ASpectator Facilities** shall mean any indoor facility where members of the general public assemble to view and/or participate in scheduled events involving competitions, exhibitions, entertainment productions, trade shows, conventions, or other events established for common purposes.

Section 2: Application of Article to County-Owned and Leased Facilities.

All enclosed facilities owned or leased by the County of Livingston shall be subject to the provisions of this Article.

Section 3: Regulation of Smoking in Public Places.

A. Smoking shall be prohibited in all enclosed public places within the County of Livingston, including but not limited to the following places:

- (1) Elevators.
- (2) Buses, taxicabs, and other means of public transit, and ticket, boarding, and waiting areas of public transit depots.
- (3) Restrooms.
- (4) Service lines.
- (5) Retail stores.
- (6) All areas available to and customarily used by the general public in all businesses and non-profit entities patronized by the public, including but not limited to professional offices, banks, laundromats, barber and beauty shops.
- (7) Restaurants.
 - (a) Restaurants shall designate as a non-smoking area its entire Restaurant Dining Area, the full 100% of its seating capacity.
 - (b)(1) Restaurants with a bar shall designate as a non-smoking area its entire Restaurant Dining Area, the full 100% of its seating capacity.
 - (2) Smoking may be allowed in the Restaurant Bar Area. However, effective January 1, 2005, smoking may only be allowed in the Restaurant Bar Area provided the bar area is serviced by a separate ventilation system. Such a system shall be properly operated and maintained and shall exhaust to the outside of the building in such away as to prevent the re-introduction of smoke into the building. The bar area and ventilation system shall be negatively pressurized under all operating conditions so as to prevent the escape of tobacco smoke to the smoke free areas of the facility.
- (8) Galleries, libraries, museums and exhibition halls.
- (9) Any facility which is primarily used for exhibiting any motion picture, stage, drama, lecture,

musical recital, cabaret, comedy production, concert or other similar performance.

(10) Sports arenas, spectator facilities and convention halls.

(11) Bowling Centers.

(a) Smoking shall be prohibited in the settee area (the area that includes the approach to the lanes, the scorers= tables and the adjacent seats occupied by the participating bowlers), restrooms and locker rooms. Additionally, Bowling Centers must provide a nonsmoking area in the concourse area (the area directly behind and immediately contiguous to the settee area) constituting at least 25% of the concourse area. The restrooms and locker rooms shall be considered a part of the concourse area.

(b) Notwithstanding the provisions of subdivision (a) of this section, smoking shall not be allowed in any area of a Bowling Center during youth leagues and one hour prior to the commencement of youth leagues.

(12) Bingo Halls

Fifty per cent (50%) of the seating capacity must be designated as non-smoking unless otherwise prohibited by state or federal law.

(13) Every room chamber, place of meeting or public assembly, including school buildings, under the control of any board, council, commission, committee, including joint committees, or agencies of the County or any political subdivision of the County during such time as a public meeting is in progress.

(14) Waiting rooms, hallways, wards and semiprivate rooms of health facilities, including but not limited to hospitals, clinics, physical therapy facilities, doctors= offices, and dentists= offices.

(15) Lobbies, hallways, offices and other common areas in multiple unit residences, condominiums, retirement facilities, nursing homes, and multiple unit commercial facilities.

(16) Livingston County Jail

B. This section shall not prohibit smoking rooms as defined in Section 1(14).

C. Notwithstanding any other provision of this section, any owner, operator, manager, or other person who controls any establishment or facility may declare the entire establishment or facility as a non-smoking establishment.

Section 4: Regulation of Smoking in Places of Employment.

A. It shall be the responsibility of employers to provide a smoke free work site for all employees, but employers are not required to incur any expense to make structural or other physical modifications.

B. Each employer having any enclosed place of employment located within the County shall adopt, implement, make known, and maintain a written smoking policy which shall contain the following requirements:

Smoking shall be prohibited in all enclosed facilities within a place of employment without exception. This includes common work areas, auditoriums, building entryways, classrooms, conference and meeting rooms, indoor loading docks, garages, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairways, restrooms, and all other enclosed facilities.

- C. The smoking policy shall be communicated to all employees within three (3) weeks of its adoption.
- D. All employers shall supply a written copy of the smoking policy upon request to any existing or prospective employee.
- E. This section shall not prohibit smoking in separate rooms as defined in Section 1(14).

Section 5: Further restriction of smoking.

Notwithstanding any other provision of this Article, any owner, operator, manager, or other person who controls any establishment described in this Article may declare that entire establishment as a non-smoking establishment.

Section 6: Where Smoking Is Not Regulated.

- A. Notwithstanding any other provision of this Article to the contrary, the following areas shall not be subject to the smoking restrictions of this Article:
 - (1) Bars, including Restaurant Bar Areas of restaurants.
 - (2) Private residences, except when used as child care or health care facilities, or when used as a work site which is open to the public or non-resident employee.
 - (3) Retail tobacco stores.
 - (4) Rooms in which private social functions are being held where seating arrangements are under the control of the sponsor of the function and not the owner or operator of the facility.
 - (5) Hotel and motel rooms rented to guests.
 - (6) Separate smoking room(s) as defined in Section 1(14).
- B. No area may be designated for smoking where prohibited by regulation of another agency having jurisdiction.

Section 7: Additional Responsibilities of Management.

The person in charge of the facility shall also be responsible to:

- A. Provide ashtrays and smoking receptacles where smoking is permitted by this Article and maintain locations where smoking is prohibited free of ashtrays or smoking receptacles.
- B. Enforce this Article by requesting compliance from patrons verbally or by presenting a non-smoking card, and by prohibiting employees from smoking, except in designated separate, totally enclosed, and

separately ventilated smoking rooms.

- C. Develop and implement a plan of compliance that is acceptable to the Livingston County Department of Public Health and which specifies areas where smoking is prohibited, and where smoking is permitted, if any. The plan must include the manner in which this information is conveyed to the public and all employees. The plan shall be available for inspection by the Director of Public Health or the Director's designees and shall be provided to the Livingston County Department of Public Health upon request.

Section 8: Variances and Waivers.

- A. **Variance.** The Livingston County Director of Public Health may, on written application and after review, grant a variance from a specific provision of this Article, subject to appropriate conditions which shall include a time schedule for compliance when such variance is in harmony with the general purposes and intent of this Article, and when there are practical difficulties or unnecessary hardship in complying with such provision.
- B. **Waiver.** The Livingston County Director of Public Health, in his or her sole discretion, may waive, in writing, any of the requirements of this Article when it reasonably appears to the Livingston County Director of Public Health that the public health will not be endangered by granting of such waiver and adequate alternative provisions have been made to protect the health of non-smokers. A written application for a waiver is required. Initial waivers shall be valid for a period of not more than twenty-four (24) months and may be renewed upon written reapplication. Under conditions of renewal, waivers may be granted for periods of time as deemed appropriate by the Livingston County Director of Public Health.
- C. **Revocation.** The Livingston County Director of Public Health may revoke any waiver or variance after providing thirty (30) days written notice to the applicant/holder.

Section 9: Posting of Signs.

SMOKING IS PROHIBITED, or **NO SMOKING** signs, using the international **NO SMOKING** symbol - consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be prominently and conspicuously posted in every place where smoking is regulated by this Article. These signs shall be posted by the owner, by the operator, manager or other person having control of such place. **SMOKING PERMITTED** signs shall be posted where the conditions established in this Article have been met. Such signs shall be conspicuously posted at doors and entrance ways to all facilities where smoking is permitted anywhere within the facility and at the entrances to the areas within these facilities where smoking is to be permitted. **SMOKING PERMITTED** or **NO SMOKING** signs shall be protected from tampering, damage, removal or concealment.

Section 10: Enforcement.

- A. For the purpose of this Article the term Enforcement officer shall mean the Livingston County Board of Health, or its designee.
- B. If the enforcement officer determines after a hearing that a violation of this Article has occurred, a civil penalty may be imposed by the enforcement officer pursuant to Section 11 of this Article. Nothing herein shall be construed to prohibit an enforcement officer from commencing a proceeding for

injunctive relief to compel compliance with this Article.

- C. Any person who desires to register a complaint under this Article may do so with any appropriate enforcement officer.
- D. The person, firm, corporation or other entity that owns, manages, operates or otherwise controls the use of an indoor area open to the public in which smoking is prohibited or restricted pursuant to this Article, shall inform, or shall designate an agent who shall be responsible for informing individuals smoking in an area in which smoking is not permitted that they are in violation of this Article.
- E. The decision of any enforcement officer shall be reviewable pursuant to Article seventy-eight of the Civil Practice Law and Rules.
- F. The enforcement officer, subsequent to any appeal having been finally determined, may bring an action to recover the civil penalty provided in Section 11 of this Article.
- G. The owner, operator, manager, or person in charge of the facility shall permit the Director of Public Health or the Director's designees entrance to the facility to determine compliance with this Article.

Section 11: Violations and Penalties.

- A. It shall be unlawful for any person who owns, manages, operates, or otherwise controls the use of any premises subject to regulation under this Article to fail to comply with any of its provisions.
- B. It shall be unlawful for any person to smoke in any area where smoking is prohibited by the provisions of this Article.
- C. Any person who violates any provision of this Article shall be guilty of a violation, punishable by a civil penalty not to exceed one thousand dollars (\$1,000).

Section 12: Other Applicable Laws.

This Article shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

Section 13: Severability.

If any provision, clause, sentence, or paragraph of this Article or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Article which can be given effect without the valid provision or application, and to this end the provisions of this Article are declared to be severable.

Section 14: Effective Date.

- A. This Article shall take effect one (1) year from the date of adoption.

The roll was called as follows: Ayes - 1,452; Noes - Layland, 141; Avery, 71; Davis, 29; Kramer, 78; Cansdale, 43 Total 362; Absent - 0; Adopted.

COMMUNICATIONS

1. Summons and Complaint in the matter of Jeffrey L. Rook by Pamela S. Rook, Administratrix versus the County of Livingston, Livingston County Sheriff=s Department and Sheriff John York
2. Summons and Complaint in the matter of Amy Biondolillo and Ron-Scott Biondolillo versus the County of Livingston, Herbert Cronk and Sandra A. Cronk
3. Notice of Public Hearing for the Town of Covington for Local Law No. 1 1998 1998 Zoning Ordinance Amendments
4. Acknowledgment from the family of James Olverd for flowers sent in memory of William Kreutter
5. Notice of Public Hearing for the Town of Ossian, Local Law No. 1 1998, Updating the Zoning Code
6. Application to Town of Livonia Planning Board and Zoning Board of Appeals for Livingston County Public Safety Communications System Upgrade - 6701 Stone Hill Road
7. Application to Town of Groveland Planning Board for Livingston County Public Safety Communications System Upgrade - 5129 Wilson Road
8. Intercounty Association of Western New York meeting notice, August 20, 1998, 9:30 a.m., Old Library Restaurant, Olean, New York
PROGRAM: Herb Clark, Cattaraugus County Tourism Specialist

RESOLUTION NO. 98-285. APPROVING ABSTRACT OF CLAIMS #8A - AUGUST 12, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #8A dated August 12, 1998, in the total amount of \$2,228,459.86.

Dated at Geneseo, New York

August 19, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

PRIVILEGE OF THE FLOOR

Paul Howard, Executive Director of the Genesee Finger Lakes Regional Planning Council, was scheduled to make a presentation; however, due to the length of the public hearing, Mr. Howard will be rescheduled.

UNFINISHED BUSINESS

RESOLUTION NO. 98-284. AUTHORIZING CONVEYANCE OF COUNTY PROPERTIES ACQUIRED BY TAX DEEDS

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

WHEREAS, the County of Livingston has acquired title by tax deed to the following parcel of land, and

WHEREAS, the Livingston County Board of Supervisors' Tax Committee has determined that a reconveyance to the previous owner is in the County=s best interest, it is hereby

RESOLVED, that the following conveyance be approved:

Tax Map No. 135.-1-6

Formerly owned by and/or assessed to:

Conveyed to: Martin, Victoria

Town of Groveland

Livingston County

Amt. \$2,127.86

Said sale amount representing payment in full of all back taxes, with penalties and interest and the current 1998 Town/County tax, and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute the quit-claim deed of conveyances and any and all related documents prepared by the County Attorney to

complete the aforesaid conveyances.

Dated at Geneseo, New York

July 22, 1998 Tabled

August 19, 1998

Mr. Merrick stated that the Town of Groveland has forwarded a letter to Mr. Kramer and that this situation has been resolved.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-286. AWARDING BID FOR A CAB AND CHASSIS TRUCK TO BE USED BY THE CENTRAL SERVICES DEPARTMENT

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

WHEREAS, after proper legal advertisement for bids for a cab and chassis truck, two bids were received, then opened on June 29, 1998, now, therefore, be it

RESOLVED, that the bid of Delacy Ford, Inc. of 3061 Transit Road, Elma, New York 14059, in an amount not to exceed Twenty Thousand Two Hundred Forty-Seven Dollars (\$20,247.00), be and hereby is accepted as the lowest responsible bid and the Buildings and Grounds Supervisor is hereby authorized to purchase a 1999 Ford F450 cab & chassis truck for said price.

Dated at Geneseo, New York

August 19, 1998

Buildings Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-287. AUTHORIZING TRANSFER OF FUNDS - VARIOUS (CENTRAL SERVICES, HIGHWAY, PUBLIC HEALTH, RECORDS MANAGEMENT, SHERIFF)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

August 19, 1998

Finance Committee

The County Administrator explained that the Public Health transfer of \$376,994 is to cover the cost for the technology improvements for the Public Health Department. The County Administrator stated there were no transfers due to operating deficiencies.

The roll was called as follows: Ayes - 1,763; Noes - 0; Absent - Marks, 51; Adopted.

RESOLUTION NO. 98-288. AUTHORIZING THE COUNTY TREASURER TO INCREASE CAPITAL PROJECTS INFRASTRUCTURE ACCOUNT

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

RESOLVED, that the Livingston County Board of Supervisors does hereby authorize the County Treasurer to increase Capital Projects H 6989.2900 Infrastructure Projects in the amount of \$750,000.00 from H 6989.5031 Transfer from General Fund Economic Development and Infrastructure Reserve per Res. No. 98-267 dated July 22, 1998 authorizing payment to the Livingston County Industrial Development Agency for improvements to Avon Crossroads Industrial Park.

Dated at Geneseo, New York

August 19, 1998

Finance Committee

The roll was called as follows: Ayes - 1,763; Noes - 0; Absent - Marks, 51; Adopted.

RESOLUTION NO. 98-289. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH DATACRON, INC. FOR THE PURCHASE AND MAINTENANCE OF DEPARTMENT OF HEALTH NURSING SOFTWARE

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

WHEREAS, the Livingston County Certified Home Health Agency must be in compliance with Medicare requirements for outcome based data and be prepared for the Interim Perspective Payment System (IPS), and

WHEREAS, the Livingston County Department of Health and Data Processing Department reviewed software packages from six vendors, and

WHEREAS, Datacron, Inc. meets the requirements set forth by Medicare and the County, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Datacron, Inc. of 977 Oaklawn Avenue, Elmhurst, Illinois 60126, for the purchase of public health nursing software in an amount not to exceed Eighty One Thousand Five Hundred Thirty Four Dollars (\$81,534.00), and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Datacron, Inc. for the maintenance of said software in an amount not to exceed Eight Thousand Six Hundred Forty Dollars (\$8,640.00) annually, subject to review by the County Attorney and County Administrator. Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Finance Committee

The County Administrator stated that the purchase of this software will modernize the public health automated system. The total cost to update the technology of the Public Health Department is \$500,000 of which 40% is reimbursable.

The roll was called as follows: Ayes - 1,763; Noes - 0; Absent - Marks, 51; Adopted.

RESOLUTION NO. 98-290. ESTABLISHING CAPITAL PROJECT - COUNTY WATER DISTRICT

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

WHEREAS, pursuant to Res. No. 98-239 authorizing issuance of serials bonds for the construction of a water transmission system, it is hereby

RESOLVED, that the County Treasurer is hereby authorized and directed to establish Capital Project account H 8310.2900 County Water District from H 8310.5710 Serial Bonds in the amount of \$3,670,000.00.

Dated at Geneseo, New York

August 19, 1998

Finance Committee

The roll was called as follows: Ayes - 1,763; Noes - 0; Absent - Marks, 51; Adopted.

EXECUTIVE SESSION

Motion made by Mr. Essler and seconded by Mr. Daley that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing the proposed sale of real property, and that Dennis R. House act as Chairman and Virginia O. Amico act as Secretary of the Committee of the Whole and County Administrator Dominic F. Mazza, County Attorney David J. Morris, County Clerk James Culbertson and representatives from Conifer Realty Corporation remain present. Carried.

The Board reconvened in regular session. The following report was presented.

REPORT OF THE COMMITTEE OF THE WHOLE

The Board of Supervisors having met in Executive Session for the purpose of discussing the proposed sale of real

property:

1. No action taken.

Dated August 19, 1998

Dennis R. House, Chairman

Virginia O. Amico, Secretary

Motion made by Mr. Moore and seconded by Mr. Layland that the Report of the Committee of the Whole be accepted. Carried.

RESOLUTION NO. 98-291. APPROVING PROPOSAL OF CONIFER REALTY CORPORATION

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

WHEREAS, the County of Livingston acquired title to the property commonly referred to as Dansville Castle, through a tax foreclosure, and

WHEREAS, the County of Livingston was approached by the Dansville Economic Development Corporation to work cooperatively to seek significant development opportunities for the property, and

WHEREAS, the County of Livingston and the Dansville Economic Development Corporation have received a proposal for the development of said property from Conifer Realty Corporation of 850 Clinton Square, Rochester, New York 14604, and

WHEREAS, the Finance Committee of the Livingston County Board of Supervisors and the Dansville Economic Development Corporation are supportive of the Conifer Realty Corporation proposal, and

WHEREAS, a development plan for the Dansville Castle is outlined in a redevelopment proposal submitted by Conifer Realty Corporation, it is hereby

RESOLVED, that the Livingston County Board of Supervisors supports the redevelopment proposal submitted by Conifer Realty Corporation and hereby directs the Board of Supervisors= Finance Committee to continue the negotiations and preparation of any appropriate agreements for successful completion of this project, for approval by the Livingston County Board of Supervisors.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Finance Committee

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-292. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT RENEWAL BETWEEN THE NEW YORK STATE DEPARTMENT OF HEALTH AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR FFY 1999 WIC AGREEMENT

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract renewal between the New York State Department of Health and the Livingston County Department of Health for the FFY 1999 WIC agreement for contract period 10/1/98 to 9/30/99, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Health Committee

Joan Ellison, Public Health Director, explained that this contract renewal is to promote lead testing and educate the public on lead poisoning.

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-293. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT MODIFICATION BETWEEN THE NEW YORK STATE DEPARTMENT OF HEALTH AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR CHILDHOOD LEAD POISONING PREVENTION

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract modification between the New York State Department of Health and the Livingston County Department of Health for Childhood Lead Poisoning Prevention for contract period 4/1/98 to 3/31/99, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Health Committee

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-294. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT BETWEEN REBECCA SANFORD AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR SPEECH THERAPY FOR THE EARLY INTERVENTION PROGRAM

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between Rebecca Sanford and the Livingston County Department of Health for Speech Therapy in the Early Intervention Program, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Health Committee

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-295. AWARDING BID FOR RESIDENTS ROOM FURNISHINGS FOR THE LIVINGSTON COUNTY HEALTH CARE FACILITIES

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

WHEREAS, after proper legal advertisement for bids for resident room furnishings for the Livingston County Health Care Facilities, five (5) bids were received, then opened on May 22, 1998, now, therefore, be it

RESOLVED, that the bid of Sterling Textile & Drapery of 831 Beacon Street, Box 9100-152, Newton Centre, MA 02159, in an amount not to exceed Ninety Four Thousand Five Hundred Twenty-Seven Dollars and Seventy Cents (\$94,527.70), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign said contract, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Health Committee

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-296. AUTHORIZING COSMETOLOGY CLINICAL EXPERIENCE AGREEMENT

BETWEEN GENESEE-LIVINGSTON-STEUBEN-WYOMING BOCES AND THE LIVINGSTON COUNTY CAMPUS SKILLED NURSING FACILITY - MT. MORRIS

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

WHEREAS, the Genesee-Livingston-Steuben-Wyoming BOCES desires a clinical experience site for Cosmetology students, and

WHEREAS, the Livingston County Campus Skilled Nursing Facility-Mt. Morris has facilities for the student clinical experience, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign an agreement between Genesee-Livingston-Steuben-Wyoming Board of Cooperative Educational Services for use of the Livingston County Campus Skilled Nursing Facility - Mt. Morris to be used as a cosmetology clinical training site for the period September 1, 1998 to May 31, 1999, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Health Committee

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-297. AUTHORIZING CONTRACT WITH NOYES MEMORIAL HOSPITAL FOR EMERGENCY ALERT RESPONSE SYSTEM / LIFELINE SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign an agreement commencing April 1, 1998 and terminating March 31, 1999, with Nicholas H. Noyes Memorial Hospital for Emergency Alert Response System/Lifeline Services, after review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Health Committee

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-298. AUTHORIZING CONTRACTS BETWEEN THE COUNTY OF LIVINGSTON AND ANN D. MILLER, R.D. FOR DIETARY CONSULTATION SERVICES FOR THE OFFICE FOR THE AGING

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

WHEREAS, the Livingston County Office for the Aging desires to contract with Ann D. Miller, R.D., for dietetic consultation and support services, it is hereby

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with Ann D. Miller, R.D. for dietetic consultation and support services commencing July 22, 1998 and terminating December 31, 1999 averaging two (2) hours per week, subject to review by the County Attorney and County Administrator, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with Ann D. Miller, R.D. for dietetic consultation and support services commencing July 22, 1998 and terminating December 31, 1998 averaging five and 3/4 (5.75) hours per week, subject to review by the County Attorney and County Administrator, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with Ann D. Miller, R.D. for dietetic consultation and support services commencing July 22, 1998 and terminating March 31, 1999 averaging four and 1/4 (4.25) hours per week, subject to review by the County Attorney and County

Administrator.

Copy of contracts on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Health Committee

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-299. AWARDING BID AND AUTHORIZING PURCHASE OF ONE (1) NEW, UNUSED HEAVY-DUTY, 12-TON, SINGLE-DRUM VIBRATORY ROLLER FOR THE HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for one (1) new 12-ton, Single-Drum Vibratory Roller were opened on August 17, 1998 in Room 303A of the Livingston County Government Center, and

WHEREAS, the bid of Baschmann Services, Inc. of Elma, N.Y. in the total amount of \$76,875.00 for one (1) new 1998 Vibromax Model 1103-D was the lowest of three (3) bids received, and said bid meets all bid specifications dated August 3, 1998, now, therefore be it

RESOLVED, that said bid be accepted, and the Superintendent of Highways be, and he hereby is, authorized to purchase said 12-Ton Vibratory Roller for said price, contingent upon Baschmann Services, Inc. signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Highway Committee

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-300. AWARDING BID AND AUTHORIZING PURCHASE OF ONE (1) NEW, UNUSED 4 2 -CUBIC YARD, FOUR-WHEEL DRIVE, ARTICULATED WHEEL LOADER FOR THE HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, Total Cost Bids for one (1) new 4 2-cubic-yard Wheel Loader were opened on August 17, 1998 in Room 303A of the Livingston County Government Center, and

WHEREAS, the Total Cost Bid of Syracuse Supply Company of Rochester, N.Y. in the amount of \$75,750 (\$166,750 Initial Cost) for one (1) new 1998 Caterpillar 962G was the lowest of two (2) bids received, and said bid meets all bid specifications dated August 6, 1998, now, therefore be it

RESOLVED, that said bid be accepted, and the Superintendent of Highways be, and he hereby is, authorized to purchase said Loader for the price of \$166,750, contingent upon Syracuse Supply Corp. signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Highway Committee

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-301. APPOINTING MEMBER TO THE LOCAL CONDITIONAL RELEASE COMMISSION

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

WHEREAS, Res. No. 89-230 Established a Conditional Release Commission to determine whether

individuals should be conditionally released from County Jail and to monitor them if they are released, and

WHEREAS, the Livingston County Board of Supervisors desires to have more than three members on the Local Conditional Release Commission, it is hereby

RESOLVED, that Raymond L. Goll of 11 South Walnut Street, Nunda, New York 14517 is hereby appointed to the Local Conditional Release Commission for a four-year term to expire August 19, 2002.

Dated at Geneseo, New York

August 19, 1998

Judicial Committee

Mr. Jaeger announced that the Judicial Committee was introduced to Raymond Goll on 8/18/98. Mr. Layland and Mr. Daley asked if Mr. Goll is qualified. The County Attorney reassured the Board that Mr. Goll meets the qualifications pursuant to Section 271 of the Corrections Law.

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-302. APPOINTING EMC MEMBERS - GOTCSIK, MCCLEARY, BARKER

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

RESOLVED, that Frances Gotsik, 7364 East Main Street, Lima, NY 14435 and William McCleary, 3247 Bronson Hill Road, Livonia, NY 14487 be appointed to the Livingston County Environmental Management Council as representatives of the General Citizen category, for a term to expire December 31, 1999; and be it further

RESOLVED, that Linda Barker, Elf Atochem North America, Inc., P.O. Box 188, Geneseo, New York 14454 be appointed to the Livingston County Environmental Management Council to fill the unexpired term of Anne Culp in the Industry/Commerce category, for a term to expire December 31, 1999.

Dated at Geneseo, New York

August 19, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-303. DESIGNATING THE FINGER LAKES ASSOCIATION, INC. AS THE OFFICIAL TOURISM PROMOTION AGENCY

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

WHEREAS, the New York State Grants Program is designed to encourage tourism promotion throughout the regions of New York State, and

WHEREAS, the Finger Lakes Association, a non-profit organization promoting tourism in the Finger Lakes Region since 1919, qualifies as an official Tourism Promotion Agency, and

WHEREAS, the Finger Lakes Association, which has traditionally been, and currently is, the regional Tourism Promotion Agency for the purpose of this program has requested to be designated again for the year 1999, now, therefore, be it

RESOLVED, that the Finger Lakes Association, Inc., be and hereby is designated by the Livingston County Board of Supervisors as their Tourism Promotion Agency under this program and authorized to make application for and receive grants on behalf of the County pursuant to the New York State Tourist Promotion Act, and be it further

RESOLVED, that a certified copy of this resolution be filed by the Clerk of this Board with the Finger Lakes Association, Inc.

Dated at Geneseo, New York

August 19, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

RESOLUTION NO. 98-304. AUTHORIZING AN AGREEMENT WITH MONROE COUNTY PUBLIC SAFETY LABORATORY (REGIONAL CRIME LABORATORY) FOR FORENSIC LABORATORY SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign an Agreement between the Monroe County Public Safety Laboratory (Regional Crime Laboratory) for Forensic Laboratory Services for a period January 1, 1999 through December 31, 1999, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

August 19, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,734; Noes - 0; Absent - Davis, 29; Marks, 51 Total 80; Adopted.

Chairman House stated that the Public Safety Committee withdrew the resolution Requesting the Support of NYSAC for Timely Removal of State-Ready Inmates from the County Jails.

RESOLUTION NO. 98-305. AWARDING BID FOR THE EAST LAKE WATER SUPPLY AND DISTRIBUTION PROJECT - CONTRACT NO. 2 - SLIKER HILL ROAD TANK

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

WHEREAS, after proper legal advertisement for bids for the construction of the East Lake Water Supply and Distribution Project - Contract 2- Sliker Hill Road Tank, three (3) bids were received, then opened on July 20, 1998, now, therefore, be it

RESOLVED, that the bid of Natgun Corporation of 11 Teal Road, Wakefield, Massachusetts 01880-1292 in an amount not to exceed Six Hundred Six Thousand Five Hundred Dollars (\$606,500.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Public Works Committee

Cathy Muscarella, Director of Public Works, explained that the low bidder did not meet specifications and that a letter had been received from the low bidder=s attorney. The County Attorney stated he has not reviewed the letter and advised the Board to table the resolution. A special meeting may be scheduled to act on this resolution.

Mr. Moore moved and Mr. Daley seconded to table this resolution.

The roll was called as follows to table the resolution: Ayes - 1,588; Noes - 0; Absent - Olverd, 146; Davis, 29; Marks, 51 Total 226; Adopted to table the resolution.

RESOLUTION NO. 98-306. AUTHORIZING CHAIRMAN TO SIGN A CONTRACT WITH CLARK PATTERSON ASSOCIATES, INC. FOR PRELIMINARY ENGINEERING FOR THE NATIONS ROAD AND HOGMIRE ROAD AREA IN THE TOWN OF AVON

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

WHEREAS, Akzo Nobel Salt Company, Inc. has agreed to fund preliminary engineering for a municipal water system to mitigate the negative impact to ground water aquifers in the Nations and Hogmire Road areas in the Town of Avon in an amount not to exceed \$7,000.00, and

WHEREAS, the residents of this area have indicated a desire for a financial analysis of a municipal water system, and

WHEREAS, Clark Patterson Associates, a competent engineering firm can provide such analysis, now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with Clark Patterson Associates, Inc. subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998

Public Works Committee

Chairman House stated that Akzo Nobel Salt Company has agreed to fund preliminary engineering for a water system to mitigate the negative impact to ground water aquifers at a cost of \$7,000.

The roll was called as follows: Ayes - 1,588; Noes - 0; Absent - Olverd, 146; Davis, 29; Marks, 51 Total 226; Adopted.

RESOLUTION NO. 98-307. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE - CAMPUS SKILLED NURSING FACILITY, PUBLIC HEALTH DEPARTMENT

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

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

CAMPUS SKILLED NURSING FACILITY

Create one(1) Assistant Director of Nursing position having a salary range of \$37,000-\$42,000 per year.

PUBLIC HEALTH

Appoint Karen Ostrye of 5655 Marrowback Road, Conesus, New York to the position of Financial Supervisor effective 8/31/98 at an annual salary of \$28,000.

Dated at Geneseo, New York

August 19, 1998

Salary & Negotiating Committee

Mr. Layland and Frank Bassett, Sr. Nursing Home Administrator, explained this resolution. The net effect is \$2,000-\$3,000.

The roll was called as follows: Ayes - 1,588; Noes - 0; Absent - Olverd, 146; Davis, 29; Marks, 51 Total 226; Adopted.

RESOLUTION NO. 98-308. AMENDING THE 1998 SALARY SCHEDULE - CAMPUS SKILLED NURSING FACILITY, SKILLED NURSING FACILITIES, PLANNING DEPARTMENT

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

RESOLVED, that the 1998 Salary Schedule for the following departments be amended as follows:

CAMPUS SKILLED NURSING FACILITY

Create one (1) Physical Therapy Assistant position at wage grade 11.

SKILLED NURSING FACILITIES

Set the wage rate for Certified Occupational Therapy Assistant at wage grade 11.

PLANNING

Convert the existing Seasonal Planning Assistant position to Full-time at wage grade 13.

Create one (1) Administrative Secretary position

Delete one (1) Senior Stenographer position effective October 10, 1998.

Dated at Geneseo, New York

August 19, 1998

Salary & Negotiating Committee

Frank Bassett, Sr. Nursing Home Administrator, explained the creation of the Therapy Assistant positions could result in a revenue increase of approximately \$131,000.

The roll was called as follows: Ayes - 1,588; Noes - 0; Absent - Olverd, 146; Davis, 29; Marks, 51 Total 226;

Adopted.

RESOLUTION NO. 98-309. ACCEPTING THE REPORT OF COMMITTEE ON WORKERS= COMPENSATION INSURANCE ESTIMATE AND APPORTIONMENT OF COUNTY SELF-INSURANCE FOR THE YEAR 1999

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

WHEREAS, the Supervisors= Committee has submitted the annual estimate and apportionment of expenses for the Livingston County Self-Insurance Plan for the fiscal year beginning January 1, 1999, and ending December 31, 1999, pursuant to Section 67 Paragraph 1 of the Workers= Compensation Law.

**LIVINGSTON COUNTY SELF INSURANCE PLAN
ANNUAL ESTIMATE AND APPORTIONMENT OF EXPENSES
JANUARY 1, 1999**

AWARDS:	\$740,000.00			
MEDICAL	\$310,000.00			
CLAIM EXP:	\$70,000.00			
		SUBTOTAL	\$1,120,000.00	
ADMINISTRATIVE COSTS:				
.4 - Contractual Expenses				
Administration (RMSCO)	\$53,000.00			
Legal Fees	\$14,000.00			
W.C. Board Assessments	\$125,000.00			
Insurance	\$50,000.00			
Office Supplies	\$1,000.00			
Public Goods Pool	\$9,500.00			
		SUBTOTAL	\$252,500.00	
			TOTAL	\$1,372,500.00
CONTRIBUTION TO RESERVE FUND	-0-			
LESS: RECOVERIES	\$150,000.00			
LESS: INTEREST INCOME	\$50,000.00			
LESS: INTERFUND REVENUES	\$90,000.00			
		SUBTOTAL	<u>\$290,000.00</u>	
AMOUNT TO BE RAISED BY TAX				\$1,082,500.00

**APPORTIONMENT OF WORKERS' COMPENSATION
INSURANCE FOR THE YEAR 1999**

PARTICIPANTS	RATIO	ASSESSED VALUES 1997	FULL VALUES	% OF TOTAL COST	SHARE OF PARTICIPANT
<u>TOWNS</u>					
Avon	99.60	\$244,717,651	\$245,700,453	5.01%	\$54,221
Caledonia	99.02	\$174,996,298	\$176,728,235	3.60%	\$39,001
Conesus	99.55	\$104,094,408	\$104,564,950	2.13%	\$23,075
Geneseo	99.90	\$276,346,572	\$276,623,195	5.64%	\$61,045
Groveland	99.85	\$80,660,337	\$80,781,509	1.65%	\$17,827
Leicester	98.75	\$73,128,329	\$74,054,004	1.51%	\$16,342
Lima	99.84	\$151,973,491	\$152,217,038	3.10%	\$33,591
Livonia	99.50	\$317,124,081	\$318,717,669	6.50%	\$70,336
Mt. Morris	99.85	\$112,728,818	\$112,898,165	2.30%	\$24,914
North Dansville	87.10	\$135,053,803	\$155,056,031	3.16%	\$34,218
Nunda	99.85	\$73,248,204	\$73,358,241	1.50%	\$16,189
Ossian	99.85	\$31,095,923	\$31,142,637	0.63%	\$6,873

Portage	99.85	\$24,481,498	\$24,518,275	0.50%	\$5,411
Sparta	99.85	\$46,333,070	\$46,402,674	0.95%	\$10,240
Springwater	99.82	\$79,519,083	\$79,662,475	1.62%	\$17,580
West Sparta	91.53	\$34,343,815	\$37,521,922	0.77%	\$8,280
York	98.75	\$138,136,236	\$139,884,796	2.85%	\$30,870
TOTALS		\$2,097,981,617	\$2,129,832,269	43.42%	\$470,013

COUNTY

Livingston County		\$2,097,981,617	\$2,129,832,269	43.42%	\$470,013

VILLAGES

Avon	99.60	\$109,538,186	\$109,978,098	2.24%	\$24,270
Caledonia	99.02	\$79,563,300	\$80,350,737	1.64%	\$17,732
Dansville	87.10	\$101,824,000	\$116,904,707	2.38%	\$25,799
Geneseo	99.90	\$132,859,201	\$132,992,193	2.71%	\$29,349
Leicester	98.75	\$13,298,609	\$13,466,946	0.28%	\$2,972
Lima	99.84	\$54,707,694	\$54,795,367	1.12%	\$12,092
Livonia	99.50	\$43,094,343	\$43,310,897	0.88%	\$9,558
Mt. Morris	99.85	\$67,513,596	\$67,615,019	1.38%	\$14,921
Nunda	99.85	\$26,154,784	\$26,194,075	0.53%	\$5,781
TOTALS		\$628,553,713	\$645,608,039	13.16	\$142,474

GRAND TOTALS		\$4,824,516,947	\$4,905,272,577	100.00%	\$1,082,500

and

WHEREAS, the Supervisors= Committee recommends the adoption of the report, it is hereby

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

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

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

Dated at Geneseo, New York

August 19, 1998

Supervisors Committee

The roll was called as follows: Ayes - 1,588; Noes - 0; Absent - Olverd, 146; Davis, 29; Marks, 51 Total 226;

Adopted.

RESOLUTION NO. 98-310. AUTHORIZING CONVEYANCE OF COUNTY PROPERTIES ACQUIRED BY TAX DEEDS

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

WHEREAS, the County of Livingston has acquired title by tax deed to the following parcels of land, and

WHEREAS, the Livingston County Board of Supervisors' Tax Committee has auctioned said parcels, it is hereby

RESOLVED, that the following conveyances be approved:

Formerly owned by and/or assessed to:	Robert W. Proctor
Conveyed to: James R. Buck	Amt. \$7,500.00
 Tax Map No. 106.10-1-31	 Town of Mt. Morris
Formerly owned by and/or assessed to:	Michael A. Munto
Conveyed to: Robert A. Drake	Amt. \$10,300.00
Tax Map No. 144.-1-34.2 Town of Mt. Morris	
Formerly owned by and/or assessed to:	Daniel R. Bowen
Conveyed to: Charles Comer	Amt. \$4,000.00
 Tax Map No. 219.-1-3	 Town of Nunda
Formerly owned by and/or assessed to:	William F. Hall and Donald F. Hall
Conveyed to: Eugene McCarthy	Amt. \$1,500.00

and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute the quit-claim deed of conveyances and any and all related documents prepared by the County Attorney to complete the aforesaid conveyances.

Dated at Geneseo, New York

August 19, 1998

Tax Committee

The roll was called as follows: Ayes - 1,588; Noes - 0; Absent - Olverd, 146; Davis, 29; Marks, 51 Total 226; Adopted.

RESOLUTION NO. 98-311. CORRECTING TAX ROLL - TOWN OF CONESUS AND LIVONIA

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

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to two (2) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Town of Conesus and Livonia on the tax roll for the years hereinafter set forth, and

WHEREAS, said parcels were incorrectly assessed and/or taxed for reasons set forth in the application for correction requested from the Director of Real Property Tax Services attached hereto,

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

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

Year, Town & Premises	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refunds	Chg. Back
1. 1998 Conesus	Livingston County	434.19	315.60	118.59	118.59
HERDMAN, John W.	Town of Conesus	391.96	284.90	107.06	107.06
Tax Map Number	Conesus Fire 1	<u>32.02</u>	<u>23.27</u>	<u>8.75</u>	<u>8.75</u>
128-1-16.21	Total	\$858.17	\$623.77	\$234.40	\$234.40
 2. 1998 Livonia					
BEDARD, Patricia & Paul	Livingston County	993.65	972.46	21.19	21.19
Tax Map Number	Town of Livonia	606.82	593.87	12.95	12.95
74.46-1-5	Livonia Fire 2	142.19	139.15	3.04	3.04
	Livonia Water 2	<u>375.78</u>	<u>367.76</u>	<u>8.02</u>	<u>8.02</u>

Total	\$2118.44	\$2073.24	\$45.20	\$45.20

Dated at Geneseo, New York

August 19, 1998

Tax Committee

The roll was called as follows: Ayes - 1,588; Noes - 0; Absent - Olverd, 146; Davis, 29; Marks, 51 Total 226; Adopted.

Mr. Marks entered.

EXECUTIVE SESSION

Motion made by Mr. Essler and seconded by Mr. Layland that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing information regarding proposed, pending or current litigation, and that Dennis R. House act as Chairman and Virginia O. Amico act as Secretary of the Committee of the Whole and County Administrator Dominic F. Mazza, County Attorney David J. Morris, and Cathy Muscarella, Director of Public Works, remain present and Supervisor Joseph A. Daley was excused. Carried.

The Board reconvened in regular session. The following report was presented.

REPORT OF THE COMMITTEE OF THE WHOLE

The Board of Supervisors having met in Executive Session for the purpose of discussing information regarding proposed, pending or current litigation hereby reports as follows:

1. No action taken.

Dated August 19, 1998

Dennis R. House, Chairman

Virginia O. Amico, Secretary

Motion made by Mr. Moore and seconded by Mr. Essler that the Report of the Committee of the Whole be accepted. Carried.

OTHER BUSINESS

1. The County Administrator announced there will be a press conference at Brae Burn Recreation, Dansville, New York, on Friday, August 21, 1998 at 10:00 a.m. regarding the development Dansville Castle project.

ADJOURNMENT

Motion made by Mr. Bassage and seconded by Mr. Layland to adjourn until Wednesday, September 9, 1998 at 1:30 p.m. Carried.

The Board adjourned at 5:47 p.m.

**SPECIAL BOARD MEETING
WEDNESDAY, AUGUST 26, 1998
1:30 P.M.**

The Board met in accordance with the notices published.

The roll was called showing all members present except Messrs. Layland, Stewart, Bassage, Olverd, and Davis.

The Pledge of Allegiance.

Chairman House announced that a special meeting was called to consider the adoption of Res. No. 98-305 Awarding Bid for the East Lake Water Supply and Distribution Project - Contract No. 2 - Sliker Hill Road Tank which was tabled at the August 19, 1998 Board of Supervisors meeting.

Chairman House directed the Clerk of the Board to read the resolution.

UNFINISHED BUSINESS

RESOLUTION NO. 98-305. AWARDING BID FOR THE EAST LAKE WATER SUPPLY AND DISTRIBUTION PROJECT - CONTRACT NO. 2 - SLIKER HILL ROAD TANK

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

WHEREAS, after proper legal advertisement for bids for the construction of the East Lake Water Supply and Distribution Project - Contract 2- Sliker Hill Road Tank, three (3) bids were received, then opened on July 20, 1998, now, therefore, be it

RESOLVED, that the bid of Natgun Corporation of 11 Teal Road, Wakefield, Massachusetts 01880-1292 in an amount not to exceed Six Hundred Six Thousand Five Hundred Dollars (\$606,500.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

August 19, 1998 Tabled

August 26, 1998

Public Works Committee

Chairman House explained that the County had received a letter from the low bidder=s attorney and this resolution was tabled to provide time for the County Attorney to review this letter. The County Attorney explained that the Public Works Committee rejected the low bidder, M. Hubbard Construction, Inc., due to the bid not meeting bid specifications. The County Attorney stated he spoke with Roger Vanderbrook of Clark Patterson Associates, engineers for the Sewer District, and Roger had 4-5 legitimate reasons for rejecting the low bid. The County Attorney stated he does not think the law suit would be successful and explained his reasons. Chairman House requested that Roger Vanderbrook explain this bid process and selection of the lowest responsible bidder. Roger Vanderbrook reviewed the type of tank specified and the advantages for bidding such a high quality tank. A cost benefit analysis was compiled and the results concluded that a concrete tank is more economical over the long term.

Mr. Jaeger asked if there was a guarantee on the tank. Roger Vanderbrook stated there was a one-year guarantee once the tank is completed and tested. There being no further discussion, Chairman House directed the Clerk to call the roll.

The roll was called as follows: Ayes - 1,183; Noes - 0; Absent - Layland, 141; Stewart, 187; Bassage, 128; Olverd, 146; Davis, 29 Total 631; Adopted.

ADJOURNMENT

Motion made by Mr. Moore and seconded by Mr. Kramer to adjourn until Wednesday, September 9, 1998 at 1:30 p.m. Carried.

The Board adjourned at 1:41 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, SEPTEMBER 9, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Daley and Derrenbacher.

The Pledge of Allegiance.

MINUTES

Minutes of 8/19/98 Regular Board Meeting and 8/26/98 Special Meeting were approved as presented.

COMMUNICATIONS

1. Explanation of the new resolution format
2. Thank you note from Bemus Point Volunteer Fire Co. Inc. for the donation in memory of Senator Jess Present
3. Thank you note from the family of Senator Jess Present for the donation to Bemus Point Volunteer Fire Co.
4. Notice of Public Hearing for the Town of Ossian for Local Law No. 1 1998 - September 8, 1998
5. Letter from Public Health Director Joan H. Ellison thanking the Board of Supervisors for adopting Local Law No. 4 1998 Livingston County Smoking Code
6. If your Town would like to order a flag/banner, please notify the Clerk today.

RESOLUTION NO. 98-312. APPROVING ABSTRACT OF CLAIMS #8B - AUGUST 26, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #8B dated August 26, 1998, in the total amount of \$672,736.52.

Dated at Geneseo, New York

September 9, 1998

Finance Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-313. APPROVING ABSTRACT OF CLAIMS #9A - SEPTEMBER 9, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #9A dated September 9, 1998, in the total amount of \$1,059,137.24.

Dated at Geneseo, New York

September 9, 1998

Finance Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

PRIVILEGE OF THE FLOOR

Paul Howard, Executive Director of the Genesee Finger Lakes Regional Planning Council, presented the annual report of the Genesee Finger lakes Regional Planning Council (on file) and explained the goals and objectives of the Council.

RESOLUTION NO. 98-314. AWARDING BID FOR SOLARIUM WINDOW REPLACEMENT/SHEET METAL & FLASHING/BRICK

**POINTING FOR BUILDINGS 1
AND 2**

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

WHEREAS, after proper legal advertisement for bids for solarium window replacement/sheet metal and flashing/brick pointing for Buildings 1 and 2, three bids were received, then opened on August 10, 1998, now, therefore, be it

RESOLVED, that the bid of Nichter Associates of 344 Bulcan Street, Buffalo, New York 14207, in an amount not to exceed Two Hundred Sixteen Thousand Dollars (\$216,000.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of the contract on file in Clerk=s office.

Dated at Geneseo, New York

September 9, 1998

Buildings Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-315. AUTHORIZING TRANSFER OF FUNDS - VARIOUS (LIABILITY INSURANCE, OFFICE FOR THE AGING, PLANNING, PUBLIC HEALTH)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

September 9, 1998

Finance Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-316. PROVIDING SALES TAX EXEMPTION ON CLOTHING AND FOOTWEAR - JANUARY 17, 1999 THROUGH JANUARY 24, 1999

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

WHEREAS, the State of New York has enacted legislation exempting clothing purchases from the state-level sales tax during the period of January 17, 1999 through January 24, 1999 and

WHEREAS, Counties that have a local sales tax can enact a resolution to also exempt the County-level sales tax from said purchases, and

WHEREAS, the Board of Supervisors of Livingston County is also desirous to participate in the one-week exemption, now, therefore, be it

RESOLVED, that receipts from sales of and consideration given or contracted to be given for purchases of clothing and footwear exempt from state sales and compensating use taxes pursuant to paragraph 30 of subdivision (a) of section 1115 of the tax law shall also be exempt from sales and compensating use taxes imposed in this jurisdiction, and be it further

RESOLVED, that this resolution shall take effect immediately and shall apply to sales made and uses occurring during the period commencing January 17, 1999 and ending January 24, 1999, although made or occurring under a prior contract.

Dated at Geneseo, New York

September 9, 1998

Finance Committee

Mr. Moore questioned what the ceiling price was for the exemption. The County Administrator responded \$500 per item. Mrs. Avery questioned how this exemption impacts Livingston County. The County Administrator responded that it is still very hard to tell but he is projecting a \$12,000-\$15,000 loss of sales tax revenue during the exemption week.

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-317. ESTABLISHING FEES FOR THE OFFICE OF COUNTY TREASURER

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

RESOLVED, that the schedule of fees for services provided by the Livingston County Treasurer=s Office be established as follows:

Full Tax Search	\$10.00
Tax Search - Subdivision Map	\$5.00
Sale of Full Printout of Unpaid Tax Lists	\$50.00

Dated at Geneseo, New York

September 9, 1998

Finance Committee

Mr. Merrick questioned what the fees were prior to this resolution. The County Treasurer responded that currently the fees are the same and that this resolution is just to officially record the fees.

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-318. ESTABLISHING ACCOUNT - CONESUS LAKE WATERSHED PROJECT

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to establish the following accounts:

Establish Appropriation Account A8090

A8090.1000	24,470	
A8090.4020	2,000	
A8090.4060	6,189	
A8090.4080	25,000	
A8090.8100	1,872	
A8090.8200	490	
A8090.8300	4,489	
A8090.8400	490	\$65,000

Establish Revenue Account A8090.3989 Conesus Lake Watershed Project/Revenue \$65,000

Dated at Geneseo, New York

September 9, 1998

Finance Committee

D. Woods explained the use of the grant money.

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-319. ESTABLISHING ACCOUNT - INTEGRATED PLANNING PROJECT

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to establish the following account:

Establish Appropriation Account A7319.2200 Integrated Planning Project

A7319.4020	843
A7319.4076	30

A7319.4080 2,127 \$3,000
 Establish Revenue Account A7319.3889 Integrated Planning Project/Revenue \$3,000
 Dated at Geneseo, New York
 September 9, 1998
 Finance Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-320. APPOINTING MEMBER TO THE LIVINGSTON COUNTY COMMUNITY SERVICES BOARD

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

RESOLVED, that the following person is hereby appointed to the Livingston County Community Services Board:

Livingston County Community Services Board

Elizabeth Hall, SUNY Geneseo, 220B South Hall, 1 College Circle, Geneseo, NY 14454 to fill the unexpired term formerly held by Elisabeth Lodge Rogers. The term expires 12/31/00.

Dated at Geneseo, New York
 September 9, 1998
 Health Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-321. APPROVING A CONTRACT BETWEEN THE COUNTY OF LIVINGSTON AND HILLSIDE CHILDREN=S CENTER FOR CHILDREN=S DAY TREATMENT PROGRAM AT BOCES

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

RESOLVED, that a contract between the County of Livingston and Hillside Children=s Center for Children=s Day Treatment Program at BOCES for the period commencing September 1, 1998 and terminating August 31, 1999, is hereby approved and ratified, and the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute same, after review by the County Administrator and the County Attorney.

Copy of the contract on file in Clerk=s office.

Dated at Geneseo, New York
 September 9, 1998
 Health Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-322. AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT BETWEEN THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH AND BERNICE CHICHESTER FOR EARLY INTERVENTION SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between the Livingston County Department of Health and Bernice Chichester for Special Education Services for the Early Intervention Program, subject to review by the County Administrator and County Attorney.

Copy of the contract on file in Clerk=s office.

Dated at Geneseo, New York
 September 9, 1998
 Health Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-323. AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT BETWEEN

THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH AND ROCHESTER HEARING AND SPEECH CENTER FOR AUDIOLOGY SERVICES FOR HOSPICE

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between the Livingston County Department of Health and Rochester Hearing and Speech Center for audiology services for Hospice, subject to review by the County Administrator and County Attorney.

Copy of the contract on file in Clerk=s office.

Dated at Geneseo, New York

September 9, 1998

Health Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-324. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH JACK VENESKY, C.P.A. FOR THE COMPLETION OF THE ANNUAL MEDICAID/MEDICARE COST REPORT

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

WHEREAS, Livingston County Certified Home Health Agency contracts for the completion of the annual Medicare/Medicaid cost reports, and

WHEREAS, Livingston County has requested proposals for qualifications for said audit services, and

WHEREAS, Jack Venesky, CPA, has been deemed to be the best qualified to perform said services, it is hereby

RESOLVED, that Livingston County accepts the proposal of Jack Venesky, CPA, for the completion of the annual Medicaid Cost Report at a total contract price of \$4,900-1998/\$4,920-1999 and Medicare Cost Report at a total contract price of \$16,500-1998/\$17,940-1999, and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Administrator and County Attorney.

Copy of the contract on file in Clerk=s office.

Dated at Geneseo, New York

September 9, 1998

Health Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-325. REQUESTING THE SUPPORT OF THE NEW YORK STATE ASSOCIATION OF COUNTIES FOR TIMELY REMOVAL OF STATE-READY INMATES FROM THE COUNTY JAILS

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

WHEREAS, the provisions of the Criminal Procedure Law §430.20 (1) require the New York State Department of Correctional Services to take inmates committed to state prison Aforthwith= and

WHEREAS, the New York State Court of Appeals has interpreted Aforthwith= to mean within 10 days of notification that an inmate is state ready, and

WHEREAS, the New York State Department of Correctional Services has failed repeatedly to meet this mandate, it is hereby

RESOLVED, the Livingston County Board of Supervisors requests the support of the New York State Association of Counties to lobby for the timely removal of state-ready inmates from the County Jails.

Dated at Geneseo, New York

September 9, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-326. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY

BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH THE STATE OF NEW YORK UNIFIED COURT SYSTEM SEVENTH JUDICIAL DISTRICT FOR 1998-1999 SECURITY SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with the State of New York Unified Court System Seventh Judicial District for 1998-1999 Security Services for contract period April 1, 1998 through March 31, 1999, subject to review by the County Attorney and County Administrator.

Copy of the contract on file in Clerk=s office.

Dated at Geneseo, New York

September 9, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-327 DECLARING SURPLUS PROPERTY - LIVINGSTON COUNTY SHERIFF=S DEPARTMENT

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

WHEREAS, the County of Livingston owns certain items of personal property no longer necessary for public use, and

WHEREAS, such items of personal property owned by the County and no longer necessary for public use shall be declared to be "surplus property", it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following as surplus property to be disposed of as determined by the County Administrator:

LIVINGSTON COUNTY SHERIFF=S DEPARTMENT

One 1988 Dodge pick up truck, VIN # 1B7GN14XOJS695356

Dated at Geneseo, New York

September 9, 1998

Public Safety Committee

The County Administrator announced that any municipality interested in attaining this vehicle should notify the office of the County Administrator.

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

RESOLUTION NO. 98-328. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN AN AGREEMENT WITH THE HEALTH ASSOCIATION FOR THE EMPLOYEE ASSISTANCE PROGRAM

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign an agreement with The Health Association for the Employee Assistance Program for a two year period from 7/1/98 to 6/30/00 at a cost of \$15,019.50, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

September 9, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

Mr. Layland presented the following resolution and moved its adoption. Mr. Merrick questioned whether the resolution could be divided into two separate resolutions. The County Attorney referred to the Rules of Order. Mr. Merrick requested that the resolution be divided in accordance with Article 21 (5) (d) of the Rules of Order. Chairman House honored his request.

**RESOLUTION NO. 98 - 329a. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE -
CAMPUS SKILLED NURSING FACILITY**

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

CAMPUS SKILLED NURSING FACILITY

Appoint Beth DeWispelaere of 8727 Reeds Corners Road, Dansville, New York 14437 to the position of Assistant Director of Nursing effective September 14, 1998 at an annual salary of \$42,000.00.

Dated at Geneseo, New York

September 9, 1998

Salary & Negotiating Committee

Frank Bassett, Sr. Nursing Home Administrator, introduced Beth DeWispelaere. Beth DeWispelaere presented a few remarks to the Board.

The roll was called as follows: Ayes - 1,440; Noes - 0; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

**RESOLUTION NO. 98-329b. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE -
HIGHWAY**

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

HIGHWAY

Appoint Elaine Turner of 7880 Chase Road, Lima, New York 14485 to the position of Highway Administrative Manager effective October 5, 1998 at an annual salary of \$34,000.00.

Dated at Geneseo, New York

September 9, 1998

Salary & Negotiating Committee

Mr. Layland stated that this position has already been approved by the Board of Supervisors and this resolution is to appoint to the position. Mrs. Avery requested an explanation of the job description. The County Administrator reviewed the job description. Mr. Marks, as Highway Committee Chairman, stated the need for this position and recommended the appointment of Elaine Turner. Mr. Merrick stated he originally supported the position but he feels the department is in disarray and that the clerical staff should be moved to the Government Center. The County Administrator provided an overview of the recruiting process. Mr. Moore stated he would be voting no; he did not feel the position was essential to the department. Mr. Marks stated that the Board has reviewed the Highway Department for the past three years and determined that this position was needed. The Board agreed to support the modernization of the department. Mr. Marks reminded the Board of the work that has been accomplished these past two construction seasons and again strongly recommended the appointment. Mr. Stewart concurred with Mr. Marks and stated that the Highway Superintendent cannot be in the field where he belongs if he feels the need to be in the office. Mr. Layland moved the question and Mr. Jaeger seconded the motion. Carried.

The roll was called as follows: Ayes - 1,165; Noes - Avery, 71; Merrick, 54; Moore, 72; Kramer, 78; Total 275; Absent - Daley, 194; Derrenbacher, 180 Total 374; Adopted.

Dated at Geneseo, New York

September 9, 1998

Salary & Negotiating Committee

OTHER BUSINESS

1. Discussion of Clothing/Footwear Permanent Sales Tax Exemption - Chairman House stated that the Finance Committee reviewed the permanent sales tax exemption on clothing and footwear and felt the Board should be made aware of its recommendation and provide a question and answer period. The County Administrator stated that an analysis conducted by NYSAC reflects that the loss to Livingston County would be approximately \$600,000. The property taxes would have to be increased at least 3% to cover the loss of revenue. The County Administrator recommended not to support this exemption. The Finance Committee will not be presenting a resolution for the permanent clothing/footwear sales tax exemption.

ADJOURNMENT

Motion made by Mr. Moore and seconded by Mr. Layland to adjourn until Wednesday, September 23, 1998 at 1:30 p.m. Carried.

The Board adjourned at 2:48 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, SEPTEMBER 23, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Daley and Stewart.

The Pledge of Allegiance.

MINUTES

Minutes of 9/09/98 Regular Board Meeting were approved as amended.

Mr. Stewart entered.

COMMUNICATIONS

1. Notice of Claim between Sherry Pickett versus the County of Livingston, State of New York
2. Livingston County Sheriff=s Department celebrating Sheriff=s Week September 21-25, 1998. An open house is scheduled for September 23, 1998 from 10 a.m. to 2 p.m. and on September 25, 1998 from 4 p.m. until 7 p.m.
3. Intercounty Association of Western New York meeting of October 15, 1998 at 9:30 a.m. at Bully Hill Winery, Hammondsport, New York
PROGRAM: (1) Economic Development partnerships in Steuben County and (2) County Participation in Regional Tourism
4. Invitation from Assemblyman Craig Doran to attend a public meeting entitled *Falling Through the Cracks: A Meeting About Saving Our Kids* to be held on Friday, October 9, 1998 at the Geneva Ramada from 7 p.m. - 8:30 p.m.

INTRODUCTION OF LOCAL LAW NO. D 1998 - A LOCAL LAW SUPERSEDING COUNTY LAW   215 (4) AND   215 (6) RELATING TO A LEASE OF COUNTY PROPERTY TO ROCHESTER TELEPHONE MOBILE COMMUNICATIONS

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

Section 1:

The Board of Supervisors of Livingston County intends by this Local Law to supersede the provisions of County Law  215 (4) and  215 (6), which limit leases of County property to 5 year terms and only to the highest responsible bidders after public advertisement. The Board of Supervisors has determined that the lease of a parcel of property to Rochester Telephone Mobile Communications for the construction of a telecommunication tower should not be limited to a 5 year period nor is it appropriate to lease to the highest bidder after public advertisement.

Section 2:

The Livingston County Board of Supervisors hereby determines that it is in the best interest of the County of Livingston to supersede the provisions of  215 (4) and  215 (6) of the County Law and therefore authorizes the lease of a parcel of property to Rochester Telephone Mobile Communications for a period of 25 years. The terms of such lease shall nevertheless be subject to the prior approval of the Livingston County Board of Supervisors.

Dated at Geneseo, New York

September 23, 1998 (Introduced)

INTRODUCTION OF LOCAL LAW NO. E 1998 - A LOCAL LAW SUPERSEDING COUNTY LAW 215 (4) AND 215 (6) RELATING TO LEASES OF COUNTY PROPERTY TO THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY

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

Section 1:

The Board of Supervisors of Livingston County intends by this Local Law to supersede the provisions of County Law 215 (4) and 215 (6), which limit leases of County property to 5 year terms and only to the highest responsible bidders after public advertisement. The Board of Supervisors has determined that the lease of infrastructure used for water and/or sewer purposes should not be limited to a 5 year period nor is it appropriate to lease to the highest bidder after public advertisement.

Section 2:

The Livingston County Board of Supervisors hereby determines that it is in the best interest of the County of Livingston to supersede the provisions of 215 (4) and 215 (6) of the County Law and therefore authorizes leases of water and/or sewer infrastructure to the Livingston County Water and Sewer Authority for periods in excess of 5 years. All such leases shall nevertheless be subject to the prior approval of the Livingston County Board of Supervisors.

Dated at Geneseo, New York

September 23, 1998 (Introduced)

RESOLUTION NO. 98-330 APPROVING ABSTRACT OF CLAIMS #9B - SEPTEMBER 23, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #9B dated September 23, 1998, in the total amount of \$681,764.61.

Dated at Geneseo, New York

September 23, 1998

Finance Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

PRIVILEGE OF THE FLOOR

1. Donald Riley, Chief Executive Officer of the Rochester Genesee Regional Transportation Authority (RGRTA), presented a report on the Authority and the operation of the Livingston Area Transportation Services, Inc. (LATS). The report is on file. Mr. Riley introduced staff members Kelly Fitzpatrick, Mark Aesch, Stephen Hendershott and Robert Fry and provided a brief overview of their responsibilities.

RESOLUTION NO. 98-331. AUTHORIZING TRANSFER OF FUNDS - VARIOUS (HIGHWAY, JAIL, PUBLIC HEALTH, SHERIFF)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

September 23, 1998

Finance Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-332. ADOPTING LIVINGSTON COUNTY VOICE MAIL POLICY

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

RESOLVED, that the Livingston County Board of Supervisors hereby adopts the attached Livingston County Voice Mail Policy, effective October 1, 1998.

LIVINGSTON COUNTY VOICE MAIL POLICY

Recognizing the need for modernizing our phone system, Livingston County has purchased a centralized voice mail system. Use of this system will be controlled through the following policy.

While recognizing the benefits of voice mail, some inherent problems are also foreseeable. As all Livingston County departments are public service oriented, voice mail **will not** be allowed to be turned on automatically during normal business hours. It will be the responsibility of someone within each department to answer the telephone and then direct the call into voice mail and/or take a message.

During normal business hours, menus (call attendant) will not be allowed. During off business hours, short menus will be allowed but the priority will be to get the call to the proper sub-department=s voice mail quickly. Primary consideration should be given to rotary telephone users.

All users are responsible for clearing out their old voice mail messages within two weeks of the call.

Approval for deviations of this voice mail policy must be granted by the Livingston County Administrator. Enforcement and implementation of this policy will be handled through the Director of Data Processing.

Dated at Geneseo, New York

September 23, 1998

Finance Committee

Dale Nieswiadomy, Director of Data Processing, stated that this policy will set some guidelines on the use of the voice mail system. The system will not be allowed to be turned on during normal business hours. The County Administrator stated that he intends to have telephones answered by a person and not have the caller go through a series of voice mail menus.

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-333. DECLARING SURPLUS PROPERTY - DATA PROCESSING

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

WHEREAS, the County of Livingston owns certain items of personal property no longer necessary for public use, and

WHEREAS, such items of personal property owned by the County and no longer necessary for public use shall be declared to be Asurplus property=, it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following as surplus property and said property will be disposed of as determined by the County Administrator:

<u>DESCRIPTION</u>	<u>SERIAL NUMBERS</u>
4230A Workstation (7)	#02076G, #13093T, #ZT1321, #22743H, #14613T, #58151S, #2727
4230A Keyboard (2)	#343462797, #FT106
4245 Base Unit (4)	#ZS5251, #21801B, #70771B, #712768
4245 Monitor (2)	#ZU2673, #ZX2506
4245 Keyboard (3)	#7253099, (No # on other two)
Dated at Geneseo, New York	
September 23, 1998	

Finance Committee

Chairman House stated all of the foregoing computer equipment is obsolete.

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-334. AWARDING BID FOR A STATION WAGON FOR THE DEPARTMENT OF ENVIRONMENTAL HEALTH

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

WHEREAS, after proper legal advertisement for bids for the purchase of one (1) station wagon for the Department of Environmental Health, bids were received, then opened on September 10, 1998, now, therefore, be it

RESOLVED, that the bid of Vanderstyn Ford of Avon, New York for one (1) 1999 Ford Escort Wagon SE in an amount not to exceed Twelve Thousand Nine Hundred Dollars (\$12,900.00) to be paid from CLAWS IX grant, be and hereby is accepted as the lowest responsible bid.

Dated at Geneseo, New York

September 23, 1998

Health Committee

Mr. Bassage explained that this vehicle will be used by the Livingston County Watershed Inspector.

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-335. APPROVING 1999 RATE PER MILE FOR COUNTY ROAD SNOW AND ICE CONTROL CONTRACT

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

WHEREAS, the current County Snow & Ice Control Contract is effective through August 31, 1999, but provides for the ARate Per Mile≡ to be negotiated each year, and

WHEREAS, the 1998 Rate Per Mile is \$2,800.00, now, therefore be it

RESOLVED, that the Rate Per Mile for 1999 County Snow & Ice Control remain at \$2,800.00.

Dated at Geneseo, New York

September 23, 1998

Highway Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-336. AWARDING BIDS AND AUTHORIZING PURCHASE OF RECYCLED ASPHALT MILLINGS FOR HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for Recycled Asphalt Millings were opened on August 27, 1998 in Room 302 of the Livingston County Government Center, and

WHEREAS, a total of two (2) bids were received for various categories of Recycled Asphalt Milling Material, and both bids meet all bid specifications dated August 19, 1998, now, therefore be it

RESOLVED, that the bids of Rifenburg Construction, Inc. of Troy, New York, and Benchmark, New York of Honeoye Falls, New York be accepted, and the Superintendent of Highways is hereby authorized to purchase said material from said bidders, according to length of haul and availability of material, and contingent on said bidders signing a Purchase Contract with the County of Livingston, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

September 23, 1998

Highway Committee

Chairman House stated the Towns have the opportunity to use these bids.

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-337. REAPPOINTING MEMBER TO THE GLOW PRIVATE INDUSTRY COUNCIL - GUILLE

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

RESOLVED, that this Board of Supervisors does hereby approve the appointment of the following person to the GLOW Private Industry Council for such designated term:

David Guile Term Expires: June 30, 2000

At Large Labor Representative

72 Gilbert Street

LeRoy, NY 14482

Replaces Thomas Zanghi

Dated at Geneseo, New York

September 23, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-338. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY YOUTH BOARD - MCCLENNEY, SAUNDERS, CRANDALL, SCHUSTER, CAMPBELL, PERAINO, BETETTE, ERHARD, LEVEY, RYCHLICKI, KLAUSNER, KERCHOFF

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

RESOLVED, that this Board of Supervisors does hereby approve the appointment of the following persons to the Livingston County Youth Board to serve the term designated:

<u>NAME</u>	<u>REPRESENTS</u>	<u>TERM EXPIRES</u>
Betty McClenney 331 Leicester Street Caledonia, NY 14423	Town of Caledonia	8/31/00
Theodore R. Saunders 7208 Groveland Hill Road Groveland, NY 14462	Town of Groveland	8/31/00
John Crandall 10115 State Street Dalton, NY 14836	Town of Nunda	8/31/00
Margaret Schuster 6464 Liberty Pole Road Dansville, NY 14437	Town of Sparta	8/31/00
Barbara Campbell Livingston Co. Probation Dept. 6 Court Street, Room 101 Geneseo, NY 14454	Probation Dept.	8/31/00
James Peraino Livingston Co. Public Health 2 Livingston County Campus Mt. Morris, NY 14510	Public Health	8/31/00

Suzanne Betette	Town of Geneseo	8/31/00

492 West Lake Road
Geneseo, NY 14454
Edward Erhard Town of Conesus 8/31/00
6722A Dugway Road
Box 37
Conesus, NY 14435

Patricia Levey Town of West Sparta 8/31/00
4004 Rockspring Hill Road
Dansville, NY 14437

Joseph Rychlicki Sheriff=s Dept. 8/31/00
Livingston Co. Sheriff=s Dept.
4 Court Street
Geneseo, NY 14454

Amy Klausner Town of Lima 8/31/00
7926 East Main Road
Lima, NY 14485

Jane Kerchoff Alcohol Council 8/31/00
Livingston Co. Council on
Alcoholism
P.O. Box 186
Livonia, NY 14487
Dated at Geneseo, New York
September 23, 1998
Legislative Committee
The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-339. APPROPRIATING MONEY TO THE FINGER LAKES ASSOCIATION, INC. FOR THE 1998-1999 ADVERTISING CAMPAIGN

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

RESOLVED, that this body shall appropriate for the 1998-1999 advertising campaign, sponsored by the Finger Lakes Association, an amount of \$3,000.00, and be it further

RESOLVED, that a certified copy of this resolution be filed by the Clerk of this Board with the Finger Lakes Association.

Dated at Geneseo, New York
September 23, 1998
Legislative Committee

Mr. Davis asked what the appropriation is used for. The County Administrator explained that these are matching funds for the AI Love New York campaign. Brochures are published and distributed within the 14 county region.

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-340. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH THE FINGER LAKES ASSOCIATION, INC. FOR THE YEAR 1999

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

RESOLVED, that the proposed agreement between the Finger Lakes Association, Inc., and the County of Livingston for the calendar year 1999 be, and the same hereby is, approved, and be it further

RESOLVED, that the Chairman of this Board and the Clerk of this Board of Supervisors be, and the same hereby are, authorized and directed to execute said contract on behalf of the County of Livingston in the amount of \$7,677.00, after review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

September 23, 1998

Legislative Committee

Mr. Wahl stated he is on the Finger Lakes Association Board of Directors and supports the foregoing resolution.

Mr. Wahl stated the Association does a terrific job representing Livingston County through the 14-county region and thanked the Board for their past support.

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

**RESOLUTION NO. 98-341. PROCLAIMING THE WEEK OF OCTOBER 19-25, 1998 AS
MEDIATION WEEK IN LIVINGSTON
COUNTY**

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

WHEREAS, social conflict and interpersonal disputes are commonplace events, ranging from the most minor disagreement between friends to those between nations which have the potential for global disaster, and

WHEREAS, the way in which conflicts are resolved can dramatically affect the quality of life of the individuals involved as well as the communities and society in which they live, and

WHEREAS, supporting alternative means of conflict resolution, which reconcile disputing parties, is a goal we should seek to achieve, and

WHEREAS, the last three decades has seen an increased awareness and use of dispute resolution processes as alternatives to litigation and adjudication, and

WHEREAS, the dispute resolution processes of mediation, conciliation and arbitration are being used to resolve public policy issues, environmental matters, custody and visitation issues, divorce, landlord/tenant problems, lemon law cases, as well as a vast array of criminal, civil, and youth related issues in our community and in our schools, and

WHEREAS, it is appropriate to increase public awareness concerning alternative dispute processes, a week has been proclaimed to educate and celebrate, it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby proclaims the week of October 19-25, 1998 as Mediation Week in Livingston County, and it is further

RESOLVED, that the Livingston County Board of Supervisors recognizes organizations, staff and volunteers who have dedicated themselves to the principles and practice of dispute resolution, with the ultimate goal of serving fellow citizens and further justice in Livingston County and New York State.

Dated at Geneseo, New York

September 23, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

**RESOLUTION NO. 98-342. PROCLAIMING THE WEEK OF SEPTEMBER 20-26, 1998 AS
CHAMBER OF COMMERCE WEEK**

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

WHEREAS, the mission statement of the Livingston County Chamber of Commerce is to promote business development and the quality of life in Livingston County, and

WHEREAS, the Livingston County Chamber of Commerce was founded in 1970 and now represents 430 businesses and 1,100 families throughout Livingston and surrounding Counties; and

WHEREAS, the Livingston County Chamber of Commerce provides tourism promotion services under contract with the County of Livingston and works in conjunction with the Livingston County Business Education Alliance bringing schools and business together to produce a better work force, and

WHEREAS, the Livingston County Chamber of Commerce is a member of the Chamber Alliance of New York State, the Business Council of New York State and the New York State Hospitality and Tourism Association, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby proclaims September 20-26, 1998 as Chamber of Commerce Week.

Dated at Geneseo, New York

September 23, 1998

Legislative Committee

Steve Newvine, Executive Director of the Livingston County Chamber of Commerce, presented a brief history of the Livingston County Chamber of Commerce and introduced George Traber as President and Kelly Adams the Tourism Marketing Associate.

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

**RESOLUTION NO. 98-343. DECLARING SURPLUS PROPERTY - LIVINGSTON COUNTY
SHERIFF=S DEPARTMENT**

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

WHEREAS, the County of Livingston owns certain items of personal property no longer necessary for public use, and

WHEREAS, such items of personal property owned by the County and no longer necessary for public use shall be declared to be "surplus property", it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following as surplus property to be disposed of as determined by the County Administrator:

LIVINGSTON COUNTY SHERIFF=S DEPARTMENT

3M 800 Microfiche Reader-Printer

3M FS-6 Work Station

3M FS-6 Camera, model 529 serial #403332

One Vulcan Dishwasher, model # CD20PF, serial #82058694A

Dated at Geneseo, New York

September 23, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

**RESOLUTION NO. 98-344. ADOPTING SEQR NEGATIVE DECLARATION FOR PROPOSED
UPGRADE TO LIVINGSTON COUNTY PUBLIC SAFETY COMMUNICATIONS SYSTEM**

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

WHEREAS, Livingston County is proposing a major upgrade to its Public Safety Communications System; and

WHEREAS, by Board of Supervisors Resolution No. 98-125, this project was determined to be a Type I Action pursuant to the State Environmental Quality Review Act and the Livingston County Board of Supervisors declared its intent to be lead agency; and

WHEREAS, Parts I and II of the Environmental Assessment Form have been completed pursuant to the State Environmental Quality Review Act; and

WHEREAS, potential impacts on the environment have been identified and will not result in any large and important impacts; now therefore be it

RESOLVED, that the Livingston County Board of Supervisors, as Lead Agency, does hereby determine

that the proposed project will not have a significant effect on the environment, a draft Environmental Impact Statement will not be prepared, and the Livingston County Board of Supervisors does hereby adopt the Negative Declaration for the project and authorizes the County Administrator to sign the Negative Declaration form prepared for the project and file it according to law.

Dated at Geneseo, New York

September 23, 1998

Public Safety Committee

David Woods, Planning Director, explained that this project will not have a significant effect on the environment and recommended a negative declaration for the entire project.

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-345. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. D 1998 - A LOCAL LAW SUPERSEDING COUNTY LAW § 215 (4) AND § 215 (6) RELATING TO A LEASE OF COUNTY PROPERTY TO ROCHESTER TELEPHONE MOBILE COMMUNICATIONS

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

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on September 23, 1998, a proposed Local Law entitled Local Law No. D 1998 - A Local Law Superseding County Law § 215 (4) and § 215 (6) Relating to a Lease of County Property to Rochester Telephone Mobile Communications, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on October 14, 1998 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York, and at least six (6) days notice posting thereof on the bulletin board of the Government Center in this County, and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

September 23, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-346. ESTABLISHING THE ADMINISTRATIVE BODY FOR LIVINGSTON COUNTY WATER DISTRICT NO. 1

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

RESOLVED, that the Livingston County Board of Supervisors designates the members of the Public Works and Transportation Committee to serve as the administrative body for Livingston County Water District No. 1.

Dated at Geneseo, New York

September 23, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-347. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. E 1998 - A LOCAL LAW SUPERSEDING COUNTY LAW § 215 (4) AND § 215 (6) RELATING TO LEASES OF COUNTY PROPERTY TO THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY

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

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on September 23, 1998, a proposed Local Law entitled Local Law No. E 1998 A Local Law Superseding County Law § 215

(4) and § 215 (6) Relating to Leases of County Property to the Livingston County Water and Sewer Authority, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on October 14, 1998 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York, and at least six (6) days notice posting thereof on the bulletin board of the Government Center in this County, and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

September 23, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

RESOLUTION NO. 98-348. AUTHORIZING ASSISTANCE TO THE TOWNS OF MT. MORRIS AND NUNDA FOR REAL PROPERTY TAX ASSESSMENT REVIEW DEFENSE COSTS

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

WHEREAS, Resolution No. 85-253 authorized Towns within the County to request assistance from the county for defense costs relating to proceedings brought against the Towns to review real property tax assessments, and

WHEREAS, the Towns of Mt. Morris and Nunda have requested assistance in regard to a proceeding brought by the Hillside Burnham MHP Associates, Inc. a mobile home park property owner, and

WHEREAS, the Tax Committee, the Director of Real Property Tax Services and the County Attorney have reviewed the request, now, therefore be it

RESOLVED, that the County of Livingston agrees to assist the Towns of Mt. Morris and Nunda in regard to the real property tax assessment proceeding brought by the Hillside Burnham MHP Associates, Inc., such assistance to be given in accordance with the provisions of Res. No. 85-253.

Dated at Geneseo, New York

September 23, 1998

Tax Committee

The roll was called as follows: Ayes - 1,620; Noes - 0; Absent - Daley, 194; Adopted.

OTHER BUSINESS

1. Chairman House stated that Donald Riley mentioned that Tim Shay has been an acting Commissioner of the Rochester Genesee Regional Transportation Authority. Chairman House explained that Mr. Shay had resigned as a Commissioner approximately two years ago. Pursuant to the Public Authority Law, the Board of Supervisors authorized the Chairman of the Board to appoint the Commissioner to represent Livingston County. Chairman House stated he recommended Floyd Anderson of Caledonia, New York 18 months ago. The Governor's office has completed an extensive investigation on Mr. Anderson, however, the appointment of Mr. Anderson has not been presented to the State Senate. Chairman House stated he believed the appointment had not been approved because the Livingston County Republican Chairman opposed the confirmation of Floyd Anderson.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Moore to adjourn until Wednesday, October 14, 1998 at 1:30 p.m. Carried.

The Board adjourned at 2:32 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, OCTOBER 14, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Mr. Stewart.

The Pledge of Allegiance.

MINUTES

Minutes of 9/23/98 Regular Board Meeting were approved.

Mr. Stewart entered.

PUBLIC HEARINGS - 1:35 PM

The Public Hearings to receive comments on Local Law No. D 1998 - Superseding County Law 215 (4) and 215 (6) Relating to a Lease of County Property to Rochester Telephone Mobile Communications And Local Law No. E - 1998 - Superseding County Law 215 (4) and 215 (6) Relating to Leases of County Property to the Livingston County Water and Sewer Authority were called in accordance with the notices published in the official newspapers. Chairman House announced that any person wishing to be heard would have the opportunity to do so at this time. No one wished to speak.

Chairman House stated the public hearing would remain open until the end of the meeting.

COMMUNICATIONS

1. Letter of commendation from County Administrator Dominic F. Mazza to Ralph Van Houten regarding the excellent response to the Safety Kleen fire and related problems
2. Notification received from the Villages of Caledonia, Dansville, Geneseo, Leicester, Lima, Livonia, Mt. Morris and Nunda authorizing the County Treasurer to collect the 1998 delinquent Village taxes
3. Reminder there is one Board meeting in November scheduled for November 18, 1998
4. Summons and Complaint in the matter of Frank L. O'Rourke versus the Sheriff of Livingston County, Ronald L. Huff, Jr., Jeffrey D. Wiedrick, Raymond DiPasquale, Sheriff John M. York, Daniel P. Maloney, County of Livingston, District Attorney's Office for the County of Livingston, Jennifer Sommers, John Doe, Richard Roe, and Jane Doe

INTRODUCTION OF LOCAL LAW NO. F - 1998 - AMENDING LOCAL LAW 3 OF 1972 - DEFINITION OF RESIDENTIAL UNIT

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

Section 1: The definition of AResidential Unit≡ contained in **Section 2. Definitions** of Local Law No. 3 of 1972 entitled ACounty of Livingston, Establishing and Imposing Sewer Rents in the Conesus Lake County Sewer District, in accordance with the provisions of Article Fourteen -F of the General Municipal Law≡ is amended to read as follows:

Residential Unit: A residential unit shall consist of a residence containing separate living quarters, with separate plumbing, kitchen and toilet facilities, housing one or more persons, irrespective of whether or not such separate living quarters are part of what is commonly known as a two family or multiple dwelling unit. A residential unit shall include a home, cottage, trailer and apartment, whether occupied on a seasonal or yearly basis.

Section 2: This Local Law shall be effective November 1, 1998.

Dated at Geneseo, New York

October 14, 1998 (Introduced)

RESOLUTION NO. 98-349. APPROVING ABSTRACT OF CLAIMS #10A - OCTOBER 14, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #10A dated October 14, 1998, in the total amount of \$2,071,493.62.

Dated at Geneseo, New York

October 14, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

PRIVILEGE OF THE FLOOR

1. Dominic F. Mazza, County Administrator presented an overview of the 1999 Proposed County Budget (on file). The \$76,544,688.00 spending plan contains a property tax rate decrease of 4% over 1998 and maintains the current County Sales Tax rate of 3%, the lowest in the region. The 1999 budget proposed a property tax rate of \$7.02 per thousand of assessed value compared to the current rate of \$7.28. The County anticipated completing two major capital projects in 1999, with the construction of a new Public Safety Radio Communication System and a Highway Maintenance Facility. The budget maintains all current employment levels and provides funding for any current or anticipated employee wage and benefit packages. The County Administrator announced that the Board will conduct a Budget Workshop on November 9, 1998 at 10:00 a.m. in the Assembly Room.
2. Tom Fraser and David Rowley, of Fraser, Vesper & Associates, PC, and Todd Webber of Bovis, Inc., presented an overview of the Livingston County Highway Facility. Tom Fraser explained the floor plans for the facility. David Rowley explained the site plan and Todd Webber stated that the total cost of the project is estimated at \$3,885,000.00. The County Administrator explained that the original budget was based on estimates and the scope of the project has changed to provide what is needed for the years to come. The County Administrator reviewed the Statement of Debt as of December 31, 1998 (on file). Mr. Merrick thanked committee members for their efforts. Chairman House thanked Tom Fraser, David Rowley and Todd Webber for providing an overview of the project.

RESOLUTION NO. 98-350. PROVIDING FOR PUBLIC HEARING ON PROPOSED LIVINGSTON COUNTY BUDGET FOR 1999 PURSUANT TO SECTION 359 OF THE COUNTY LAW

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

RESOLVED, that the Livingston County Board of Supervisors, pursuant to Section 359 of the County Law, will hold a public hearing on the proposed Livingston County Budget for the fiscal year 1999 at 1:35 p.m. in the afternoon and also at 7:00 p.m. in the evening on Wednesday, November 18, 1998 in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York and be it further

RESOLVED, that the Clerk of the Board will cause a Notice of Public Hearing to be published in the official newspapers of the County in a manner required by Section 359 of the County Law.

Dated at Geneseo, New York

October 14, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-351. THE ISSUANCE OF AN ADDITIONAL \$1,000,000 SERIAL BONDS OF

THE COUNTY OF LIVINGSTON, NEW YORK, TO PAY PART OF THE COST OF THE CONSTRUCTION OF A NEW COUNTY HIGHWAY DEPARTMENT FACILITY IN AND FOR SAID COUNTY

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

WHEREAS, the Board of Supervisors of the County of Livingston, New York, on November 19, 1997 duly adopted a bond resolution (Resolution No. 97-313) authorizing the construction of a new County Highway Department facility, land or rights-in-land and original furnishings, equipment, machinery and apparatus incidental thereto at a maximum estimated cost of \$3,000,000, and authorized the issuance of \$3,000,000 serial bonds to pay the cost thereof, and

WHEREAS, it is now necessary to increase the financing for such project, now therefore be it

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

Section 1. The construction of a new County Highway Department facility, land or rights-in-land and, original furnishings, equipment, machinery and apparatus incidental thereto, is now hereby authorized at a new maximum estimated cost of \$4,000,000.

Section 2. SEQR DETERMINATION: The aforementioned purpose constitutes a Type I Action under the SEQR regulations of the State of New York which, based upon a full environmental assessment form, the Board of Supervisors, pursuant to Resolution 92-249, has determined will not have a significant impact upon the environment.

Section 3. The plan for the financing of such specific object or purpose is as follows:

- a) By the issuance of \$3,000,000 serial bonds of said County heretofore authorized to be issued therefor pursuant to a bond resolution duly adopted by the Board of Supervisors of said County on November 19, 1997; and
- b) By the issuance of an additional \$1,000,000 serials bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11(a) of subparagraph a of Section 11.00 of the Local Finance Law, computed from March 6, 1998, the date of the first bond anticipation note issued in anticipation of the aforesaid \$3,000,000 serial bonds.

Section 5. The faith and credit of said County of Livingston, New York, are hereby irrevocably pledged for the payment of the principal of an interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of an interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same shall become due.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the Chief Fiscal Officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized, as well as the serial bonds authorized pursuant to the aforesaid November 19, 1997 bond resolution, and within bond authorization including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to

expend money, or

- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in full in the Livingston County News and The Clarion, which are hereby designated as the official newspapers of such County, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

Dated at Geneseo, New York

October 14, 1998

Finance Committee

Mr. Kramer questioned whether the scope of the project included a new Dog Control Facility. The County Administrator stated that at this time a new dog facility will not be constructed but possibly in the future a facility can be built.

The roll was called as follows 2/3 vote: Ayes - 1,832; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-352. AUTHORIZING TRANSFER OF FUNDS - VARIOUS (PUBLIC HEALTH, SHERIFF, SOCIAL SERVICES)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

October 14, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-353. AWARDING BID FOR JANITORIAL SUPPLIES AND PAPER PRODUCTS FOR LIVINGSTON COUNTY CENTRAL SERVICES, LIVINGSTON COUNTY JAIL, OFFICE FOR THE AGING AND THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT

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

WHEREAS, after due advertisement, bids were opened on September 18, 1998, by the Office of the Livingston County Administrator for janitorial supplies and paper products for Livingston County Central Services, Livingston County Jail, Office for the Aging and the Livingston County Highway Department, and

WHEREAS, Eastern Maintenance Supplies of 107 Norris Drive, Rochester, NY 14610 presented the lowest responsible bid for janitorial supplies and paper products, it is hereby

RESOLVED, that Livingston County Central Services, Livingston County Jail, Office for the Aging and the Livingston County Highway Department are hereby authorized to purchase janitorial supplies and paper products from Eastern Maintenance Supplies beginning November 1, 1998 through October 31, 1999, with an option to renew for one additional twelve (12) month period, not to exceed amounts listed on price tabulation sheet filed in the Office of the County Administrator, and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

October 14, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-354. AUTHORIZING A COOPERATIVE PURCHASE AGREEMENT FOR OFFICE SUPPLIES BETWEEN THE COUNTY OF LIVINGSTON AND THE COUNTY OF GENESEE

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

WHEREAS, pursuant to section 119-m and 119-o Article 5-G of the General Municipal Law, Counties may enter into cooperative purchase agreements, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors, is authorized to sign an agreement with the County of Genesee for the joint purchase of office supplies under a ASystems Purchasing Program, for a contract period commencing December 1, 1998 through November 30, 1999, with the option to extend said contract for two (2) one (1) year periods upon mutual consent between the County of Livingston and the County of Genesee, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk's office.

Dated at Geneseo, New York

October 14, 1998

Finance Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-355. AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT BETWEEN THE NEW YORK STATE DEPARTMENT OF HEALTH AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR DIABETES INITIATIVE PROGRAM

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between the New York State Department of Health and the Livingston County Department of Health for Diabetes Initiative Program, commencing July 1, 1998 through June 30, 1999, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk's office.

Dated at Geneseo, New York

October 14, 1998

Health Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-356. AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT BETWEEN THE LISTED AREA HOSPITALS AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH TO PROVIDE CLINICAL FACILITIES FOR EMERGENCY MEDICAL TECHNICIANS

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between each of the following area hospitals and the Livingston County Department of Health to provide clinical facilities for emergency medical technicians, subject to review by the County Administrator and County Attorney.

Genesee Mercy Hospital (formerly St. Jerome's & Genesee Memorial in Batavia)

Wyoming County Community Hospital - Warsaw

Highland Hospital - Rochester

Rochester General Hospital - Rochester

St. Mary's Hospital - Rochester

Park Ridge Hospital - Rochester
 F.F. Thompson Hospital - Canandaigua
 The Genesee Hospital - Rochester
 University of Rochester Medical Center/Strong Memorial Hospital - Rochester
 Nicholas H. Noyes Memorial Hospital - Dansville
 St. James Hospital - Hornell

Copy of contracts on file in Clerk=s office.

Dated at Geneseo, New York

October 14, 1998

Health Committee

Mr. Daley questioned what services the hospitals will provide. Mr. Bassage responded that the hospitals will provide clinical facilities for the emergency medical technicians.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-357. AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT BETWEEN THE RITE AID PHARMACY AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR PHARMACEUTICAL PRODUCTS AND MEDICAL SUPPLIES FOR HOSPICE

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between the Rite Aid Pharmacy and the Livingston County Department of Health for Pharmaceutical products and medical supplies for Hospice, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

October 14, 1998

Health Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-358. AWARDING BID AND AUTHORIZING PURCHASE OF THREE (3) NEW, UNUSED HEAVY-DUTY DUMP TRUCK BODIES (INSTALLED) FOR THE HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for three (3) new Dump Truck Bodies were opened on September 30, 1998 in Room 303B of the Livingston County Government Center, and

WHEREAS, the bid of Cyncon Equipment, Inc. of Rush, N.Y. in the total amount of \$49,851.00 for three (3) new 1999 Bea-Roc Model HTT Dump-Truck Bodies was the lowest of two (2) bids received, and said bid meets all necessary bid specifications dated September 22, 1998, now, therefore be it

RESOLVED, that said bid be accepted, and the Superintendent of Highways be, and he hereby is, authorized to purchase said Dump Truck Bodies for said price, contingent upon Cyncon Equipment, Inc. signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

October 14, 1998

Highway Committee

Donald Higgins, County Highway Superintendent, explained the need for the purchase of three heavy-duty dump truck bodies. Donald Higgins thanked the Board of Supervisors for their continued support and cooperation with regard to the new Highway Maintenance Facility.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-359. ADOPTING LIVINGSTON COUNTY LOCAL CONDITIONAL RELEASE COMMISSION POLICIES AND PROCEDURES FOR SUBMISSION OF APPLICATIONS FOR CONDITIONAL RELEASE FROM THE LIVINGSTON COUNTY JAIL

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

RESOLVED, that the Livingston County Board of Supervisors adopts the attached Livingston County Local Conditional Release Commission Policies and Procedures for Submission of Applications for Conditional Release from the Livingston County Jail to be effective immediately upon adoption of this resolution.

Dated at Geneseo, New York

October 14, 1998

Judicial Committee

Mr. Daley requested an explanation of the policies and procedures. Chairman House explained the policies. Mr. Jaeger stated that the policies and procedures will provide accountability of the applications.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-360. PROCLAIMING OCTOBER 23 THROUGH OCTOBER 31, 1998 AS RED RIBBON CAMPAIGN WEEK

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

WHEREAS, there is a commitment by the Livingston County Board of Supervisors toward the creation of a drug free America, and

WHEREAS, there is a commitment by the Livingston County Board of Supervisors to a drug free, healthy lifestyle with no use of any illegal drug and no illegal use of a legal drug, it is hereby,

RESOLVED, that the Livingston County Board of Supervisors proclaim October 23 through October 31, 1998, as Red Ribbon Campaign Week.

Dated at Geneseo, New York

October 14, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-361. APPROVING CONTRACT FOR PURCHASE OF PUBLIC SAFETY TOWER SITE PROPERTY - STONE HILL ROAD

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract for the purchase of property located on Stone Hill Road, Livonia, New York from Julia Giljam for the Public Safety Tower Site, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

October 14, 1998

Public Safety Committee

Mr. Kramer questioned whether this tower would eliminate the Adead spots≡ throughout the County. The County Administrator stated the bid specifications required a 95% coverage be maintained. The bids are scheduled to be opened on October 16, 1998, and the County Administrator is anticipating a resolution awarding the bids to be presented at the October 28, 1998 board meeting.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-362. PROVIDING FOR PUBLIC HEARING FOR THE PROPOSED ESTABLISHMENT OF RATES FOR COUNTY WATER DISTRICT NO. 1

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

WHEREAS, a Bond Anticipation Note has been issued to construct the water facilities for County Water

District No. 1 and construction is underway and

WHEREAS, the Public Works and Transportation Committee has adopted the following rate structure for the District:

Land Classification	Zone 1 East Lake Road Conesus	Zone 2 Hamlet Conesus	Zone 3 S. Livonia Conesus	Zone 4 Livonia	Zone 4a East Lake Road Livonia
Improved	\$47 \$432 \$479	N/A	\$47 \$300 \$347	\$47	\$12
Vacant Improved	\$10	\$10	\$10	\$10	\$10
Unimproved	\$5	\$5	\$5	\$5	\$5

Now therefore be it

RESOLVED, that the Clerk of the Livingston County Board of Supervisors shall cause the necessary notice to be published in the official newspapers, and be it further

RESOLVED, that a Public Hearing shall be held regarding the rate structure for County Water District No. 1 on October 28, 1998 at 1:35 p.m. in the Board of Supervisors Assembly Room, Livingston County Government Center, Geneseo, New York.

Dated at Geneseo, New York

October 14, 1998

Public Works Committee

Catherine Muscarella, Director of Public Works, explained the rate structure. Mr. Davis questioned how the units were charged. C. Muscarella responded that the units are charged over a twelve-month period.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-363. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. F 1998 AMENDING LOCAL LAW NO. 3 OF 1972 - DEFINITION OF RESIDENTIAL UNIT

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

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on October 14, 1998, a proposed Local Law entitled Local Law F 1998 Amending Local Law No. 3 of 1972 - Definition of Residential Unit, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 28th day of October, 1998 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York, and at least six (6) days notice posting thereof on the bulletin board of the Government Center in this County, and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

October 14, 1998

Public Works Committee

Catherine Muscarella, Director of Public Works, explained that the Definition of Residential Unit in Local Law 3 of 1972 does not currently meet the needs of the District. C. Muscarella reviewed the proposed new definition.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-364. AWARDING BID FOR THE TRANSPORTATION AND DISPOSAL OF SLUDGE FROM THE CONESUS LAKE COUNTY SEWER DISTRICT

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

WHEREAS, after proper legal advertisement for bids for the transportation and disposal of sludge from the Conesus Lake County Sewer District, one (1) bid was received, then opened on September 21, 1998, now, therefore,

be it

RESOLVED, that the bid of Leo Dickson and Son=s Inc. of 5226 Bonny Hill Road, Bath, New York 14810, according to the rates established in the bid and not to exceed Sixty Six Thousand Dollars (\$66,000.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

October 14, 1998

Public Works Committee

Mr. Kramer questioned the contract period. Catherine Muscarella, Director of Public Works, explained that there is a certain amount of sludge to be removed and the contract will continue until the removal is completed.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-365. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT BETWEEN NYSERDA AND THE CONESUS LAKE COUNTY SEWER DISTRICT FOR A SLUDGE MANAGEMENT PROJECT

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

WHEREAS, Resolution 98-199 authorized the grant application to NYSERDA for sludge management projects, and

WHEREAS, NYSERDA has presented a contract for funding the project, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with NYSERDA for a sludge management project for the Conesus Lake County Sewer District, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

October 14, 1998

Public Works Committee

Mr. Daley questioned the basis of the contract. Catherine Muscarella, Director of Public Works, explained the reed bed technology and how the reed beds will manage the volume of sludge.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-366. AMENDING THE 1998 SALARY SCHEDULE - SOCIAL SERVICES, CAMPUS SKILLED NURSING FACILITY

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

RESOLVED, that the 1998 Salary Schedule be amended as follows:

SOCIAL SERVICES

Create one (1) Social Welfare Examiner

Delete one (1) HEAP Supervisor

CAMPUS SKILLED NURSING FACILITY

Create one (1) Full-time Clerk Typist position

Delete one (1) Part-time Clerk and delete two (2) Part-time Typists

Dated at Geneseo, New York

October 14, 1998

Salary & Negotiating Committee

Mr. Layland explained the foregoing resolution and the overall financial impacts.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

PUBLIC HEARINGS

Chairman House asked if anyone else wished to speak regarding the Public Hearing on Local Law No. D 1998 and Local Law No. E 1998. No one wished to speak.

Chairman House declared the public hearings closed.

Mr Moore moved and Mr. Daley seconded to call Local Law No. D 1998 to the table. Carried.

ADOPTION OF LOCAL LAW 5 (D) 1998

LOCAL LAW NO. 5 - 1998

SUPERSEDING COUNTY LAW §215 (4) AND §215 (6) RELATING TO A LEASE OF COUNTY PROPERTY TO ROCHESTER TELEPHONE MOBILE COMMUNICATIONS

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

Section 1:

The Board of Supervisors of Livingston County intends by this Local Law to supersede the provisions of County Law §215 (4) and §215 (6), which limit leases of County property to 5 year terms and only to the highest responsible bidders after public advertisement. The Board of Supervisors has determined that the lease of a parcel of property to Rochester Telephone Mobile Communications for the construction of a telecommunication tower should not be limited to a 5 year period nor is it appropriate to lease to the highest bidder after public advertisement.

Section 2:

The Livingston County Board of Supervisors hereby determines that it is in the best interest of the County of Livingston to supersede the provisions of §215 (4) and §215 (6) of the County Law and therefore authorizes the lease of a parcel of property to Rochester Telephone Mobile Communications for a period of 25 years. The terms of such lease shall nevertheless be subject to the prior approval of the Livingston County Board of Supervisors.

Dated at Geneseo, New York

October 14, 1998

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

Mr. Layland moved and Mr. Bassage seconded to call Local Law No. E 1998 to the table. Carried.

ADOPTION OF LOCAL LAW 6 (E) 1998

LOCAL LAW NO. 6 - 1998

SUPERSEDING COUNTY LAW §215 (4) AND §215 (6) RELATING TO LEASES OF COUNTY PROPERTY TO THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY

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

Section 1:

The Board of Supervisors of Livingston County intends by this Local Law to supersede the provisions of County Law §215 (4) and §215 (6), which limit leases of County property to 5 year terms and only to the highest responsible bidders after public advertisement. The Board of Supervisors has determined that the lease of infrastructure used for water and/or sewer purposes should not be limited to a 5 year period nor is it appropriate to lease to the highest bidder after public advertisement.

Section 2:

The Livingston County Board of Supervisors hereby determines that it is in the best interest of the County of Livingston to supersede the provisions of §215 (4) and §215 (6) of the County Law and therefore authorizes leases of water and/or sewer infrastructure to the Livingston County Water and Sewer Authority for periods in excess of 5 years. All such leases shall nevertheless be subject to the prior approval of the Livingston County Board of Supervisors.

Dated at Geneseo, New York

October 14, 1998

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 98-367. AUTHORIZING A LEASE WITH ROCHESTER TELEPHONE MOBILE COMMUNICATIONS

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign a lease with Rochester Telephone Mobile Communications for the Geneseo Tower Site, subject to review by the County Attorney and County Administrator.

Copy of lease on file in Clerk's office.

Dated at Geneseo, New York

October 14, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

EXECUTIVE SESSION

Motion made by Mr. Kramer and seconded by Mr. Derrenbacher that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing information regarding proposed, pending or current litigation, and that Dennis R. House act as Chairman and Virginia O. Amico act as Secretary of the Committee of the Whole and County Administrator Dominic F. Mazza, County Attorney David J. Morris and Richard Sheflin, Director of Real Property Tax Services remain present. Carried.

The Board reconvened in regular session. The following report was presented.

REPORT OF THE COMMITTEE OF THE WHOLE

The Board of Supervisors having met in Executive Session for the purpose of discussing information regarding proposed, pending or current litigation hereby reports as follows:

1. No action taken.

Dated October 14, 1998

Dennis R. House, Chairman
Virginia O. Amico, Secretary

Motion made by Mr. Kramer and seconded by Mr. Derrenbacher that the Report of the Committee of the Whole be accepted. Carried.

OTHER BUSINESS

1. Mr. Bassage questioned the status of the State investigation regarding the activities of the Livingston County Sheriff. Chairman House stated that he has not received any information to date. The County Attorney explained the law suit, filed by Jeffrey McDonald=s attorney, against the District Attorney.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Kramer to adjourn until Wednesday, October 28, 1998 at 1:30 p.m. Carried.

The Board adjourned at 3.07 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, OCTOBER 28, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Daley, Olverd, and Marks.

The Pledge of Allegiance.

Mr. Olverd entered.

MINUTES

Minutes of 10/14/98 Regular Board Meeting were approved.

PUBLIC HEARINGS - 1:35 PM

The Public Hearings to receive comments on the following were called in accordance with the notices published in the official newspapers:

1. Local Law No. F - 1998 - Amending Local Law 3 of 1972 - Definition of Residential Unit
2. Establishing Rate Structure for County Water District No. 1

Chairman House asked Catherine Muscarella, Public Works Director, to explain the Local Law which amends the definition of residential unit and the rate structure for County Water District No. 1.

Chairman House announced that any person wishing to be heard would have the opportunity to do so at this time. No one wished to speak. Chairman House stated the public hearing would remain open until the end of the meeting.

COMMUNICATIONS

1. The County Administrator filed the proposed 1999 Livingston County Budget on October 22, 1998.
2. Deloitte & Touche submitted the General Purpose Financial Statements with an Independent Auditor=s Report and Single Audit Reports for the Year Ended December 31, 1997
3. Receipt from Groveland Planning Board of Notification of Final Action - Approval of Proposed Wilson Road Public Safety Communication Tower
4. Receipt of Notification of Final Subdivision Approval From the Livonia Joint Planning Board for Stone Hill Road Public Safety Communication Tower
5. Reminder to submit your Town Bonded Indebtedness report by November 2, 1998

RESOLUTION NO. 98-368. APPROVING ABSTRACT OF CLAIMS #10B - OCTOBER 28, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #10B dated October 28, 1998, in the total amount of \$1,339,060.77.

Dated at Geneseo, New York

October 28, 1998

Finance Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

PRIVILEGE OF THE FLOOR

There was no request for Privilege of the Floor.

RESOLUTION NO. 98-369. SCHEDULING PUBLIC HEARING FOR AGRICULTURAL DISTRICT #1 AND REFERRING IT TO THE LIVINGSTON COUNTY PLANNING BOARD, AND THE LIVINGSTON COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

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

WHEREAS, Livingston County Agricultural District #1 is up for review and renewal; and

WHEREAS, a public hearing on the proposed modification of Agricultural District #1 is required by NYS Agriculture & Markets Law Section 303-a; now therefore be it

RESOLVED, that a public hearing concerning the renewal and modification of Agricultural District #1 will be held at 1:35 PM on December 9, 1998 in the Board Room at the Livingston Government Center, Geneseo; and be it further

RESOLVED, that a notice of the public hearing be published in the County=s official newspaper, and written notice of said hearing be mailed to the Town Clerks of Caledonia, York and Leicester and the Village Clerks of Caledonia and Leicester, all persons owning land within the proposed district, the Commissioner of Agriculture & Markets, the Commissioner of Environmental Conservation, the Secretary of State, and the Advisory Council on Agriculture; and be it further

RESOLVED, that the 30-day review period will run from October 29 through November 27; and be it further

RESOLVED, that the proposal for Agricultural District #1 is open for public inspection at the office of the Livingston County Planning Department, Room 305, Livingston County Government Center, Geneseo.

Dated at Geneseo, New York

October 28, 1998

Agriculture Committee

David Woods, Planning Director, distributed the preliminary renewal and modification plan and preliminary parcel lists and maps for Agricultural District #1. David Woods explained the schedule for Ag. District #1 review. David Woods encouraged the Supervisors to review the maps and plans closely as it relates to their town and its perspective Ag. District.

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-370. AUTHORIZING TRANSFER OF FUNDS - VARIOUS (CENTRAL STOREROOM, HIGHWAY, INFRASTRUCTURE, PUBLIC HEALTH, RECORDS MANAGEMENT, SHERIFF)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

October 28, 1998

Finance Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-371. INCREASING CAPITAL PROJECT - COUNTY HIGHWAY FACILITY

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

RESOLVED, that pursuant to Res. No. 98-351 increasing the financing by the issuance of additional serials bonds for the new County Highway Facility, the County Treasurer is hereby authorized to increase Capital Project H5011-2900 in the amount of \$1,000,000.00 from Estimated Revenue H5011-5710 Serial Bonds.

Dated at Geneseo, New York

October 28, 1998

Finance Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-372. AUTHORIZING THE COUNTY TREASURER TO TRANSFER BUDGET APPROPRIATIONS FROM INFRASTRUCTURE RESERVE TO COUNTY ROAD FUND

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

RESOLVED, that pursuant to the 1998 County Budget, the Livingston County Treasurer is hereby authorized to transfer the amount of \$650,000.00 from the Infrastructure Reserve to the County Road Fund, Account #D5010-5031.

Dated at Geneseo, New York

October 28, 1998

Finance Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-373. DECLARING SURPLUS PROPERTY - GENESEO SKILLED NURSING FACILITY

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

WHEREAS, the County of Livingston owns certain items of personal property no longer necessary for public use, and

WHEREAS, such items of personal property owned by the County and no longer necessary for public use shall be declared to be "surplus property", it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following various items surplus property:

GENESEO SKILLED NURSING FACILITY

1988 Ford Van, Vin # 1F0JE34HXJHB44578

1977 Dodge Van, Vin # B368E7X248215

Dated at Geneseo, New York

October 28, 1998

Health Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-374. PROCLAIMING SATURDAY, NOVEMBER 14, 1998 AS SECOND BATTALION, THIRD MARINES DAY

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

WHEREAS, Livingston County proudly recognizes and honors the men and women who serve in the Armed Forces of our Country, past and present; and

WHEREAS, Livingston County especially recognizes and honors those who have died in the service of our Country, especially those who have died in combat; and

WHEREAS, Livingston County resident, Roger Yencer, served his country in combat in the Republic of South Vietnam, as a member of the Second Battalion, Third Marines; and

WHEREAS, there may be other residents of Livingston County who have or are currently serving in the Second Battalion, Third Marines, and

WHEREAS, Roger Yencer has created a monument on his property in the town of Mt. Morris, to his fallen comrades of the Second Battalion, Third Marines; and

WHEREAS, Roger Yencer has especially recognized four of his comrades who lost their lives in the service of their country in the Republic of South Vietnam; and

WHEREAS, this monument is to be dedicated by various agencies and veterans groups on Saturday, November 14, 1998 at a public ceremony, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby proclaims Saturday, November 14, 1998 as Second Battalion, Third Marines Day.

Dated at Geneseo, New York

October 28, 1998

Legislative Committee

Alfred Sciarrino apologized that Roger Yencer was unable to attend the meeting. Mr. Sciarrino explained that Roger Yencer served in Viet Nam and in order to bring closure for himself, he built a memorial for those who lost their lives of the Second Battalion, Third Marines. A memorial will be held on November 14, 1998 at 12 p.m., and it is expected that family members of the fallen comrades will be present. Chairman House thanked Mr. Sciarrino for attending the meeting.

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-375. APPROVING 1999 CONTRACT WITH SOCIETY FOR THE GENESEE AND THE LAKES, INC.

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

RESOLVED, that the proposed agreement, for the year 1999, between the Society for the Genesee and the Lakes, Inc., and the County of Livingston, be and the same hereby is approved, and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized and directed to execute said contract on behalf of the County of Livingston in the amount of \$1,000.00, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

October 28, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-376. APPOINTING MEMBER TO THE GENESEE-LIVINGSTON-ORLEANS-WYOMING (GLOW) PRIVATE INDUSTRY COUNCIL

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

RESOLVED, that this Board of Supervisors does hereby approve the appointment of the following person to the Genesee-Livingston-Orleans-Wyoming Private Industry Council for such designated term:

Michael Wesner

Term Expires: 6/30/01

Education Representative

Genesee Valley BOCES

27 Lackawanna Ave.

Mt. Morris, NY 14510

replaces Joseph Galante

Dated at Geneseo, New York

October 28, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-377. APPROVING 1999 LIVINGSTON COUNTY RESOURCE ALLOCATION PACKAGE (YOUTH DEVELOPMENT & DELINQUENCY PREVENTION PROGRAMS)

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

WHEREAS, the Livingston County Youth Bureau has prepared and approved its annual Resource Allocation Package based on the needs and interest of local youth, and

WHEREAS, this package includes programs, to be operated by private agencies, Village, Town and County Departments on behalf of county youth using state Office of Children and Family Services funds, and

WHEREAS, the Livingston County Treasurer is hereby authorized to maintain account no. 7313.4 for the Youth Development and Delinquency Prevention Program, now therefore, be it

RESOLVED, that the 1999 Livingston County Resource Allocation package be approved and the Chairman of the Livingston County Board of Supervisors and appropriate Youth Board officials are authorized to execute the agreement with the State and any other Youth Development and Delinquency Prevention Program documents, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk= office.

Dated at Geneseo, New York

October 28, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-378. APPROVING 1999 LIVINGSTON COUNTY SPECIAL DELINQUENCY PREVENTION PROGRAMS (Center for Dispute Settlement/Juvenile and Peer Mediation Program; Legal Aid Society of Rochester/Youth Advocacy Program; Hillside Children=s Center/Aggression Replacement Training Program; Village of Mt. Morris/Homework Lab Program; Catholic Charities/Community of Caring Program; Noyes Memorial Hospital/First Steps Program; T.R.I. Group/Intensive Family Therapy Program)

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

WHEREAS, State Special Delinquency Prevention Program (SDPP) funds have been appropriated for the services and expense of the New York State Office of Children and Family Services and its contractors for the operation of programs designed to prevent juvenile delinquency and promote youth development, and

WHEREAS, Livingston County agrees to perform or be responsible for the performance of services for youth by entering into a County Agreement, OCFS form 3101, and its attachments for the period January 1, 1999 to December 31, 1999, and

WHEREAS, the Livingston County Treasurer is hereby authorized to maintain account no. 7314.4 for the Special Delinquency Prevention funds, now therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign the agreement and any other Special Delinquency Prevention Program related documents, subject to review by the County Attorney and County Administrator.

Copy of contracts on file in Clerk=s office.

Dated at Geneseo, New York

October 28, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-379. AUTHORIZING CONTRACT WITH TOWN OF LIVONIA FOR CONESUS LAKE WATERSHED MANAGEMENT PLANNING GRANT

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

WHEREAS, the Town of Livonia, acting on behalf of Livingston County and other involved municipalities and public and private agencies, applied for an Environmental Protection Fund grant from the Local Waterfront Revitalization Program to prepare a Conesus Lake Watershed Management Plan; and

WHEREAS, the New York State Department of State Division of Coastal Resources has awarded the Town of Livonia \$65,000 for Year One of the three-year Conesus Lake Watershed Management Plan; and

WHEREAS, the Town of Livonia, as grantee, will sign the grant contract with the New York State Department of State Division of Coastal Resources; and

WHEREAS, the Livingston County Planning Department will coordinate the preparation of the Conesus Lake Watershed Management Plan, and the Planning Director will serve as Project Manager; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors be, and he hereby is, authorized to sign a contract with the Town of Livonia for the Conesus Lake Watershed Management Planning Grant, after review by the County Attorney and the County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

October 28, 1998

Legislative Committee

David Woods, Planning Director, explained that approximately one year ago, the County applied for a grant and the State determined the County was not eligible. Consequently, the Town of Livonia resubmitted the application and the State approved the Conesus Lake Watershed Management Planning Grant. The goal is to improve the water quality of Conesus Lake.

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-380. APPOINTING MEMBER TO LIVINGSTON COUNTY PLANNING BOARD - MANN

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

RESOLVED, that the following person is hereby appointed to the Livingston County Planning Board for a term expiring December 31, 1999:

Village of Nunda - James Mann, 9362 State Highway 408, Nunda, New York 14517

Dated at Geneseo, New York

October 28, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-381. REESTABLISHING LIVINGSTON COUNTY PLANNING BOARD AND PROVIDING FOR ALTERNATE MEMBERS

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

WHEREAS, the Livingston County Board of Supervisors has determined that the appointment of alternate members to the Livingston County Planning Board will be beneficial to the Planning Board and to Livingston County; therefore be it

RESOLVED, that Resolution No. 67-45 Establishing Planning Board for the County of Livingston, as amended by Resolution No. 88-104, is hereby replaced in its entirety by the following:

RESOLVED, that pursuant to Article 12-B of the New York State General Municipal Law, the Livingston County Planning Board be, and the same hereby is, established, and be it further

RESOLVED, that the Livingston County Planning Board shall consist of 26 regular members representing the 17 towns and 9 villages in Livingston County, and 4 at-large alternate members.

Representatives of towns and of villages shall be recommended, when a vacancy exists, by the Town Supervisor or Village Mayor, and shall be appointed by resolution of the Board of Supervisors.

The terms of office for regular members shall be three calendar years, except as provided below. The term of office for representatives of towns shall be as follows:

Terms Expiring December 31, 1998

1.	Town of Mount Morris	Wesley Hilts
2.	Town of North Dansville	Marie Roberts
3.	Town of Nunda	Gary Ayers
4.	Town of Ossian	Joan Wamp
5.	Town of Portage	James Parker
6.	Town of Sparta	Andrew Blaise
7.	Town of Livonia	Donald Richards
8.	Village of Dansville	Michael D. Kane
9.	Village of Lima	Barry Ingalsbe

Terms Expiring December 31, 1999

1.	Town of Avon	David LeFeber
2.	Village of Avon	Mary Collins

3.	Town of West Sparta	Dora Coates
4.	Town of Springwater	Havilah Toland
5.	Town of Conesus	Betty Marble
6.	Village of Nunda	James Mann
7.	Village of Leicester	Michael Parsons
8.	Village of Livonia	Joanne Schroeder

Terms Expiring December 31, 2000

1.	Town of Caledonia	Randy Rodger
2.	Village of Caledonia	Barbara Kemnitz
3.	Town of York	Marjorie Fasano
4.	Town of Groveland	Ruth Lea
5.	Town of Geneseo	Jeff Carone
6.	Village of Geneseo	Robert Yull
7.	Town of Lima	Dennis Neenan
8.	Town of Leicester	Barry Caplan
9.	Village of Mount Morris	Ann Hunt

The four at-large alternate members shall be appointed by resolution of the Board of Supervisors. At-large alternate members shall be appointed to one-year terms expiring on December 31st of each year. The resolutions appointing the at-large alternate members shall designate the individuals being appointed as Alternate No. 1, Alternate No. 2, Alternate No. 3, and Alternate No. 4. In the absence of one or more regular members of the County Planning Board from a regular or special Planning Board meeting, the alternate members shall, in order of their designation, each be empowered to vote in place of an absent regular Planning Board member, and be counted for purposes of quorum.

The three members of the Legislative & Public Relations Committee of the Board of Supervisors, the Chairman of the Board of Supervisors, the County Treasurer, and the County Superintendent of Highways shall be ex-officio non-voting members of the County Planning Board, and their terms on the Board will be the same terms as their respective County offices.

The Chairperson, Vice-chairperson, and Secretary of the County Planning Board shall be elected annually by the members of said Planning Board, and be it further

RESOLVED, that the Planning Board shall have the powers set forth in Article 12-B of the New York State General Municipal Law, and other laws of the State of New York.

Dated at Geneseo, New York

October 28, 1998

Legislative Committee

David Woods, Planning Director, explained that the Planning Board has had a problem in the past having a quorum to conduct their meeting. The foregoing resolution establishes four at-large members who will be able to vote and be counted for purposes of quorum.

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-382. APPROVING APPLICATION FOR CONESUS LAKE COUNTY SEWER DISTRICT EXTENSION #8

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

WHEREAS, the Livingston County Board of Supervisors by resolution 98-163 approved the extension of the Conesus Lake County Sewer District and authorized the Clerk of the Board of Supervisors to file an application with the State Comptroller, now, therefore be it

RESOLVED, the application for permission of the State Comptroller to extend the County Sewer District, was prepared at the direction of the Livingston County Board of Supervisors, and, be it further

RESOLVED, that the Livingston County Board of Supervisors believes the contents of the application to be accurate and approves said application, and be it further

RESOLVED, that the Livingston County Board of Supervisors has determined that the district extension is

in the public interest and will not constitute an undue burden on the property which will bear the cost thereof.

Dated at Geneseo, New York

October 28, 1998

Public Works Committee

Catherine Muscarella, Public Works Director, explained that this resolution provides approval for the application to be sent to the State Comptroller.

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-383. AMENDING THE 1998 SALARY SCHEDULE - SOCIAL SERVICES

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

RESOLVED, that the 1998 Salary Schedule be amended as follows:

SOCIAL SERVICES

Create a Senior Caseworker position.

Dated at Geneseo, New York

October 28, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,569; Noes - 0; Absent - Daley, 194; Marks, 51 Total 245; Adopted.

RESOLUTION NO. 98-384. AUTHORIZING DIRECTOR TO ADD TAXES ON 1999 VARIOUS TOWN TAX ROLLS

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

WHEREAS, the Assessors of the various Towns of the County of Livingston pursuant to Section 520 of the Real Property Tax Law have assessed and subjected to taxation, certain properties which had been exempt; now therefore, be it

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to add to the 1999 various town tax rolls, the following taxes as calculated by the chief fiscal officer pursuant to his report attached hereto:

OWNER & PARCEL	TOWN ROLL	ADDITIONAL AMOUNT TO BE LEVIED		TOTAL PER TOWN
PIRAINO, Frank & Bridget J. 528 Grove Street, Ridgewood, NJ 07450 Tax Map Number 24.18-1-23.2 SWIS Code 242001 (prior owner: Frank Piraino)	Avon	Town	\$ 85.67	
		County	\$ <u>330.30</u>	
		Total	\$ 415.97	
GUNTHER, Dolores J., 112 Reed St., Avon, NY 14414, Tax Map Number 24.18-1-59, SWIS Code 242001 (prior owner: Margaret Kane)	Avon	Town	\$ 94.90	
		County	\$ <u>365.52</u>	
		Total	\$ 460.42	
BAKER, Jack E., Jr. & Gary c/o Jack E. Baker, 22 Valley Lane Avon, NY 14414, Tax Map Number 34.06-3-65, SWIS Code 242001 (prior owner: Jack E. Baker)	Avon	Town	\$ 44.55	
		County	\$ <u>170.91</u>	
		Total	\$ 215.46	
JOHNSON, Stanley J. & Barbara A. 84 North Street, Geneseo, NY 14454 Tax Map Number 34.06-3-68 SWIS Code 242001 (prior owner: Estate of Sarah L. Ippolito)	Avon	Town	\$ 75.64	
		County	\$ <u>288.72</u>	
		Total	\$ 364.36	

BURKE, Thomas C., Et Al 26 East South Street, Geneseo, NY 14454 Tax Map Number 34.11-1-47 SWIS Code 242001 (prior owner: Albert C. & Mary Ellen Burke)	Avon	Town	\$	37.36
		County	\$	<u>142.17</u>
		Total	\$	179.53
WEST, William J., 318 Genesee Street Avon, NY 14414, Tax Map Number 34.14-1-30, SWIS Code 242001 (prior owner: Michael F. West { Anne K. West, Life Tenant})	Avon	Town	\$	33.69
		County	\$	<u>135.60</u>
		Total	\$	169.29
HOPPE, Richard L. & Donna A. 14 Pineview Heights, Avon, NY 14414 Tax Map Number 34.14-1-42, SWIS Code 242001 (prior owner: Bernice E. Hoppe)	Avon	Town	\$	74.16
		County	\$	<u>289.23</u>
		Total	\$	363.39
INGERSOLL, Timothy E. & Tina M. 24 Pineview Heights, Avon, NY 14414 Tax Map Number 34.14-1-52.11 SWIS Code 242001 (prior owner: Arlene B. McShea)	Avon	Town	\$	117.25
		County	\$	<u>446.69</u>
		Total	\$	563.94

**ANNUAL BOARD MEETING
WEDNESDAY, NOVEMBER 18, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Olverd, Jaeger, and Davis.

The Pledge of Allegiance.

MINUTES

Minutes of 10/14/98 Regular Board Meeting were approved.

PUBLIC HEARINGS - 1:35 PM

The Public Hearing to receive comments on the 1999 Proposed Livingston County Budget was called in accordance with the notice published in the official newspapers.

The County Administrator presented an overview of the 1999 Proposed Livingston County Budget.

1. Melissa Jacobs opposed construction of the Highway Facility at the Hampton Corners site and proposed the former Akzo Salt Mine location as an alternative site.

The Chairman stated that the Public Hearing would remain open until the end of the meeting.

COMMUNICATIONS

1. Intercounty Association of Western New York meeting to be held Thursday, November 19, 1998, 9:30 a.m., Comfort Inn, Niagara Falls, NY
PROGRAM: Niagara Falls Revitalization and Relicensing of Power
2. Letter of intent from Melissa Jacobs to contest the bond actions and negative declarations regarding the Hampton Corners Highway and Refueling Station
3. Summons and Complaint in the matter of Terrie Marie Foges versus the County of Livingston and the Livingston County Skilled Nursing Facility, Geneseo, New York
4. Notice of Claim in the matter of Liberty Mutual Insurance Company as Subrogee of William J. Newell, and William J. Newell, Individually versus the Town of Lima, Town of Livonia, and County of Livingston
5. Notice of Claim and Addendum to Notice of Claim in the matter of James K. Tucker, and his wife, Mistie Tucker versus the County of Livingston, Town of Geneseo and Village of Geneseo
6. Letter from CEN Electronics commending Patrick Rountree for assisting the company in receiving new allocations from NYPA under the NY Power for Jobs Program
7. Acknowledgment from Office of the State Comptroller for receipt of the application for the Extension of Conesus Lake County Sewer District #8
8. Thank you letter from Roger Yencer and Al Sciarrino for Proclaiming November 14, 1998 as Second Battalion, Third Marines Day

INTRODUCTION OF LOCAL LAWS

LOCAL LAW NO. G 1998 - A LOCAL LAW AMENDING LOCAL LAW NO. 2 1998 INCREASING THE MAXIMUM INCOME ELIGIBILITY FOR TAX EXEMPTION FROM REAL PROPERTY TAXES TO PERSONS WITH DISABILITIES WHO HAVE LIMITED INCOME

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

Section 1.

Section 3 of Local Law No. 2 - 1998 entitled AA Local Law Providing a Partial Exemption From Real Property Taxes to Persons with Disabilities Who Have Limited Income~~is~~ is amended to read as follows:

Section 3.

To be eligible for the exemption authorized by Real Property Tax Law §459-c and implemented by this Local Law, the maximum income of such person shall not exceed \$13,000.00. Any such person having a higher income shall be eligible for an exemption in accordance with the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE ASSESSED</u> <u>VALUATION EXEMPT FROM TAXATION</u>
More than \$13,000.00 but less than \$14,000.00	45 per centum
\$14,000.00 or more but less than \$15,000.00	40 per centum
\$15,000.00 or more but less than \$16,000.00	35 per centum
\$16,000.00 or more but less than \$16,900.00	30 per centum
\$16,900.00 or more but less than \$17,800.00	25 per centum
\$17,800.00 or more but less than \$18,700.00	20 per centum
\$18,700.00 or more but less than \$19,600.00	15 per centum
\$19,600.00 or more but less than \$20,500.00	10 per centum
\$20,500.00 or more but less than \$21,400.00	5 per centum

Section 2.

This Local Law shall take affect immediately upon its filing in the Office of the Secretary of State.

Dated at Geneseo, New York
November 18, 1998 (Introduced)

LOCAL LAW NO. H 1998 - COUNTY OF LIVINGSTON PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 1999

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

Section 1. Effective as hereinafter provided, the annual salary for each of the two Commissioners of Elections shall be increased by \$1,550.00.

Section 2. Effective as hereinafter provided, the annual salary of the Commissioner of Social Services shall be increased by \$2,575.00.

Section 3. Effective as hereinafter provided, the annual salary of the Director of Real Property Tax Services shall be increased by \$1,925.00.

Section 4. Effective as hereinafter provided, the annual salary of the County Treasurer shall be increased by \$2,100.00.

Section 5. Effective as hereinafter provided, the annual salary of the Director of Personnel shall be increased by \$2,125.00.

Section 6. Effective as hereinafter provided, the annual salary of the County Attorney shall be increased by \$3,525.00.

Section 7. Effective as hereinafter provided, the annual salary of the County Auditor shall be increased by

\$1,775.00.

Section 8. Effective as hereinafter provided, the annual salary of the Public Defender shall be increased by \$1,250.00.

Section 9. Effective as hereinafter provided, the annual salary of the County Highway Superintendent shall be increased by \$2,125.00.

Section 10. All salaries set forth herein shall be effective as of January 1, 1999.

Section 11. This Local Law shall take effect on the date of filing in the Office of the Secretary of State of the State of New York.

Section 12. This Local Law is subject to permissive referendum.

Dated at Geneseo, New York

November 18, 1998 (Introduced)

RESOLUTION NO. 98-387. APPROVING ABSTRACT OF CLAIMS #11A - NOVEMBER 12, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #11A dated November 12, 1998, in the total amount of \$1,997,747.13.

Dated at Geneseo, New York

November 18, 1998

Finance Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

PRIVILEGE OF THE FLOOR

There was no request for Privilege of the Floor.

RESOLUTION NO. 98-388. AUTHORIZING TRANSFER OF FUNDS - VARIOUS (AGING, HIGHWAY, MENTAL HEALTH, PROBATION, PUBLIC HEALTH, SHERIFF, YOUTH BUREAU)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

November 18, 1998

Finance Committee

Mr. Daley requested an explanation of the transfer policy. The County Administrator explained that the Board of Supervisors approves any transfers outside the line items.

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-389. APPROVING APPORTIONMENT OF THE MORTGAGE TAX RECEIPTS 4/1/98 - 9/30/98

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

WHEREAS, the Finance Committee submits the following report on Apportionment of the Mortgage Tax receipts for the period April 1, 1998 through September 30, 1998, among the several Towns and Villages of the County, it is hereby

RESOLVED, that the County Treasurer be and hereby is directed to pay to the various municipalities the amount set forth herein:

TAX DISTRICT	AMOUNT	DISTRIBUTED TO TOWNS	DISTRIBUTED TO VILLAGES
AVON	46,904.48	36,653.17	10,251.31
CALEDONIA	32,332.53	25,176.26	7,156.27
CONESUS	35,393.17	35,393.17	
GENESEO	50,786.39	38,665.66	12,120.73
GROVELAND	11,068.36	11,068.36	
LEICESTER	12,939.84	11,735.75	1,204.09
LIMA	39,144.81	32,003.76	7,141.05
LIVONIA	77,982.86	72,581.57	5,401.29
MT. MORRIS	25,149.07	17,572.98	7,576.09
NORTH DANSVILLE	39,807.28	24,610.03	15,197.25
NUNDA	14,673.41	12,033.25	2,640.16
OSSIAN	5,301.38	5,301.38	
PORTAGE	4,004.72	4,004.72	
SPARTA	10,145.20	10,145.20	
SPRINGWATER	17,966.89	17,966.89	
WEST SPARTA	7,938.47	7,938.47	
YORK	20,394.59	20,394.59	
	\$ 451,933.45	\$ 383,245.21	\$ 68,688.24

Dated at Geneseo, New York

November 18, 1998

Finance Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-390. PROVIDING FOR LEVY OF ERRONEOUS TAXES TO BE CHARGED TO TOWNS

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

The following is a list of items shown on the records of the County Treasurer as having been charged to the following Towns due to erroneous assessments, errors in the levy of the budget or similar items:

TOWN	CHARGEBACK
AVON	507.64
CALEDONIA	524.90
CONESUS	294.13
GENESEO	426.05
GROVELAND	104.11
LEICESTER	459.91
LIMA	1,137.85
LIVONIA	1,682.35
MT. MORRIS	214.76
NORTH DANSVILLE	49.36
NUNDA	401.54
OSSIAN	.22
PORTAGE	619.64
SPARTA	.28

SPRINGWATER	-.04
WEST SPARTA	130.87
YORK	197.61
TOTAL	\$6,751.18

Dated at Geneseo, New York

November 18, 1998

Finance Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-391. APPROVING ESTIMATED 1999 SALES TAX DISTRIBUTION

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

RESOLVED, that the list below of 1999 Sales Tax Distribution be, and the same hereby is, approved.

TOWN	1999 SALES TAX ESTIMATE CREDITS SALES TAX CREDIT
AVON	48,000.00
CALEDONIA	34,000.00
CONESUS	36,000.00
GENESEO	59,000.00
GROVELAND	35,000.00
LEICESTER	22,000.00
LIMA	36,000.00
LIVONIA	95,000.00
MT. MORRIS	0.00
NORTH DANSVILLE	17,000.00
NUNDA	0.00
OSSIAN	10,000.00
PORTAGE	9,000.00
SPARTA	0.00
SPRINGWATER	31,000.00
WEST SPARTA	15,000.00
YORK	48,000.00
TOTAL	\$495,000.00

Dated at Geneseo, New York

November 18, 1998

Finance Committee

Mr. Olverd requested an explanation of this resolution. The County Administrator explained that the County Treasurer estimates these figures, and if the Town agrees, the estimated figure can be included in the Town Budget.

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-392. DECLARING SURPLUS PROPERTY - HEALTH CARE FACILITIES, HIGHWAY, PROBATION

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

WHEREAS, the County of Livingston owns certain items of personal property no longer necessary for public use, and

WHEREAS, such items of personal property owned by the County and no longer necessary for public use shall be declared to be "surplus property", it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following various items

surplus property to be disposed of as determined by the County Administrator:

HEALTH CARE FACILITIES

	<u>Campus SNF</u>	<u>Geneseo SNF</u>
Bed Side Stand	53	16
Wardrobe	32	-
Hospital Beds (crank)	27	40
Residential Beds	16	-
Over bed Tables	23	38
Office desks (various)	7	-
Tables (various)	5	-
Office Chairs	6	-
Couch (cloth)	1	-
Chairs (miscellaneous)	-	6
Commercial Toaster	-	1
Commercial Potato Peeler	-	1

HIGHWAY

#16 - 1972 IH TD-15 Bulldozer, Vin #SN0645

#66 - 1973 Rex 900 Single-Drum Vibratory Roller, Vin #SN9HX376

PROBATION

1991 Ford Crown Victoria, Vin #75880

Dated at Geneseo, New York

November 18, 1998

Finance Committee

The County Administrator explained that a bid will be prepared for the Highway equipment. The dozer is appraised at \$11,000 and the roller between \$7,500-\$8,500.

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-393. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A REVISED 1997 CONTRACT WITH THE LIVINGSTON COUNTY COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE, INC.

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a revised 1997 contract between the County of Livingston and the Livingston County Council on Alcoholism and Substance Abuse for alcoholism treatment and prevention education services for the period commencing January 1, 1997 and terminating December 31, 1997, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

November 18, 1998

Health Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-394. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH PREFERRED CARE FOR MEDICAL SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between Preferred Care and Livingston County for medical services, commencing 1/1/99 and terminating 12/31/99, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

November 18, 1998

Health Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-395. AUTHORIZING THE CHAIRMAN TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN THE GENESEE VALLEY HEALTH NETWORK AND LIFE LINE FOR LIFE LINE OUTREACH PROJECT IN LIVINGSTON COUNTY FOR 1998-99

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between the Genesee Valley Health Network and LIFE LINE for a LIFE LINE Outreach Project for Livingston County for 1998-99, for the period of November 15, 1998 through May 15, 1999, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

November 18, 1998

Health Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-396. APPROVING CONTRACT BETWEEN HEALTH RESEARCH INCORPORATED AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR ASSIST GRANT

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a Contract between Health Research Incorporated and the Livingston County Department of Health for ASSIST Grant, commencing 9/30/98 and terminating 9/29/99, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

November 18, 1998

Health Committee

Mr. Daley requested an explanation of this resolution. Joan Ellison, Public Health Director, explained the grant of \$40,200 is to provide funding to the Tobacco Coalition and Youth Partnership to promote education.

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-397. APPROVING CONTRACT BETWEEN GAIL WRATNY-FEATHERS AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between Gail Wratny-Feathers and the Livingston County Department of Health for Early Intervention Services, commencing 11/1/98 and terminating 12/31/99, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York
November 18, 1998
Health Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-398. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT BETWEEN THE STATE UNIVERSITY OF NEW YORK AT ALFRED AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR CLINICAL FIELD WORK EXPERIENCE

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a Contract between the State University of New York at Alfred and the Livingston County Department of Health for clinical field work experience, commencing September 3, 1998 and terminating September 2, 2000, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York
November 18, 1998
Health Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-399. AUTHORIZING A COOPERATIVE BIDDING AGREEMENT FOR TIMBER BRIDGE MATERIALS BETWEEN THE COUNTY OF LIVINGSTON AND THE COUNTY OF ALLEGANY

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

WHEREAS, pursuant to sections 119-m and 119-o of Article 5-G of the General Municipal Law, Counties may enter into cooperative agreements, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors, is authorized to sign an agreement with the County of Allegany for joint bidding process for the purchase of timber bridge materials under a ASystems Purchasing Program,= pursuant to the specific terms of the agreement, subject to review by the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York
November 18, 1998
Highway Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-400. APPOINTING COMMISSIONER OF ELECTIONS - GUENTHER

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

WHEREAS, Daniel C. West, Chairman of the County Committee of the Democratic Party, has filed with the Board of Supervisors a certificate recommending the appointment of Susan N. Guenther, a resident and qualified voter of the Town of Livonia, as Commissioner of Elections of the County of Livingston, now, therefore, be it

RESOLVED, that pursuant to the provisions of Section 31 of the Elections Law of the State of New York, Susan N. Guenther, Democrat, is hereby appointed as Commissioner of Elections for a term commencing January 1, 1999 and terminating December 31, 2002.

Dated at Geneseo, New York
November 18, 1998
Judicial Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-401. REAPPOINTING MEMBER TO THE LIVINGSTON COUNTY YOUTH

BOARD - BETETTE

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

RESOLVED, that this Board of Supervisors does hereby approve the reappointment of the following person to the Livingston County Youth Board to serve the term designated:

<u>NAME</u>	<u>REPRESENTS</u>	<u>TERM EXPIRES</u>
Suzanne Betette 492 West Lake Road Geneseo, NY 14454	Town of Geneseo	8/31/00

Dated at Geneseo, New York
November 18, 1998
Legislative Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-402. AUTHORIZING CONTRACT WITH SUNY RESEARCH FOUNDATION FOR WATERSHED INSPECTION PROGRAM MONITORING - CLAWS IX

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

WHEREAS, the Conesus Lake Watershed Inspection program needs water quality sampling, testing, and analysis; and

WHEREAS, Dr. Joseph Makarewicz has the required professional expertise and experience in studying water quality issues in Conesus Lake and the Conesus Lake Watershed; and

WHEREAS, there are grant funds available from the CLAWS IX grant; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and he hereby is, authorized to sign a contract with the SUNY Research Foundation, after review by the County Attorney and County Administrator. Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

November 18, 1998

Legislative Committee

David Woods, Planning Director, explained there was a need for baseline data this fall for the tributaries that flow into Conesus Lake and the contract is for sampling and laboratory analysis.

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-403. APPOINTING ALTERNATE MEMBER TO LIVINGSTON COUNTY PLANNING BOARD - CRANDALL

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

RESOLVED, that the following person is hereby appointed as an alternate member of the Livingston County Planning Board for a term expiring December 31, 1998:

Planning Board Alternate No. 1 - John Crandall, 10115 State Street, Dalton, New York 14836

Dated at Geneseo, New York

November 18, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-404. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN AN AGREEMENT WITH THE COUNTY OF MONROE FOR FORENSIC SERVICES PROVIDED TO INMATES AT ROCHESTER PSYCHIATRIC CENTER

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign an agreement with the County of Monroe for forensic services provided to inmates at Rochester Psychiatric Center for a period commencing January 1, 1999 and terminating December 31, 2000, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

November 18, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-405. AWARDING BID FOR COMMUNICATION SYSTEM UPGRADE - COMMUNICATIONS SHELTER AND SITE WORK

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

WHEREAS, after proper legal advertisement for bids for the Communication System Upgrade - Communications Shelter and Site Work, five (5) bids were received, then opened on October 16, 1998, now, therefore, be it

RESOLVED, that the bid of LMC Industrial Contractors, Inc. of 2060 Lakeville Road, Avon, New York 14414, in an amount not to exceed One Hundred Forty Six Thousand Fifty Two Dollars (\$146,052.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

November 18, 1998

Public Safety Committee

Mr. Bassage requested a clarification of the location of the shelter and site work. The County Administrator responded there will be a shelter constructed in Livonia and site work done at the Livonia and Groveland site. The next resolution authorizes the towers to be built at the Livonia and Groveland site. Mr. Wahl questioned the status of the equipment bid. The radio equipment was rebid and will be opened November 30, 1998.

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-406. AWARDING BID FOR COMMUNICATION SYSTEM UPGRADE - COMMUNICATIONS TOWERS

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

WHEREAS, after proper legal advertisement for bids for the Communication System Upgrade - Communications Towers, six (6) bids were received, then opened on October 16, 1998, now, therefore, be it

RESOLVED, that the bid of Fred A. Nudd Corporation of 1743 Route 104, P.O. Box 577, Ontario, New York 14519, in an amount not to exceed Seventy Six Thousand Eight Hundred Seventy Dollars (\$76,870.00), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

November 18, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-407. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. H 1998 - COUNTY OF LIVINGSTON PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 1999

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

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on November 18,

1998, a proposed Local Law entitled Local Law H 1998, County of Livingston Providing Salaries for Certain County Officers for the Year 1999, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 9th day of December, 1998 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York, and at least six (6) days notice posting thereof on the bulletin board of the Government Center in this County, and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

November 18, 1998

Salary & Negotiating Committee

Mr. Layland explained the proposed percentage increases to be given to the County Officers listed on the local law. The County Attorney explained that County officers who are in between their term are required to be included on the local law. Mr. Daley requested a copy of the Department Head Salary Schedule and questioned whether the salary of the County Clerk has been addressed. Chairman House suggested to address this matter with Mr. Layland. Mr. Layland stated that the schedule will be provided in the next board packet.

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-408. APPROVING EPA FARM PESTICIDE PROGRAM GRANT

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

WHEREAS, the GLOW Region Solid Waste Management Committee has applied to the Environmental Protection Agency (EPA) on behalf of the GLOW Counties for funding for a Farm Pesticide Collection Program, and;

WHEREAS, the EPA has awarded the four counties a \$70,000 grant to conduct a Farm Pesticide Collection Program, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors recommends acceptance of the grant and authorizes the Chairman to sign all necessary documents to execute the Program, and be it further

RESOLVED, that the Livingston County Board of Supervisors authorizes the GLOW Region Solid Waste Management Committee to administer the Program on behalf of the Counties.

Dated at Geneseo, New York

November 18, 1998

Public Works Committee

Catherine Muscarella, Public Works Director, distributed posters to all Supervisors to distribute within their towns. The pre-registration deadline is December 15, 1998. Mr. Bassage questioned how farmers are made aware of the pesticide collection. Cathy explained that brochures are being mailed through several entities of the farm industry. The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-409. AUTHORIZING SIGNATURE OF CHANGE ORDER NUMBER ONE FOR THE TRANSFER SWITCH REPLACEMENT PROJECT - BLACKMON FARRELL ELECTRIC, INC.

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

WHEREAS, Change Order Number One adds the new battery charger connections, plug in connections and modification of a 3-phase to single-phase switch to be utilized in 3E, all which were not covered in the contract, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to execute Change Order Number One, for the Transfer Switch Replacement Project contracted by Blackmon Farrell Electric, Inc., subject to review by the County Attorney and County Administrator.

Copy of change order on file in Clerk=s office.

Dated at Geneseo, New York

November 18, 1998

Public Works Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

**RESOLUTION NO. 98-410. AMENDING THE 1998 SALARY SCHEDULE - CENTRAL SERVICES,
CAMPUS SKILLED NURSING FACILITY**

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

RESOLVED, that the 1998 Salary Schedule be amended as follows:

CENTRAL SERVICES

Create one (1) Custodial Worker position

Delete one (1) Cleaner position

CAMPUS SKILLED NURSING FACILITY

Create one (1) Admissions Coordinator position at Wage Grade 14

Dated at Geneseo, New York

November 18, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-411. INCREASING MAXIMUM INCOME ELIGIBILITY FOR TAX EXEMPTION PURSUANT TO SECTION 467 OF THE REAL PROPERTY TAX LAW

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

WHEREAS, the County of Livingston, by Res. No. 97-369 set \$12,500.00 as the maximum income eligibility for tax exemption under section 467 of the Real Property Tax Law and by resolution 94-339 adopted the income eligibility sliding scale set forth under section 467(b)(1) and (b)(2) of the Real Property Tax Law for incomes above the maximum income eligibility; now therefore be it

RESOLVED, that the amount of income to determine eligibility for tax exemption under section 467 of the Real Property Tax Law is increased to \$13,000.00 and it is further

RESOLVED, that the income eligibility sliding scale set forth under section 467 (b)(1), (b)(2), and (b)(3) of the Real Property Tax Law shall continue for property owners exceeding the \$13,000.00 income eligibility level, and it is further

RESOLVED, that this increase shall be effective with the 1999 assessment roll.

Dated at Geneseo, New York

November 18, 1998 (Introduction Only)

Tax Committee

Richard Sheflin, Real Property Tax Director, explained that the State increased the maximum income eligibility for tax exemption and recommended the Board to do so.

RESOLUTION NO. 98-412. PROVIDING FOR PUBLIC HEARING IN ORDER TO INCREASE MAXIMUM INCOME ELIGIBILITY FOR TAX EXEMPTION PURSUANT TO SECTION 467 OF THE REAL PROPERTY TAX LAW

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

WHEREAS, Section 467 of the Real Property Tax Law requires a public hearing prior to the passage of any resolution changing the income eligibility for tax exemptions under Section 467, and

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on November 18, 1998, a proposed resolution entitled Increasing Maximum Income Eligibility for Tax Exemption Pursuant to Section 467 of the Real Property Tax Law, now, be it hereby

RESOLVED, that a public hearing shall be held by this Board on the 9th day of December, 1998 at 1:35 P.M. in the Board of Supervisors Assembly Room in the Livingston County Government Center, in the Village of Geneseo, New York, and at least six (6) days notice of such hearing shall be given by the Clerk of the Board by due 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

November 18, 1998

Tax Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-413. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. G 1998 LOCAL LAW AMENDING LOCAL LAW NO. 2 1998 INCREASING THE MAXIMUM INCOME

ELIGIBILITY FOR TAX EXEMPTION FROM REAL PROPERTY TAXES TO PERSONS WITH DISABILITIES WHO HAVE LIMITED INCOME

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

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on November 18, 1998, a proposed Local Law entitled Local Law No. G 1998 Local Law Amending Local Law No. 2 1998 Increasing the Maximum Income Eligibility for the Exemption From Real Property Taxes To Persons With Disabilities Who Have Limited Income, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 9th day of December, 1998 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York, and at least six (6) days notice posting thereof on the bulletin board of the Government Center in this County, and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

November 18, 1998

Tax Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-414. AUTHORIZING ASSESSMENT ROLL FOOTINGS FOR 1998

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

WHEREAS, the Tax Committee has verified and corrected the footings of the Assessment Rolls referred to it, as made by the Assessors for each tax district:

REFER TO THE FOLLOWING PAGESand,

WHEREAS, the Tax Committee recommends adoption of the Assessment Roll Footings for 1998, it is hereby

RESOLVED, that the report be accepted and that the several amounts herein be adopted by the Livingston County Board of Supervisors as the basis for the tax levies to be made thereof, and that the totals of the real property herein specified be adopted as the basis of equalization by this Board.

Dated at Geneseo, New York

November 18, 1998

Tax Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-415. ESTABLISHING RATIOS FOR THE YEAR 1999

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

The Committee on Taxes presents the following equalization ratios for each township of the County for the apportionment of the 1999 County Tax Levy.

Avon	100.21	North Dansville	96.62
Caledonia	100.23	Nunda	100.78
Conesus	98.76	Ossian	100.78
Geneseo	98.80	Portage	100.78
Groveland	100.78	Sparta	100.78
Leicester	100.98	Springwater	100.46
Lima	101.47	West Sparta	87.81
Livonia	95.89	York	100.98
Mount Morris	100.78		
Weighted County Average	99.11		

Dated at Geneseo, New York

November 18, 1998

Tax Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-416. AUTHORIZING DIRECTOR TO APPLY CORRECTIONS FOR TAXES ON 1999 VARIOUS TOWN TAX ROLLS

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

WHEREAS, the Director of Real Property Tax Services has attached thirty-seven (37) applications and recommendations to correct the various 1998-1999 School Tax Rolls (Real Property Tax Law Sections 554, 556, and 733). The following corrections are hereby recommended for the 1999 Tax Rolls for the various towns in Livingston County,

RESOLVED, that the Director of Real Property Tax Services is authorized to apply these corrections to the 1999 Tax Rolls.

1. Town of Avon
 William G. & Erin K. Schmerbeck Tax Map Number 34.14-1-55.202
 Reason for correction: The property owners contested the assessed value of this property at a Small Claims hearing. The assessment was lowered from \$120,000 to \$114,000.
2. Town of Avon
 Colleen & Vaughn Langless Tax Map Number 44.5-1-7
 Reason for correction: Due to a clerical error, the taxable assessed value of this parcel was erroneously listed as \$12,500 instead of \$62,000. The taxable assessed value should be corrected from \$12,500 to \$62,000.
3. Town of Avon
 Richard Farley Tax Map Number 55-1-57
 Reason for correction: The 1998 Town of Avon Board of Assessment Review lowered the value of this property from \$91,700 to \$86,700. The taxable assessed value should be corrected from \$91,700 to \$86,700.
4. Town of Avon
 390 Land Associates, LLC Tax Map Number 35-1-13.22
 Reason for correction: This parcel should have received a business improvement exemption. The exemption (\$264,350) should be applied which will correct the taxable assessed value from \$728,700 to \$464,350.
5. Town of Caledonia
 William J. & Mary Beth Strenk Tax Map Number 7.12-1-18.45
 Reason for correction: The property owners contested the assessment of this property at a Small Claims hearing. The assessment was lowered from \$131,900 to \$126,000.
6. Town of Conesus
 James F. & Margaret Carlisle Tax Map Number 128-1-24.12
 Reason for correction: Applicants claim that the taxable assessed value of this parcel exceeds the value carried on the assessor=s records. It was found that the taxable assessed value should be corrected from \$85,900 to \$77,300.
7. Town of Conesus
 William C. & Jeanne M. Mitchell Tax Map Number 129-1-37.2
 Reason for correction: Applicants claim that the taxable assessed value of this parcel exceeds the value carried on the assessor=s records. It was found that the taxable assessed value should be corrected from \$88,100 to \$66,600.

8. Town of Conesus
 Richard & Elizabeth Wood Tax Map Number 110-1-44.21
 Reason for correction: Applicants claim that the taxable assessed value of this parcel exceeds the value carried on the assessor=s records. It was found that the taxable assessed value should be corrected from \$110,600 to \$94,300.
9. Town of Conesus
 Phillip Fridley Tax Map Number 128-1-12
 Reason for correction: Applicant claims that the taxable assessed value of this parcel includes the value of a mobile home that does not exist. It was found that the claim was valid and that the taxable assessed value should be corrected from \$39,600 to \$6,000.
10. Town of Conesus
 David B. & Kathleen D. Jarzabek Tax Map Number 119-1-19.2
 Reason for correction: Applicants claim that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$93,200 to \$72,100.
11. Town of Conesus
 John & Peggy Lund Tax Map Number 130-1-2.14
 Reason for correction: Applicants claim that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$124,700 to \$113,100.
12. Town of Conesus
 David E. & Roslyn T. Surdej Tax Map Number 110.55-1-54
 Reason for correction: Applicants claim that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$27,300 to \$21,200.
13. Town of Conesus
 Francis J. & Marilyn R. Malinka Tax Map Number 110.55-1-24.1
 Reason for correction: Applicants claim that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$99,900 to \$92,000.
14. Town of Conesus
 Raymond & Mary Sue Mahoney Tax Map Number 101-1-62.2
 Reason for correction: Applicants successfully challenged the assessment of this parcel at a Small Claims hearing. The taxable assessed value was corrected from \$121,500 to \$110,000.
15. Town of Conesus
 Matthew & Denise Schwan Tax Map Number 110-1-1
 Reason for correction: Applicants successfully challenged the assessment of this parcel at a Small Claims hearing. The taxable assessed value was corrected from \$93,300 to \$90,000.
16. Town of Geneseo
 Sharyn M. Duffy Tax Map Number 72-1-8
 Reason for correction: Applicant successfully challenged the assessment of this parcel at a Small Claims hearing. The assessment was corrected from \$183,500 to \$179,300. An agricultural ceiling exemption of

\$5,731 leaves the taxable assessed value at \$173,569 for Town and County purposes.

17. Town of Lima

Daniel J. Cathron, Sr.

Tax Map Number 27-3-53

Reason for correction: Applicant successfully challenged the assessment of this parcel at a Small Claims hearing. The assessment was corrected from \$116,500 to \$102,000.

18. Town of Livonia

Larry Linsner

Tax Map Number 76-1-41.11

Reason for correction: Applicant claims that the assessment of this parcel was based on an excessive amount of acreage. It was found that the claim was valid. The taxable assessed value should be corrected from \$73,500 to \$68,500 for Town, County, and Fire purposes. The taxable assessed value should be corrected from \$18,375 to \$17,125 for Water District purposes.

19. Town of Livonia

Lawrence A. & Vicky Denoto

Tax Map Number 76-1-52

Reason for correction: Applicants claim that the assessment of this parcel includes the value of an improvement that does not exist. It was found that the claim was valid. The taxable assessed value of this parcel should be corrected from \$97,500 to \$9,400.

20. Town of Livonia

William C. & Patricia Race

Tax Map Number 75.9-2-2

Reason for correction: Applicants claim that the taxable assessed value of this parcel does not agree with the value carried on the assessors records. It was found that the claim was valid. The taxable assessed value should be corrected from \$69,600 to \$66,400.

21. Town of Livonia

John T. Nothnagle, Inc.

Tax Map Number 65.63-1-29

Reason for correction: Applicant claims that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$175,100 to \$148,000.

22. Town of Livonia

Susan M. Clinton

Tax Map Number 75.13-1-32

Reason for correction: Applicant claims that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$64,800 to \$61,900.

23. Town of Livonia

Paul & Kathleen Schroeder

Tax Map Number 76-1-15.1

Reason for correction: Applicants claim that the assessment of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The assessment should be corrected from \$138,600 to \$97,600. Due to an agricultural ceiling exemption, the taxable assessed value should be \$86,195 for Town and County purposes.

24. Town of North Dansville

Ronald Daly

Tax Map Number 189.19-1-33

Reason for correction: Applicant claims that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$60,000 to \$50,000.

25. Town of North Dansville
 Richard & Helen Gray Tax Map Number 189.19-1-10
 Reason for correction: Applicants claim that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$119,700 to \$104,300.
26. Town of North Dansville
 Joan L. Loop Tax Map Number 189.18-2-23
 Reason for correction: Applicant claims that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$49,800 to \$43,500.
27. Town of North Dansville
 Mrs. Laura Mader (c/o Jane Schryver) Tax Map Number 189.18-1-36
 Reason for correction: Applicant claims that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$70,900 to \$61,600.
28. Town of North Dansville
 David & Lorraine Wicks Tax Map Number 189.18-1-68
 Reason for correction: Applicant claims that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$114,100 to \$95,900.
29. Town of North Dansville
 Dansville Ambulance Co., Inc. Tax Map Number 203.6-3-6.1
 Reason for correction: Applicant claims that parcels 203.6-3-6 and 203.6-3-3 were deleted and replaced with parcel 203.6-3-6.1. It was found that the claim was valid. Parcels 203.6-3-6 and 203.6-3-3 should be deleted. Parcel 203.6-3-6.1 should be added with a taxable assessed value of \$26,400.
30. Town of North Dansville
 Stanley & Edith Walker Tax Map Number 189.19-1-30
 Reason for correction: Applicant claims that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$64,100 to \$55,900.
31. Town of North Dansville
 Frank W. & Ruth E. Herrick Tax Map Number 204-1-33.111
 Reason for correction: Applicant claims that parcel 204-1-33.11 should be deleted and replaced with parcel 204-1-33.111. It was found that this claim was valid. Parcel 204-1-33.11 should be deleted. Parcel 204-1-33.111 should be added with an assessed value of \$2,200. Due to a veteran=s exemption, the taxable assessed value should be \$0.
32. Town of North Dansville
 Norman J. & Margaret McGowan Tax Map Number 190-1-14.2
 Reason for correction: Property owner successfully challenged the assessment of this parcel at a Small Claims hearing. The assessment was reduced from \$99,700 to \$90,600. Due to a senior citizen and veteran exemption,

the taxable assessed value should be \$50,962 for town and county purposes.

33. Town of Portage

Carl F. Willet

Tax Map Number 183-1-61.12

Reason for correction: Applicant claims that the taxable assessed value of this parcel does not agree with the value carried on the assessor=s records. It was found that the claim was valid. The taxable assessed value should be corrected from \$45,000 to \$25,000.

34. Town of Springwater

Russell C. Dudash

Tax Map Number 165-1-9

Reason for correction: Property owner successfully challenged the assessment of this parcel at a Small Claims hearing. The taxable assessed value should be corrected from \$84,400 to \$76,500.

35. Town of Springwater

Ronald Zimmerman

Tax Map Number 140-1-31.112

Reason for correction: Property owner successfully challenged the assessment of this parcel at a Small Claims hearing. The taxable assessed value should be corrected from \$86,700 to \$75,000.

36. Town of West Sparta

Paul Martin

Tax Map Number 186-1-44.115

Reason for correction: Applicant claims that the taxable assessed value of this parcel does not agree with the value set by the Board of Assessment Review. It was found that this claim was valid. The taxable assessed value should be corrected from \$178,900 to \$78,900.

37. Town of York

Mary Giglio

Tax Map Number 61.18-1-6

Reason for correction: Applicant claims that this parcel should have received a senior citizen exemption. It was found that this claim was valid. The taxable assessed value for Town and County purposes should be corrected from \$64,800 to \$32,400.

Dated at Geneseo, New York

November 18, 1998

Tax Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

RESOLUTION NO. 98-417. AUTHORIZING CONVEYANCE OF COUNTY PROPERTIES ACQUIRED BY TAX DEEDS

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

WHEREAS, the County of Livingston has acquired title by tax deed to the following parcels of land, and WHEREAS, the Livingston County Board of Supervisors' Tax Committee has auctioned said parcels, it is hereby RESOLVED, that the following conveyances be approved:

Tax Map No. 50.-1-11.1

Town of York

Formerly owned by and/or assessed to:

Paul C. & Cheryl Harclerod

Conveyed to: Larry Scoville & Charles Comer

Amt. \$1,900.00

Tax Map No. 141.-1-15.38

Town of Springwater

Formerly owned by and/or assessed to:

Patricia A. Albro

Conveyed to: Margret Gebhart

Amt. \$10,000.00

Tax Map No. 84.-1-5.5
Formerly owned by and/or assessed to:
Conveyed to: Terrence Lischer

Town of Livonia
R. John Magar
Amt. \$13,200.00

Tax Map No. 137.-1-21.122
Formerly owned by and/or assessed to:
Conveyed to: James Alexander

Town of Sparta
Brenton C. & Roberta Smith
Amt. \$8,000.00

Tax Map No. 196.-1-17.12
Formerly owned by and/or assessed to:
Conveyed to: Harold Clancy

Town of Portage
Leon R. & Jane Howe
Amt. \$650.00

Tax Map No. 165.-1-5
Formerly owned by and/or assessed to:
Conveyed to: Norman Henrich

Town of Springwater
Manfred G. Runge
Amt. \$8,000.00

and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute the quit-claim deed of conveyances and any and all related documents prepared by the County Attorney to complete the aforesaid conveyances.

Dated at Geneseo, New York

November 18, 1998

Tax Committee

The roll was called as follows: Ayes - 1,759; Noes - 0; Absent - Jaeger, 26; Davis, 29 Total 55; Adopted.

PUBLIC HEARING

The Chairman asked if anyone wished to speak regarding the Public Hearing on the 1999 Proposed Livingston County Budget.

No one wished to speak.

The Chairman declared the public hearing closed at 3:07 p.m.

OTHER BUSINESS

There was no other business to come before the board.

ADJOURNMENT UNTIL 7:00 P.M.

Motion made by Mr. Layland and seconded by Mr. Wahl to adjourn until 7:00 p.m. Carried.

The Board adjourned at 3:07 p.m.

PUBLIC HEARING FOR THE 1999 PROPOSED COUNTY BUDGET
WEDNESDAY, NOVEMBER 18, 1998
7:00 P.M.

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Jaeger, Davis and Kramer.

The Public Hearing on the 1999 Proposed County Budget was called in accordance with the notices published in the official newspapers as required by Article 7, Section 239 of the County Law.

The County Administrator presented an overview of the 1999 Proposed County Budget.

The Chairman announced that any person wishing to be heard would have the opportunity to do so at this time.

Mr. Merrick thanked the Finance Committee and the County Administrator for their work on the budget. Mr. Daley questioned whether there will be any additional appropriation for the Highway Department. The recommended funding for the Highway Department is in the proposed budget. The Chairman asked if there were any further comments.

The Chairman declared the public hearing closed.

RESOLUTION NO. 98-418. ADOPTING BUDGET FOR FISCAL YEAR 1999

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

RESOLVED, that the Tentative Budget for the County of Livingston for the year 1999, is hereby approved and adopted as the final budget for the County of Livingston for the year 1999.

Dated at Geneseo, New York

November 18, 1998

Finance Committee

The roll was called as follows: Ayes - 1,681; Noes - 0; Absent - Jaeger, 26; Davis, 29; Kramer, 78 Total 133; Adopted.

RESOLUTION NO. 98-419. APPROPRIATIONS OF 1999 ADOPTED BUDGET

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

RESOLVED, that the adopted Livingston County Budget for the year 1999, be appropriated by the County Treasurer as amended.

Dated at Geneseo, New York

November 18, 1998

Finance Committee

The roll was called as follows: Ayes - 1,681; Noes - 0; Absent - Jaeger, 26; Davis, 29; Kramer, 78 Total 133; Adopted.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Moore to adjourn until Wednesday, December 9, 1998 at 1:30 p.m. Carried.

The Board adjourned at 7:25 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, DECEMBER 9, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Olverd, and Essler.

The Pledge of Allegiance.

MINUTES

Minutes of 11/18/98 Annual Board Meeting were approved.

PUBLIC HEARINGS - 1:35 PM

Public Hearings to receive comments on the following were called in accordance with the notices published in the official newspapers:

- 1) LOCAL LAW NO. G 1998 - A LOCAL LAW AMENDING LOCAL LAW NO. 2 1998 INCREASING THE MAXIMUM INCOME ELIGIBILITY FOR TAX EXEMPTION FROM REAL PROPERTY TAXES TO PERSONS WITH DISABILITIES WHO HAVE LIMITED INCOME
- 2) LOCAL LAW NO. H 1998 - COUNTY OF LIVINGSTON PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 1999
- 3) INCREASING MAXIMUM INCOME ELIGIBILITY FOR TAX EXEMPTION PURSUANT TO SECTION 467 OF THE REAL PROPERTY TAX LAW
- 4) THE PROPOSED RENEWAL AND MODIFICATION OF AGRICULTURAL DISTRICT #1

David Woods, Planning Director, explained the proposed renewal and modification of Agricultural District #1.

County Attorney David Morris explained items 1 through 3.

Chairman House announced that any person wishing to be heard would have the opportunity to do so at this time. No one wished to speak. The Chairman stated that the Public Hearings would remain open until the end of the meeting.

COMMUNICATIONS

1. Acknowledgment from Arlene Johnston for the floral arrangement sent in memory of her sister
2. Acknowledgment from Virginia Amico for the floral arrangement for death in the family
3. Summons and Complaint in the matter of Gerald H. Kane, Jr., Douglas Morsch, and John Curtiss versus Livingston County, New York and Livingston County Sheriff=s Department
4. Summons and Complaint in the matter of Jeffrey Blocker versus Tammy J. Smiley, Thomas Moran, John B. Dangler, Daniel T. Dalena, James Culbertson, Glen S. Goors, Anthony J. Annucci, Brion Travis, Timothy J. Murray

RESOLUTION NO. 98-420. APPROVING ABSTRACT OF CLAIMS #11B - NOVEMBER 25, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #11B dated November 18, 1998 in the total amount of \$1,574,786.23.

Dated at Geneseo, New York

December 9, 1998

Finance Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-421. APPROVING ABSTRACT OF CLAIMS #12A - DECEMBER 9, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #12A dated December 9, 1998, in the total amount of \$1,468,187.82.

Dated at Geneseo, New York

December 9, 1998

Finance Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

PRIVILEGE OF THE FLOOR

1. Dominic F. Mazza - Hampton Corners Water and Sewer Infrastructure Proposal and Recommendations

The County Administrator distributed and reviewed a report entitled AHampton Corners Water and Sewer Infrastructure Proposal and Recommendations≡ dated December 9, 1998 (on file).

The County Administrator reviewed the report including:

- a) a memorandum from the County Administrator
- 2) project area map
- 3) American Rock Salt Letter of Commitment
- 4) Livingston County Bond Counsel Opinion Letter
- e) 1999 Livingston County Proposed Economic Development Infrastructure Budget
- 6) Commitment for Federal EDA Funding

The County Administrator recommended that the Board of Supervisors approve the proposal.

The Board conducted discussions and had questions on the following:

- 1) the taxable basis and interest rate
- 2) the projected date to actually begin mining the salt
- 3) the accommodation of future growth
- 4) the construction time table
- 5) the funding for the project

The County Administrator explained that the Board of Supervisors has previously authorized development of a new highway facility at Hampton Corners and this proposal will allow for the water and sewer to that facility. In addition, the Board has previously approved resolutions in support of the salt mine project and that numerous meetings have been held over the years. The County Administrator stated that competing projects in other parts of the country, are eligible for the federal dollar commitment and they could be lost. It is important that the County make a commitment to this project.

Mr. Wahl, as a member of the Finance Committee, stated that he would encourage the Board to support the proposal. The County Administrator stated that without the support of the Board of Supervisors, he

is reluctant to continue negotiations in order to finalize the series of agreements needed to commence this project.

Mr. Layland moved and Mr. Wahl seconded to move the orders of the day specifically resolution #8 on the agenda entitled Approving the Hampton Corners Water and Sewer Infrastructure Proposal and Recommendations Submitted by the County Administrator.....Carried.

Pursuant to the Livingston County Board of Supervisors Rules of Order Article 21-Rules of Procedure (3d), Mr. Stewart requested permission to abstain from voting on the next resolution.

Mr. Layland moved and Mr. Daley seconded to allow Mr. Stewart to abstain from the next resolution Carried.

Chairman House stated there is a need to finalize negotiations with the Towns of Groveland and Mt. Morris.

RESOLUTION NO. 98-422 APPROVING THE HAMPTON CORNERS WATER AND SEWER INFRASTRUCTURE PROPOSAL AND RECOMMENDATIONS SUBMITTED BY THE COUNTY ADMINISTRATOR

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

RESOLVED, that the Livingston County Board of Supervisors approves the Hampton Corners Water and Sewer Infrastructure Proposal and Recommendations submitted by the County Administrator in a report dated December 9, 1998, and, it is further

RESOLVED, that the Livingston County Board of Supervisors directs the County Administrator and County Attorney to prepare any and all necessary agreements for authorization of this proposal, subject to further approval of the Livingston County Board of Supervisors as needed.

Dated at Geneseo, New York

December 9, 1998

Finance Committee

The roll was called as follows: Ayes - 1,387; Noes - 0; Abstain - Stewart, 187; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-423. AUTHORIZING TRANSFER OF FUNDS - VARIOUS (COUNTY ADMINISTRATOR, COUNTY CLERK, COUNTY TREASURER, DATA PROCESSING, ECONOMIC DEVELOPMENT, HAZARD MATERIALS, OFFICE FOR THE AGING, PROBATION, REAL PROPERTY, RECORDS MANAGEMENT, SHERIFF)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

December 9, 1998

Finance Committee

The County Administrator explained that all transfers are internal except for the Hazard Materials transfer which authorizes money to be transferred from contingency to purchase needed equipment. Mr. Daley stated that as a result of the Safety Kleen incident, the County became aware of equipment needed. Mr. Daley explained a few pieces of equipment.

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-424. AUTHORIZING REAPPROPRIATION OF FUNDS - SHERIFF

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

WHEREAS, Livingston County has received insurance recovery funds in the amount of \$5,497.00, be it now,

RESOLVED, that the County Treasurer be and she hereby is directed and authorized to transfer \$5,497.00 from A3110.2680 Sheriff/Insurance Recoveries, to

A3110.4127 Outside Repairs \$ 5,497.00

Dated at Geneseo, New York

December 9, 1998

Finance Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-425. ACCEPTING VARIOUS GRANT FUNDS AND AMENDING THE 1998 LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES BUDGET

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

WHEREAS, the Livingston County Department of Social Services has been granted various grant funds, now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors accepts said grants, and be it further

RESOLVED, that the Livingston County Department of Social Services budget be modified as follows:

MANAGED CARE

From Account A6010.3614 Estimated Revenues-State \$53,922

From Account A6010.4614 Estimated Revenues-Federal \$53,922

To Account A6010.4484 Managed Care \$107,844

TWIF (TREATMENT WORKS INVOLVING FAMILIES)

From Account A6010.4610 Estimated Revenues-Federal \$75,500

To Account A6010.4190 Agency Contracts \$75,500

WORK NOW II

From Account A6010.4610 Estimated Revenues-Federal \$69,600

To Account A6010.4190 Agency Contracts \$69,600

JD/PINS SAVINGS

From Account A6010.3610 Estimated Revenues-State \$77,437

To Account A6010.4190 Agency Contracts \$73,937

To Account A6010.4060 Supplies \$3,500

NUTRITION EDUCATION

From Account A6010.4610 Estimated Revenues \$27,060

To Account A6010.4190 Agency Contracts \$27,060

Dated at Geneseo, New York

December 9, 1998

Finance Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-426. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH DELOITTE & TOUCHE TO PROVIDE AUDIT SERVICES FOR THE LIVINGSTON COUNTY TREASURER AND THE LIVINGSTON COUNTY HEALTH CARE FACILITIES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Deloitte & Touche of 2200 Chase Square, Rochester, New York 14604-1998 to provide audit

services for the Livingston County Treasurer at a cost not to exceed Eighty Seven Thousand Dollars (\$87,000.00) and to provide audit services for the Livingston County Health Care Facilities at a cost not to exceed Fifty Nine Thousand Seven Hundred Dollars (\$59,700.00), subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

December 9, 1998

Finance Committee

Mr. Daley questioned whether any accounting firm from Livingston County submitted a bid. The County Administrator responded that the County did not receive any bids from Livingston County firms.

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-427. AUTHORIZING RELEVY OF UNPAID VILLAGE TAXES

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

RESOLVED, that the Director of Real Property Tax Services be directed to add to the tax rolls of the several towns, the total amount indicated to be relevied against the properties which such taxes were originally levied and include the proper total in the 1999 warrants for the respective towns:

<u>TOWNS</u>	<u>VILLAGES</u>	<u>AMOUNT</u>
Caledonia	Caledonia	20,961.05
Geneseo	Geneseo	57,301.43
Leicester	Leicester	4,430.80
Lima	Lima	19,117.87
Livonia	Livonia	37,058.67
Mt. Morris	Mt. Morris	60,177.78
North Dansville	Dansville	84,370.10
Nunda	Nunda	<u>15,492.15</u>
TOTAL		\$298,909.85

Dated at Geneseo, New York

December 9, 1998

Finance Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-428. AUTHORIZING RELEVY OF RETURNED SCHOOL TAXES

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

The County Treasurer, to whom all school districts comprising lands in Livingston County upon which taxes remain unpaid must make a return of such unpaid taxes on or before November 15th of each year in accordance with the Education Law, reports that the total of such returns as adjusted made to her covering unpaid 1998 school taxes amount to \$3,084,752.30. Since the receipt of such returns, the County Treasurer has collected the sum of \$453,654.47, leaving a balance of \$2,631,097.83 as of November 30, 1998, which is the last day of school tax collection by the County. A RELEVY figure, including the seven percentum required to be added, of \$2,815,274.93 will be added to the 1999 Town and County tax rolls.

<u>TOWN</u>	<u>DISTRICT</u>	<u>AMOUNT</u>	<u>TOTAL</u>
AVON	AVON CENTRAL	283,802.12	
	LIVONIA CENTRAL	7,245.51	
	HONEOYE FALLS/LIMA	3,822.88	
	TOWN TOTAL		294,870.51
CALEDONIA	LEROY CENTRAL	0.00	
	PAVILION CENTRAL	0.00	

	AVON CENTRAL	25,461.18		
	CALEDONIA CENTRAL	134,924.39		
	WHEATLAND/CHILI	282.17		
	TOWN TOTAL		160,667.74	
CONESUS	LIVONIA CENTRAL	171,252.48		
	DANSVILLE CENTRAL	11,389.09		
	WAYLAND CENTRAL	1,734.45		
	TOWN TOTAL			184,376.02
GENESEO	GENESEO CENTRAL	296,111.96		
	LIVONIA CENTRAL	17,175.23		
	TOWN TOTAL			313,287.19
GROVELAND	GENESEO CENTRAL	98,918.68		
	MT. MORRIS CENTRAL	2,592.83		
	DANSVILLE CENTRAL	464.57		
	TOWN TOTAL			101,976.08
LEICESTER	MT. MORRIS CENTRAL	717.10		
	YORK CENTRAL	100,873.96		
	PERRY CENTRAL	4,688.06		
	TOWN TOTAL		106,279.12	
LIMA	AVON CENTRAL	0.00		
	LIVONIA CENTRAL	20,160.07		
	HONEOYE FALLS/LIMA	162,305.14		
	TOWN TOTAL			182,465.21
LIVONIA	LIVONIA CENTRAL	348,106.86		
	HONEOYE FALLS/LIMA	6,722.76		
	HONEOYE CENTRAL	661.94		
	TOWN TOTAL			355,491.56
MT. MORRIS	MT. MORRIS CENTRAL	191,940.88		
	KESHEQUA CENTRAL	38,856.23		
	TOWN TOTAL			230,797.11
NORTH DANSVILLE	DANSVILLE CENTRAL	190,896.56		
	TOWN TOTAL			190,896.56
NUNDA	KESHEQUA CENTRAL	117,970.31		
	TOWN TOTAL			117,970.31
OSSIAN	CANASERAGA CENTRAL	5,730.16		
	DANSVILLE CENTRAL	61,405.08		
	TOWN TOTAL			67,135.24
PORTAGE	KESHEQUA CENTRAL	60,836.49		
	TOWN TOTAL			60,836.49
SPARTA	GENESEO CENTRAL	1,109.59		
	DANSVILLE CENTRAL	95,274.47		
	TOWN TOTAL			96,384.06
SPRINGWATER	DANSVILLE CENTRAL	3,045.77		
	NAPLES CENTRAL	4,337.59		
	WAYLAND CENTRAL	92,901.64		
	LIVONIA CENTRAL	3,496.73		
	TOWN TOTAL			103,781.73
WEST SPARTA	DANSVILLE CENTRAL	81,505.60		
	KESHEQUA CENTRAL	7,776.37		

			TOWN TOTAL	89,281.97
YORK	PAVILION CENTRAL	8,708.02		
	YORK CENTRAL	150,070.01		
TOTAL			TOWN TOTAL	158,778.03
				\$2,815,274.93

RESOLVED, that the director of Real Property Tax Services Agency be directed to add to the tax rolls of the several towns, the total amount to be relieved against the properties which taxes were originally levied and include the proper amount in the 1999 warrants for the respective towns.

Dated at Geneseo, New York

December 9, 1998

Finance Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-429. DECLARING SURPLUS PROPERTY - 150 HP RUSSELL STEAM ENGINE ON CASTLE PROPERTY

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

WHEREAS, the County of Livingston owns a 150 HP Russell steam engine, located at the Castle Property in Dansville, New York, and

WHEREAS, said steam engine is of no value to the County of Livingston and would be a liability to the County if the County was required to remove it from the Castle property, and

WHEREAS, such item of personal property owned by the County and no longer necessary for public use shall be declared to be "surplus property",

WHEREAS, the Western New York Gas & Steam Engine Association, Inc. of Gillate Road, Alexander, New York, a not-for-profit organization, is interested in acquiring the steam engine, it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby declares the 150 HP Russell steam engine surplus property and authorizes the Western New York Gas & Steam Engine Association, Inc. to acquire the steam engine and remove it from the Castle property at their sole expense.

Dated at Geneseo, New York

December 9, 1998

Finance Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-430. AUTHORIZING THE CHAIRMAN TO SIGN THE OFFICE FOR THE AGING ANNUAL IMPLEMENTATION PLAN FOR FISCAL YEAR APRIL 1, 1999 THROUGH MARCH 31, 2000

Mr. Bassage 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 Office for the Aging Implementation Plan for the fiscal year April 1, 1999 through March 31, 2000, subject to review by the County Administrator and County Attorney.

Copy of Annual Plan on file in Clerk=s office.

Dated at Geneseo, New York

December 9, 1998

Health Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-431. AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT BETWEEN THE AMERICAN CANCER SOCIETY AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR THE WOMEN=S HEALTH PARTNERSHIP

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between the American Cancer Society and the Livingston County Department of Health for the Women=s Health Partnership, commencing on 7/1/98 and terminating on March 31, 1999, pending the review and approval of the County Administrator and County Attorney.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

December 9, 1998

Health Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-432. AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT EXTENSION BETWEEN THE PERRY VETERINARY CLINIC AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR VETERINARY SERVICES FOR THE DOG CONTROL PROGRAM

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract extension between the Perry Veterinary Clinic and the Livingston County Department of Health for veterinary services for the dog control program, terminating on November 21, 1999, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

December 9, 1998

Health Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-433. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT EXTENSION BETWEEN RUSH INTER PET AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR BURIAL SERVICES FOR THE DOG CONTROL PROGRAM

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract extension between Rush Inter Pet and the Livingston County Department of Health for burial services for the dog control program, to terminate on November 21, 1999, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

December 9, 1998

Health Committee

Mr. Davis questioned the charge for burial services. Joan Ellison, Public Health Director, responded that the burial is based on the weight of the animal; \$10.00 for up to 30 lbs. and \$25.00 for 30 lbs. and over. Mr. Kramer questioned whether there was an opportunity for local businesses to bid on the burial and veterinary services. Joan Ellison responded that when the department bid out these services, several local businesses had an opportunity to bid.

It was noted that Perry Veterinary Clinic has an office in Livingston County.

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-434. AUTHORIZING THE CHAIRMAN TO SIGN HOME HEALTH AIDE CONTRACTS FOR THE CERTIFIED HOME HEALTH AGENCY

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign Contracts between the County of Livingston and Aide agencies listed below for Aide services in the Certified Home Health Agency, subject to review by the County Attorney and County Administrator.

	<u>Cost</u>	<u>Unit</u>
<u>Norrell Health Care</u>		
Home Health Aide	\$ 12.00	per hour
Holiday HHA Rate	N/A	
Not Home Not Found Visits	N/A	
<u>Quality Care-USA, dba Olsten Kimberly Quality Care</u>		
Home Health Aide	\$ 11.97	per hour
Holiday HHA Rate	17.95	per hour
PCA	11.00	per hour
Holiday PCA	16.50	per hour
Not Home Not Found Visits	10.80	per hour
RN	23.40	per hour
RN Holiday Rate	46.80	per hour
LPN	19.24	per hour
LPN Holiday Rate	38.48	per hour
<u>Genesee-Orleans Homemakers, Inc.</u>		
Home Health Aide	\$ 13.06	per hour
Holiday HHA Rate	19.59	per hour
PCA	N/A	
Holiday PCA	N/A	
Not Home Not Found Visits	13.06	per hour
<u>Unlimited Care, Inc.</u>		
Home Health Aide	\$ 13.50	per hour
Holiday HHA Rate	18.50	per hour
PCA	11.55	per hour
Holiday PCA	16.55	per hour
Not Home Not Found Visits	0	
RN	26.50	per hour
RN Holiday Rate	39.75	per hour
LPN	23.25	per hour
LPN Holiday Rate	34.75	per hour

Copy of contracts on file in Clerk=s office.

Dated at Geneseo, New York

December 9, 1998

Finance Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-435. AUTHORIZING THE CHAIRMAN TO SIGN HOME HEALTH AIDE CONTRACTS FOR THE HOSPICE PROGRAM

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

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

Contracts between the County of Livingston and Aide agencies listed below for Aide services in the Hospice Program, subject to review by the County Attorney and County Administrator.

	<u>Cost</u>	<u>Unit</u>
<u>Norrell Health Care</u>		
Home Health Aide	\$ 12.00	per hour
Holiday HHA Rate	N/A	
Not Home Not Found Visits	N/A	
<u>Quality Care-USA, dba Olsten Kimberly Quality Care</u>		
Home Health Aide	\$ 11.97	per hour
Holiday HHA Rate	17.95	per hour
PCA	11.00	per hour
Holiday PCA	16.50	per hour
Not Home Not Found Visits	10.80	per hour
RN	23.40	per hour
RN Holiday Rate	46.80	per hour
LPN	19.24	per hour
LPN Holiday Rate	38.48	per hour
<u>Genesee-Orleans Homemakers, Inc.</u>		
Home Health Aide	\$ 13.06	per hour
Holiday HHA Rate	19.59	per hour
PCA	N/A	
Holiday PCA	N/A	
Not Home Not Found Visits	13.06	per hour
<u>Unlimited Care, Inc.</u>		
Home Health Aide	\$ 13.50	per hour
Holiday HHA Rate	18.50	per hour
PCA	11.55	per hour
Holiday PCA	16.55	per hour
Not Home Not Found Visits	0	
RN	26.50	per hour
RN Holiday Rate	39.75	per hour
LPN	23.25	per hour
LPN Holiday Rate	34.75	per hour

Copy of contracts on file in Clerk=s office.

Dated at Geneseo, New York

December 9, 1998

Health Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-436. ESTABLISHING THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH CERTIFIED HOME HEALTH AGENCY CHARGES FOR 1999

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

WHEREAS, a review of the Agency's 1998 projected cost/unit of service, the 1999 estimated cost/unit of service, the Medicare and Medicaid cost limits, as well as the estimated 1999 Medicaid Rates has determined that the 1998 Agency charge structure, to maximize all 1999 third-party revenue, results in no change from 1998, now, therefore be it

RESOLVED, that the following schedule of charges per visit for the Livingston County Certified Home Health Agency be effective January 1, 1999:

DISCIPLINE	BILLING	1994	1995	1996	1997	1998	1999
Skilled Nursing	Per Visit	\$82.00	\$82.00	\$82.00	\$82.00	\$82.00	\$82.00
Physical Therapy	Per Visit	61.00	61.00	61.00	61.00	70.00	70.00
Speech Pathology	Per Visit	76.00	76.00	83.00	83.00	83.00	83.00
Occupational Therapy	Per Visit	65.00	66.00	66.00	66.00	66.00	66.00
Medical Social Services	Per Visit	63.00	63.00	63.00	63.00	83.00	83.00
Home Health Aide	Per Hour	54.00	54.00	54.00	54.00	54.00	54.00

Dated at Geneseo, New York

December 9, 1998

Health Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-437. AUTHORIZING A CONTRACT WITH THE DEPARTMENT OF VETERANS AFFAIRS FOR THE PROVISION OF LONG TERM HEALTH CARE PROGRAM SERVICES TO BENEFICIARIES OF THE DEPARTMENT OF VETERANS AFFAIRS FOR LIVINGSTON COUNTY SKILLED NURSING FACILITY - GENESEO

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between the Department of Veterans Affairs for the Provision of Long Term Health Care Program Services to Beneficiaries of the Department of Veterans Affairs for Livingston County Skilled Nursing Facility - Geneseo, commencing on January 1, 1999 and terminating on December 31, 1999, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

December 9, 1998

Health Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-438. AWARDING BID & AUTHORIZING PURCHASE OF ONE (1) NEW, UNUSED HEAVY-DUTY SKID-STEER LOADER WITH VARIOUS ATTACHMENTS FOR THE HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for one (1) new Skid-Steer Loader with Various Attachments were opened on November 10, 1998 in Room 303A of the Livingston County Government Center, and

WHEREAS, two (2) bids were received from two (2) companies; and the bid of Monroe Tractor & Implement Co., Inc. of Henrietta, N.Y. in the total amount of \$82,334.00 for one (1) new 1999 Case 95XT Skid-Steer Loader, with specified attachments, was the only bid which meets all bid specifications dated October 28, 1998, now, therefore be it

RESOLVED, that said bid be accepted, and the Superintendent of Highways be, and he hereby is, authorized to purchase said Skid-Steer Loader with Attachments for said price, contingent upon Monroe Tractor & Implement Co., Inc. signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

December 9, 1998

Highway Committee

Mrs. Avery questioned whether this piece of equipment was budgeted. The County Administrator responded that this piece of equipment was included in the Bond Anticipation Note authorized by the Board. Mr. Daley questioned the size of the loader. Mr. Marks explained the need for this particular piece of equipment.

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-439. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH THE UNIVERSITY CAMPUS POLICE FOR LIVINGSTON COUNTY SHERIFF=S DEPARTMENT TO PROVIDE POLICE SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with the University Campus Police for Livingston County Sheriff=s Department to provide police services for a period January 1, 1999 through December 31, 1999, subject to review by the County Attorney and County Administrator.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

December 9, 1998

Public Safety Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

EXECUTIVE SESSION

Motion made by Mr. Layland and seconded by Mr. Moore that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing collective negotiations pursuant to Article 24 of the Civil Service law (the Taylor Law), and that Dennis R. House act as Chairman and Virginia O. Amico act as Secretary of the Committee of the Whole and County Administrator Dominic F. Mazza and Personnel Officer Tish Lynn remain present. Carried.

The Board reconvened in regular session. The following report was presented.

REPORT OF THE COMMITTEE OF THE WHOLE

The Board of Supervisors having met in Executive Session for the purpose of discussing collective negotiations pursuant to Article 24 of the Civil Service law (the Taylor Law) hereby reports as follows:

1. No action taken.

Dated December 9, 1998

Dennis R. House, Chairman

Virginia O. Amico, Secretary

Motion made by Mr. Layland and seconded by Mr. Moore that the Report of the Committee of the Whole be accepted. Carried.

OTHER BUSINESS

Chairman House announced that Gloria Betlam, a local artist, would like to make a presentation to the Board and authorized her to come forward. Ms. Betlam thanked the Board of Supervisors for their continued support to the Genesee Valley Council on Arts. The funding provided to the Council encourage, inspires and provides local artists to create artwork. Ms. Betlam announced she has some of her artwork displayed in the Livingston County Government Center, third floor lobby.

RESOLUTION NO. 98-440. APPROVING 1999 LIVINGSTON COUNTY DEPARTMENT HEAD SALARY SCHEDULE

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

RESOLVED, the attached 1999 Livingston County Department Head Salary Schedule is hereby approved effective January 1, 1999.

Dated at Geneseo, New York

December 9, 1998

Salary & Negotiating Committee

Mr. Kramer objected to unanimous consent. Pursuant to the Livingston County Board of Supervisors Rules of Order Article 21 Rules of Procedure (6), the resolution will be brought up for action at the next meeting.

**RESOLUTION NO. 98-441. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE -
DEPARTMENT OF SOCIAL SERVICES, PUBLIC HEALTH AND CAMPUS SKILLED
NURSING FACILITY**

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

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

DEPARTMENT OF SOCIAL SERVICES

Appoint Michael Allen to the position of Part-Time Social Services Attorney at an annual salary of \$30,000 effective immediately.

Appoint Dennis Meissel to the position of Employment Coordinator-Jobs First at an annual salary of \$34,000 effective immediately.

PUBLIC HEALTH / CAMPUS SKILLED NURSING FACILITY

Transfer the Health Care Services Coordinator from the Public Health Department to the Campus Skilled Nursing Facility effective January 3, 1999.

Dated at Geneseo, New York

December 9, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

**RESOLUTION NO. 98-442. AUTHORIZING A CONTRACT BETWEEN THE COUNTY OF
LIVINGSTON AND THE CIVIL SERVICE EMPLOYEE ASSOCIATION, INC. (CSEA)**

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

WHEREAS, Livingston County and the Civil Service Employees Association, Inc. (Local 826) have held negotiations which have resulted in a tentative contract agreement, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors, the Salary & Negotiating Committee and the County Administrator are hereby authorized to sign the wage and benefits contract agreement with the Livingston County Civil Service Employee Association for the period January 1, 1999 through December 31, 2001, and that the finalized contract becomes a part of this resolution.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

December 9, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

**RESOLUTION NO. 98-443. AUTHORIZING A CONTRACT BETWEEN THE COUNTY OF
LIVINGSTON AND THE NEW YORK STATE NURSES ASSOCIATION**

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

WHEREAS, Livingston County and the New York State Nurses Association have held negotiations which have resulted in a tentative contract agreement, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors, the Salary & Negotiating Committee and the County Administrator are hereby authorized to sign the wage and benefits contract agreement with the New York State Nurses Association for the period January 1, 1999 through December 31, 2000, and that the finalized contract becomes a part of this resolution.

Copy of contract on file in Clerk=s office.

Dated at Geneseo, New York

December 9, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-444. ESTABLISHING A LIVINGSTON COUNTY MILLENNIUM COMMITTEE TO RECOMMEND AND ASSIST THE MILLENNIUM CELEBRATION IN LIVINGSTON COUNTY

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

WHEREAS, the millennium presents a unique opportunity for the nation, states, counties, cities, towns and villages to celebrate their history in the year 2000 and beyond; and

WHEREAS, it is appropriate at the dawn of a new century to celebrate the achievements and growth of Livingston County; and

WHEREAS, a committee of citizens from throughout Livingston County would bring new ideas and different perspectives for an appropriate celebration for the millennium, now, therefore, be it

RESOLVED, the Livingston County Board of Supervisors hereby creates a Livingston County Millennium Committee consisting of not more than 10 members who shall serve without compensation whose duties will be to recommend and assist the millennium celebration in Livingston County. The Committee will be appointed by the Chairman of the Board and reflect the diversity of the County. The Chairperson shall be elected from among the committee members.

Dated at Geneseo, New York

December 9, 1998

Supervisors Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-445. AUTHORIZING CONVEYANCE OF COUNTY PROPERTIES ACQUIRED BY TAX DEED - CASTLE PROPERTY - NORTH DANSVILLE

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

WHEREAS, the County of Livingston has acquired title by tax deed to the following parcel of land, and

WHEREAS, the Livingston County Board of Supervisors has determined that a private sale of this parcel is in the best interests of the County of Livingston, it is hereby

RESOLVED, that the attached purchase and sale contract between the County of Livingston and Home Properties of New York, L.P. for the so-called Castle Property in the Town of North Dansville is approved; and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign said agreement and any and all other documents prepared by the County Attorney to complete the conveyance.

Dated at Geneseo, New York

December 9, 1998

Tax Committee

Aaron Gagne!, Deputy Director of Economic Development, introduced Kristina Rogers, Project Coordinator for Home Property of New York LP. Aaron Gagne! expressed he is hopeful the Board will support this resolution in order to allow the developer to proceed with the project.

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-446. DIRECTING THE REAL PROPERTY TAX DIRECTOR TO SPREAD UNPAID ACCOUNTS RECEIVABLE ON 1999 TOWN OF AVON TAX ROLLS

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

WHEREAS, the Town Supervisor of Avon, pursuant to Section 198 of the Town Law, has reported to this Board a statement of unpaid accounts receivable, and

WHEREAS, such statements of unpaid charges are on file with the Clerk of this Board, now, therefore, be it

RESOLVED, that pursuant to Section 198 of the Town Law, the Real Property Tax Director be, and he

hereby is, authorized and directed to levy the sum stated in said statements against property liable, and state the amounts of the tax in a separate column in the 1999 Town of Avon tax roll under the name of unpaid accounts receivable.

Dated at Geneseo, New York

December 9, 1998

Tax Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-447. DIRECTING THE REAL PROPERTY TAX DIRECTOR TO SPREAD UNPAID WATER CHARGES AND UNPAID SEWER CHARGES ON 1999 TOWN OF YORK TAX ROLL_Mr. Kramer presented the following resolution and moved its adoption:

WHEREAS, the Town Supervisor of York, pursuant to Section 198 of the Town Law, has reported to this Board a statement of unpaid water and sewer charges in the York Water and Retsof Sewer District, and

WHEREAS, such statement of unpaid charges is on file with the Clerk of this Board, now, therefore, be it

RESOLVED, that pursuant to Section 198 of the Town Law, the Real Property Tax Director be, and he hereby is, authorized and directed to levy the sum stated in said statements against property liable, and state the amounts of the tax in a separate column in the 1999 Town of York tax roll under the name of "Water Rents" and "Sewer Rents".

Dated at Geneseo, New York

December 9, 1998

Tax Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-448. DIRECTING THE REAL PROPERTY TAX DIRECTOR TO SPREAD UNPAID WATER CHARGES ON 1999 TOWNS OF AVON, CALEDONIA, GENESEO, GROVELAND, LEICESTER, LIMA, LIVONIA, MT. MORRIS AND SPRINGWATER TAX ROLLS

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

WHEREAS, the Town Supervisors of Avon, Caledonia, Geneseo, Groveland, Leicester, Lima, Livonia, Mt. Morris and Springwater, pursuant to Section 198 of the Town Law, have reported to this Board a statement of unpaid water charges in the Avon, Caledonia, Geneseo, Groveland, Leicester, Lima, Livonia, Mt. Morris and Springwater Water Districts, and

WHEREAS, such statements of unpaid charges are on file with the Clerk of this Board, now, therefore, be it

RESOLVED, that pursuant to Section 198 of the Town Law, the Real Property Tax Director be, and he hereby is, authorized and directed to levy the sum stated in said statements against property liable, and state the amounts of the tax in a separate column in the 1999 Towns of Avon, Caledonia, Geneseo, Groveland, Leicester, Lima, Livonia, Mt. Morris and Springwater tax roll under the name of "Water Rents".

Dated at Geneseo, New York

December 9, 1998

Tax Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

RESOLUTION NO. 98-449. AUTHORIZING CONVEYANCE OF COUNTY PROPERTIES ACQUIRED BY TAX DEEDS

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

WHEREAS, the County of Livingston has acquired title by tax deed to the following parcels of land, and

WHEREAS, the Livingston County Board of Supervisors' Tax Committee has auctioned said parcels, it is

hereby

RESOLVED, that the following conveyances be approved:

Tax Map No. 138.-2-69	Town of Springwater
Formerly owned by and/or assessed to:	Arshad Hussain
Conveyed to: Bruce R. Leibenguth	Amt. \$1,100.00
Tax Map No.101.-1-109.1	Town of Conesus
Formerly owned by and/or assessed to:	Rebecca Schreiner
Conveyed to: Sandra M. Reifenstein	Amt. \$100.00
Tax Map No. 186.-2-9	Town of West Sparta
Formerly owned by and/or assessed to:	Mrs. Herbert E. Wabnitz
Conveyed to: Robert G. Gray	Amt. \$1,550.00

and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute the quit-claim deed of conveyances and any and all related documents prepared by the County Attorney to complete the aforesaid conveyances.

Dated at Geneseo, New York

December 9, 1998

Tax Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

PUBLIC HEARING

The Chairman asked if anyone wished to speak regarding the following Public Hearings:

- 1) Local Law No. 8 1998 - A Local Law Amending Local Law No. 2 1998 Increasing the Maximum Income Eligibility for Tax Exemption from Real Property Taxes to Persons with Disabilities who have Limited Income
- 2) Local Law No. H 1998 - County of Livingston Providing Salaries for Certain County Officers for the Year 1999
- 3) Increasing Maximum Income Eligibility for Tax Exemption Pursuant to Section 467 of the Real Property Tax Law
- 4) The Proposed Renewal and Modification of Agricultural District #1

No one wished to speak.

The Chairman declared the public hearings closed.

Mr. Layland moved and Mr. Moore seconded to call Local Law No. G 1998 to the table. Carried.

ADOPTION OF LOCAL LAW NO. G 1998

LOCAL LAW NO. 8(G) - 1998

A LOCAL LAW AMENDING LOCAL LAW NO. 2 1998 - INCREASING THE MAXIMUM INCOME ELIGIBILITY FOR TAX EXEMPTION FROM REAL PROPERTY TAXES TO PERSONS WITH DISABILITIES WHO HAVE LIMITED INCOME

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

Section 1.

Section 3 of Local Law No. 2 - 1998 entitled AA Local Law Providing a Partial Exemption From Real Property Taxes to Persons with Disabilities Who Have Limited Income is amended to read as follows:

Section 3.

To be eligible for the exemption authorized by Real Property Tax Law §459-c and implemented by this Local Law, the maximum income of such person shall not exceed \$13,000.00. Any such person having a higher income shall be eligible for an exemption in accordance with the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE ASSESSED</u>
<u>VALUATION EXEMPT FROM TAXATION</u>	
More than \$13,000.00 but less than \$14,000.00	45 per centum
\$14,000.00 or more but less than \$15,000.00	40 per centum
\$15,000.00 or more but less than \$16,000.00	35 per centum
\$16,000.00 or more but less than \$16,900.00	30 per centum
\$16,900.00 or more but less than \$17,800.00	25 per centum
\$17,800.00 or more but less than \$18,700.00	20 per centum
\$18,700.00 or more but less than \$19,600.00	15 per centum
\$19,600.00 or more but less than \$20,500.00	10 per centum
\$20,500.00 or more but less than \$21,400.00	5 per centum

Section 2.

This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.

Dated at Geneseo, New York

November 18, 1998 (Introduced)

December 9, 1998

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146 and Essler, 94 Total 240; Adopted.

Mr. David moved and Mr. Merrick seconded to call Local Law No. H 1998 to the table. Carried.

ADOPTION OF LOCAL LAW NO. H 1998

LOCAL LAW NO. H - 1998 - COUNTY OF LIVINGSTON PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 1999

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

Section 1. Effective as hereinafter provided, the annual salary for each of the two Commissioners of Elections shall be increased by \$1,550.00.

Section 2. Effective as hereinafter provided, the annual salary of the Commissioner of Social Services shall be increased by \$2,575.00.

Section 3. Effective as hereinafter provided, the annual salary of the Director of Real Property Tax Services shall be increased by \$1,925.00.

Section 4. Effective as hereinafter provided, the annual salary of the County Treasurer shall be increased by \$2,100.00.

Section 5. Effective as hereinafter provided, the annual salary of the Director of Personnel shall be increased by \$2,125.00.

Section 6. Effective as hereinafter provided, the annual salary of the County Attorney shall be increased by \$3,525.00.

Section 7. Effective as hereinafter provided, the annual salary of the County Auditor shall be increased by \$1,775.00.

Section 8. Effective as hereinafter provided, the annual salary of the Public Defender shall be increased by \$1,250.00.

Section 9. Effective as hereinafter provided, the annual salary of the County Highway Superintendent shall be increased by \$2,125.00.

Section 10. All salaries set forth herein shall be effective as of January 1, 1999.

Section 11. This Local Law shall take effect on the date of filing in the Office of the Secretary of State of the State of New York.

Section 12. This Local Law is subject to permissive referendum.

Dated at Geneseo, New York

November 18, 1998 (Introduced)

December 9, 1998

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146 and Essler, 94 Total 240; Adopted. Mr. Moore moved and Mr. Kramer seconded to call Res. No. 98-411 to the table. Carried.

RESOLUTION NO. 98-411. INCREASING MAXIMUM INCOME ELIGIBILITY FOR TAX EXEMPTION PURSUANT TO SECTION 467 OF THE REAL PROPERTY TAX LAW

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

WHEREAS, the County of Livingston, by Res. No. 97-369 set \$12,500.00 as the maximum income eligibility for tax exemption under section 467 of the Real Property Tax Law and by resolution 94-339 adopted the income eligibility sliding scale set forth under section 467(b)(1) and (b)(2) of the Real Property Tax Law for incomes above the maximum income eligibility; now therefore be it

RESOLVED, that the amount of income to determine eligibility for tax exemption under section 467 of the Real Property Tax Law is increased to \$13,000.00 and it is further

RESOLVED, that the income eligibility sliding scale set forth under section 467 (b)(1), (b)(2), and (b)(3) of the Real Property Tax Law shall continue for property owners exceeding the \$13,000.00 income eligibility level, and it is further

RESOLVED, that this increase shall be effective with the 1999 assessment roll.

Dated at Geneseo, New York

November 18, 1998 (Introduced)

December 9, 1998

Tax Committee

The roll was called as follows: Ayes - 1,574; Noes - 0; Absent - Olverd, 146; Essler, 94 Total 240; Adopted.

OTHER BUSINESS

There was no further business to come before the Board.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Merrick to adjourn until Wednesday, December 23, 1998 at 1:30 p.m. Carried.

The Board adjourned at 3:57 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, DECEMBER 23, 1998
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Mr. Davis.

The Pledge of Allegiance.

MINUTES

Minutes of 12/9/98 Regular Board Meeting were approved.

COMMUNICATIONS

1. Notice of Petition and Verified Petition in the matter of Regional Action Group for the Environment, Inc. versus Livingston County - County Highway Department Facility
2. Distribution of 1997 Supervisors= Proceedings
3. Letter of appreciation from Sheriff York for allowing sick time to be transferred to Corporal McFadden during his time of need
4. Resignation of Robert Wallace, Geneseo SNF Nursing Home Administrator

RESOLUTION NO. 98-450. APPROVING ABSTRACT OF CLAIMS #12B - DECEMBER 23, 1998

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #12B dated December 23, 1998 in the total amount of \$2,570,673.52.

Dated at Geneseo, New York

December 23, 1998

Finance Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

PRIVILEGE OF THE FLOOR

There was no privilege of the Floor.

EXECUTIVE SESSION

Motion made by Mr. Layland and seconded by Mr. Essler that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing the financial history of particular persons, and that Dennis R. House act as Chairman and Virginia O. Amico act as Secretary of the Committee of the Whole and County Administrator Dominic F. Mazza remain present. Carried.

The Board reconvened in regular session. The following report was presented.

REPORT OF THE COMMITTEE OF THE WHOLE

The Board of Supervisors having met in Executive Session for the purpose of discussing the financial history of particular persons hereby reports as follows:

1. No action taken.

Dated December 23, 1998
 Dennis R. House, Chairman
 Virginia O. Amico, Secretary

Motion made by Mr. Layland and seconded by Mr. Moore that the Report of the Committee of the Whole be accepted. Carried.

UNFINISHED BUSINESS

RESOLUTION NO. 98-440. APPROVING 1999 LIVINGSTON COUNTY DEPARTMENT HEAD SALARY SCHEDULE

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

RESOLVED, the attached 1999 Livingston County Department Head Salary Schedule is hereby approved effective January 1, 1999.

DEPARTMENT HEAD SALARY SCHEDULE - 1999

Board of Supervisors (A1010)

	<u>1999</u>	<u>1998</u>
1. Chairman of the Board P/T	23,300.	1@ 24,500.
2. Vice Chairman of the Board P/T		1@ 12,500.
3. Members of the Board P/T - (15)	159,600. @ 9,975.	157,500. 15@ 10,500.
4. Lisa Grosse, Administrative Asst. (A1345)	35,950.	37,600.
5. Virginia Amico, Clerk of the Board (A1010)	35,950.	37,600.
Dominic Mazza, County Administrator (A1230)	84,000.	87,500.*
6. Michele Rees, Confidential Secretary to the Co. Admin. /County Attorney (A1230)	27,000.	28,425.
7. Terrence Donegan, County Auditor (A1320)	40,725.	42,500.
8. Katherine Montemarano, Records Inventory Supervisor (A1665)	27,450.	28,900.

District Attorney (A1165)

Thomas Moran, District Attorney	99,000.	99,000.**
9. Kyle Mackay, Assistant P/T (STOP DWI A3112)	23,250.	23,950.
10. Kenneth L. Bennett, Assistant (full-time)	45,000.	46,875.
11. Victor Rowcliffe, Assistant (full-time)(A1166)	37,000.	38,675.
12. Jennifer Sommers, Assistant (full-time)	40,000.	41,750.
13. Robert Wiggins, Assistant P/T	23,250.	23,950.

14.	Geraldine Ehrmentraut, Secretary to the D A	28,350.	29,825.
15.	Richard Corrigan, Victim/Witness Assistant Coordinator	26,875.	28,300.

Probation Department (A3140)

16.	Barbara A. Campbell, Probation Director II	53,100.	55,200.

Public Defender (A1170)

17.	John Putney, Public Defender (P/T)	41,100.	42,350.
18.	James McCann, First Asst. Public Defender (P/T)	21,325.	21,975.
19.	John M. Lockhart, III, Asst. Public Defender (P/T)	18,500.	19,075.
20.	William J. Kelley, Assistant Public Defender (P/T)	19,000.	19,575.
21.	Vacant, Confidential Secretary		
22.	Kelly Donohue, Assistant Public Defender (P/T)	19,675.	20,275.
23.	Jeffrey Mallaber, Assistant Public Defender(P/T)(12/1/98)	18,500.	18,825.***
24.	Stephen Kruk, Assistant Public Defender (P/T)	16,000.	16,500.

County Treasurer (A1325)

25.	Arlene Johnston, Treasurer	53,625.	55,725.
26.	Carolyn Taylor, Deputy Treasurer	39,025.	40,750.

County Clerk (A1410)

27.	James A. Culbertson, County Clerk	50,050	1999	52,075.
		2000		(4% per year)
		2001		56,350.
			2002	58,625
28.	Mary F. Strickland, Deputy County Clerk	39,025.		40,750.

County Attorney (A1420)

29.	David Morris, County Attorney P/T	45,925.	49,450.****
30.	Dennis Cohen, Assistant P/T	40,100.	41,325.

Personnel Department (A1430)

31. Tish E. Lynn, Personnel Officer	54,575.	56,700.

Assessment Department (A1355)

32. Richard J. Sheflin, Director	46,350.	48,275.

County Historian (A7510)

33. Mary P. Schaap, County Historian (4/5)		27,975.
Amy Alden, Deputy County Historian P/T(2/18/97)	8.11 hr.	8.35 hr.

Planning Department (A8020)

34. David O. Woods, Planning Director	50,325.	52,350.

Board of Elections(A1450)

35. Susan Guenther, Commissioner	32,025.	33,575.
36. Gerald L. Smith, Commissioner	32,025.	33,575.
37. Nancy Leven, Deputy Commissioner	27,900.	29,350.
38. Laura Schoonover, Deputy Commissioner	27,900.	29,350.

Emergency Management Services (A3640)

39. Kevin Niedermaier, Emergency Management Services Director	38,475.	40,200.

Sealer of Weights and Measures (A6610)

40. Michael Cloonan, Director	32,000.	33,550.

Mental Health Department (A4310)

41. Mark Brown, Director	64,375.	66,750.

Public Health Department

, Director of Family Planning (A4035)

42. Ralph Van Houten, Director of Environmental Health (A4010)	48,100.	50,075.
43. Cheryl Pletcher, Director of Patient Services	41,500.	43,300.

44.	Mary M. Stallone, Director of Patient Services (A4010)	47,250.	49,200.
45.	Roxanne Clark, Dog Control Officer (A3510)	30,550.	32,075.
46.	Catherine Whitney, E.M.S. Coordinator (A4013)	30,800.	32,325.
47.	James J. Peraino, Financial Manager (A4010)	39,200.	40,950.
48.	Vacant, Financial Supervisor (8/31/98)		
	Roberta MacLean, HOSPICE Volunteer Coordinator P/T (A4083)	13.31 hr.	13.71 hr.
49.	Joan H. Ellison, Public Health Director (A4010)	65,000.	67,375.
	, WIC Program Coordinator (A4082)		
	, Hospice Administrator P/T (A4083)		
50.	Karen Hanglow, Health Care Services Coordinator(9/15/97)	35,600.	37,250.
	Nadine Hunter, Physician P/T(11/17/97)	45.00 hr.	46.35 hr.

Economic Development Department (A6989)

51.	Patrick Rountree, Economic Developer	57,950.	60,150.
52.	Aaron B. Gagne, Deputy Economic Developer (6/1/98)	43,000.	44,075.

Department of Social Services (A6010)

53.	W. Michael Woodhouse, Commissioner	72,850.	75,425.
54.	Diane M. Deane, Dir. of Administrative Services	42,525.	44,350.
55.	Vacant, Employment Coordinator (JOBS FIRST)		
56.	Sharon Tinelli, Head Social Welfare Examiner	43,750.	45,600.
57.	Evelyn Vacca, Secretary to the Commissioner	28,350.	29,825.
58.	John T. Sylvester, Social Services Attorney	66,050.	70,525.*****
	, Social Services Attorney Part Time		

Skilled Nursing Facility (N6120)

59.	Robert Wallace, Nursing Home Administrator (12/8/97)	48,000.	49,950.
60.	Joseph D'Imperio, Bldg. Maintenance Supervisor	40,175.	41,950.
61.	Cynthia Kandrotas, Director of Nursing (8/10/98)	45,000.	45,750.

Campus Skilled Nursing Facility (R6120)

62.	Franklin Bassett, Nursing Home Administrator (9/22/97)	63,175.	65,525.

*****1998 Salary adjusted to \$68,050 before 2 1/2% +750 applied.

63.	Eileen Farlow, Dir. of Nursing Services	48,300.	50,275.
64.	Lizabeth DeWispelaere, Assistant Director of Nursing(9/14/98)	42,000.	42,550.

Sheriff's Department (A3110)

65.	John York, Sheriff	1998	63,598.
		1999	65,000.
		2000	65,000.
		2001	65,000.
	John York, Stop DWI Coordinator	1998	5,000.
		1999	5,000.
		2000	5,000.
		2001	5,000.
66.	Daniel P. Maloney, Undersheriff	53,350.	55,450.

County Highway Department (D5010)

67.	Donald N. Higgins, Superintendent (2/12/97)	54,575.	56,700.
68.	Dennis Barefoot , Deputy Superintendent(6/30/97)	45,175.	47,075.
69.	Elaine Turner, Highway Administrative Manager (10/5/98)	34,000.	34,400.

Employment and Training (J6290)

70.	Gloria Brand, Employment and Training Director III/ Youth Bureau Director	47,000.	48,925.

Central Services

71.	David Allen, Supervisor of Buildings and Grounds (A1620)	43,025.	44,850.72.
	Laird Simons, Building and Grounds Working Foreman(A1610)	40,175.	41,950.

Health Care Facilities(R6120)

73.	Gregory Miller, Shared Services Coordinator (9/22/97)	54,575.	56,700.
74.	Peter Carter, Senior Fiscal Manager	51,375.	53,425.

Data Processing Department (A1680)

75.	Dale Nieswiadomy, Director , Systems Programmer	56,975.	59,150.

Office for the Aging

	<u>1998</u>	<u>Adjusted</u>	<u>1999</u>
76. Anne DeMarte, Aging Services Caseworker (A6779) (9/10/97)	20,300.	26,625.	28,050.*
77. Keith Stratton, Case Manager (A6780)	25,875.	33,425.	35,075.*
78. Kaaren Smith, Director (A6773)	43,350.	45,200.	
79. Edyth Philipson, Financial Supervisor (A6774)	28,050.	32,500.	34,075.*
80. Brigid Cotton, Foster Grandparent Program Director (A6781)	24,275.	30,175.	31,700.*
81. Kathleen VanWagnen, Nutrition Program/HEAP Coord. (A6774)	27,325.	35,575.	37,225.*

Public Works Department (A8037)

82. Catherine Muscarella, Public Works Director	49,725.	51,725.

TRAFFIC SAFETY BOARD

83. Patricia Niedermaier, Executive Secretary	4,510.	4,650.

* Office for the Aging personnel came to the County from the Coalition of Churches in 1994. We did not adjust their salaries at that time and they are well overdue for such an adjustment as they presently do not compare with other County employees doing similar jobs. It is anticipated that we will discuss the department head salary schedule in executive session on December 9.

DEPARTMENT HEAD SALARY SCHEDULE - SUPPLEMENT**Seasonal Employees**

	<u>1998</u>	<u>1999</u>
(A) Summer Laborer, Highway Dept.(4 month max.)		
Summer Laborer	7.00 hr.	7.21 hr.
(B) Seasonal, Highway Dept. (6 month max.)		
Summer Laborer	8.00 hr.	8.24 hr.
Seasonal Skilled Worker	8.75 hr.	9.01 hr.
Seasonal Motor Equipment Operator	9.00 hr.	9.27 hr.
8 All other Departments		
Seasonal Laborer	5.15 hr.	5.30 hr.
Seasonal Laborer, Experienced	5.65 hr.	5.82 hr.

Part-Time Nursing Positions - HRF & SNF

(A.) Part-time staff working a 20 hour week with no benefits:

Pay a per diem rate of:	<u>1998</u>	<u>1999</u>
Charge RN	19.28 hr.	19.86 hr.

RN	18.05 hr.	18.59 hr.
Charge LPN	16.83 hr.	17.33 hr.
LPN	15.61 hr.	16.08 hr.
Personal Care Assistant	6.06 hr.	6.24 hr.
Pharmacist \$26.00-\$30.00 per hour		

OR

(B) Part-time staff working a 20 hour week with individual health benefits subject to CSEA employee contribution, with the right to purchase family coverage.

Pay a per diem rate of:	<u>1998</u>	<u>1999</u>
Charge RN	16.83 hr.	17.33 hr.
RN	15.61 hr.	16.08 hr.
Charge LPN	14.39 hr.	14.82 hr.
LPN	13.22 hr.	13.62 hr.

Part-Time Office for the Aging Positions

Increase the 1998 rate of pay for each part-time Office for the Aging employee by 3.0% to become effective January 1, 1999.

Dated at Geneseo, New York

December 23, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,564; Noes - Avery, 71; Moore, 72; Kramer, 78 Total 221; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-451. DETERMINING NO SIGNIFICANT ENVIRONMENTAL IMPACT FOR APPROVAL OF RENEWED AND MODIFIED AGRICULTURAL DISTRICT #1.

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

WHEREAS, the Department of Agriculture & Markets, as lead agency for Agricultural Districts program, has conducted a programmatic review of the environmental effects of agricultural districting and has concluded that there is little likelihood of significant adverse impacts resulting from the formation or modification of such districts; and

WHEREAS, no unique circumstances exist in Livingston County which would increase the likelihood of adverse environmental impacts from the renewal and modification of Agricultural District #1; and

WHEREAS, the NYS Department of Agriculture & Markets and the Livingston County Board of Supervisors are the only agencies required to undertake actions in this case; now therefore be it

RESOLVED, that the Livingston County Board of Supervisors does hereby find the renewal and modification of Agricultural District #1 to be an unlisted action pursuant to the State Environmental Quality Review Act; and be it further

RESOLVED, that the renewal and modification of Agricultural District #1 will not have a significant effect on the environment and therefore a Draft Environmental Impact Statement will not be prepared.

Dated at Geneseo, New York

December 23, 1998

Agriculture Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-452. APPROVING RENEWAL AND MODIFICATION OF

AGRICULTURAL DISTRICT #1

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

WHEREAS, the eight-year anniversary of Agricultural District #1 was February 1, 1997; and

WHEREAS, the Livingston County Agricultural & Farmland Protection Board reviewed and recommended approving the renewal and modification of District #1 at its meeting on November 19, 1998; and

WHEREAS, the Livingston County Planning Board reviewed and recommended approval of the renewal and modification of District #1 at its meeting on November 12, 1998; and

WHEREAS, the Livingston County Board of Supervisors held a public hearing on Agricultural District #1 on December 9, 1998; and

WHEREAS, the Livingston County Board of Supervisors has determined pursuant to the State Environmental Quality Review Act, that the proposed modification and renewal of Agricultural District #1 will not have a significant impact on the environment; now therefore be it

RESOLVED, that the Board of Supervisors hereby makes the findings contained in the Renewal and Modification Plan for Agricultural District #1 dated December 23, 1998; and be it further

RESOLVED, that the proposed modification and renewal of Livingston County Agricultural District #1 is hereby approved and a copy of the proposed plan will be forwarded to the Commissioner of Agriculture and Markets.

Dated at Geneseo, New York

December 23, 1998

Agriculture Committee

David Woods, Planning Director, explained that just prior to the Board meeting, Corrin Strong notified the Planning Department that the map of the Ag. District was incorrect. The map showed only a portion of his parcel included in the District. The Board agreed to delay this resolution until the end of the meeting to provide the County Attorney time to review this matter.

RESOLUTION NO. 98-453. AUTHORIZING TRANSFER OF FUNDS - VARIOUS (BOARD OF ELECTIONS, CENTRAL SERVICES, COMPENSATION, COUNTY CLERK, DATA PROCESSING, EMP. & TRNG., EMS 911, GENERAL FUND, HANDICAPPED CHILDREN, HEALTH RELATED FACILITY, HIGHWAY, MENTAL HEALTH, OFA, PUBLIC HEALTH, RECORDS MANAGEMENT, SEWER, SHERIFF, SKILLED NURSING FACILITY, SOCIAL SERVICES, TAX ADVERTISING, WEIGHTS & MEASURES)

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

RESOLVED, that the County Treasurer be and she hereby is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the County Administrator.

Dated at Geneseo, New York

December 23, 1998

Finance Committee

The County Administrator stated that all transfers are internal except for the transfer of \$300,000 out of the General Fund to cover the balance of the cost for the Public Safety Communication Upgrade.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-454. DECLARING SURPLUS PROPERTY - SEWER DISTRICT, BOARD OF SUPERVISORS

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

WHEREAS, the County of Livingston owns certain items of personal property no longer necessary for public use, and

WHEREAS, such items of personal property owned by the County and no longer necessary for public

use shall be declared to be "surplus property", it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following various items surplus property to be disposed of as determined by the County Administrator:

SEWER DISTRICT

26 Zenith Transfer Switches - single phase and three phase

BOARD OF SUPERVISORS

IBM Wheelwriter II #000110225600 typewriter

Dated at Geneseo, New York

December 23, 1998

Finance Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-455. PROVIDING FOR PUBLIC HEARING FOR SMALL CITIES GRANT PROGRAM

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

RESOLVED, that the Livingston County Board of Supervisors hereby authorizes the County Administrator to schedule two public hearings to discuss the Small Cities Program for January 7, 1999 and January 27, 1999 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York, and at least six (6) days notice thereof be given by posting on the bulletin board of the Government Center in this County, 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

December 23, 1998

Finance Committee

The County Administrator explained that the County is eligible to apply for \$400,000 through the Small Cities Grant Program and the public hearings are scheduled to hear ideas from the public and the Board as to what projects should be considered.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-456. AWARDING BID & AUTHORIZING PURCHASE OF ONE (1) NEW, UNUSED ARTICULATING, HYDRAULIC AERIAL BUCKET TRUCK FOR THE HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for one (1) new Hydraulic Aerial Bucket Truck were opened on December 15, 1998 in Room 303A of the Livingston County Government Center, and

WHEREAS, one (1) bid was received; and the bid of Utility Leasing Corporation of Syracuse, N.Y. in the total amount of \$85,833.00 for one (1) new 1998 Versalift VO-255-I mounted on an unused 1997 GMC C-7 Cab & Chassis, was the lowest bid which meets all bid specifications dated December 3, 1998, now, therefore be it

RESOLVED, that said bid be accepted, and the Superintendent of Highways be, and he hereby is, authorized to purchase said Hydraulic Aerial Bucket Truck for said price, contingent upon Utility Leasing Corporation signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

December 23, 1998

Highway Committee

Donald Higgins, County Highway Superintendent, explained that this piece of equipment is needed for bridge work and will be purchased through the equipment bond.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-457. AWARDING BID AND AUTHORIZING PURCHASE OF ONE (1) NEW, UNUSED FOUR-WHEEL-DRIVE LOADER/BACKHOE FOR THE HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for one (1) new Four-Wheel-Drive Loader/Backhoe were opened on December 15, 1998 in Room 303B of the Livingston County Government Center, and

WHEREAS, the bid of Syracuse Supply Company of Rochester, N.Y. in the total amount of \$80,500.00 for one (1) new 1999 Caterpillar 426CIT Loader/Backhoe was the lowest of two (2) bids received, and said bid meets all bid specifications dated December 2, 1998, now, therefore be it

RESOLVED, that said bid be accepted, and the Superintendent of Highways be, and he hereby is, authorized to purchase said Loader/Backhoe for said price, contingent upon Syracuse Supply Company signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator. Dated at Geneseo, New York

December 23, 1998

Highway Committee

Donald Higgins, County Highway Superintendent, explained that this piece of equipment will be very useful on many different projects and will also be purchased through the equipment bond.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-458. AWARDING BIDS AND AUTHORIZING PURCHASE OF MATERIALS (AGGREGATES) FOR THE HIGHWAY DEPARTMENT FOR THE CALENDAR YEAR 1999

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

WHEREAS, after due advertisement, bids for materials (aggregates) were opened on December 1, 1998 by the Highway Department, and

WHEREAS, the Bid Specifications, Bid Submissions, Bid Tabulations and Bid Award Package are all on file at the office of the Livingston County Highway Department, and

WHEREAS, authorization to purchase materials is contingent upon execution of an approved County Service Contract with each vendor, now, therefore be it

RESOLVED, that the Livingston County Superintendent of Highways be, and he hereby is, authorized and empowered to purchase highway materials from the bidders per bid specifications during the calendar year 1999.

Dated at Geneseo, New York

December 23, 1998

Highway Committee

Chairman House stated that the Towns have the opportunity to use these bid prices.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-459. AUTHORIZING LIVINGSTON COUNTY, JOINTLY WITH WYOMING COUNTY, TO PARTICIPATE IN AND SHARE THE NON-FEDERAL COSTS OF A PROJECT FOR THE REHABILITATION OF WHISKEY BRIDGE OVER THE GENESEE RIVER

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

WHEREAS, Whiskey Bridge (BIN 3319860) over the Genesee River in the Towns of Portage and Genesee Falls is jointly owned by Livingston County and Wyoming County, and

WHEREAS, said Counties have historically shared equally in the costs of reconstructing, repairing and maintaining said bridge, and

WHEREAS, a project for Rehabilitation of Whiskey Bridge (P.I.N. 4752.58) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, N.Y.S. "Marchiselli" Program Funds may become available to supplement up to 75% of the non-Federal share, and

WHEREAS, the preliminary estimated total cost of said project, for all phases, is \$600,000, and

WHEREAS, the Wyoming County Board of Supervisors, by Resolution No. 98-244 (10/10/98) has committed to, and approved participation in said Project, and

WHEREAS, Wyoming County is willing to act as lead agency in the administration of all phases of said Rehabilitation project, including: Design, Engineering, Construction, Construction Inspection and Construction Supervision, now therefore be it

RESOLVED, that Livingston County hereby agrees to participate in said Project jointly with Wyoming County; and agrees to equally share in, and reimburse Wyoming County for, the costs of the non-Federal portion of said project, which, based on preliminary project cost estimates, commits Livingston County up to approximately \$60,000 total, and be it further

RESOLVED, that Livingston County hereby agrees that Wyoming County may act as its agent to administer the tasks and phases of said Project, but that Livingston County reserves the right to be included in the discussion and review of all phases.

Dated at Geneseo, New York

December 23, 1998

Highway Committee

Donald Higgins, County Highway Superintendent, explained the County's share of this project is \$60,000; however, with NYS Marchiselli funding, the County's share could be as low as \$7,500.00.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-460. ADOPTING 1999 OFFICIAL LIST OF COUNTY OFFICIALS REQUIRED TO FILE AN ANNUAL STATEMENT OF FINANCIAL DISCLOSURE UNDER SECTION 2F OF LOCAL LAW NO. 4 OF THE YEAR 1990

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

WHEREAS, the Ethics Board of Livingston County has recommended to the Chairman of the Board of Supervisors the 1999 Official List of County Officials required to file an annual statement of financial disclosure, it is hereby

RESOLVED, that the Livingston County Board of Supervisors adopts the attached list which constitutes the 1999 Official List of County Officials required to file an annual statement of financial disclosure pursuant to the provisions of the Local Law No. 4 of the year 1990.

APPENDIX 2

**1999 OFFICIAL LIST OF COUNTY OFFICIALS REQUIRED TO FILE
ANNUAL DISCLOSURE UNDER SECTION 2(f) OF LOCAL LAW #4 - 1990**

BOARD OF ELECTIONS

Susan N. Guenther, Election Commissioner
Gerald L. Smith, Election Commissioner
Laura M. Schoonover, Deputy Commissioner
Nancy L. Leven, Deputy Commissioner

BOARD OF SUPERVISORS

Joseph A. Daley
James Layland
Donna L. Avery

Harold Stewart
 James C. Merrick
 Gary D. Moore
 Lance H. Bassage
 Timothy R. Wahl
 James F. Olverd
 Gerald R. Derrenbacher
 Richard J. Essler
 Emery Jaeger
 Ivan C. Davis
 Leopold Marks
 Howard Kramer
 Marjorie Cansdale
 Dennis R. House
 Virginia Amico, Clerk of the Board

CAMPUS SKILLED NURSING FACILITY

Franklin Bassett, Senior Administrator
 Greg Miller, Shared Services Coordinator
 Peter Carter, Senior Fiscal Manager
 Eileen Farlow, Director of Nursing Services
 Cheryl Beach, Housekeeper
 Debra Sanford, Leisure Time Activities Director
 Kaye Meehan, Senior Social Work Assistant
 Gail A. Sparling, R.N. Coordinator Adult Day Health Care
 Anthony Jarzyna, Occupational Therapist
 Sue DeGroff, Pharmacist
 Marc Negrotto, Physical Therapist

CENTRAL SERVICES

David Allen, Supervisors, Buildings & Grounds
 Laird Simons, Working Foreman

COMMUNITY SERVICES

Mark Brown, Community Services Director, Counseling Services Director
 Dr. Nadene Hunter, Chairperson of Community Services Board

CONESUS LAKE COUNTY SEWER DISTRICT

Catherine Muscarella, Director of Public Works
 Joseph Kornbau, Sr. Plant Operator

COUNTY ADMINISTRATOR

Dominic F. Mazza, County Administrator
 Lisa M. Grosse, Administrative Assistant
 Michele Rees, Confidential Secretary
 Katherine Montemarano, Records Inventory Supervisor

COUNTY ATTORNEY

David Morris, County Attorney
 Dennis Cohen, Assistant County Attorney

COUNTY AUDITOR

Terrence P. Donegan, County Auditor

COUNTY CLERK

James Culbertson, County Clerk

COUNTY TREASURER	Mary Strickland, Deputy County Clerk
	Arlene K. Johnston, County Treasurer
	Carolyn Taylor, Deputy County Treasurer
DATA PROCESSING	
DISTRICT ATTORNEY	Dale Nieswiadomy, Director
	Thomas E. Moran, District Attorney
	Kenneth Bennett, Assistant
	Jennifer M. Sommers, Assistant
	Robert Wiggins, Assistant
	Victor D. Rowcliffe, Assistant
	Kyle MacKay
ECONOMIC DEVELOPMENT	Patrick Rountree, Administrative Director
	Aaron B. Gagne, Deputy Director of Economic Development
	INDUSTRIAL DEVELOPMENT AGENCY MEMBERS
	Philip Brooks
	George Traber
	Susan Doerflinger
	Anthony Morrow
	Walt Isaac
	Richard J. Essler
EMERGENCY MANAGEMENT SERVICES	Kevin Niedermaier, Emergency Management Services Director
EMPLOYMENT & TRAINING & YOUTH BUREAU	
	Gloria A. Brand, Employment and Training Director III,
HIGHWAY	Donald N. Higgins, Superintendent of Highways
	Dennis J. Barefoot, Deputy Superintendent of Highways
	Elaine D. Sz. Turner, Administrative Highway Manager
HISTORIAN	Mary P. Schaap, County Historian
	Amie Alden, Deputy County Historian
LIVINGSTON COUNTY WATER AND SEWER AUTHORITY	Frank Riedman
	Dennis L. Witte
	Francis E. Kosakowski
	Norman G. Sparks
	Michael D. Kane
	Peter Kanouse
	Joseph Daley
	Catherine Muscarella, Coordinator/Secretary
OFFICE FOR THE AGING	Kaaren Smith, Director
	Kathy VanWagnen, Director, Senior Nutrition Program
	Brigid Cotton, Director, Foster Grandparent Program

PERSONNEL

Edie Philipson, Finance Manager

Tish E. Lynn, Personnel Officer

Lauraine M. Beach, Personnel Assistant

PLANNING

David Woods, Planning Director

Angela Ellis, Planner

Donald Huff, Energy Programs Supervisor

Ruth Swift, Housing Programs Coordinator

COUNTY PLANNING BOARD

Barry Ingalsbe, Chairman

Jeff Carone, Vice Chairman

AGRICULTURE & FARMLAND PROTECTION BOARD

Jon White, Chairperson

Dick Anderson, Vice Chairman

ENVIRONMENTAL MANAGEMENT COUNCIL

Susan Walker, Chairman

Jean O'Connor, Vice Chairman

COMMUNITY INITIATIVES COUNCIL

Debbie Terry, Chairperson

Marcea Clark, Vice Chairperson

PROBATION

Barbara Campbell, Probation Director II

Karen Weidman, Probation Supervisor

PUBLIC DEFENDER

John Putney, Public Defender

James McCann

Kelly Donohue

John Lockhart III

William Kelley

Jeffrey T. Mallaber

PUBLIC HEALTH

Joan H. Ellison, Public Health Director

Mary Margaret Stallone, Director of Patient Services

Ralph VanHouten, Director, Environmental Health

Nadene Hunter, MD, Medical Consultant

Catherine Whitney, EMS Coordinator

James Peraino, Fiscal Manager

Roxanne Clark, Dog Control Officer

Cheryl Pletcher, Hospice Administrator

Karen Hanglow, Health Care Services Coordinator

BOARD OF HEALTH

Gregory Liptak, M.D., President

Anne McCarthy, Vice President
 Carol Carey, Secretary
 Robert Hayes, M.D.
 David Breen, M.D.
 Evelyn Roberts
 Lance H. Bassage
 Nadene D. Hunter, M.D., Medical Director

REAL PROPERTY TAX

Richard J. Sheflin, Director

SHERIFF

John M. York, Sheriff
 Daniel P. Maloney, Undersheriff
 Clark M. Young Jr., Major
 Joseph Rychlicki, Major
 James Rose, Major

SKILLED NURSING FACILITY

Robert Wallace, Administrator
 Cindy Kandrotas, Director of Nursing Services
 Joe D'Imperio, Building Maintenance Supervisor
 Kathy Baumgardner, Leisure Time Activities Director
 Richard Baumgardner, Physical Therapist
 Dorothy McClurg, Senior Cleaner
 Tricia Ruliffson, Occupational Therapist

SOCIAL SERVICES

W. Michael Woodhouse, Commissioner of Social Services
 John Sylvester, Social Services Attorney
 Michael Allen, Assistant Social Services Attorney
 Diane Deane, Director of Administrative Services
 Sandy Wright, Director of Services
 Sharon Tinelli, Head Social Welfare Examiner
 James Brand, Staff Development Coordinator
 Paula Callaro, Case Supervisor
 Evelyn Vacca, Secretary to the Commissioner
 Dennis Meissel, Employment Coordinator

WEIGHTS & MEASURES

Michael Cloonan, Director of Weights & Measures
 Dennis R. House, Chairman
 Livingston County
 Board of Supervisors

Dated at Geneseo, New York
 December 23, 1998
 Legislative Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-461. AUTHORIZING CHAIRMAN TO SIGN AN AMENDED 1998-1999 WEATHERIZATION CONTRACT WITH THE NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL

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

WHEREAS, the New York State Division of Housing and Community Renewal has awarded Livingston County an additional \$25,918 of Weatherization Assistance Program grant funds; and

WHEREAS, the New York State Division of Housing and Community Renewal has extended the termination date of the 1998-1999 Weatherization contract to April 30, 1999; now therefore, be it

RESOLVED, that the Chairman be, and he hereby is, authorized to sign an amended 1998-1999 Weatherization contract with the New York State Division of Housing and Community Renewal. Contract on file in Clerk=s office.

Dated at Geneseo, New York

December 23, 1998

Legislative Committee

David Woods, Planning Director, explained that this is an extension of the current contract to accept the funding for eight more units.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-462. AUTHORIZING CONTRACTS WITH FINGER LAKES ASSOCIATION AND LIVINGSTON COUNTY SOIL & WATER CONSERVATION DISTRICT FOR TRANSFER OF NYSDEC FUNDING FOR FINGER LAKES/LAKE ONTARIO WATERSHED PROTECTION ALLIANCE - CLAWS X

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

WHEREAS, Livingston County, as one of the voting members of the Water Resources Board of the Finger Lakes Association, Inc., has been allocated NYS Department of Environmental Conservation (NYSDEC) funds for the Finger Lakes/Lake Ontario Watershed Protection Alliance; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors be, and he hereby is, authorized to sign a contract with the Finger Lakes Association to allow transfer of funding from the Finger Lakes Association for the Finger Lakes/Lake Ontario Watershed Protection Alliance program, after review by the County Administrator and the County Attorney; and to act as the official representative of Livingston County in connection with any and all contracts between Livingston County and the Finger Lakes Association; and be it further

RESOLVED, that a signed certified copy of this resolution be submitted to the Executive Director of the Finger Lakes Association along with said contract; and be it further

RESOLVED, that the Chairman be, and he hereby is, authorized to sign a contract with the Livingston County Soil & Water Conservation District, pursuant to said contract with the Finger Lakes Association, after review by the County Administrator and the County Attorney.

Contract on file in Clerk=s office.

Dated at Geneseo, New York

December 23, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-463. AUTHORIZING AMENDED CONTRACT WITH LIVINGSTON

COUNTY SOIL & WATER CONSERVATION DISTRICT - CLAWS VIII

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

WHEREAS, Board of Supervisors Resolution No. 96-333 authorized a contract with the Livingston County Soil & Water Conservation District (CLAWS VIII); and

WHEREAS, Board of Supervisors Resolution No. 98-90 authorized an amended contract with the Livingston County Soil & Water Conservation District (CLAWS VIII); and

WHEREAS, it is desirable that CLAWS VIII grant funds be used in support of the Conesus Lake Watershed Management Plan soils survey; now therefore be it

RESOLVED, that the Chairman be, and he hereby is, authorized to sign an amended contract with the Livingston County Soil & Water Conservation District after review by the County Administrator and the County Attorney.

Contract on file in Clerk=s office.

Dated at Geneseo, New York

December 23, 1998

Legislative Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-464. AUTHORIZING A CONTRACT WITH ONTARIO COUNTY FOR THE HOUSING OF PRISONERS

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

WHEREAS, the County of Livingston and the County of Ontario desire to enter into a cooperative agreement pursuant to General Municipal Law, section 119-o for the housing, from time to time, of Livingston County prisoners in the Ontario County Jail, and

WHEREAS, the two counties have negotiated such an agreement, a copy of which is available in the Office of the Clerk of the Board, it is hereby

RESOLVED, that the 1999 Agreement between the County of Livingston and the County of Ontario, is hereby approved and the Chairman of the Board of Supervisors is hereby authorized to execute said agreement on behalf of the County of Livingston, after review by the County Administrator and County Attorney.

Contract on file in Clerk=s office.

Dated at Geneseo, New York

December 23, 1998

Public Safety Committee

Mr. Moore stated that the cost is \$80.00 per day.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-465. AWARDING BID FOR COMMUNICATION SYSTEM UPGRADE - EQUIPMENT

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

WHEREAS, after proper legal advertisement for bids for the Communication System Upgrade - Equipment, two (2) bids were received, then opened on November 30, 1998, now, therefore, be it

RESOLVED, that the bid of Dataradio Corporation of 6160 Peachtree Dunwoody Road, Suite C 200, Atlanta, GA 30328, in an amount not to exceed Eight Hundred Twenty-Eight Thousand Two Hundred Dollars and Forty-Eight Cents (\$828,200.48), be and hereby is accepted as the lowest responsible bid, and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign said contract, subject to review by the County Attorney and County Administrator.

Contract on file in Clerk=s office.

Dated at Geneseo, New York

December 23, 1998

Public Safety Committee

The County Administrator stated that this is the final component for the communications system upgrade. The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-466. ADOPTING SALARIES OF THE EMPLOYEES OF THE COUNTY COVERED BY THE CIVIL SERVICE EMPLOYEES ASSOCIATION CONTRACT, THE LIVINGSTON COUNTY DEPUTY SHERIFFS' ASSOCIATION CONTRACT, AND THE NEW YORK STATE NURSES ASSOCIATION CONTRACT FOR THE YEAR 1999

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

1. RESOLVED, that the salaries of employees of the County covered by the Civil Service Employees Association contract, the Livingston County Deputy Sheriffs' Association contract and the New York State Nurses Association contract be, and they hereby are, fixed at the rates set forth in the schedule hereto annexed. Such salaries shall be effective January 1, 1999.
2. RESOLVED, that the contract between the County of Livingston and the Livingston County Civil Service Employees Association for the period January 1, 1999 through December 31, 2001, and the contract between the County of Livingston and the Livingston County Deputy Sheriffs' Association for the period January 1, 1996 through December 31, 1999 and the contract between the County of Livingston and the New York State Nurses Association for the period January 1, 1999 through December 31, 2000, be and they hereby are, attached hereto and made a part hereof to the effect that all of the provisions of the three contracts shall become a part of the 1999 Livingston County Salary Schedule, and be it further
3. RESOLVED, that the provisions of said contract between the County of Livingston and the Livingston County Civil Service Employees Association shall inure to the benefit of all Livingston County positions which are included in the Civil Service Employees Association organization, and be it further
4. RESOLVED, that the provisions of said contract between the County of Livingston and the Livingston County Deputy Sheriffs' Association shall inure to the benefit of all Livingston County Deputy Sheriffs' positions which are included in the Livingston County Deputy Sheriffs' Association organization, and be it further
5. RESOLVED, that the provisions of said contract between the County of Livingston and the New York State Nurses Association shall inure to the benefit of all positions in the Public Health Department which are included in the New York State Nurses Association organization, and be it further
6. RESOLVED, that the mileage rate of 32 24 per mile as authorized by Section 203 of the County Law shall be effective for the year 1999 and the mileage rate adjustments for the year 1999 will be governed by Resolution No. 98-082, and be it further
7. RESOLVED, that the members of the County Board of Health, who are not receiving County salaries, shall be paid at the rate of \$10.00 per day for time actually served in 1999 plus allowable mileage, upon audit of their claims by the County Auditor, and be it further
8. RESOLVED, that the members of the Community Services Board, who are not receiving County salaries, shall be reimbursed for mileage at 32 2 4 per mile and expenses are paid for meals according to the rates established in the Travel Policy effective March 1, 1998, upon audit of their claims by the County Auditor, and be it further
9. RESOLVED, that each Officer and Department Head shall keep a written record of all sick leave for himself and his subordinate officers and employees, showing the calendar days absent on sick leave, and be it further
10. RESOLVED, that effective January 1, 1999, the compensation for services of the four County coroners be fixed at \$75.00 per call, plus allowable mileage, and be it further
11. RESOLVED, that physical examinations for all Geneseo Skilled Nursing employees, Health Related Facility and Public Health Nurses, where required by law to have same, be provided at County expense,

and be it further

12. RESOLVED, that employees benefits, as granted in the Civil Service Employees Association contract to wit: retirement, sick leave, bereavement leave, holiday and personal leave, shall be granted to all Department heads set forth in the Department Head list except for the Traffic Safety Board Executive Secretary, the Public Health Director, the Director of Patient Services, and the WIC Program Coordinator. The Public Health Director, Director of Patient Services, and the WIC Program Coordinator shall receive retirement, sick leave, bereavement leave, holiday and personal leave as granted in the New York State Nurses= Association contract. Department Heads will be granted one week vacation after six months employment with the County; 15 working days on the 1st through the 10th anniversary; 16-19 working days on the 11th through the 14th anniversary one day will be added on each anniversary; 20 working days on the 15th through the 24th anniversary; and 25 working days on the 25th anniversary. A maximum of two (2) working days vacation may be held over from one anniversary year to the next. These days will not accumulate from year to year, but will be used in the new anniversary year. In addition thereto, Department heads set forth in the Department Head list shall be entitled to hospitalization (up to and including the equivalent of the cost of a Blue Choice contract), except that the following officers shall not be entitled to hospitalization: Supervisors, County Attorney, Part-time Assistant District Attorneys, Assistant County Attorney, Part-time Public Defender, First Assistant Public Defender, Assistant Public Defenders and the Traffic Safety Board Executive Secretary, and be it further
13. RESOLVED, that the Clerk of this Board shall forward certified copies of this resolution and the salary schedule attached to each County Official and Head of a Department, and the Personnel Officer, and be it further
14. RESOLVED, that effective January 1, 1999, the portion and parts of all previous resolutions and acts of this Board, which are in conflict with the provisions of this resolution shall be rescinded and annulled.

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C.S.E.A. RATE SCHEDULE - 1999

Grade	New Hire Longevity	Base	1	2	3	4	5	Increment	
1	7.99	8.88	9.21	9.56	9.92	10.25	10.58	.33	.20
2	8.06	8.96	9.38	9.71	10.14	10.54	10.92	.36	.23
3	8.34	9.27	9.66	10.02	10.43	10.82	11.21	.36	.23
4	8.47	9.41	9.89	10.28	10.70	11.07	11.49	.37	.24
5	8.87	9.85	10.24	10.63	11.04	11.44	11.83	.37	.24
6	9.01	10.01	10.54	10.95	11.37	11.80	12.22	.39	.25
7	9.42	10.47	10.92	11.35	11.78	12.19	12.61	.39	.25
8	9.66	10.73	11.19	11.67	12.12	12.59	13.03	.42	.27
9	10.20	11.33	11.78	12.23	12.67	13.18	13.61	.42	.27
10	10.54	11.71	12.19	12.67	13.22	13.70	14.18	.48	.28
11	11.23	12.48	13.00	13.52	14.04	14.56	15.08	.52	.29
12	11.93	13.25	13.83	14.41	14.99	15.57	16.15	.58	.34
13	12.76	14.18	14.81	15.43	16.07	16.69	17.32	.62	.37
14	13.63	15.14	15.81	16.47	17.16	17.83	18.52	.65	.40
15	14.67	16.30	16.99	17.67	18.35	19.04	19.73	.67	.41
16	15.61	17.34	18.06	18.80	19.52	20.23	20.99	.70	.43
17	16.77	18.63	19.47	20.21	21.01	21.77	22.55	.73	.46
18	18.00	20.00	20.89	21.77	22.65	23.53	24.42	.88	.53

19	19.17	21.30	22.29	23.27	24.24	25.23	26.23	.97	.59

1999 DEPUTY SHERIFFS' RATE SCHEDULE
(except Road Patrol Titles)

<u>GRADE</u>	<u>BASE</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>INCREMENT</u>
1	8.90	9.23	9.58	9.94	10.27	10.61	.31
2	8.98	9.39	9.76	10.17	10.57	10.96	.32
3	9.29	9.69	10.06	10.47	10.85	11.22	.33
4	9.46	9.92	10.32	10.69	11.12	11.54	.34
5	9.87	10.27	10.65	11.08	11.47	11.87	.35
6	10.51	10.94	11.34	11.72	12.13	12.49	.36
7	10.96	11.40	11.83	12.23	12.65	13.06	.39
9	10.98	11.50	12.02	12.54	13.06	13.58	.52
10	11.54	12.08	12.62	13.16	13.70	14.24	.54
11	12.16	12.74	13.32	13.90	14.48	15.06	.58
12A	12.69	13.34	13.94	14.55	15.17	15.78	.60
12B	12.93	13.58	14.20	14.83	15.47	16.09	.60
13	13.51	14.20	14.96	15.60	16.24	16.88	.64
14	14.44	15.16	15.85	16.53	17.23	17.92	.68
15	15.39	16.14	16.88	17.62	18.35	19.10	.72
16	16.42	17.19	17.95	18.77	19.56	20.30	.74
17	17.69	18.54	19.43	20.29	21.17	22.05	.85

1999 DEPUTY SHERIFFS' RATE SCHEDULE
(Road Patrol Titles only - ARTICLE XVIII Section 4)

<u>GRADE</u>	<u>Base</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>INCREMENT</u>
12	12.44	13.07	13.67	14.27	14.88	15.47	.59
13	13.25	13.92	14.67	15.30	15.93	16.56	.63
14	14.17	14.87	15.54	16.21	16.89	17.58	.67
15	15.08	15.83	16.55	17.28	17.99	18.74	.71
16	16.11	16.85	17.61	18.41	19.18	19.92	.72

17	17.35	18.20	19.06	19.91	20.76	21.63	.83

PUBLIC HEALTH NURSING RATE SCHEDULE

SCHEDULE A

Base Compensation Rates

A-1.01 Effective January 1, 1999, a regular employee's base compensation rate (hourly) will be:

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
Registered Professional Nurse	14.85	14.92	15.35	15.74	16.11
Public Health Nurse	15.71	16.05	16.42	16.77	17.14
Supv. Pub. Health Nurse	16.29	16.86	17.42	18.00	18.58
Nurse Practitioner	22.50	23.00	23.50	24.00	24.50

Effective January 1, 2000, a regular employee's base compensation rate (hourly) will be:

	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>
Registered Professional Nurse	\$15.37	\$15.46	\$15.89	\$16.29	\$16.68
Public Health Nurse	16.26	16.61	16.99	17.35	17.74
Supv. Public Health Nurse	16.86	17.45	18.03	18.63	19.23

Nurse Practitioner	23.29	23.81	24.32	24.84	25.36

ANIMAL CONTROL (A3510)

Assistant Dog Control Officer (400) - 1 position - GRADE 1

Kathleen Tewksbury	11/13/95	3	9.92

ASSESSMENT DEPARTMENT (A1355)

Real Property Tax Services Aide (618) - 1 position - GRADE 9

Beverly Dunning	1/31/78	5	14.69****

Senior Tax Map Technician (251) - 1 position - GRADE 15

Joseph Pukos	2/1/82	5	20.96***

Senior Typist (627) - 1 position - GRADE 7

Sandra Johnson	10/9/85	5	13.11**

LIVINGSTON COUNTY CENTRAL SERVICES (A1610)

Administrative Secretary (602) - 1 Position - Grade 10

Sally A. Donnelly	1/31/83	5	15.02***

Building Maintenance Mechanic (701) - 8 Positions - Grade 11

Robert Ellis	3/22/82	5	15.95***

Russell Fasso(N6120)	10/5/70	5	16.24****

Robert Giglio (A1620)	5/15/72	5	16.24****

Randy Gill (R6120)	11/1/79	5	15.95***

		11/7/99	16.24****

Gary Green	11/6/89	5	15.37*

		11/7/99	15.66**

Robert Hooker (Retire 1/22/99)	1/20/72	5	16.24****

Daniel Horr	6/2/75	5	16.24****

Joseph Zambito (N6120)	12/14/81	4	15.43***

Building Maintenance Person (801) - 3 positions - GRADE 7

Elaine Ellis(R6120)	8/11/75	5	13.61****

John D. Stewart	1/23/84	5	13.11**

		1/31/99	13.36***

vacant		NH	9.42

Carpenter (702) - 1 position - GRADE 13

Edwin G. Sparks	4/10/72	5	18.80****
<u>Courier (832) - 1 position - GRADE 5</u>			
Vicky Cousins	9/2/88	5	12.31**
<u>Custodial Worker (805) - 2 positions - GRADE 3</u>			
Deborah Zintel	7/6/70	3	11.35****
vacant		NH	8.34
<u>Electrician (703) - 1 position - GRADE 13</u>			
Gary G. Peffers	4/3/72	5	18.80****
<u>Plumber (709) - 1 position - GRADE 13</u>			
Daniel C. Keenan	12/7/98	3	16.07
<u>CONESUS LAKE SEWER DISTRICT</u>			
<u>(G8131)</u>			
<u>Principal Account Clerk (235) - 1 position - GRADE 15</u>			
Judith Travis	7/28/89	5	20.14*
		8/1/99	20.55**
<u>Senior Sewage Treatment Plant Operator (309) - 1 position - GRADE 17</u>			
C. Joseph Kornbau	1/21/74	5	24.39****
<u>Sewage Plant Operator Trainee (816) - 1 position - GRADE 12</u>			
vacant		NH	11.93
<u>Sewage Treatment Maintenance Person (817) - 2 positions - GRADE 11</u>			
Eric B. Marshall	3/1/86	5	15.66**
Richard Stone	11/17/83	5	15.95***
<u>Sewage Treatment Plant Operator (310) - 2 positions - GRADE 13</u>			
David S. Caldwell	4/21/80	5	18.43***
Michael K. Shaver	4/1/83	5	18.43***
<u>COUNTY CLERK (A1410)</u>			
<u>Index Clerk (611) - 2 positions - GRADE 8</u>			
Diane Piampiano	1/16/98	1	11.19
Barbara Rogers	9/2/97	1	11.19
<u>Motor Vehicle Clerk (612) - 5 positions - GRADE 8</u>			
Michelle Levey	11/18/96	2	11.67
Pamela Minnehan	4/26/82	5	13.84****
Sally A. Morris	7/7/97	1	11.19
Kathleen Olson	1/2/96	3	12.12
vacant			
<u>Motor Vehicle Supervisor (614) - 1 position - GRADE 12</u>			

Diana Moffat	4/20/81	3	16.01***
<u>Senior Index Clerk (644) - 2 positions - GRADE 10</u>			
Diane Fusco	5/2/83	5	15.02***
Toni Teresa	2/11/81	5	15.02***
<u>Senior Motor Vehicle Clerk - (645) - 2 positions - GRADE 10</u>			
Linda Arndt	10/1/84	5	14.74**
		10/10/99	15.02***
Brenda Peters	5/27/80	5	15.02***
<u>Telephone Operator (633) - 1 position - GRADE 4</u>			
Kathleen Guarino	3/14/94	5	11.49
		3/15/99	11.73*
<u>DATA PROCESSING (A1680)</u>			
<u>Computer Training Coordinator/Operator (327) - 2 positions - GRADE 14</u>			
Linda Farruggia	10/15/96	2	16.47
Thomas Q. Taylor	5/4/98	1	15.81
<u>Programmer (292) - 2 positions - Grade 17</u>			
Martin R. DeMarte	1/19/87	4	22.69**
Elaine Van Son	1/22/90	5	23.01*
<u>Senior Typist (627) - 1 position - GRADE 7</u>			
Susan D. Pratt	10/21/81	5	13.36***
<u>DISTRICT ATTORNEY (1165)</u>			
<u>Senior Legal Typist (643) - 1 position - GRADE 7</u>			
Barbara VanIngen	1/19/96	3	11.78
<u>ECONOMIC DEVELOPMENT DEPARTMENT (A6989)</u>			
<u>Administrative Secretary (602) - 1 position - GRADE 10</u>			
Vacant		NH	10.54
<u>EMERGENCY MANAGEMENT SERVICES (A3640)</u>			
<u>Senior Typist (627) - 1 position - GRADE 7</u>			
Karol Thomas	2/24/94	5	12.61
		2/28/99	12.86*
<u>EMPLOYMENT AND TRAINING (J6292)</u>			
<u>Account Clerk/Typist (601) 1 position - GRADE 7</u>			
Mary Ellen Petersen	11/23/98	NH	9.42
<u>Employment & Training Counselor (219) - 6 positions - GRADE 13</u>			
Donna M. Bigger	7/11/77	5	18.80****
Catherine Bintz	8/11/97	1	14.81

Wesley Kobylak	9/26/94	4	16.69
		9/26/99	17.06*
Denise Schaller	1/8/96	3	16.07
Helen P. Terry	12/1/97	1	14.81
Vacant		NH	12.76

Employment & Training/Youth Bureau Coordinator (284) - 1 position - GRADE 15 (J6290)

C. Keith Mitchell	4/30/90	5	20.14*

Senior Account Clerk (619) - 1 position - GRADE 9

Patricia Fagan	4/3/95	4	13.18

CAMPUS SKILLED NURSING FACILITY (R6120)

Account Clerk (600) - 1 position - GRADE 6

Linda Anderson	4/9/84	5	12.72**
		4/11/99	12.97***

CAMPUS SKILLED NURSING FACILITY (R6120)

Account Clerk/Typist (601) - 1 position - GRADE 7

Wendy Detmer	4/9/90	5	12.86*

Activities Aide (500) - 4 positions - GRADE 4

Sarah E. Hopkins	7/27/81	5	12.21***
Dawn Lubanski	5/11/86	5	11.97**
Pearl Runfola	7/14/80	5	12.21***
vacant		NH	8.47

Administrative Secretary (602) - 1 position - GRADE 10

Patricia L. Murray	5/15/72	5	15.30****

Admissions Coordinator (337) - 1 position - GRADE 14

vacant		NH	13.63

Charge Nurse (208) - 5 positions - GRADE 15

Kathy J. Baehr	3/5/84	5	20.55**
		3/14/99	20.96***

Kathleen Mehlenbacher	10/11/88	5	20.55**
Sarah Mehlenbacher	8/24/98	5	20.14*
Diane M. Nelson	4/19/98	2	17.67
Phyllis Stevens	9/24/93	5	20.14*

Cleaner (804) - 9 positions - GRADE 2

Theresa Beardsley	3/16/87	5	11.38**
Dorothy A. Cramer	2/11/84	5	11.38**
		2/14/99	11.61***
Colleen Crawford	9/14/84	5	11.38**
		9/26/99	11.61***

Kimberly Ebert	8/5/74	5	11.84****
Colleen M. Frantz	4/25/85	5	11.38**
Judith Hand	3/22/82	5	11.61***
Christine Marble	9/27/78	5	11.84****
Laural Nice	11/2/77	5	11.84****
Bonnie Stamp	6/29/81	5	11.61***

Clerk/Typist (604) - 1 position - GRADE 2

Donna Huff	11/9/98	NH	8.06

Custodial Worker (805) - 1 position - GRADE 3

Brenda Stevens	7/2/79	5	11.90***
		7/4/99	12.13****

Hairdresser (704) - 1 position - GRADE 4

Jane E. Clute	3/15/71	5	12.45****

Housekeeper (509) - 1 position - GRADE 11

Cheryl Beach	9/2/74	5	16.24****

Leisure Time Activities Director (504) - 1 position - GRADE 6

Debra Sanford	12/8/69	5	13.22****

Licensed Practical Nurse (302) - 21 positions - GRADE 9

Joan F. Barnett	10/14/75	5	14.69****
Cheryl R. Bentley	9/20/98	1	11.78
Mylessia Candie	4/9/90	5	13.88*
Theresa Cartwright	1/15/90	5	13.88*
Nancy Clark	12/7/98	1	11.78
Margaret DioGuardi	7/19/87	5	14.15**
Sheila Duryee	1/1/94	4	13.18
		1/3/99	13.45*
Susan Edwards	1/27/92	5	13.88*
Elizabeth Fisher	10/26/97	2	12.23
Jill R. Fry	1/27/92	5	13.88*
Virginia A. Graham	1/26/89	5	13.88*
		1/31/99	14.15**
Donna L. Hartnett	2/3/85	5	14.15**
Terre J. Krauss	4/25/93	5	13.88*
Mary E. Liberti	5/10/74	5	14.69****
Joanne Nolan-Smith	11/16/98	1	11.78
Theresa Owens	9/14/87	5	14.15**
Valerie Powers	9/11/92	5	13.88*
Lisa M. Reynolds	8/28/90	5	13.88*
Donald H. Simpson	11/24/84	5	14.15**
		12/5/99	14.42****
Nancy E. Witham	11/25/84	5	14.15**
		12/5/99	14.42***

Marie Wood	11/26/95	4	13.18
<u>Nursing Assistant (505) - 52 positions - GRADE 4</u>			
Julie Arena	1/1/94	5	11.49
		1/3/99	11.73*
Linda Barnhardt	8/23/93	5	11.73*
Mary Lue Barnhardt	5/24/98	1	9.89
Lois Beardsley	12/5/82	5	12.21***
Michelle Bonadonna	11/29/93	3	10.94*
Christine Burns	12/30/90	5	11.73*
Sharon Cobb	12/27/83	5	11.97**
		1/3/99	12.21***
Deborah Cole	10/1/95	3	10.70
Linda Conway	6/22/97	2	10.28
Kelly Craft	10/13/96	2	10.28
Deborah Daley	7/21/96	2	10.28
Mary DeSalvo	6/22/97	2	10.28
Marjorie Dickinson	8/25/96	2	10.28
Deborah J. Drew	6/4/89	5	11.73*
		6/6/99	11.97**
Joyce M. Fisher	2/17/85	5	11.97**
Teresa Fisher	12/7/97	1	9.89
Helen Follett	1/13/75	5	12.45****
Melanie Follett	10/22/89	5	11.73*
		10/24/99	11.97**
Lori Gibson	8/25/96	2	10.28
Cindy Hampton	6/22/86	5	11.97**
Ethel Houghtaling	8/10/97	1	9.89
Suzanne Huber	4/20/97	2	10.28
Christina Hustings	6/22/97	2	10.28
Mary K. James	10/1/92	5	11.73*
Jodi Kinney	11/2/97	1	9.89
Janis Leach	6/22/97	2	10.28
Phylis Mains	11/7/94	4	11.07
		11/7/99	11.31*
Sandra Miller	1/14/79	5	12.21***
		1/17/99	12.45****
Barbara Moore	6/27/82	5	12.21***
Kimberly Nichols	6/4/90	5	11.73*
Sharon Pifer	7/20/97	1	9.89
Donna M. Pike	7/27/98	B	9.41
Patricia S. Predmore	3/1/92	5	11.73*
Elise Prevost	3/1/92	5	11.73*
Rhonda Provino	7/25/82	5	12.21***
Valerie Provorse	8/22/93	5	11.73*
Susan Reid	4/19/82	5	12.21***
Maximino Rodriquez,III	10/11/98	B	9.41
Crystal Rudgers	5/28/93	3	10.94*

Dana Sage	4/5/98	1	9.89
Shirley A. Schledorn	6/1/91	5	11.73*
Brenda Shaw	8/17/97	1	9.89
Penny Smith	11/1/98	B	9.41
Susan Sylvester	10/15/95	3	10.70
Denise M. Thompson	2/2/97	2	10.28
Sharon Tusso	10/21/74	5	12.45****
Stella Vazquez	6/1/91	5	11.73*
Brenda Vondell	9/10/92	5	11.73*
Steven Vondell	4/8/91	5	11.73*
Bonnie Woollett	9/2/94	4	11.07
		9/12/99	11.31*
Julie Wray	6/22/97	2	10.28

vacant

Occupational Therapist - (270) - 1 position - GRADE 17

Anthony Jarzyna	10/20/97	1	19.47

Pharmacy Aide (639) - 1 position - GRADE 4

Lori Scala	2/8/93	5	11.73*

Physical Therapist (233) - 1 position - GRADE 17

Marc Negretto	1/27/97	5	22.55

Physical Therapy Assistant (333) 1 position - GRADE 11

Debra Anne McNicholas	10/19/98	1	13.00

Registered Professional Nurse (242) - 7 positions - GRADE 14

Karen L. Cancilla	12/7/98	1	15.81
Robert Huff	1/6/97	3	17.16
Barbara Jones	3/5/95	5	18.52
Cindy J. Kuhn	9/6/94	5	18.52
Gail Sparling	3/10/80	5	19.72***
Deborah Stom	8/2/93	5	18.92*
Vacant			

Senior Account Clerk (619) - 4 positions - GRADE 9

Linda Goodwin	10/10/79	5	14.42***
		10/10/99	14.69****

Jane Maloney	12/19/88	5	14.15**
Carol Rittenhouse	5/1/89	5	13.88*
		5/9/99	14.15**
Marie Sobel	2/22/72	5	14.69****

Senior Social Work Assistant (268) - 1 position - GRADE 15

Mary Kaye Meehan	1/5/87	5	20.55**

Senior Typist (627) - 3 positions - GRADE 7

Robin Hooker	6/8/87	5	13.11**
Barbara A. Orlando	6/26/86	5	13.11**
Ann Schwenzer	7/17/89	5	12.86*
		7/18/99	13.11**

Social Work Assistant (254) - 3 positions - GRADE 14

Lynne Heather	5/31/94	4	18.52
		6/6/99	18.92*
Vicki Putney	4/7/80	5	19.72***
vacant			

Supervising Pharmacist (126) - 1 position - GRADE 19

Sue DeGroff	11/29/93	5	26.82*

Telephone Operator (633) - 1 position - GRADE 4

Wendy Smith	5/22/89	5	11.73*
		5/23/99	11.97**

LIVINGSTON COUNTY HIGHWAY DEPARTMENTAccount Clerk/Typist (601) - 1 position - GRADE 7 (D5010)

vacant		NH	9.42

Automotive Mechanic (700) - 2 positions - GRADE 12 (M5130)

Michael J. Gridley	6/2/80	5	17.17***
John Kenney, Jr.	5/22/78	5	17.51****

Bridge Construction Foreman (713) - 1 position - GRADE 14 (D5110)

Richard H. Paul, Jr.	4/18/79	5	19.72***

Engineering Technician (315) - 2 positions - GRADE 13 (D5020)

Lawrence A. LaRue	1/3/89	5	17.69*
		1/3/99	18.06**
Michael R. Mott	11/6/95	3	16.07

Motor Equipment Operator II (706) - 8 positions - GRADE 10 (D5110)

Kevin Barnhardt	4/1/96	3	13.22
Christopher Buckley	6/3/96	3	13.22
Michael Donovan	5/13/96	3	13.22
Howard A. Guldenschuh	5/8/89	5	14.46*
		5/9/99	14.74**
Charles Hamsher, Jr.	6/27/94	5	14.18
		7/4/99	14.46*
William F. Henry	5/15/89	5	14.46*
		5/23/99	14.74**
Bruce Hitchcock	7/22/96	2	12.67
Vacant		NH	10.54

Motor Equipment Operator III (707) - 7 positions - GRADE 11 (D5110)

Dean Bourgoine	5/8/89	5	15.37*
		5/9/99	15.66**

Thomas L. Canute, Jr.	8/15/88	5	15.66**
Raymond L. Clark	12/7/87	5	15.66**
Christopher J. Grosse	4/29/96	3	14.04
Fred R. Shutt	3/1/93	5	15.37*
David D. Wilkins	5/18/87	5	15.66**
vacant		NH	11.23
<u>Principal Clerk (615) - 1 position - GRADE 10 (D5010)</u>			
Cynthia Dennison	1/1/71	5	15.73**** (.43 included)
<u>Road Contruction Supervisor (715) - 1 position - GRADE 14</u>			
Stephen M. Cowley	6/24/86	4	18.63**
<u>Road Maintenance Supervisor (710) - 2 positions - GRADE 14 (D5110)</u>			
David Crawford	8/24/87	5	19.32**
David C. Wentworth	11/7/88	5	19.32**
<u>Senior Account Clerk/Typist (621) - 1 position - GRADE 9 (D5010)</u>			
Michelle Lunn	11/21/88	5	14.15**
<u>Senior Sign Technician (314) - 1 position - GRADE 11 (D5110)</u>			
Steven P. Widener	6/4/80	5	15.95***
<u>Shop Manager (711) - 1 position - GRADE 14 (M5130)</u>			
Ronald F. Brown	1/28/74	5	20.12****
<u>Sign Shop Technician (714) - 1 position - GRADE 10(D5110)</u>			
Cathy MacPherson	9/5/95	2	12.67
<u>Welder Fabricator (317) - 1 position - GRADE 13 (D5110)</u>			
Brian Mastin	9/5/89	4	17.69*
		9/12/99	18.06**
<u>Working Foreperson (712) - 2 positions - GRADE 12 (D5110)</u>			
Daniel Walkley	1/3/78	5	17.51****
vacant		NH	11.93
<u>MENTAL HEALTH (A4310)</u>			
<u>Account Clerk/Typist (601) - 1 position - GRADE 7</u>			
Sandra L. Woodarek	5/16/94	5	12.61
		5/23/99	12.86*
<u>Administrative Officer (321) - 1 position - GRADE 15</u>			
Joanne Semmel	8/20/84	5	20.55**
		8/29/99	20.96****
<u>Case Management Supervisor (194) - 1 position - GRADE 17</u>			
Frederic P. Gardner	7/3/89	2	20.67*
		7/4/99	21.13**
<u>Clerk/Typist (604) - 1 position - GRADE 2</u>			
Wendy Downey	3/4/96	3	10.14

Community Mental Health Nurse (209) - 1 position - GRADE 17

Pamela Boyd	5/21/91	5	23.01*

Intensive Case Manager (296) - 1 position - GRADE 15

Michael Allen	11/4/96	2	17.67

Mental Health Clinical Supervisor (283) - 1 position - GRADE 19

Gail Long	1/11/93	5	26.82*

Mental Health Clinical Therapist (228) - 5 positions - GRADE 16

John R. Allard	1/11/95	4	20.23
Kevin J. Lewis	8/11/86	5	21.85**
Alice Rogstad	5/11/92	5	21.42*

Ruth Rowse	9/11/95	3	19.52
Lynn Scott	12/21/92	5	21.42*

Mental Health Social Work Aide (229) - 2 positions - GRADE 13

Sarah Walton	3/9/98	1	14.81
vacant		NH	12.76

Psychiatric Social Work Assistant (263) - 1 position - GRADE 14

Anne Valentino	2/5/96	3	17.16

Senior Clerk (622) - 1 position - GRADE 7

Lee Schneider	1/29/96	3	11.78

Senior Typist (627) - 1 position - GRADE 7

Christina M. Strain	8/22/80	5	13.36***

PERSONNEL OFFICE (A1430)Clerk/Typist (604) 1 position - GRADE 2

Vacant		NH	8.06

Personnel Assistant (318) - 1 position - GRADE 10

Lauraine M. Beach	3/31/82	5	15.02***

Senior Clerk (622) - 1 position - GRADE 7

Marlene Hamilton	8/29/88	5	13.11**

Senior Typist (627) - 1 position - GRADE 7

Amy J. Griffith	7/13/95	1	10.92

PLANNING (A8020)Administrative Secretary (602) - 1 position - GRADE 10

Darlene Essler	12/6/93	4	13.98*

Planner (234) - 1 position - GRADE 17

Angela L. Ellis	5/9/94	5	22.55
		5/9/99	23.01

Planning Assistant (328) - 1 position - GRADE 13

Heather Hogarty	10/5/98	NH	12.76

Senior Account Clerk (619) - 1 position - GRADE 9

Martha K. Linsner	8/21/78	5	14.69****

PLANNING - HOUSING (A6311)Housing Assistance Representative (610) - 1 position - GRADE 12

Delia P. Keefe	6/18/80	5	17.17***

Housing Programs Coordinator (222) - 1 position - GRADE 15

Ruth Swift	9/7/82	5	20.96***

Senior Typist (627) - 1 position - GRADE 7

Patricia Therrien	5/18/92	5	12.86*

PLANNING - WEATHERIZATION (A6310)Account Clerk/Typist (601) - 1 position - GRADE 7

Barbara Dutton	4/18/90	5	12.86*

Energy Programs Supervisor (220) - 1 position - GRADE 15

Donald E. Huff	12/15/80	5	20.96****

Winterization Aide (818) - 2 positions - GRADE 6

Terrance Burke	9/2/97	1	10.54

Vacant		NH	9.01

Winterization Foreperson (819) - 2 positions - GRADE 11

James George	1/10/95	4	14.56

Vacant		NH	11.23

PROBATION (A3140)Clerk/Typist (604) - 1 position - GRADE 2

vacant		NH	8.06

Probation Officer (238) - 5 positions - GRADE 14 (Trainee (237) - GRADE 13)

Mary Clark	8/11/76	5	20.12****

Dennis Jasinski	8/12/96	2	16.47

Debra Johnston	6/30/97	2	16.47

Lynne C. Mignemi	11/27/87	5	19.32**

Barbara Passamonte	4/22/96	3	17.16

Probation Supervisor (239) - 1 position - GRADE 17

Karen Sue Weidman	2/14/84	5	23.47**

2/14/99	23.93****

Senior Probation Officer (248) - 1 position - GRADE 15

Edward Erhard	2/23/76	5	21.37****

Senior Typist (627) - 2 positions - GRADE 7

Beverly Bauer	9/19/83	5	13.36***

Terri Parsons	4/16/79	5	13.36****

4/25/99 13.61****

PUBLIC HEALTH DEPARTMENT**Clerk (603)1 position - GRADE 2**

argaret Arnold (A4082)	3/1/79	5	11.61***
		3/14/99	11.84****

Clerk/Typist - (604) - 4 positions - GRADE 2

Leane Humphrey	7/28/98	NH	8.06
Marcia Lefave	4/6/98	1	9.35
Kathleen Smith (A4035)	2/26/96	3	10.14
vacant (A4088)		NH	8.06

Clinical Aide (501) - 2 positions - GRADE 4

Kathleen Magee (A4035)	2/17/81	5	12.21***

Lynne Martindale (A4082)	5/10/82	5	12.21***

Home Health Aide (502) - 5 positions - GRADE 4

Mary Aronhalt (A4010)	2/2/95	4	11.07
Linda Broadwell (A4010)	7/18/97	1	9.89
Jo Buchinger (A4010)	2/9/95	4	11.07
Karen A. McGee	3/2/98	1	9.89
Doris Smith(A4010)	1/18/88	5	11.97**

Nurse Practitioner (230) - 2 positions

Vacant (A4035)		1	22.50
Vacant (A4035)		1	22.50

Public Health Educator (240) - 2 positions - GRADE 13

Ann Marie Wendland (A4010)	9/22/97	1	14.81

Vacant

Public Health Nurse (241) - 10 positions

Cynthia Bonter (3/5 PT) (A4010)	6/18/90	5	17.44*
Laurie Calnan (A4010)	7/7/88	5	17.82**
Gretchen Coleman (A4010)	3/29/82	5	18.22***
Tami Coburn (A4010)	5/5/98	2	16.05
Peggy D. Klice (3/5 P.T.) (A4091)	7/1/97	1	15.71
	7/1/99	2	16.05
Tammy Nichols (A4010)	1/21/98	2	16.05
Susan Rountree (3/5 PT) (A4010)	8/3/92	5	17.44*
Patricia Stewart (A4010)	1/9/95	5	17.14
Kathleen Walther (A4010)	2/20/96	5	17.14
Laurie Wester (3/5 P.T.)(A4083)	1/12/88	5	17.82**

Public Health Nurse Job Sharing - 2 positions - (fill with PHN or RN)

Linda Hamilton (RN 243) (A4010)	9/18/90	5	16.41*
Bethany Wadsworth (PHN) (A4010)	10/20/87	5	17.82**

vacant (A4010)		1	15.71
vacant (A4010)		1	15.71

Public Health Nurse/Registered Nurse - FT - 2 positions

Deana Clark (RN) (A4010)	5/1/97	3	15.35
Donna Kennison	2/3/94	5	17.14
		2/14/99	17.44*

Public Health Nurse/Registered Nurse 1/2 - 2 positions

Karrie Prinzi (RN)	10/28/96	3	15.35
Linda Simmons (RN)(A4010)	9/9/96	5	16.11

Public Health Sanitarian (305) - 2 positions - GRADE 14

Joseph Bucci	6/1/98	1	15.81
James Kanouse	6/6/88	2	17.27**

Public Health Technician (307) - 2 positions - GRADE 11

Catherine Giles (A4010)	8/7/95	3	14.04
Vacant (A4010)		NH	11.23

Registered Professional Nurse (243) - 12 positions

Sandra Bradt (A4010)	7/13/92	5	16.41*
Jill Burley (A4010)	5/7/97	3	15.35
Elaine R. Dearcop (A4035)	11/2/95	5	16.11
Theresa A. Gilliland (A4010)	2/6/85	5	16.79**
Gloria Hall (A4082)	6/23/87	5	16.79**
Lee G. Harris (A4082)	7/28/98	2	14.95
	7/1/99	3	15.35
Adrienne Hodge (A4010)	5/6/96	4	15.74
Sandra Lamb (A4010)	7/7/97	5	16.11

Registered Professional Nurse (243) - cont.

Janet Lewis (A4010)	4/1/82	5	17.19***
Christine J. Phelps (A4035)	4/23/85	5	16.78**
Tina Truax (A4010)	3/9/98	3	15.35
vacant (A4035)		1	14.85

Senior Account Clerk/Typist (621) - 2 positions - GRADE 9

Linda Cole (A4010)	10/11/94	4	13.18
		10/24/99	13.45*
Tamara A. Gullo (A4035)	10/26/81	5	14.42***

Senior Public Health Educator (331) - 1 position - GRADE 15

Lisa M. Beardsley	7/12/93	3	18.76*

Senior Public Health Sanitarian (330) - 2 positions - GRADE 16

Richard Davin (A4097)	6/10/87	4	21.09**

Deborah Farberman	6/18/73	4	21.95****
<u>Senior Typist (627) - 5 positions - GRADE 7</u>			
Janice Boss (A4010)	1/10/94	2	11.35
		1/17/99	11.60*
Josephine Deragon (A4010)	10/27/80	5	13.36***
Mary Gibson (A4035)	7/5/89	5	12.86*
		7/18/99	13.11**
Linda Jordon (A4010)	6/18/90	5	12.86*
Alise E. Rounsville (A4010)	8/13/84	5	13.11**
		8/15/99	13.36***
<u>Supervising Public Health Nurse (256) 5 positions</u>			
Deborah Brown (A4082)	9/28/98	2	16.29
Kathy Lehman (A4082)	4/8/86	5	19.26**
Cynthia Sheflin (A4082)	2/13/90	5	18.88*
Carol Thompson (A4082)	9/20/93	5	18.88*
Colleen Vokes(A4035)	5/14/84	4	18.68**
		5/23/99	19.08***
<u>WIC Program Nutritionist (262) - 1 position - GRADE 16</u>			
Nancy M. Reding (A4082)	9/22/80	5	22.28***
<u>SHERIFF'S DEPARTMENT</u>			
<u>Civilian Dispatcher (605) - 8 positions - GRADE 9 (A3151)</u>			
Phyllis Adamson	9/2/96	2	12.02
Christine M. Bovee	7/1/88	5	13.84**
William Boyd	7/14/97	2	12.02
Andrew Eve	3/26/98	1	11.50
Wendy Hopkins	6/9/91	4	13.18*
Maureen J. Kurtz	8/26/91	4	13.18*
Frank Radesi, Jr.	8/9/93	4	13.18*
Leon B. Worden	7/24/89	4	13.18*
		8/1/99	13.32**
<u>Clerk/Typist (604) - 3 positions - GRADE 2</u>			
Joan E. Emery (A3112)	4/12/84	5	11.22**
		4/25/99	11.39***
Heather Gross (A3147)	10/25/94	4	10.57
		11/7/99	10.69*
Janet Lawrence (A3110)	3/18/96	3	10.17
<u>Cook (808) - 2 position - GRADE 9 (A3150)</u>			
Duayne Piniewski	3/26/92	4	13.18*
Bradley Shellenbarger	12/27/89	4	13.18*
		1/3/2000	13.32**
<u>Corporal Corrections (197) - 4 positions - GRADE 13 (A3150)</u>			

Raymond Bartolotti	1/27/91	4	16.36*
Jamie Kelley	9/14/94	4	16.24
		9/26/99	16.36*
Donald Lubanski	1/27/91	4	16.36*
Rodney Schirmer	9/26/87	5	17.14**

Corrections Officer (199) - 16 positions - GRADE 12A (A3150)

Mary Cisco	11/1/71	5	16.21***
Mark Cole	11/19/96	2	13.94
Frederick K. Cutcher	7/5/91	4	15.29*
Daniel P. DeLeeuw	3/31/93	4	15.29*
George P. Frisiras	12/21/97	1	13.34
Jeffrey Hammond	12/1/96	2	13.94
Michael Hillier	9/1/97	2	13.94
Lawrence Kennedy	9/30/97	2	13.94
Donald J. Plank	1/8/98	1	13.34
Matthew Polizzi	4/26/98	1	13.34
Daniel Rittenhouse	7/3/97	2	13.94
William Sackett	11/7/84	5	16.04**
		11/7/99	16.21***
Matthew Templeton	12/27/89	4	15.29*
		1/3/2000	15.43**
Jeffrey Wiedrick	9/9/93	4	15.29*
Todd E. Wilcox	12/5/90	4	15.29*
Vacant		B	12.32

Corrections Sergeant (195) - 1 position - GRADE 14 (A3150)

Jack Conklin	11/1/83	5	18.35***

Court Security Officer (196) - 2 positions - GRADE 13 (RP) (A3116)

Patrick Lynch	11/23/97	1	13.92
Brent Mistretta	12/26/92	4	16.05*

Court Security Sergeant (198) - 1 position - GRADE 14 (RP) (A3116)

David Provo	5/12/84	5	17.84**
		5/12/99	18.01***

Deputy Sheriff/Communications Officer (401) - 1 position - GRADE 12

Jodi Giglio (A3151)	3/21/83	5	16.52***

Deputy Sheriff/Corporal (Road Patrol) (269) - 1 position - GRADE 14 (RP)

Laurence Tetamore	9/10/78	5	18.01***

Deputy Sheriff/Investigator (224) - 6 positions - GRADE 15 (RP)

Ray R. Ellis (A3147)	2/10/77	5	19.17***
Martin D. Herkimer (A3110)	10/19/76	5	19.17***
Kimberly S. Moran (A3147)	5/10/86	5	19.00**
Douglas E. Morsch (A3110)	1/26/79	5	19.17***

William T. Smith (A3110)	2/25/73	5	19.17***
James Szczesniak (A3110)	6/1/86	5	19.00**

Deputy Sheriff/Major(Corrections) (227) - 1 position - GRADE 16 (A3150)

James Rose	9/18/90	4	19.68*

Deputy Sheriff/Major (Investigations) (191) - 1 position - GRADE 17 (RP) (A3110)

Joseph Rychlicki	1/28/74	5	22.06***

Deputy Sheriff/Major(Road Patrol) (190) - 1 position- GRADE 17 (RP) (A3110)

Clark Young, Jr.	7/8/67	5	22.06***

Deputy Sheriff /Road Patrol (402) - 23 positions - GRADE 13 (RP) (A3110)

Brian Applin	6/6/94	4	15.93
		6/6/99	16.05*
Jennifer L. Barrett	12/9/98	B	13.25
Matthew Bean	5/28/98	B	13.92
Jeffrey R. Becker	7/27/86	5	16.82**
Rodrick J. Bennett	1/27/91	4	16.05*
Matthew Burgess	10/14/94	4	15.93
		10/24/99	16.05*
Daniel Burk	1/27/91	4	16.05*
William Cartwright	2/1/90	4	16.05*
Daniel Chapman	6/2/95	3	15.30
Gene E. Chichester	5/26/97	2	14.67
William Clarke	7/24/95	3	15.30
John N. Curtiss	1/26/83	5	16.99***
Raymond DiPasquale	9/19/88	5	16.82**
Michael W. Duby	1/24/77	5	16.99***
Joseph Granita (A3110)	11/1/82	5	16.99***
Michael Haugh	2/14/98	1	13.92
Frederick W. Ingalls	2/28/87	5	16.82**
Gerald H. Kane	8/31/85	5	16.82**
Tamara Miller	3/30/92	4	16.05*
Theodore J. Miskell (A3110)	8/16/76	5	16.99***
Cory Noto	9/30/97	2	14.67
David Richardson	11/4/96	2	14.67
Michael Yencer	7/3/97	2	14.67

Deputy Sheriff/Sergeant (Road Patrol) (252) - 7 positions - GRADE 15 (RP)

Irving J. Barkan (A3110)	5/8/72	5	19.17***
Michael Bradley (A3110)	7/31/88	4	18.25**
Ronald Huff, Jr. (A3110)	12/27/89	4	18.11*
		1/2/2000	18.25**
Robin Maloney (A3110)	11/26/73	5	19.17***
Randall Morris (A3110)	12/19/79	5	19.17***
Christopher L. Smith (A3112)	8/16/86	5	19.00**
vacant			

Principal Clerk (615) - 1 position - GRADE 10

Pamela B. Rychlicki (A3110)	8/23/76	5	14.67***

Secretary to the Sheriff (016) - 1 position - GRADE 10

Brenda Smith	10/7/88	5	14.50**

Senior Account Clerk (619) - 1 position - GRADE 9

Ellen K. Smith	4/3/89	4	13.18*
		4/11/99	13.32**

SKILLED NURSING FACILITYActivities Aide (500) - 2 positions - GRADE 4

Darla Oliver	9/11/78	5	12.45****
Barbara A. Thompson	7/21/85	5	11.97**

Administrative Secretary (602) - 1 position - GRADE 10

Gail Brundage	2/22/83	5	15.02***

Charge Nurse (208) - 5 positions - GRADE 15

Jo Anne Barratt	12/3/79	5	20.96***
		12/5/99	21.37****
Ruby DeRitter	11/19/92	5	20.14*
Carolyn Ozzello	4/27/98	2	17.67
Cynthia Pender	10/1/90	5	20.14*
Jacquelyn Sick	6/30/97	3	18.35

Cleaners (804) - 5 positions - GRADE 2

Barbara M. Beardsley	6/2/86	5	11.38**
Nancy Harper	8/9/79	5	11.61***
		8/15/99	11.84****
Rosella Tallman	6/29/92	5	11.15*
Margaret M. VanBuren	4/4/77	5	11.84****
Lou Ann Weidman	11/17/77	5	11.84****

Hairdresser (704) - 1 position - GRADE 4

Gwendolyn J. Snyder	10/21/74	5	12.45****

Laundry Worker (812) - 2 positions - GRADE 3

Joyce Johnson	8/21/68	5	12.13****
Esther Myers	12/18/67	5	12.13****

Leisure Time Activities Director (504) - 1 position - GRADE 6

Katherine Baumgardner	6/8/70	5	13.22****

Licensed Practical Nurse (302) - 18 positions - GRADE 9

Cheryl Bailey	7/1/91	3	12.94*
Crystal Bowman	9/21/87	5	14.15**
Dorsy Caudill	9/21/87	5	14.15**
Susan M. Deming	6/28/96	4	13.18
Pamela Farruggia	5/31/77	5	14.69****
Sheila Fox	1/10/81	5	14.42***
Brenda Harvey	9/6/95	4	13.18

Diane Herbst	10/7/96	3	12.67
Claudia Houtz	3/16/87	5	14.15**
Marie LaRue	1/9/89	5	13.88*
		1/17/99	14.15**
Patricia Macomber	9/20/77	5	14.69****

Licensed Practical Nurse (302) - GRADE 9 Cont.

Sharon McGinnis	8/5/93	5	13.88*
Tonya C. Palmer	4/18/98	2	12.23
Jennifer Riggerello	7/15/96	3	12.67
Edith Wester	8/27/79	5	14.42****
		8/29/99	14.69****
Donna Zabrocki	9/5/95	4	13.18
vacant		1	11.78
vacant		1	11.78

Medical Typist (613) - 1 position - GRADE 7

Cheryl A. Rossborough	10/9/85	5	13.11**

Nursing Assistant (505) - 52 positions - GRADE 4

Carolyn Aldrich	4/28/86	5	11.97**
Lillian Allen	8/4/69	5	12.45****
Bobbi J. Babbitt	5/1/95	4	11.07
Debra Barney	7/10/88	5	11.97**
Dawn Barrett	11/5/90	5	11.73*
Dorinda Bennett	1/25/93	5	11.73*
Barbara Berglund	9/28/87	5	11.97**
Donna Brooks	9/28/97	1	9.89
Nancy J. Burch	4/2/80	5	12.21****
Linda Burns	7/15/73	5	12.45****
Lisa Caldwell	9/13/88	5	11.97**
Tina Cartwright	3/31/94	5	11.49
		4/11/99	11.73*
Brenda Cassidy	3/9/98	1	9.89
Patricia Chichester	9/8/97	1	9.89
Gerelene Clar	7/17/93	3	10.94*
Irene Covell	10/3/88	5	11.97**
Thomas Cowie	9/3/93	5	11.73*
Joyce E. Crane	1/27/94	5	11.49
		1/31/99	11.73*
Linda Craun	10/2/95	3	10.70
Tina Dean	7/14/97	1	9.89
Sally Donohue	3/23/95	4	11.07
Patricia C. Donovan	8/19/81	5	12.21****
Dale Eldridge	1/13/92	5	11.73*
Richard Emerson	9/16/94	4	11.07
		9/26/99	11.31*
Brenda Faulkner	10/10/95	3	10.70
Myrtle Fronczak	4/19/76	5	12.45****
Amy Harclerod	4/17/98	1	9.89
Margaret Hardy	9/18/79	5	12.21****
		9/26/99	12.45****

JoAnn L. Harrington	1/14/91	5	11.73*
Debbie Henry	11/04/96	2	10.28
Sharon Hopkins	3/3/97	2	10.28
Saysamone Kettavong	4/28/86	5	11.97**
Penny Lauko	9/1/97	1	9.89
Stacy Mandigo	11/20/95	3	10.70
Tammi Minnehan	8/3/90	3	10.94*
Cecile Monroe	8/30/97	1	9.89
Stacy Parsons	11/25/98	NH	8.47
Wanda Parsons	11/25/96	2	10.28
Kara Probst	11/30/98	NH	8.47
Melody Robinson	6/8/87	5	11.97**
Eileen Root	10/8/93	5	11.73*
Jessica Sherman	11/29/98	NH	8.47
Julie A. Sherman	9/16/94	4	11.07
		9/26/99	11.31*
Brenda Smith	2/22/77	3	11.66****
Jin States	4/11/88	5	11.97**
Michelle Walker	3/17/93	5	11.73*
Cary Ann Wiedrick	4/16/98	1	9.89
Laurie Willey	9/27/98	NH	8.47
Kelly Wybron	1/22/97		10.28
vacant		NH	8.47
vacant		NH	8.47
vacant		NH	8.47

Occupational Therapist (270) - 1 position - GRADE 17

Tricia A. Ruliffson	9/8/98	1	19.47

Physical Therapist (233) - 1 position - GRADE 17

Richard Baumgardner	7/2/73	5	24.39****

Registered Professional Nurse (242) - 5 positions - GRADE 14

Kathleen Crye	12/20/87		17.27**
Christopher Handy	6/8/98	2	16.47
Linda McCauley	8/24/92	2	16.87*
Christine Mastin	6/17/79	5	19.72***
		6/20/99	20.12****
Rhonda L. Walker	12/15/98	1	15.81

Senior Cleaner (815) - 1 position - GRADE 5

Dorothy McClurg	2/15/71	5	12.79****

Social Work Assistant (254) - 2 positions - GRADE 14

Noreen Burdick	9/5/67	5	20.12****
John Crandall, Jr.	1/4/71	5	20.12****

Telephone Operator (633) - 1 position - GRADE 4

Renee Chichester	5/13/91	5	11.73*

SOCIAL SERVICES DEPARTMENT (A6010)

Account Clerk/Typist (601) - 4 positions - GRADE 7

Jodel M. Donovan	1/5/98	1	10.92

Elaine Hewes	1/17/94	5	12.61
		1/17/99	12.86*
Yvonne Jacobs	8/28/95	3	11.78
vacant		NH	9.42
<u>Accounting Supervisor (200) - 1 position - GRADE 15</u>			
George Macomber	10/4/84	4	19.86**
		10/10/99	20.27***
<u>Case Management Aide (503) - 4 positions - GRADE 7</u>			
Vivian C. Buchinger	12/7/81	5	13.36***
Linda Haynes	3/9/98	1	10.92
Kimberlee Schifino	9/15/97	1	10.92
Maureen Schneider	1/17/82	5	13.36***
<u>Case Supervisor (205) - 5 positions - GRADE 16</u>			
Paula Callaro	10/29/73	5	22.71****
James Cornell	5/10/76	5	22.71****
Michelle Davidson	1/19/81	5	22.28****
Marilyn Simons	6/12/74	5	22.71****
Anne Williams	4/12/76	5	22.71****
<u>Caseworker (206) - 24 positions - GRADE 14 (Trainee (207) - GRADE 13)</u>			
Diane Bauman (Trainee)	7/27/98	NH	12.76
Jane Bourgoine	9/11/89	5	18.92*
		9/12/99	19.32**
Kathleen Carr	1/4/82	5	19.72***
Tracy Coultry	11/14/94	2	16.47
		11/21/99	16.87*
Cathy Dale	7/14/80	5	19.72***
Barbara DeMay	4/2/90	5	18.92*
Sharon Deming	5/24/93	5	18.92*
Michelle Driscoll-Reed	6/28/93	4	18.23*
David Espersen	7/20/98	NH	12.76
Laird Gelser	1/4/82	5	19.72***
Susanne Helles	8/8/88	5	19.32**
Kimberly Keenan	7/2/90	5	18.92*
Lilita Lassen	10/28/85	5	19.32**
Deborah MacIntyre	12/2/96	2	16.47
Donna Mankoff	9/30/85	5	19.32**
Heather Mitchell	9/30/96	2	16.47
Kelly Monteleone	12/8/89	5	18.92*
		12/19/99	19.32**
Gayla Morris	11/10/80	5	19.72***
Mary K. Murphy	4/7/86	5	19.32**
Judith Pendleton	4/3/78	5	20.12****
Stephen Rapp	12/19/94	4	17.83
		12/19/99	18.23*
Daniel R.Thompson	1/12/87	5	19.32**
Audrey VanOverbake	8/5/85	5	19.32**
Michelle Weaver	9/2/97	1	15.81

Clerk/Typist (604) 9 positions - GRADE 2

Patricia Cassidy	3/17/86	5	11.38**
Audrey T. Huver	1/7/94	5	10.92
		1/17/99	11.15*
Meredith Lockman	5/6/98	1	9.35
Ellen Nichols	6/24/87	5	11.38**
Heidi Spaulding	7/22/96	2	9.71
vacant		NH	8.06
vacant		NH	8.06
vacant		NH	8.06
vacant		NH	8.06

Coordinator - Child Support Unit (285) - 1 position - GRADE 15

Antoinette Powell	3/17/81	3	19.58***

Coordinator of Volunteer Services (210) - 1 position - GRADE 14

Maureen Randall	9/17/79	5	19.72***
		9/26/99	20.12****

Courier (832) - 1 position - GRADE 5

Nanci L. Paddock	8/21/83	5	12.55***

Director of Social Services (218) - 1 position - GRADE 19

Sandra Wright	5/21/70	5	28.59****

Legal Assistant (226) - 1 position - GRADE 13

Janis Bassett	3/26/84	5	18.06**
		3/28/99	18.43***

Mobile Work Crew Supervisor (326) - 1 position - GRADE 10

Steven Paddock	7/13/98	NH	10.54

Principal Clerk (615) - 1 position - GRADE 10

Bambi Nobles	12/1/82	5	15.02***

Principal Social Welfare Examiner (236) - 5 positions - GRADE 15

Charles Argenna	7/10/78	5	21.37****
Denise Bentley	4/23/79	5	20.96***
Joann Colaizzi	10/7/74	5	21.37****
Sandra Hooker	11/23/70	5	21.37****
Howard Mankoff	2/1/82	5	20.96***

Principal Typist (640) - 2 positions - GRADE 10

Eileen Hynes	12/1/80	5	15.02***
Wendy Preston	8/28/95	3	13.22

Senior Account Clerk (619) - 7 positions - GRADE 9

Deborah Beardsley	4/15/91	5	13.88*
Jeanette Binder	10/30/95	3	12.67
Brenda Haywood	10/30/95	3	12.67
Mary Hendryx	3/27/67	5	14.69****
Francine LoVerde	6/9/80	5	14.42***
Joan Loop	9/16/85	5	14.15**

Barbara Muscato	12/8/80	5	14.42***
<u>Senior Caseworker (245) - 4 positions - GRADE 15</u>			
Pamela Fowler	6/18/90	5	20.14*
Nancy Park	11/6/78	5	21.37****
Patricia Schwegler	9/29/80	5	20.96***
vacant		NH	14.67
<u>Senior Clerk (622) 2 positions - GRADE 7</u>			
Diane Campfield	8/13/80	5	13.36***
Pamela Lamont	5/24/93	3	12.03*
<u>Senior Social Welfare Examiner (624) - 8 positions - GRADE 12</u>			
Donna Adamson	1/9/85	5	16.83**
Christine Clark	11/2/79	5	17.17***
		11/7/99	17.51****
Sharon Fitzgerald	1/11/71	5	17.51****
Marilyn Hally	5/21/79	5	17.17***
		5/23/99	17.51****
Mary Ann Johnson	3/2/81	5	17.17***
Robert Wright	2/1/82	5	17.17***
vacant		NH	11.93
vacant		NH	11.93
<u>Senior Support Investigator (626) - 1 position - GRADE 12</u>			
Ginny Rawleigh	5/11/81	5	17.17***
<u>Senior Typist (627) 14 positions - GRADE 7</u>			
Lucille Bacon	5/1/89	5	12.86*
		5/9/99	13.11**
Sandra Burr	9/30/85	5	13.11**
Ruthmary Cappadonia	5/19/80	5	13.36****
Marguerite Chapman	12/9/85	5	13.11**
Mary Lou Chapman	9/28/87	5	13.11*
Claudia Dieffenbacher	3/14/78	4	13.19****
Debra Fox	1/3/94	3	11.78
		1/3/99	12.03*
Carolyn Gonyea	7/23/84	5	13.11**
		8/1/99	13.36****
Nancy Gray	9/14/87	5	13.11**
Elaine Harclerod	11/13/90	5	12.86*
Rebecca A. Hughes	4/3/84	5	13.11**
		4/11/99	13.36****
Barbara Kemnitz	5/26/81	5	13.36****
Patricia Muscato	2/19/75	5	13.61****
Becky Turybury	8/20/86	5	13.11**
<u>Social Welfare Examiners (631) - 25 positions - GRADE 11</u>			
Donna Chasey	5/31/88	5	15.66**
Paula Christiano	4/25/95	1	13.00
Nancy Cimino	11/20/95	3	14.04
Janet Claud	8/31/87	5	15.66**
Cathlyn DeMity	8/31/87	5	15.66**
Kelly Didas	1/11/94	1	13.00

		1/17/99	13.29*
Marlene Fasso	1/3/77	5	16.24****
Linda Gray	5/20/74	5	16.24****
Aleta Hamilton	2/23/87	5	15.66**
Marianne Hilderbrant	8/13/84	5	15.66**
		8/15/99	15.95***
Donna Least	2/17/76	5	16.24****
Tamara A. Macomber	12/11/85	5	15.66**
Karla Meyers	8/21/78	5	16.24****
Virginia Palone	7/20/89	5	15.37*
		8/1/99	15.66**
Anita J. Perovich	11/12/75	5	16.24****
Beverly Rizzo	4/13/78	5	16.24****
Judy Rohrbaugh	10/30/89	4	14.85*
		11/7/99	15.14**
Susan C. Scicchitano	4/12/76	5	16.24****
Marian Sisson	4/23/79	5	15.95***
		4/25/99	16.24****
Carol Smith	5/31/79	5	15.95***
		6/6/99	16.24****
Linda Taylor	8/16/76	5	16.24****
Tracy Thompson	11/13/89	5	15.37*
		11/21/99	15.66**
Mary Jo Tubbs	10/27/86	5	15.66**
Marie L. Van Buskirk	5/26/81	5	15.95****
Dora M. Williams	6/20/94	4	15.08
		6/20/99	15.37*
<u>Staff Development Coordinator (255) - 1 position - GRADE 16</u>			
James Brand	8/7/72	5	22.71****
<u>Support Investigator (632) - 2 positions - GRADE 11</u>			
Melody Carlin	6/28/96	3	15.14**
Donna Erwin	1/7/80	5	15.95***
<u>Telephone Operator (633) - 2 positions - GRADE 4</u>			
June C. Argenti	10/26/92	5	11.73*
Christine Strobel	9/30/85	5	11.97**
<u>TREASURER (A1325)</u>			
<u>Senior Account Clerk (619) - 3 positions - GRADE 9</u>			
Evelyn Faulkner	2/7/75	5	14.69****
Patricia A. Gardner	6/6/88	5	14.15**
William E. Genesky	9/13/93	5	13.88*
<u>Senior Account Clerk/Typist (621) - 1 position - GRADE 9</u>			
Sharon Mark	4/25/88	5	14.15**
<u>Title Searcher (507) - 1 position - GRADE 12</u>			
Diana Pattridge	4/8/85	5	16.83**

Dated at Geneseo, New York

December 23, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

**RESOLUTION NO. 98-467. AMENDING THE 1998 DEPARTMENT HEAD SALARY SCHEDULE -
PUBLIC DEFENDER**

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

RESOLVED, that the 1998 Department Head Salary Schedule be amended as follows:

PUBLIC DEFENDER

Appoint Carol Deltoro of 7303 Route 63, Groveland, New York 14462 to the position of Confidential Secretary effective December 14, 1998 at an annual salary of \$25,000.

Dated at Geneseo, New York

December 23, 1998

Salary & Negotiating Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-468. AUTHORIZING A 1999 CONTRACT WITH MONROE COUNTY FOR THE PROVISION OF SECURE DETENTION SERVICES FOR YOUTH

Mrs. Avery presented the following resolution and moved its adoption:

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized and directed to execute an agreement between the County of Livingston and Monroe County for the provision of secure detention services for youth, commencing January 1, 1999 through December 31, 1999, subject to review by the County Administrator and County Attorney.

Contract on file in Clerk's office.

Dated at Geneseo, New York

December 23, 1998

Social Services Committee

Sandra Wright, Director of Social Services, explained there is a need to have a secure detention bed for youth.

Mrs. Wright explained that if the County does not use the bed throughout the term of the contract, the County is liable for 80% of the cost; after that the County only has to pay for days used. The department has budgeted \$60,000.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-469. ADOPTING TOWN BONDED INDEBTEDNESS REPORTS

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

WHEREAS, the Supervisors' Committee respectfully reports that it has examined the report for Town Bonded Indebtedness referred to the Committee from each of the seventeen Towns of the County:

See next page.

1998 REPORT OF TOWN BONDED INDEBTEDNESS
INCLUDING SPECIAL DISTRICTS

TOWN	PURPOSE OR TITLE OF OBLIGATIONS	METHOD OF PAYMENT	RATE OF INTEREST	DUE IN NEXT FISCAL YEAR 1999	UNPAID BALANCE
AVON	Water Tank		5.0%	\$12,000	\$122,000
	Town Highway Facility	BAN	3.73%	\$570,000	\$570,000
TOTAL				\$582,000	\$692,000
CALEDONIA	Water District #1 Water Line	Serial Bond	4.90%	\$9,533	\$90,000
CONESUS	1997 Ford Truck/Plow	BAN	4.12%	\$22,582	\$22,582
GENESEO	Long Point Park	Serial Bond	6.45%	\$50,000	\$350,000
	Water District #2	BAN	4.0%	\$60,000	\$1,278,706
	Water District #1	BAN	4.0%	\$40,000	\$761,294
TOTAL				\$150,000	\$2,390,000
GROVELAND	Gravel Pit	BAN	4.19%	\$10,000	\$90,000
	Roof	BAN	4.23%	\$7,500	\$52,500
	Water District	BAN	4.23%	\$36,940	1,071,260
	New Truck	BAN	4.15%	\$20,000	\$80,000
TOTAL				\$74,440	\$1,293,760
LEICESTER	None	None	-	-	-
LIMA	Water District #2	Serial Bond	7.00%	\$6,000	\$130,000
	Water District #1	Serial Bond	7.20%	\$2,000	\$10,000
	Town Hall Building & Recon.	Serial Bond	7.20%	\$28,000	\$120,000
TOTAL				\$36,000	\$260,000
LIVONIA	S. Livonia Water District	Serial Bond	5.00%	\$1,000	\$25,000
	Livonia Center Water District	Serial Bond	5.00%	\$4,000	\$56,000
	S. Livonia District Improvements	Serial Bond	5.125%	\$5,900	\$176,200
	Lakeville District Improvements	Serial Bond	4.875%	\$40,700	\$1,460,000
	East Lake Road Water District	BAN	3.98%	Called Serial Bond	\$450,000
	East Lake Road Water District	BAN	3.48%	Called Serial Bond	\$1,000,000
	East Lake Road Water District	BAN	N/A	Called Serial Bond	\$350,000
	East Lake Road Water District	BAN	N/A	Called Serial Bond	\$300,000
	S. Livonia Line Repairs	BAN	4.09%	\$9,200	\$27,600
	Water Pump Station Upgrade	BAN	4.09%	\$11,600	\$11,600
	Park Improvements	BAN	4.04%	\$15,000	\$15,000
	Park Improvements	BAN	4.04%	\$9,000	\$9,000
	Park Improvements	BAN	4.04%	\$13,200	\$13,200
	Bay Additions to Highway Garage	BAN	N/A	\$36,000	\$72,000
	Cold Storage Building	BAN	N/A	\$9,000	\$27,000
	Pickup Truck	BAN	4.10%	\$2,300	\$2,300
	10-Wheel Dump Truck	BAN	4.04%	\$12,000	\$12,000
	Excavator	BAN	4.07%	\$20,000	\$80,000
	Truck	BAN	N/A	\$19,600	\$98,000
TOTAL				\$208,500	\$4,184,900

TOWN	PURPOSE OR TITLE OF OBLIGATIONS	METHOD OF PAYMENT	RATE OF INTEREST	DUE IN NEXT FISCAL YEAR 1999	UNPAID BALANCE
MT. MORRIS	Water District #1	BAN	3.99%	\$3,500	\$56,500
NORTH DANSVILLE	1997 Ford Truck	BAN	4.06%	\$15,000	\$15,000
	1996 Ford Truck	BAN	4.00%	\$12,000	\$24,000
	1994 Ford Truck	BAN	4.14%	\$8,000	\$8,000
TOTAL				\$35,000	\$47,000
NUNDA	1997 Ford Truck-LTS 9000 Dump	BAN	3.99%	\$21,542	\$43,084
	1992 Case Excavator	BAN	4.04%	\$5,000	\$15,000
TOTAL				\$26,542	\$58,084
OSSIAN	None	None	-	-	-
PORTAGE	1995 Ford Truck	BAN	4.05%	\$17,255	\$34,508
SPARTA	Erie Lackawanna RR Bed	BAN	4.0%	\$13,600	\$27,200
	Ford Truck	BAN	4.02%	\$25,000	\$70,000
TOTAL				\$38,600	\$97,200
SPRINGWATER	None	None	-	-	-
WEST SPARTA	Dump Truck	BAN	4.24%	\$20,000	\$20,000
YORK	Water Improvements	BAN	3.77%	\$12,767	\$233,195
	Water Improvements	BAN	3.77%	\$12,169	\$207,850
	Water Improvements	BAN	3.85%	\$8,756	\$65,000
	Water Improvements	BAN	3.77%	\$668	\$14,435
	Water Improvements	BAN	3.77%	\$20,483	\$446,400
	Equipment	BAN	3.85%	5,306	\$18,400
	Equipment	BAN	3.58%	\$18,457	\$64,000
	Equipment	BAN	3.60%	\$50,000	\$150,000
	Water Improvements	Serial Bond	7.125%	\$20,606	\$205,000
	Water Improvements	Serial Bond	3.77%	\$10,150	\$83,000
TOTAL				\$161,389	\$1,487,280

it is hereby

RESOLVED, that the reports containing the Town Bonded Indebtedness from each of the seventeen Towns of the County be received, printed and approved and the Clerk of the Livingston County Board of Supervisors be directed to insert the report into the 1998 Proceedings.

Dated at Geneseo, New York

December 23, 1998

Supervisors Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-470. PROVIDING LEVY FOR TOWN BUDGETS FOR 1999

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

WHEREAS, the Supervisors Committee respectfully reports that it has examined the reports, resolutions and communications referred to the Committee from seventeen Towns of the County relating to the amounts necessary to be raised by Tax Levy for the purpose of meeting town charges in such Towns, and that the several amounts herein stated are required for the purpose as set forth by the Towns of the County:

See next page.

TOWN LEVY AMOUNTS FOR 1999

	Avon	Caledonia	Conesus	Geneseo	Groveland	Leicester	Lima	Livonia	Mt. Morris
Town General Fund	\$267,978	\$222,773	\$164,826	\$346,950	\$120,942	\$138,950	\$257,727	\$311,636	\$85,000
General Outside Village	42,600	37,175	0	35,094	0	0	28,808	80,400	15,750
Highway - Townwide	140,085	0	399,500	186,714	184,750	96,600	110,550	358,590	215,750
Highway - Outside Village	124,789	132,952	0	144,095	0	102,650	135,800	262,740	138,900
Public Library	0	0	0	0	0	0	107,161	121,881	0
SPECIAL DISTRICTS:									
Light District	0	0	0	2,000	7,700	5,600	0	28,000	0
Water District	0	0	0	188,387	74,431	12,150	0	255,012	0
Fire District	203,385	165,119	82,000	40,000	74,500	0	93,118	318,892	0
Fire Protection	0	0	0	0	0	68,800	0	0	25,000
Total Levy-Town Purposes	778,837	558,019	646,326	943,240	462,323	424,750	733,164	1,737,151	480,400
Chargebacks/Credits	507.64	524.90	294.13	426.05	104.11	459.91	1,137.85	1,682.35	214.76
Compensation	54,221	39,001	23,075	61,045	17,827	16,342	33,591	70,336	24,914
Total Town Levy-1999	\$833,565.64	\$597,544.90	\$669,695.13	\$1,004,711.05	\$480,254.11	\$441,551.91	\$767,892.85	\$1,809,169.35	\$505,528.76
	N. Dansville	Nunda	Ossian	Portage	Sparta	Springwater	West Sparta	York	
Town General Fund	\$148,363	\$96,425	86,150	\$70,438	\$112,800	\$161,500	\$105,158	\$169,919	
General Outside Village	8,212	22,597	0	0	0	0	0	0	
Highway - Townwide	76,200	184,142	147,000	130,805	190,500	369,300	187,050	341,840	
Highway - Outside Village	29,462	139,000	0	0	0	0	0	0	
Public Library	0	0	0	0	0	0	0	0	
Capital Reserve	0	0	0	0	0	0	0	0	
SPECIAL DISTRICTS:									
Light District	0	5,100	0	2,000	1,600	0	0	21,000	
Water District	0	0	0	0	0	0	0	142,000	
Fire District	0	35,200	8,672	18,616	45,797	65,083	38,550	114,070	
Fire Protection	2,400	0	0	0	0	0	0	0	
Total Levy-Town Purposes	264,637	482,464	241,822	221,859	350,697	595,883	330,758	788,829	
Chargebacks/Credits	49.36	401.54	0.22	619.64	0.28	-0.04	130.87	197.61	
Compensation	34,218	16,189	6,873	5,411	10,240	17,580	8,280	30,870	
Total Town Levy-1999	\$298,904.36	\$499,054.54	\$248,695.22	\$227,889.64	\$360,937.28	\$613,462.96	\$339,168.87	\$819,896.61	

it is hereby

RESOLVED, that the several amounts shown in this report as necessary to be raised by the several Towns in Livingston County for the purpose of meeting Town expenses, be levied and assessed upon the taxable property of the respective Towns as indicated, and that the amounts when collected shall be paid over to the Supervisor of the Town to be paid out by him/her according to law.

Dated at Geneseo, New York

December 23, 1998

Supervisors Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-471. REPORTING NAMES FOR THE MEMORIAL PAGE FOR THE 1998 PROCEEDINGS

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

RESOLVED, that the Clerk of the Board call the roll and each Supervisor report the names of any ex-supervisors who have died during the year:

None

Dated at Geneseo, New York

December 23, 1998

Supervisors Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-472 ESTABLISHING ORGANIZATIONAL MEETING FOR THE YEAR 1999

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

RESOLVED, that this Board shall meet in the Assembly Room in the Livingston County Government Center, Geneseo, New York, at 1:30 P.M. on Monday, January 4, 1999, for the purpose of organizing the Board for the year 1999 and selecting a Chairman for that year, and be it further

RESOLVED, that the Clerk of the Board shall mail to each member a written notice of the date, time and place of such meeting, stating that a Chairman will then be selected, such notice to be mailed to each member at least forty-eight hours before the date of such meeting, all pursuant to Section 151 of the County Law.

Dated at Geneseo, New York

December 23, 1998

Supervisors Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-473. AUTHORIZING THE CHAIRMAN, THE CLERK OF THE BOARD AND THE REAL PROPERTY TAX DIRECTOR TO EXECUTE TAX WARRANTS FOR COLLECTION OF TAXES OF DECEMBER 31, 1998

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

RESOLVED, that warrants for the collection of taxes levied on the 1999 town tax rolls signed by the Chairman, Clerk of the Board and Real Property Tax Director with the seal affixed thereto, be issued under the date of December 31, 1998, and that such warrants shall direct the collectors of the several towns to collect and pay over the several amounts set forth in such tax rolls on or before the 1st day of April, 1999.

Warrants on file in Clerk's office.

Dated at Geneseo, New York

December 23, 1998

Tax Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-474. PROVIDING FOR 1999 APPORTIONMENT OF COUNTY TAXES

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

WHEREAS, the Tax Committee submits the following table, based on assessed full valuation for the various towns of the County:

(See page number 580)

now, therefore be it

RESOLVED, that these figures be approved as a basis for the apportionment of taxes for State and County purposes, and be it further

RESOLVED, that the figures in the columns containing an apportionment of General Taxes be confirmed and that the figures be used in the forthcoming tax levy.

Dated at Geneseo, New York

December 23, 1998

Tax Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-475. CORRECTING TAX ROLL - TOWNS OF CALEDONIA AND NORTH DANSVILLE

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

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to two (2) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Town of Caledonia and North Dansville on the tax roll for the years hereinafter set forth, and

WHEREAS, said parcels were incorrectly assessed and/or taxed for reasons set forth in the application for correction requested from the Director of Real Property Tax Services attached hereto,

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

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

Year, Town & Premises	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refunds	Add. Tax to Jurisdictions
1. 1999 Caledonia	Livingston County	231.59	463.18	0.00	231.59
BROWN, Gail A.	Town of Caledonia	121.10	242.20	0.00	121.10
Tax Map Number	Caledonia Fire 1	66.57	66.57	0.00	0.00
7.-1-20	Pro Rated Taxes	<u>330.52</u>	<u>330.52</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$749.78	\$1102.47	\$0.00	\$352.69
2. 1999 North Dansville	Livingston County	0.00	501.50	0.00	501.50
SEELEY, Laura A. & Elizabeth R.	Liv. Co. Pro Rata	0.00	40.44	0.00	40.44
HAYES, Rachel A.	Town of North Dansville	0.00	218.43	0.00	218.43
Tax Map Number	Town of N.Dans.ProRata	0.00	16.08	0.00	16.08
204.-1-33.112	North Dansville Fire	<u>0.00</u>	<u>4.93</u>	<u>0.00</u>	<u>4.93</u>
	Total	\$0.00	\$781.38	\$0.00	\$781.38

Dated at Geneseo, New York

December 23, 1998

Tax Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

AMENDMENT TO RESOLUTION NO. 98-452.

The County Attorney explained that the acreage in the parcel list for Agricultural District No. 1 is correct, however, the parcel on the map was not shaded appropriately. The County Attorney proposed that the resolution be amended as follows:

The last resolved shall read: RESOLVED, that the proposed modification and renewal of Livingston County Agricultural District #1 is hereby approved, subject to the addition to the map of the remainder of tax map no. 15.-1-1 and the adjustment of the acreage figures contained in the Renewal and Modification Plan to include the entire acreage of tax map no. 15.-1-1, and a copy of the proposed plan, as amended, will be forwarded to the Commissioner of Agriculture and Markets.

Mr. Stewart moved and Mr. Daley seconded to approve the amendment as presented.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 98-452. APPROVING RENEWAL AND MODIFICATION OF AGRICULTURAL DISTRICT #1

Mr. Stewart presented the following amended resolution and moved its adoption:

WHEREAS, the eight-year anniversary of Agricultural District #1 was February 1, 1997; and

WHEREAS, the Livingston County Agricultural & Farmland Protection Board reviewed and recommended approving the renewal and modification of District #1 at its meeting on November 19, 1998; and

WHEREAS, the Livingston County Planning Board reviewed and recommended approval of the renewal and modification of District #1 at its meeting on November 12, 1998; and

WHEREAS, the Livingston County Board of Supervisors held a public hearing on Agricultural District #1 on December 9, 1998; and

WHEREAS, the Livingston County Board of Supervisors has determined pursuant to the State Environmental Quality Review Act, that the proposed modification and renewal of Agricultural District #1 will not have a significant impact on the environment; now therefore be it

RESOLVED, that the Board of Supervisors hereby makes the findings contained in the Renewal and Modification Plan for Agricultural District #1 dated December 23, 1998; and be it further

RESOLVED, that the proposed modification and renewal of Livingston County Agricultural District #1 is hereby approved, subject to the addition to the map of the remainder of tax map no. 15.-1-1 and the adjustment of the acreage figures contained in the Renewal and Modification Plan to include the entire acreage of tax map no. 15.-1-1, and a copy of the proposed plan, as amended, will be forwarded to the Commissioner of Agriculture and Markets.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

OTHER BUSINESS

Mr. House requested a motion to declare a recess in order for the Republicans and Democrats to hold their caucus to determine the official papers of the County of Livingston.

Mr. Layland moved and Mr. Bassage seconded to declare a recess. Carried.

The Board reconvened.

REPORT OF THE REPUBLICAN CAUCUS

To the Board of Supervisors of Livingston County:

At the meeting of the Board of Supervisors of the County of Livingston, We, the Undersigned, being the Republican members of such Board, pursuant to the statute in such case made and provided, do hereby designate Livingston County News as being a paper fairly representing the party to which we belong, and we hereby designate Livingston County News to publish the concurrent resolutions of the legislature and the tax sale notices for the County of Livingston and do hereby designate Genesee Country Express as being a paper fairly representing the party to which we belong and we hereby appoint Genesee Country Express to publish election notices and the official canvass.

And, We further designate The Lake and Valley Clarion as being a paper fairly representing the party to which we belong, and we hereby appoint The Lake and Valley Clarion to publish all local laws and acts of this Board of Supervisors, and all other County notices and matters required to be published, hereby designating The Lake and Valley Clarion as one of the official newspapers of the County of Livingston.

We do further certify that the Republican Party is one of the two principal parties into which the voters of Livingston County is divided.

Dated at Geneseo, New York
December 23, 1998

James C. Merrick, Chairman
Timothy Wahl
Dennis R. House
W. Harold Stewart
Richard J. Essler
Gerald R. Derrenbacher
Marjorie Cansdale

Donna L. Avery, Secretary
Joseph A. Daley
Leopold Marks
Lance H. Bassage
Emery Jaeger
Howard J. Kramer
Gary D. Moore

REPORT OF THE DEMOCRATIC CAUCUS

To the Board of Supervisors of Livingston County:

At the meeting of the Board of Supervisors of the County of Livingston, We, the Undersigned, being the Democratic members of such Board, pursuant to the statute in such case made and provided, do hereby designate Genesee Country Express as being a paper fairly representing the party to which we belong, and we hereby designate Genesee Country Express to publish the concurrent resolutions of the legislature and the tax sale notices for the County of Livingston and do hereby designate The Lake and Valley Clarion as being a paper fairly representing the party to which we belong and we hereby appoint The Lake and Valley Clarion to publish election notices and the official canvass.

And, We further designate Livingston County News as being a paper fairly representing the party to which we belong, and we hereby appoint Livingston County News to publish all local laws and acts of this Board of Supervisors, and all other County notices and matters required to be published, hereby designating Livingston County News as one of the official newspapers of the County of Livingston.

We do further certify that the Democratic Party is one of the two principal parties into which the voters of Livingston County is divided.

Dated at Geneseo, New York

December 23, 1998

James Layland, Chairman

James Olverd, Secretary

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Moore to adjourn until Monday, January 4, 1999 at 1:30 p.m. Carried.

The Board adjourned at 4:07 p.m.