

**ORGANIZATIONAL MEETING
WEDNESDAY, JANUARY 2, 2002
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.

The Clerk of the Board announced that a handout was distributed to each Board member outlining the guidelines to move into Executive Session and the statement that is read to present a resolution.

TEMPORARY CHAIRMAN

Nominations were called for Temporary Chairman. Mr. Davis nominated Mr. Moore to act as Temporary Chairman and Mr. Schuster seconded the nomination. Carried.

Mr. Moore took the chair and thanked the Board of Supervisors for their support and welcomed the new Supervisors from the Towns of Avon, Conesus, Lima, and Ossian. Mr. Moore called for nominations for the Chairman of the Board for the year 2002.

CHAIRMAN OF THE BOARD

Mr. Davis stated that Mr. Merrick has done a distinguished job the past three years and nominated James C. Merrick for Chairman of the Board. Mr. Layland seconded the motion. Mr. Kennison stated that James C. Merrick has done a marvelous job in keeping the Board together and he enthusiastically seconded the motion as well. There being no other nominations, a motion made by Mr. Layland and seconded by Mr. Martello to close the nominations. Carried.

Mr. Moore directed the Clerk to call the roll for the nomination of James C. Merrick for Chairman of the Board. The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - 0; Adopted.

Mr. Moore declared James C. Merrick as Chairman of the Board for the year 2002.

Mr. Brooks and Mr. Layland escorted Mr. Merrick to the seat of Chairman of the Board.

Chairman Merrick stated that he will do his best to fulfill the responsibilities of Chairman of the Board, and thanked the Board for unanimously electing him as Chairman of the Board.

VICE CHAIRMAN

Chairman Merrick appointed Leicester Supervisor Gary D. Moore as Vice Chairman of the Board for the year 2002. Chairman Merrick stated he is pleased with the assistance Mr. Moore has provided to him during this past year by attending meetings that he is unable to attend.

Mr. Moore thanked Chairman Merrick for the appointment to Vice Chairman of the Board.

STATE OF THE COUNTY ADDRESS

Chairman Merrick read the following remarks:

STATE OF THE COUNTY

JANUARY 2, 2002

It is with a great deal of pride and optimism that I am able to present the 2002 State of the County message.

Certainly, the Year 2001 was one of continuing challenge and much success for Livingston County, and I am pleased with the high level of achievement that has been attained. Clearly, we in Livingston County, like everyone throughout our great nation, have been forever affected by the tragic events of September 11, and with it, the increased commitments needed to provide for the health, safety and security of our citizens. This will require many sacrifices on the part of us all, which I know we are willing to make.

I am most pleased with both the immediate and long-term responses by the County department heads and staff in reacting to the needs resulting from September 11, and commend their efforts. Livingston County Emergency Management and medical staff, Sheriff's Department staff, local ambulance volunteers, Public Health staff, and many others, unselfishly gave of their time and talents in response to this tragedy. On behalf of all of the people in Livingston County, I thank each and every one of them.

During the Year 2001, the accomplishments of Livingston County were numerous and diverse. Among our achievements this past year, were:

- The completion of our long-term care study and the Board of Supervisors' direction to begin the process for seeking New York State Department of Health approval for a new single-site facility to be located at the County Campus in Mt Morris. Additionally, this effort provided other useful information for the development of respite care, dementia services, increased home care services and other types of elder services, many of which have already been implemented.
- We completed the long-range goal of centrally locating our Highway Department operations at the Hampton Corners Complex. This project was achieved through great effort on the part of the Highway Superintendent and his staff. A dedication ceremony and public open house were held in October.
- The American Rock Salt Project and final installation of the Water and Sewer Infrastructure were completed. Both are fully operational and all of the hoped for results have been met.
- Foster Wheeler Corporation was successful in acquiring \$800,000 of Workforce Investment Training Funds intended to improve the Company's competitive position in future years.
- Due to spiraling increases in the costs for several mandated services and in particular, the Medicaid Program, Livingston County was forced to increase property taxes with the adoption of the 2002 Budget. This was the first significant increase in eight years. We are very concerned that, due to the financial outcomes of a slowing economy and the resulting revenue losses being experienced by New York State, increasing financial burdens will continue to be placed on counties.
- I am pleased that at year-end 2001, we had reached agreements for 2002 with all of the employee labor organizations.

In looking ahead to the challenges that 2002 will bring, I look forward to working with the Board, County Administrator, Department Heads, and the Community in several areas.

- The 2002 Livingston County Budget requires that .72 cents of every property tax dollar raised pay for State mandated programs. This is a trend that must be reversed through legislative cooperation and leadership in Albany. Livingston County will be taking an active role through the New York Association of Counties in gaining meaningful reform.
- We look forward to the development and ultimate approval by the New York State Department of Health for the Certificate of Need for a new Livingston County Nursing Facility. Additionally, we will begin the environmental impact study and contract for construction management and architectural/engineering services.

- In conjunction with the new nursing facility project, I will be appointing an AD Hoc Committee to study and make recommendations for the future use of any property no longer needed for County purposes. It is my intent to include a broad representation of interested people for this effort.
- I look forward to the construction and completion of the Animal Control building at the Hampton Corners Complex.
- In 2001, with the assistance of the Rochester-Genesee Regional Transportation Authority, we completed a study of the transportation needs in Livingston County and in 2002 we look to begin the process of improving the County's transportation services.
- On the Economic Development front, with the creation of the Livingston Development Group, we will be taking a fresh approach to attracting and growing business in Livingston County. The creation of an Economic Development Zone for Livingston County will be a legislative priority in Albany.
- Through the fine efforts of the Livingston County Water and Sewer Authority, I look forward to the continued growth of these vital services in the County.
- We will continue to seek cost effective ways to provide safe and adequate correctional services to inmates of the Livingston County jail.

In considering the events and activities of 2001 and the challenges that 2002 bring, I am reminded and optimistically guided by the following advice, "If you can find a path with no obstacles, it probably doesn't lead anywhere."

I am appreciative of the support and cooperation I have received during the past year and look forward to meeting the challenges of 2002.

James C. Merrick
Chairman of the Board

RESOLUTIONS

RESOLUTION NO. 2002-001. APPOINTING THE COUNTY ATTORNEY - MORRIS

Mr. Davis moved and Mr. Schuster seconded to present the following resolution:

RESOLVED, that the Livingston County Board of Supervisors hereby appoints David J. Morris as County Attorney for a two-year term to commence January 1, 2002 and terminate December 31, 2003.

Dated at Geneseo, New York

January 2, 2002

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

RESOLUTION NO. 2002-002. APPOINTING THE COUNTY AUDITOR - DONEGAN

Mr. Layland moved and Mr. Moore seconded to present the following resolution:

RESOLVED, that the Livingston County Board of Supervisors hereby appoints Terrence P. Donegan as County Auditor for a two-year term to commence January 1, 2002 and terminate December 31, 2003.

Dated at Geneseo, New York

January 2, 2002

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

RESOLUTION NO. 2002-003. APPOINTING THE PUBLIC DEFENDER - CLARK

Mr. Mahus moved and Mr. Brooks seconded to present the following resolution:

RESOLVED, that the Livingston County Board of Supervisors hereby appoints Marcea A. Clark as Public Defender for a two-year term to commence January 1, 2002 and terminate December 31, 2003.

Dated at Geneseo, New York

January 2, 2002

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

RESOLUTION NO. 2002-004. APPOINTING THE COMMISSIONER OF SOCIAL SERVICES - WOODHOUSE

Mr. Moore moved and Mr. Walker seconded to present the following resolution:

RESOLVED, that the Livingston County Board of Supervisors hereby appoints W. Michael Woodhouse as Commissioner of Social Services for a five-year term to commence March 1, 2002 and terminate February 28, 2007.

Dated at Geneseo, New York

January 2, 2002

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

RESOLUTION NO. 2002-005. APPOINTING THE COMMISSIONER OF ELECTIONS - SMITH

Mr. Mahus moved and Mr. Walker seconded to present the following resolution:

WHEREAS, Lowell Conrad, Chairman of the County Committee of the Republican Party, has filed with the Board of Supervisors a certificate recommending the appointment of Gerald L. Smith, a resident and qualified voter of the Town of Geneseo, as a 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, Gerald L. Smith, Republican, is hereby appointed as Commissioner of Elections for a term commencing January 1, 2002 and terminating December 31, 2004.

Dated at Geneseo, New York

January 2, 2002

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

OTHER BUSINESS**1. UPDATE ON NEW NURSING FACILITY**

County Administrator Mazza congratulated Chairman Merrick and Vice Chairman Moore. He stated he is looking forward to another successful year and wished everyone a Happy New Year.

The County Administrator stated he wanted to inform the Board of Supervisors of actions that have taken place since the last meeting regarding the process for seeking New York State Department of Health approval for a new single-site facility to be located at the County Campus in Mt Morris.

The County Administrator stated that a goal has been set for the end of June to complete the Certificate of Need (CON) application. This will be a fast-track process, therefore, it is imperative that a schedule be established and adhered to. Due to issues and the concerns with the State budget, it is important that we begin this process and submit in writing our need for a CON before any substantive changes of legislation are made which might negatively affect current reimbursement methodology. There are three steps that need to be accomplished.

The first step is to hire an architectural and engineering firm to review the site, make determinations of size, program needs and prepare the CON application. Recent past experience with the State Department of Health will be a critical need. Proposals will be sent out this week to firms within the Rochester area and a pre-bid meeting will be scheduled for January 9, 2002. The proposals are to be submitted to the Office of the County Administrator by January 18, 2002 and hopefully a recommendation will be presented to the Board of Supervisors at their January 23, 2002 regular board meeting.

Secondly, the County Administrator recommended to amend the existing contract with Rotenberg & Company LLP, auditing firm, to assist in any financial analysis needed for the CON application.

Thirdly, this project will require a full environmental impact statement, and Planning Director David Woods and County Attorney David Morris, will have key responsibilities for assisting in the completion of the SEQR process. The County Administrator clarified that some of the transportation and health and safety issues that were raised by Geneseo Supervisor Kennison will be part of the SEQR review. A completed SEQR process is not required for the CON process.

The County Administrator stated that once the CON is approved and SEQR is completed, then a design firm will be hired.

The County Administrator asked if any Supervisor had any questions or concerns. No one responded. He stated that he is hopeful that everyone realizes the need to move rapidly in order to meet the end of June deadline for the CON process. The County Administrator stated he will periodically update the Central Services and Health Committees on the status of this project.

The County Administrator distributed an excerpt from the Livingston County Facility Options Study entitled "Utilization Report" (on file) that provided other useful information for the development of respite care, dementia services, increased home care services and other types of elder services, many of which have already been implemented.

Chairman Merrick asked County Attorney David Morris to be seated.

2. TRANSFER OF CONESUS LAKE COUNTY SEWER DISTRICT TO THE LIVINGSTON COUNTY WATER & SEWER AUTHORITY

Vice Chairman Moore stated that at the last Board of Supervisors' meeting, the Board transferred the Conesus Lake County Sewer District to the Livingston County Water and Sewer Authority effective 12/31/01.

3. APPOINTMENT OF 2002 STANDING COMMITTEES

Chairman Merrick commented that he changed the membership of the committees, however, this change does not have anything to do with the performance of those Supervisors but this change was done to provide each Supervisor a diversified experience on the committees assigned. Chairman Merrick stated that it is imperative that the Supervisors call the office if they are unable to attend a board meeting or a committee meeting. He also stated that the Chairman of each Committee must confirm their committee schedule with the Clerk of the Board. Chairman Merrick appointed the 2002 Standing Committee as follows:

**LIVINGSTON COUNTY BOARD OF SUPERVISORS
STANDING COMMITTEES
2002**

<p><i>CENTRAL SERVICES COMMITTEE</i> <i>Olverd, Chairman</i> <i>Kennison, Vice Chairman</i> <i>Layland</i> <i>Moore</i> <i>Mahus</i></p>	<p><i>INTERGOVERNMENTAL AFFAIRS COMMITTEE</i> <i>Schuster, Chairman</i> <i>Witte, Vice Chairman</i> <i>Cansdale</i> <i>LeFeber</i> <i>Martello</i></p>
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<p>FINANCE & ADMINISTRATION COMMITTEE <i>Layland, Chairman</i> <i>LeFeber, Vice Chairman</i> <i>Brooks</i> <i>Mahus</i> <i>Deming</i> <i>Walker</i> <i>Yendell</i></p>	<p>LEGISLATIVE & AGRICULTURAL AFFAIRS COMMITTEE <i>Cansdale, Chairman</i> <i>Yendell, Vice Chairman</i> <i>Davis</i> <i>Schuster</i> <i>LeFeber</i></p>
<p>HEALTH COMMITTEE <i>Walker, Chairman</i> <i>Martello, Vice Chairman</i> <i>Schuster</i> <i>Kennison</i> <i>Cansdale</i> <i>Wahl</i> <i>Davis</i></p>	<p>PERSONNEL & EMPLOYEE RELATIONS COMMITTEE <i>Brooks, Chairman</i> <i>Wahl, Vice Chairman</i> <i>Layland</i> <i>Moore</i> <i>Kennison</i> <i>Deming</i> <i>Yendell</i></p>
<p>HIGHWAY & PUBLIC WORKS COMMITTEE <i>Moore, Chairman</i> <i>Davis, Vice Chairman</i> <i>Wahl</i> <i>Brooks</i> <i>Walker</i> <i>Olverd</i> <i>Witte</i></p>	<p>PUBLIC SAFETY & CRIMINAL JUSTICE COMMITTEE <i>Mahus, Chairman</i> <i>Deming, Vice Chairman</i> <i>Witte</i> <i>Olverd</i> <i>Martello</i></p>

ADJOURNMENT

Motion made by Mr. Moore and seconded by Mr. Layland to adjourn the meeting to Wednesday, January 9, 2002 at 1:30 PM. Carried.

The Board adjourned at 2:04 P.M.

**REGULAR BOARD MEETING
WEDNESDAY, JANUARY 9, 2002
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Mr. Witte and Mr. Olverd.

The Pledge of Allegiance.

MINUTES

Minutes of 12/19/01 Regular Meeting and 1/2/02 Organizational Meeting were approved as presented.

COMMUNICATIONS

1. The Livingston County Board of Supervisors will meet the second and fourth Wednesday of every month at 1:30 P.M. in the Assembly Room of the Board of Supervisors, Livingston County Government Center, Third Floor, Geneseo, New York for the year 2002.
2. The NYSAC 2002 Legislative Conference will be held January 27-29, 2002 at the Desmond Hotel in Albany, NY. Please RSVP to the Clerk of the Board no later than Friday, January 11, 2002 if you wish to attend.
3. Thank you note from family of Tracy Brooks, brother of Philip Brooks, for the flower arrangement.
4. Thank you note from Virginia Amico, Clerk of the Board.
5. Thank you note from former Springwater Supervisor Howard Kramer for the fruit basket and historical book.
6. Thank you note from Chairman James C. Merrick.

RESOLUTION NO. 2002-006. APPROVING ABSTRACT OF CLAIMS #12B – DECEMBER 26, 2001

Mr. Layland 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, 2001 in the total amount of \$1,509,264.31.

Dated at Geneseo, New York

January 9, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent - Witte, 71 and Olverd, 146; Adopted.

Mr. Olverd entered.

RESOLUTION NO. 2002-007. APPROVING ABSTRACT OF CLAIMS #1A – JANUARY 9, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #1A dated January 9, 2002 in the total amount of \$960,301.70.

Dated at Geneseo, New York

January 9, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent - Witte, 71 and Olverd, 146; Adopted.

PREFERRED AGENDA

RESOLUTION NO. 2002- 008. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY COMMUNITY SERVICES BOARD AND SUBCOMMITTEES – WRIGHT, KINNEY, CANNE, OLSON, NILSSON, SIMONS, ELLIOTT-ENGEL, PARKER

RESOLVED, that the following members are hereby appointed to the Livingston County Community Services Board for a term commencing January 1, 2002 and expiring December 31, 2005:

Sandra Wright, 3 Livingston Campus, Mt. Morris, NY 14510

Jill Kinney, 1822 Rochester Street, Lima, NY 14485

Laura Canne, P.O. Box 31, Caledonia, NY 14423

Robert Olson, 2186 Leicester Road, Leicester, NY 14481

and, it is further,

RESOLVED, that the following members are hereby appointed to the Livingston County Mental Health Subcommittee for a term commencing January 1, 2002 and expiring December 31, 2005:

Jonatha Nilsson, 6996 Harder Road, Hemlock, NY 14466

Jill Kinney, 1822 Rochester Street, Lima, NY 14485

and, it is further

RESOLVED, that the following member is hereby appointed to the Livingston County Developmental Disabilities Subcommittee for a term commencing January 1, 2002 and expiring December 31, 2005:

Marilyn Simons, 3 Livingston Campus, Mt. Morris, NY 14510

and, it is further

RESOLVED, that the following members are hereby appointed to the Livingston County Chemical Dependency Subcommittee for a term commencing January 1, 2002 and expiring December 31, 2005:

Laura Elliott-Engel, P.O. Box 186, Livonia, NY 14487

Nancy Parker, 4600 Federal Road, Livonia, NY 14487

Dated at Geneseo, New York

January 9, 2002

Health Committee

RESOLUTION NO. 2002-009. APPOINTING MEMBER TO THE LIVINGSTON COUNTY BOARD OF HEALTH - WALKER

RESOLVED, that Mark E. Walker of 7630 Walker Road, Wayland, NY 14572 is hereby appointed to the Livingston County Board of Health for term commencing January 1, 2002 and ending December 31, 2002.

Dated at Geneseo, New York

January 9, 2002

Health Committee

RESOLUTION NO. 2002-010. APPOINTING MEMBERS TO THE BOARD OF THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY – RIEDMAN, WAHL

RESOLVED, that the following individuals be appointed to the board of the Livingston County Water and Sewer Authority for a term to commence January 1, 2002 and expire on December 31, 2004:

Frank Riedman, 5734 McPherson's Point, Livonia, NY 14487

Timothy R. Wahl, 3829 Federal Road, Livonia, NY 14487

Dated at Geneseo, New York

January 9, 2002

Highway & Public Works Committee

RESOLUTION NO. 2002-011. APPOINTING HEARING BOARD MEMBERS FOR THE ADMINISTRATION OF THE LIVINGSTON COUNTY SOURCE SEPARATION LAW – COYNE, VREELAND, DONAHUE

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 persons be appointed to the Hearing Board for the term commencing January 1, 2002 and terminating December 31, 2003:

Ellen Coyne, 5117 Littleville Road, Avon, NY 14414

Sanford Vreeland, 2561 Kingston Road, Leicester, NY 14481

Brenda Donahue, Alternate, 5553 Mission Road, Conesus, NY 14435

Dated at Geneseo, New York

January 9, 2002

Highway & Public Works Committee

RESOLUTION NO. 2002-012. APPOINTING MEMBER TO THE LIVINGSTON COUNTY BOARD OF ETHICS - KNAPP

WHEREAS, Dwight Knapp was appointed as a member of the Livingston County Board of Ethics for a term expiring December 31, 2001, and

WHEREAS, Dwight Knapp desires to be reappointed to another three year term, it is hereby

RESOLVED, that Dwight Knapp of 10342 Hoataling Road, Dansville, NY 14437 is hereby appointed to the Livingston County Board of Ethics for a three-year term to commence January 1, 2002 and expire December 31, 2004.

Dated at Geneseo, New York

January 9, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-013. APPOINTING MEMBERS TO THE NEW YORK STATE FISH & WILDLIFE MANAGEMENT BOARD – DAVIS, YENDELL, TAYLOR, OSYPIAN

RESOLVED, that the following persons are hereby appointed to the New York State Fish and Wildlife Management Board for a term commencing January 1, 2002 and expiring December 31, 2003:

Ivan C. Davis, Supervisor Representative, 10042 South River Road, Hunt, NY 14846

Peter Yendell, Supervisor Representative, 449 College Street, Lima, NY 14485

John Taylor, Sportsman Representative, 3238 Fowlerville Road, Caledonia, NY 14423

Marc Osypian, Alternate Sportsman Representative, 2551 Lakeville Road, Avon, NY 14414

Dated at Geneseo, New York

January 9, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-014. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY SOIL AND WATER CONSERVATION BOARD - MOORE, LEFEBER, GALTON

RESOLVED, that the following members be appointed to the Livingston County Soil & Water Conservation District Board of Directors for a term to expire December 31, 2002:

Gary D. Moore, Supervisor Member, 2085 Dunkley Road, Leicester, NY 14481

David L. LeFeber, Supervisor Member, 2796 Pole Bridge Road, Avon, NY 14414

and, it is further

RESOLVED, that the following member be appointed to the Livingston County Soil & Water Conservation District Board of Directors for a term to expire December 31, 2004:

Gary Galton, Farm Bureau Member, 14 Gibbs Street, Nunda, NY 14517

Dated at Geneseo, New York

January 9, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-015. APPOINTING MEMBERS TO THE REGION 8 FOREST PRACTICE BOARD – DAVIS, HUMPHREY

RESOLVED, that the Livingston County Board of Supervisors hereby appoints the following persons to the Region 8 Forest Practice Board for a three-year term commencing January 1, 2002 and expiring December 31, 2004:

Ivan C. Davis, Landowner Member, 10042 South River Road, Hunt, NY 14846

William Humphrey, Landowner Member, P.O. Box 310, Springwater, NY 14560-0310

Dated at Geneseo, New York

January 9, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-016. APPOINTING MEMBERS TO THE COMMUNITY INITIATIVES COUNCIL – BLYTHE, LANDERS, LEARY, AND AVERY

RESOLVED, that the following persons are hereby appointed to the Livingston County Community Initiatives Council, as representatives of the Private Sector, for a term commencing on January 1, 2002, and expiring December 31, 2004:

Gary Blythe, RG&E, 56 Main Street, Geneseo, NY 14454

Kelly Jo Landers, 5699 Marrowback Road, Conesus, NY 14435
 Sharon Leary, 4517 Lakeville Road, Geneseo, NY 14454
 Donna Avery, 6947 Stage Coach Road, Conesus, NY 14435
 vacant

Dated at Geneseo, New York

January 9, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-017. REAPPOINTING MEMBERS TO LIVINGSTON COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL - DONNAN, SWANSON, WALKER, GRACE, DAVIS, DEPUY, GOTCSIK, LYKE, MCCLEARY, MEEKIN, PARISH, SCHONGAR, VANHOUTEN

RESOLVED, that the following people are hereby reappointed to the Livingston County Environmental Management Council for a term to expire December 31, 2003:

To represent Industry-Commerce:

Vacant

Vacant

Vacant

Vacant

Vacant

To represent Agriculture:

Robert Donnan, 4722 Chandler Road, Piffard, NY 14533

David H. Swanson, 7014 Begole Road, Mt. Morris, NY 14510

Susan Walker, 7630 Walker Road, Wayland, NY 14572

Eric Grace, Genesee Valley Conservancy, PO Box 73, 4029 Roots Tavern Road, Geneseo, NY 14454

Vacant

Citizens:

Barbara Davis, 5258 Lakeville Road, Geneseo, NY 14454

Thomas DePuy, 10839 McCurdy Road, Dansville, NY 14437

Frances Gotsik, 7364 East Main Street, Lima, NY 14487

Patricia Lyke, 4138 West Lake Road, Geneseo, NY 14454

William McCleary, 3247 Bronson Hill Road, Livonia, NY 14487

Jean Meekin, 3991 Graywood Center Road, Geneseo, NY 14454

David W. Parish, 5 Crosset Road, Geneseo, NY 14454

Laurence Schongar, 355 Genesee Street, Avon, NY 14414

Ralph Van Houten, 1704 Parkside Place, Lima, NY 14485

Vacant

Dated at Geneseo, New York

January 9, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-018. REAPPOINTING MEMBERS TO LIVINGSTON COUNTY PLANNING BOARD – SINNOTT, ROBERTS, AYERS, WAMP, HICKS, RICHARDS, INGALSBE

RESOLVED, that the following persons are hereby appointed to the Livingston County Planning Board for a term commencing January 1, 2002, and expiring December 31, 2004:

Town of Mt. Morris – Daniel Sinnott, 16 Pine Circle, Mt. Morris, NY 14510

Town of North Dansville - Marie Roberts, 53 Clara Barton St., Dansville, NY 14437

Town of Nunda - Marcia Ayers, 2050A Paine Road, Dalton, NY 14836

Town of Ossian - Joan Wamp, 5332 Ossian Hill Road, Dansville, NY 14437

Town of Portage – Patricia Hicks, County Road 20, Hunt, NY 14846

Town of Sparta – vacant

Town of Livonia - Donald Richards, 4087 East Lake Road, Livonia, NY 14487

Village of Dansville – vacant

Village of Lima - Barry Ingalsbe, 2036 Michigan Avenue, Lima, NY 14485

Dated at Geneseo, New York

January 9, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-019. APPOINTING VOTING REPRESENTATIVES TO THE INTER-COUNTY ASSOCIATION OF WESTERN NEW YORK - BROOKS, SCHUSTER, MARTELLO

RESOLVED, that the following persons are hereby appointed as Livingston County voting representatives for the Inter-County Association of Western New York, for a term expiring December 31, 2002:

Philip S. Brooks, Supervisor, Town of Nunda, 2025 Paine Road, P.O. Box 773, Nunda, NY 14517

Mark J. Schuster, Supervisor, Town of Sparta, 6464 Liberty Pole Road, Dansville, NY 14437

Domenick J. Martello, Supervisor, Town of Ossian, 4939 Blank Hill Road, Dansville, NY 14437

Dated at Geneseo, New York

January 9, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-020. PROCLAIMING THE MONTH OF FEBRUARY 2002 AS LIVINGSTON COUNTY SCHOOL-TO-WORK MONTH

WHEREAS, the Livingston County Business/Education Alliance, Livingston County Chamber of Commerce, Livingston County Workforce Development/Youth Bureau, GLOW School-To-Work Partnership, and New York State Department of Labor have joined efforts to provide area students an opportunity to connect school with work, and

WHEREAS, School-To-Work opportunities demonstrate a business and education partnership commitment to providing youth of our community with insight to current job market trends, expectations and responsibilities, and

WHEREAS, the School-To-Work experiences allow students to interact with local employers 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 February 2002 as Livingston County School-To-Work Month.

Dated at Geneseo, New York

January 9, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-021. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY FIRE ADVISORY BOARD – AYERS, ELLIS, PECK, TABER

RESOLVED, that the following persons are hereby appointed to the Livingston County Fire Advisory Board for a three-year term commencing January 1, 2002 and expiring December 31, 2004:

Howard Ayers, 3368 Rochester Road, Lakeville, NY 14480

John Ellis, 1617 Whiteman Gully Road, Dansville, NY 14437

Elwood Peck, 6479 Stonehill Road, Livonia, NY 14487

Donald Taber, 3136 Ridge Road, Mt. Morris, NY 14510

Dated at Geneseo, New York

January 9, 2002

Public Safety & Criminal Justice Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Moore and seconded by Mr. Schuster to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-022. ESTABLISHING PETTY CASH FOR VARIOUS DEPARTMENTS FOR THE YEAR 2002

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

RESOLVED, that the following petty cash amounts and designees be established for the year 2002 as follows:

<u>DEPARTMENT</u>	<u>CUSTODIAN</u>	<u>2002 AMOUNT</u>
Board of Sup./Cty. Adm.	Terrence Donegan	\$ 100.00
Counseling Services	Mark Brown	\$ 5,000.00
County Clerk	James Culbertson	\$ 750.00
Economic Development	Patrick Rountree	\$ 150.00
Highway	Donald Higgins	\$ 1,000.00
Workforce Development	C. Keith Mitchell	\$ 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	\$ 200.00
Sheriff=s Dept.	John York	\$ 2,500.00
SNF - Geneseo	Keith Chambery	\$ 500.00
SNF - Campus	Peter Carter	\$ 2,300.00
Social Services	W. Michael Woodhouse	\$ 2,000.00
Treasurer	Carolyn Taylor	\$ 2,000.00
Weights & Measurers	Michael Cloonan	\$ 150.00
Women=s Health Center	Joan Ellison	\$ 500.00
Youth Bureau	C. Keith Mitchell	\$ 100.00

Dated at Geneseo, New York
January 9, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-023. AUTHORIZING A CONTRACT WITH STUART I. BROWN ASSOCIATES, INC. FOR GRANT WRITER SERVICES

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

RESOLVED, that the County of Livingston enter into an Agreement with Stuart I. Brown Associates, Inc. for procuring and processing grants in aid for Livingston County, to commence January 1, 2002 and terminate December 31, 2003 and the contract price per day shall be Five Hundred Fifty One Dollars and Twenty Five Cents (\$551.25) for 2002 and an increase of five percent per diem for 2003, and it is further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Stuart I. Brown Associates, Inc., subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York
January 9, 2002

Finance & Administration Committee

Mr. Layland informed the Board Members that Stu has done well and he feels this is a very appropriate renewal. Chairman Merrick agreed that he has served this County very well.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-024. CORRECTING TAX ROLL – AVON, LIVONIA, NORTH DANSVILLE

Mr. Layland 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 parcels) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Towns of Avon, Livonia 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	Chargebacks to Taxing Jurisdictions
1. 2002 Avon JOHNSTON, Linda c/o Mr. & Mrs. Leonard Brown Tax Map Number 34.13-1-42	Livingston County	\$653.43	\$490.07	\$0.00	\$163.36
	Avon Town Tax	195.39	146.54	0.00	48.85
	Avon Pro Rated Tax	60.14	0.00	0.00	60.14
	Liv. Co. Pro Rated Tax	<u>207.49</u>	<u>0.00</u>	<u>0.00</u>	<u>207.49</u>
	Total	\$1,116.45	\$636.61	\$0.00	\$479.84
2. 2002 Livonia LIVONIA JOINT FIRE DISTRICT Tax Map Number 75-1-45.2	Livingston County	\$140.06	\$0.00	\$0.00	\$140.06
	Livingston Co. Penalties	25.84	0.00	0.00	25.84
	Livonia Town	92.42	0.00	0.00	92.42
	Livonia School Relevy	369.17	0.00	0.00	369.17
	Livonia Fire 3	<u>39.39</u>	<u>0.00</u>	<u>0.00</u>	<u>39.39</u>
Total	\$666.88	\$0.00	\$0.00	\$666.88	
3. 2002 North Dansville LIVINGSTON COUNTY IDA Tax Map Number 189-1-57.6	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
	N. Dansville Town Tax	0.00	0.00	0.00	0.00
	Dansville Fire 1	2.59	0.00	0.00	<u>2.59</u>
Total	\$2.59	\$0.00	\$0.00	\$2.59	

Dated at Geneseo, New York

January 9, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-025. INCREASING MILEAGE RATE TO 36.54 EFFECTIVE JANUARY 1, 2002

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

RESOLVED, that the standard mileage rate for Livingston County is hereby 36.54 per mile effective January 1, 2002.

Dated at Geneseo, New York

January 9, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-026. AUTHORIZING REAPPROPRIATION OF FUNDS – SHERIFF

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

WHEREAS, Livingston County has received insurance recovery funds, be it now,

RESOLVED, that the County Treasurer is hereby authorized to make the following transfer:

Sheriff

From: A3110.2680 Sheriff/Insurance Recoveries \$3,088.00

To: A3110.2100 Sheriff/Automotive \$3,088.00

Dated at Geneseo, New York

January 9, 2002

Finance and Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-027. AUTHORIZING REAPPROPRIATION OF FUNDS – HIGHWAY

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

WHEREAS, Livingston County has received proceeds for comprehensive glass coverage for a 1998 Chevrolet Cheyenne, be it now,

RESOLVED, that the County Treasurer is hereby authorized to make the following transfer:

Highway

From: DM5130.2680 Insurance Recoveries	\$337.90
To: DM5130.4127 Outside Repairs	\$337.90

Dated at Geneseo, New York

January 9, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-028. AMENDING 2002 COUNTY BUDGET – PUBLIC WORKS

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

WHEREAS, funds are needed to facilitate leasing of Sewer District employees to the Livingston County Water & Sewer Authority, it is hereby

RESOLVED, that the 2002 Livingston County Public Works Budget be amended as follows:

Increase Revenue Account

A8037 .2189 Other Income	\$482,664.00
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Increase Appropriation Accounts

A8037 .1000 Personal Services	\$342,055.00
.1950 Temporary Services	\$7,000.00
.1951 Overtime	\$50,865.00
.8100 FICA	\$30,593.00
.8200 NYS Retirement	\$7,998.00
.8300 Health Insurance	\$37,554.00
.8400 Workman's Comp.	\$6,000.00
.8500 Unemployment	<u>\$599.00</u>
	<u>\$482,664.00</u>

Dated at Geneseo, New York

January 9, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-029. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT RENEWAL BETWEEN UNLIMITED CARE AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR HOME HEALTH AIDE SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract renewal between Unlimited Care of 245 Main St., 6th Floor, White Plains, NY 10601, and the Livingston County Department of Health for Home Health Aide Services, commencing on January 1, 2002 and terminating on December 31, 2002, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 9, 2002

Health Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-030. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT RENEWAL BETWEEN REID CONSULTING INC. AND LIVINGSTON COUNTY FOR SERVICES RELATED TO THE GENESEE VALLEY HEALTH PARTNERSHIP

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

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

Contract Renewal between REID Consulting, Inc. of 10950 County Rd. 92, Wayland, NY 14572 for services related to the Genesee Valley Health Partnership, commencing on January 1, 2002 and terminating on December 31, 2002, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 9, 2002

Health Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-031. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT RENEWAL BETWEEN MONROE COUNTY AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR FACILITATED ENROLLMENT

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to Sign a contract renewal between Monroe County of 111 Westfall Rd., Room 1046, PO Box 92832, Rochester, NY 14692, and the Livingston County Department of Health for Facilitated Enrollment, commencing on July 1, 2001 and terminating on June 30, 2002, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 9, 2002

Health Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-032. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT AMENDMENT BETWEEN THE NEW YORK STATE DEPARTMENT OF HEALTH AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR A ONE-TIME AWARD FOR THE FAMILY PLANNING GRANT

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a Contract Amendment between the New York State Department of Health and the Livingston County Department of Health amending the Family Planning Grant total with a one-time award of \$2,000 for the period commencing on April 1, 2001 and terminating on March 31, 2002, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 9, 2002

Health Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-033. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT BETWEEN MONROE COUNTY AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR FORENSIC PATHOLOGY SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between Monroe County, located at 111 Westfall Rd., Room 1046, PO Box 92832, Rochester, NY 14692, and the Livingston County Department of Health for forensic pathology services, commencing on January 1, 2002 and terminating on December 31, 2004, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 9, 2002

Health Committee

Mr. Mahus questioned the cost of this contract. Joan Ellison, Director of Department of Health, responded that the contract price for 2002 is \$25,875, 2003 is \$26,392 and 2004 is \$26,920. This contract is processed through the Department of Health because the County is eligible for 30% State Aid reimbursement.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-034. 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 THE

EARLY INTERVENTION AND CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAMS

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract renewal between the New York State Department of Health and the Livingston County Department of Health for the Early Intervention and Children with Special Health Care Needs Programs, commencing on October 1, 2001 and terminating on September 30, 2002, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 9, 2002

Health Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-035. AUTHORIZING THE LIVINGSTON COUNTY ALTERNATIVES TO INCARCERATION ADVISORY BOARD TO SUBMIT AN APPROVED 2002 ALTERNATIVE TO INCARCERATION SERVICE PLAN UPDATE PROPOSING THE CONTINUATION OF STATE FUNDING FOR THE SHERIFFS WORK RELEASE PROGRAM

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

WHEREAS, the Livingston County Alternative to Incarceration Advisory Board has reviewed and approved the 2002 Service Plan Update for submission to the New York State Division of Probation and Correctional Alternatives recommending continued State funding for the Sheriffs 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, 2002 through December 31, 2002, providing for 50% reimbursement of approved expenditures up to \$18,400 for the Sheriffs Work Release Program, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the 2002 Service Plan Update for submission to the New York State Division of Probation and Correctional Alternatives, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 9, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

OTHER BUSINESS

1. The Clerk of the Board announced the Chairman of the Board appointments for the year 2002 or for the term designated are as follows:
 - a. Finger Lakes Association Board of Directors – Timothy R. Wahl
 - b. GLOW Solid Waste Committee – Gary D. Moore, Chairman Designee; Philip S. Brooks, Member; Dennis L. Witte, Member; Cathy Muscarella, Alternate Member
 - c. Genesee Finger Lakes Regional Planning Council – Marjorie Cansdale, Chairman Designee; Weston L. Kennison, Member; Robert Yull, Member; Mark E. Walker, Alternate Member; David Woods and Patrick Rountree as Ex-Officio Members
 - d. Genesee Transportation Council – David Woods, Alternate Member
 - e. Hazard Mitigation Officer – Kevin Niedermaier
 - f. GLOW Workforce Investment Board – Denise Morley, Gary Kone for a term commencing 1/1/02 and expiring 12/31/04

2. The Clerk of the Board announced that the GLOW Solid Waste Management Committee is seeking citizen volunteers to be appointed to an Advisory Committee that will assist the GLOW Committee on work program projects, current solid waste/recycling issues and state and local legislative issues. If anyone knows of someone who may be interested in serving on this Advisory Committee, please notify the Clerk of the Board at your earliest convenience.

3. The County Administrator provided an update on the nursing home project, and reported that two pre-proposal meetings were conducted this morning to review the Request for Proposal specifications for the architectural and engineering services to complete the Certificate of Need and the environmental engineering services for the

SEQR review process. The proposals are due from the engineering firms by January 18, 2002. Upon review of the proposals, a recommendation will be made to the appropriate standing committee. He is hopeful that a resolution will be presented at the February 13th meeting to declare the County as Lead Agency of this project. The Certificate of Need must be filed with the NYS Department of Health by June 30, 2002 and approval is expected by December 31, 2002. The County Administrator asked the Board if there were any questions to please contact him. He stated that he will continue to bring issues to the Standing Committee if necessary.

4. The County Administrator encouraged all Supervisors to attend the NYSAC Legislative Conference in Albany if their schedule permits. There will be an array of issues that will be discussed at this conference and it is a great opportunity to interact with other officials. He is hopeful that he will be able to meet with some of our elected officials to discuss some issues of concern. Please notify the Clerk of the Board by January 11, 2002 if you plan to attend this conference.

ADJOURNMENT

Motion made by Mr. Mahus and seconded by Mr. Deming to adjourn until Wednesday, January 23, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:03 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, JANUARY 23, 2002
1:30 P.M.**

The Board met pursuant to adjournment.

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

The Pledge of Allegiance.

MINUTES

Minutes of 1/9/02 Regular Board Meeting were approved as presented.

COMMUNICATIONS

The Board has received no communications since the meeting of January 9, 2002.

RESOLUTION NO. 2002-036. APPROVING ABSTRACT OF CLAIMS #1B – JANUARY 23, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #1B dated January 23, 2002 in the total amount of \$823,380.45.

Dated at Geneseo, New York

January 23, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

PRIVILEGE OF THE FLOOR

There were no requests for Privilege of the Floor.

PREFERRED AGENDA

RESOLUTION NO. 2002-037. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY YOUTH BOARD – HAYWOOD, INGERSOLL

RESOLVED, that the Livingston County Board of Supervisors hereby approves the appointment of the following person to the Livingston County Youth Board to serve a term expiring August 31, 2003:

<u>Town or Agent</u>	<u>Name</u>	<u>Address</u>
Springwater	Donald Haywood	8103 South Main Street, Springwater, NY 14560

and, it is further

RESOLVED, that the Livingston County Board of Supervisors hereby approves the appointment of the following person to the Livingston County Youth Board to serve a term expiring August 31, 2002:

<u>Town or Agent</u>	<u>Name</u>	<u>Address</u>
Avon	Tina Ingersoll	24 Pine View Heights, Avon, NY 14414

Dated at Geneseo, New York

January 23, 2002

Intergovernmental Affairs Committee

RESOLUTION NO. 2002-038. APPOINTING MEMBER TO THE COMMUNITY INITIATIVES COUNCIL – YENDELL

RESOLVED, that the following person is hereby appointed to the Livingston County Community Initiatives Council, as a representative of the Public Sector, for a term commencing on January 23, 2002, and expiring December 31, 2002:

J. Peter Yendell, Supervisor, Town of Lima, 7449 College Street, Lima, NY 14485

Dated at Geneseo, New York

January 23, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-039. APPOINTING MEMBER TO THE AGRICULTURAL AND FARMLAND PROTECTION BOARD - LEFEBER

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

David LeFeber, Supervisor, Town of Avon, 2796 Pole Bridge Road, Avon, NY 14414

Dated at Geneseo, New York

January 23, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-040. APPOINTING MEMBERS TO LIVINGSTON COUNTY PLANNING BOARD – GRAHAM AND PERRIN

RESOLVED, that the following person is hereby appointed to the Livingston County Planning Board for a term to expire December 31, 2002:

Alternate At-Large #2 – W. Joseph Graham, 5449 Barber Road, Dansville, NY 14437

and, be it further

RESOLVED, that the following person is hereby appointed to the Livingston County Planning Board to fill the unexpired term of Thomas Dioguardi who resigned, for a term to expire December 31, 2002:

Town of Avon – Gary Perrin, 1971 Dutch Hollow Road, Avon, NY 14414

Dated at Geneseo, New York

January 23, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-041. APPOINTING MEMBER TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD - HALEY

RESOLVED, that the following person is hereby appointed to the Livingston County Traffic Safety Board for the term designated:

TOWN	REPRESENTATIVE	TERM
Avon	Janet Haley, 5743 East Avon-Lima Road, Avon, NY 14414	12/31/02

to fill the unexpired term of Richard Bishop

Dated at Geneseo, New York

January 23, 2002

Public Safety & Criminal Justice Committee

PREFERRED AGENDA VOTE

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

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

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-042. AUTHORIZING TRANSFER OF FUNDS – EMERGENCY MANAGEMENT SERVICES

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 transfer per the Budget Transfer Request Form on file in the Office of the Clerk of the Board which has been approved by the County Administrator.

Dated at Geneseo, New York

January 23, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-043. AWARDING BID FOR THE MICROWAVE COMMUNICATION SYSTEM AND RELATED MAINTENANCE

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

WHEREAS, after proper legal advertisement for bids for the microwave communication system and related maintenance, one bid was received, then opened on December 10, 2001, now, therefore, be it

RESOLVED, that the bid of Transwave Communications Systems, Inc., of 9020 Wehrle Drive, Buffalo, New York 14031, in an amount not to exceed Seventy Eight Thousand Seven Hundred Ninety Six Dollars (\$78,796.00) plus maintenance costs, be and hereby is accepted as the lowest responsible bid for the project, 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 Attorney and County Administrator, and, it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign a maintenance contract with said vendor, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 23, 2002

Finance & Administration Committee

Mr. Layland stated that there have been problems with the old system and parts for the system are no longer available and the alternative to this system would be to lease phone circuits which would be more costly for the future. Funds were encumbered in 2001 for this purchase.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-044. AMENDING 2002 COUNTY BUDGET – OFFICE FOR THE AGING

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

WHEREAS, revenue from the Livingston County Department of Health has been received, it is hereby

RESOLVED, that the 2002 Office for the Aging Budget be amended as follows:

Increase Revenue Account

A6773.2770 Unclassified Revenue	\$4,304.00
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Increase Appropriation Accounts

A6773.4350 Lab Fees & Services	\$4,304.00
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Dated at Geneseo, New York

January 23, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-045. AMENDING 2002 COUNTY BUDGET – OFFICE FOR THE AGING

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

WHEREAS, increased funding from the Governor's Capital Grant has been received, it is hereby

RESOLVED, that the 2002 Office for the Aging Budget be amended as follows:

Increase Revenue Account

A6774.3789 State Other Econ. Opp. & Dev.	\$15,750.00
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Increase Appropriation Accounts

A6774.2100 Automotive Equipment	\$15,750.00
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Dated at Geneseo, New York

January 23, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-046. CORRECTING TAX ROLL – TOWNS OF CALEDONIA AND LIVONIA

Mr. Layland 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 parcels) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Towns of Caledonia 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	Chargebacks to Taxing Jurisdictions
1. 2002 Caledonia PAUL E. STEIN & SONS, LLC Tax Map Number 7.11-1-11.153	Livingston County	\$111.13	\$55.57	\$0.00	\$55.56
	Liv.Co. Penalties	20.45	10.23	0.00	10.22
	Caledonia Town Tax	25.96	12.98	0.00	12.98
	Cal.-Mum. School Relevy	292.18	146.09	0.00	146.09
	Caledonia Fire1	<u>15.08</u>	<u>7.54</u>	<u>0.00</u>	<u>7.54</u>
	Total	\$464.80	\$232.41	\$0.00	\$232.39
2. 2002 Livonia MORRIS, Deborah (c/o Richard & Edith Brian) Tax Map Number 74.25-1-29	Livingston County	\$386.41	\$328.45	\$0.00	\$57.96
	Livonia Town Tax	254.96	216.72	0.00	38.24
	Livonia Fire 2	85.40	85.40	0.00	0.00
	Livonia Light 2	8.65	8.65	0.00	0.00
	Livonia Water 2	93.42	93.42	0.00	0.00
	Cty Wtr#1 Z4 Imp.Units	<u>47.00</u>	<u>47.00</u>	<u>0.00</u>	<u>0.00</u>
Total	\$875.84	\$779.64	\$0.00	\$96.20	
3. 2002 Livonia BOOHER, Bruce & Rose Marie Tax Map Number 75.12-1-12	Livingston County	\$345.80	\$345.80	\$0.00	\$0.00
	Livonia Town Tax	228.17	228.17	0.00	0.00
	Livonia Fire 3	114.42	114.42	0.00	0.00
	Livonia Water 3	66.04	66.04	0.00	0.00
	Cty Wtr #1 Zone 4	47.00	47.00	0.00	0.00
	Liv.Ctr. Sewer Imp. Units	<u>119.00</u>	<u>0.00</u>	<u>0.00</u>	<u>119.00</u>
Total	\$920.43	\$801.43	\$0.00	\$119.00	

Dated at Geneseo, New York

January 23, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-047. AUTHORIZING THE CHAIRMAN TO FILE APPLICATIONS FOR GRANT ASSISTANCE UNDER THE LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND (LGRMIF)

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

WHEREAS, Livingston County has been awarded numerous grants from the New York State Archives Grants Unit, and

WHEREAS, the New York State Archives is receiving applications for the award of additional Records Management Grants, and

WHEREAS, the County intends to utilize additional State funding to assist in carrying out Records Management proposals and initiatives now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to file applications for grant assistance under the Local Government Records Management Improvement Fund to help continue the Livingston County Records Management program.

Dated at Geneseo, New York

January 23, 2002

Finance & Administration Committee

Mr. Layland stated that this grant will be used in the County Clerk's Office for digital enhancements.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-048. AUTHORIZING THE COUNTY TREASURER TO INCREASE CAPITAL PROJECTS INFRASTRUCTURE ACCOUNT – PAVING AT HAMPTON CORNERS

Mr. Layland 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 H6989.2900 Infrastructure Projects in the amount of \$50,000 from H6989.5031 Transfer from the General Fund Economic and Infrastructure Reserve for the paving at Hampton Corners.

Dated at Geneseo, New York

January 23, 2002

Finance & Administration Committee

Mr. Layland stated that \$150,000 will remain in the Infrastructure Account for other infrastructure purposes.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-049. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH ROTENBERG & COMPANY LLP TO PROVIDE FINANCIAL ANALYSIS SERVICES FOR THE SKILLED NURSING FACILITY CERTIFICATE OF NEED PROCESS

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 Rotenberg & Company LLP of 500 First Federal Plaza, Rochester, New York 14614 to provide financial analysis services for the Skilled Nursing Facility Certificate of Need Process at a cost not to exceed Nine Thousand Five Hundred Dollars (\$9,500.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 23, 2002

Finance & Administration Committee

The County Administrator commented that Rotenberg & Company LLP has been previously hired to do a cost analysis of the nursing homes, and they have done an excellent job. A financial analysis for the new nursing facility Certificate of Need process is required and the application must be submitted by the end of June for an anticipated approval by December 2002. The County Administrator recommended adoption of this resolution and stated that resolutions authorizing an architect and engineering firm and the environmental impact statement will be forthcoming.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-050. AUTHORIZING A CONTRACT WITH RMSCO, INC. TO ADMINISTER THE SELF-INSURED WORKERS' COMPENSATION PROGRAM

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

WHEREAS, Res. No. 90-38 approved an original three-year contract with RMSCO, Inc. of Rochester, New York, to administer the Self-Insured Workers= Compensation Fund, and

WHEREAS, the existing contract between the County of Livingston and RMSCO, Inc. expires February 15, 2002, it is hereby

RESOLVED, that the Chairman of the Board is hereby authorized to sign a three-year contract between the County of Livingston and RMSCO, Inc. of Rochester, New York, to administer the Self-Insured Workers= Compensation Fund, commencing February 15, 2002 and to expire February 15, 2005 at a price not to exceed Sixty Eight Thousand Five Hundred Dollars (\$68,500.00) for 2002; Seventy Thousand Dollars (\$70,000.00) for 2003 and Seventy One Thousand Five Hundred Dollars (\$71,500.00) for 2004, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 23, 2002

Finance & Administration Committee

Mr. Layland commented that a Request for Proposal was sent out for administration of the Workers' Compensation fund, and RMSCO, Inc. was the lowest responsible bidder.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-051. AUTHORIZING MODIFICATION TO THE LEASE AGREEMENT OF COUNTY WATER DISTRICT #1

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

WHEREAS, the County has extended County Water District #1 to include areas in the Towns of Conesus and Sparta to provide water service to the Hamlet of Scottsburg, and

WHEREAS, the County wishes to lease the extension to the Livingston County Water and Sewer Authority, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized and directed to sign the modification to the Lease Agreement.

Dated at Geneseo, New York

January 23, 2002

Highway & Public Works Committee

Cathy Muscarella, Director of Public Works, commented that the foregoing resolution authorizes the County to lease the County Water District #1 to the Livingston County Water & Sewer Authority (LCWSA). She also explained that the LCWSA was the lead agency for the Scottsburg Water Project, and the next resolution is to approve the SEQRA Findings Statement for that project.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-052. ADOPTING FINDINGS STATEMENT – SCOTTSBURG WATER PROJECT

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

WHEREAS, the Highway and Public Works Committee as the Administrative Head of the County Water District has thoroughly reviewed the environmental record submitted on this project and has adopted the findings statement for the project, and

WHEREAS, the Livingston County Board of Supervisors has also reviewed the environmental record submitted on this project, now, therefore, be it

RESOLVED, the County Board of Supervisors adopts the Findings Statement for the Scottsburg Water Project.

Dated at Geneseo, New York

January 23, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-053. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO EXECUTE A PURCHASE OFFER FOR THE WATER TANK SITE FOR THE SCOTTSBURG PROJECT

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

WHEREAS, the best location has been determined by the engineers for a water storage tank for the Scottsburg water project and is located on County Road 1A, Town of Sparta, New York, and

WHEREAS, the property is owned by Marian Frary who is willing to sell the property, now, therefore, be it

RESOLVED, the Livingston County Board of Supervisors authorizes the purchase of the water tank site, for the sum of Thirteen Thousand Dollars (\$13,000.00), and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute the necessary purchase offer, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 23, 2002

Highway & Public Works Committee

Chairman Merrick asked Sparta Supervisor Schuster if he would like to comment on this resolution. Mr. Schuster thanked Chairman Merrick for giving him the opportunity to speak and also thanked the Highway & Public Works Committee and the Livingston County Water & Sewer Authority for completing the SEQRA Findings for this project. Mr. Schuster stated that the tank site is located on Springwater Road, east of the Hamlet. The location provides ample room for the tank and ecstatically is the best location.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-054. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE STATE ASSISTANCE CONTRACT PURSUANT TO THE CLEAN WATER /CLEAN AIR BOND ACT OF 1996

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

WHEREAS, Livingston County, herein called the municipality, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments herein called the Project is desirable, is in the public interest, and is required in order to implement the Project and

WHEREAS, Article 56 of the Environmental Conservation Law Authorized State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into contract therewith; now, therefore, be it

RESOLVED, by Livingston County

1. That the Chairman of the Board or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Article 56, Title 3. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the project and to State assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environment Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the *Application for State Assistance Payments*;
4. That this Resolution take effect immediately.

Dated at Geneseo, New York

January 23, 2002

Highway & Public Works Committee

Cathy Muscarella, Director of Public Works, explained that the County has already received funding for the Hamlet of Conesus, however, there is an additional \$1.4 million needed to complete this project and this is the application to request this funding.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-055. ADOPTING THE CONSTRUCTION GUIDELINES AND LATERAL RESTRICTION POLICY FOR THE SEWER COLLECTION SYSTEMS LOCATED IN AN AGRICULTURAL DISTRICT

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

RESOLVED, that Livingston County, on behalf of the Conesus Lake County Sewer District, hereby adopts the attached construction guidelines and lateral restriction policy for sewer collection systems located in an agricultural district.

Dated at Geneseo, New York

January 23, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-056. AUTHORIZING CONTRACT WITH SUNY RESEARCH FOUNDATION FOR CONESUS LAKE MONITORING PROGRAM - CLAWS XII

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, Livingston County receives funding from the New York State Department of Environmental Conservation under the Finger Lakes/Lake Ontario Watershed Protection Alliance Program; and

WHEREAS, the Town of Livonia, acting on behalf of Livingston County and other involved municipalities, has been awarded a Local Waterfront Revitalization Program grant from the New York State Department of State Division of Coastal Resources for the development of the Conesus Lake Watershed Management Plan; and

WHEREAS, the Livingston County Planning Department is the Lead Agency for the development of the Conesus Lake Watershed Management Plan; and

WHEREAS, a Draft Monitoring Plan has been developed for long-term monitoring of Conesus Lake and its watershed; and

WHEREAS, Dr. Isidro Bosch of SUNY Geneseo and Dr. Joseph Makarewicz of SUNY Brockport have the required professional expertise and experience to carry out a portion of this Monitoring Program; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with the Research Foundation of the State University of New York, at a cost not to exceed \$18,000, after review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 23, 2002

Legislative & Agricultural Affairs Committee

David Woods stated that this may be the last time the Board will approve a CLAWS resolution because the funding will not be available. D. Woods explained some details of the monitoring program.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-057. AWARDING BID FOR PURCHASE OF WEATHERIZATION UTILITY SERVICE VAN

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, after proper legal advertisement for bids for the purchase of a one-ton utility service van for the Livingston County Weatherization Department, bids were received, then opened on December 20, 2001, now, therefore, be it

RESOLVED, that the bid of Hoselton Chevrolet, Inc., 909 Fairport Road, East Rochester, New York 14445 for a one-ton utility service van in an amount not to exceed Twenty-Three Thousand Seven Hundred Ninety Dollars (\$23,790.00), be and hereby is accepted as the lowest responsible bid, subject to the approval of the New York State Division of Housing and Community Renewal.

Dated at Geneseo, New York

January 23, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002- 058. AUTHORIZING A GRANT APPLICATION FOR HOME FUNDS TO THE NEW YORK STATE HOUSING TRUST FUND CORPORATION FOR REHABILITATION OF OWNER - OCCUPIED HOMES IN LIVINGSTON COUNTY

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, there is a substantial need for rehabilitation of homes owned by lower income residents of Livingston County; and

WHEREAS, the Genesee Valley Rural Preservation Council, Inc. has extensive experience in the administration of such home rehabilitation programs, and desires to administer the proposed HOME Rehabilitation Program for the County of Livingston; now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign and submit a Grant Application for HOME funds to the New York State Housing Trust Fund Corporation for Rehabilitation of Owner-Occupied Homes in Livingston County; and, it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign necessary contract documents with the New York State Housing Trust Fund Corporation and the Genesee Valley Rural Preservation Council, Inc., after review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 23, 2002

Legislative & Agricultural Affairs Committee

Robert Martin, of Genesee Valley Rural Preservation, stated that the foregoing resolution requests funding for the continuation of the Home Rehabilitation Program and the next resolution requests funding for the first home buyer and encouraged the Board to adopt these resolutions.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-059. SUPPORTING HOME GRANT APPLICATION TO THE NEW YORK STATE HOUSING TRUST FUND CORPORATION BY THE GENESEE VALLEY RURAL PRESERVATION COUNCIL, INC.

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, the Livingston County Board of Supervisors recognizes the need for affordable home ownership opportunities for lower income households in Livingston County; and

WHEREAS, the Genesee Valley Rural Preservation Council, Inc. plans to submit an application to the New York State Housing Trust Fund Corporation for HOME grant funds to be used to assist first-time home buyers in purchasing their first homes in Livingston and Wyoming Counties; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby support the HOME grant application of the Genesee Valley Rural Preservation Council, Inc., to the New York State Housing Trust Fund Corporation.

Dated at Geneseo, New York

January 23, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-060. AUTHORIZING CONTRACT WITH GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL FOR GIS SERVICES

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has professional expertise with Geographic Information Systems (GIS); and

WHEREAS, the Enhanced 911 system and other County functions require maintenance of an up-to-date GIS base map for Livingston County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with the Genesee/Finger Lakes Regional Planning Council for professional GIS services, after review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 23, 2002

Legislative & Agricultural Affairs Committee

David Woods, Planning Director, explained the usefulness of the GIS mapping system and the efforts to maintain the system.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-061. APPOINTING BUILDING AND GROUNDS WORKING FOREPERSON – CENTRAL SERVICES

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

RESOLVED, that Thomas R. Helles of 6285 Railroad Avenue, Conesus, New York 14435 is hereby appointed to the position of Building and Grounds Working Foreperson at an annual salary of \$46,000 effective January 31, 2002.

Dated at Geneseo, New York

January 23, 2002

Personnel & Employee Relations Committee

David Allen, Supervisor of Buildings and Grounds, stated that an interview process was established and followed and he recommended the appointment of Thomas R. Helles.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-062. AMENDING THE 2002 SALARY SCHEDULE - SHERIFF'S DEPARTMENT

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

Create three Deputy Sheriff/Road Patrol positions.

Dated at Geneseo, New York

January 23, 2002

Personnel & Employee Relations Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-063. AWARDING BID FOR FOUR-WHEEL DRIVE SPORT UTILITY VEHICLE FOR EMERGENCY MANAGEMENT SERVICES

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

WHEREAS, after proper legal advertisement for bids for the purchase of a four-wheel drive sport utility vehicle for Emergency Management Services, five (5) bids were received and opened on January 7, 2002, now, therefore, be it

RESOLVED, that the bid of Sun Chevrolet, 104 West Genesee Street, Chittenango, New York 13037 for the purchase of a four-wheel drive sport utility vehicle for Emergency Management Service, in an amount not to exceed Thirty One Thousand Two Hundred Eighty Dollars (\$31,280.00) is hereby accepted as the lowest responsible bid.

Dated at Geneseo, New York

January 23, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-064. AUTHORIZING A LEASE AGREEMENT WITH LARRY MURPHY D/B/A WAYLAND ELECTRONICS FOR TOWER SPACE LOCATED AT ACOMB HILL ROAD, TOWN OF DANSVILLE

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a five-year Lease Agreement between the County of Livingston and Larry Murphy d/b/a Wayland Electronics for tower space located at Acomb Hill Road, Town of Dansville for a term commencing January 1, 2002 and terminating December 31, 2006 at a cost of Three Hundred Fifty Dollars (\$350.00) per month, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 23, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-065. AUTHORIZING A CONTRACT WITH ONEIDA COUNTY FOR THE HOUSING OF PRISONERS AT THE CENTRAL NEW YORK PSYCHIATRIC CENTER

Mr. Mahus 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, it is hereby

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an Agreement between the County of Livingston and the County of Oneida for the housing of prisoners at the Central New York Psychiatric Center for a term commencing January 1, 2002 and terminating December 31, 2003 with the option to renew for one additional year, at a cost of One Hundred Twenty Five Dollars (\$125.00) per day per inmate, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 23, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

RESOLUTION NO. 2002-066. AUTHORIZING 2002 CONTRACT WITH ONTARIO COUNTY FOR THE HOUSING OF PRISONERS

Mr. Mahus 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, it is hereby

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the 2002 Agreement between the County of Livingston and the County of Ontario for a term commencing January 1, 2002 and terminating December 31, 2002 for the housing of prisoners, at a cost of Eighty Dollars (\$80.00) per day per inmate, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 23, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent - Witte, 71; Adopted.

OTHER BUSINESS

1. The County Administrator announced that a Legislative Forum will be held on Friday, February 8, 2002 at 10:00 a.m. in the Board of Supervisors' Assembly Room. Livingston County's State Representatives will be invited to this forum, as they were last year, to dialogue about our needs and challenges for the upcoming year. Some department heads will be asked to make a presentation. The County Administrator mentioned there are a number of issues to discuss—specifically, the growing Medicaid problem, our nursing home project, the new economic development efforts, the need for an Empire Zone, River Road in the Town of Caledonia, the loss of CHIPS money, continuing issues surrounding the County Jail and the 911 surcharges. The County Administrator encouraged the Board of Supervisors to attend this forum.
2. The County Administrator stated he would like to meet with the Chairmen of the Finance & Administration, Health and Central Services Committees immediately after the board meeting to schedule a date to review and interview the firms that submitted a Request for Proposal for the new nursing home project.
3. Geneseo Supervisor Kennison commented that the 2001 Legislative Forum seemed to be beneficial and encouraged the Board's attendance.
4. The County Administrator announced that he and the Clerk of the Board will be attending the NYSAC Conference in Albany, January 26-29, 2002 and they will bring back information on the State Budget.
5. On behalf of the Board of Supervisors, Chairman Merrick wished Happy Birthday to Vice Chairman of the Board Gary Moore and County Administrator Dominic Mazza.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Deming to adjourn until Wednesday, February 13, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:27 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, FEBRUARY 13, 2002
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Mr. Olverd and Mr. Schuster.

The Pledge of Allegiance.

MINUTES

Minutes of 1/23/02 Regular Board Meeting were approved as presented.

COMMUNICATIONS

1. Letter from Thomas J. Madison, Jr. of the Governor's Office, acknowledging receipt of Res. No. 2001-386 Supporting the Delay of Implementation of the Proposed New Uniform Fire Prevention and Building Code.
2. Acknowledgement from Hospice of Central New York for the donation in memory of Francis T. Mazza.
3. Acknowledgement from the family of Francis T. Mazza for the donation to Hospice of Central New York.

LOCAL LAW NO. A – 2002 – LOCAL LAW AUTHORIZING IMPOSITION OF A FEE UPON INDIVIDUALS FOR ELECTRONIC MONITORING SERVICES

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

Section 1.

Pursuant to the authority granted by Section 10 of the Municipal Home Rule Law of the State of New York, Livingston County has the authority to assess fees for the actual use of services provided by the County. The Livingston County Department of Probation provides an electronic monitoring service, which allows individuals who would otherwise be incarcerated in the Livingston County Jail, to agree to be supervised electronically in order to avoid loss of employment caused by incarceration.

Section 2.

The Livingston County Board of Supervisors imposes a fee of \$20.00 per day upon all individuals who make use of the electronic monitoring service offered by the Livingston County Department of Probation. Such fee represents the cost to Livingston County to provide such service. The fee shall be paid directly to the Livingston County Department of Probation.

Section 3.

The Livingston County Department of Probation is authorized to adopt procedures for the collection of these fees.

Section 4.

The Livingston County Department of Probation shall retain the authority to waive the fee if it determines that the payment of the fee would work an unreasonable hardship on such individual, such individual's immediate family or any person dependent on such individual for financial support.

Section 5.

All fees collected pursuant to this Local Law shall be paid directly to the Livingston County Department of Probation to be retained and utilized for local probation purposes.

Section 6.

This Local Law shall take effect upon filing with the Secretary of the State of New York.

Dated at Geneseo, New York

February 13, 2002 (introduced)

Chairman Merrick informed the Board Members that introduction to Local Law A is on their desks until February 27, 2002. He then requested the Probation Director, Barbara Campbell come forward to address the Board.

Probation Director, B. Campbell, explained that the Probation Department had started electronic monitoring at the end of last year and currently there are three people participating in the program. B. Campbell continued to report briefly on the administrative services associated with electronic monitoring. There are equipment lease costs and on-call

employee salaries to consider, and therefore the fee schedule was set at \$20 per day to assist the department in covering the costs of this new detention option. B. Campbell stated this fee has been established on a sliding scale or it may also be waived if needed. B. Campbell stated that if the Board Members have any questions they may contact her at any time.

RESOLUTION NO. 2002-067. APPROVING ABSTRACT OF CLAIMS #2A – FEBRUARY 13, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #2A dated February 13, 2002 in the total amount of \$1,580,677.80.

Dated at Geneseo, New York

February 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

PRIVILEGE OF THE FLOOR

1. County Administrator Dominic F. Mazza /Clark Patterson Associates – Presentation of Nursing Home Certificate of Need Development Process.

Chairman Merrick asked the County Administrator to come forward to speak at this time.

The County Administrator stated he was here to report on the outcomes of the ongoing nursing home effort and that the County is moving forward. The County should have the Certificate of Need ready to submit to the NYS Department of Health by the end of June. Administrator Mazza stated that today there are three resolutions for Architectural/Engineering and Environmental Engineering. The County Administrator stated that there were Requests for Proposals sent to 6 Environmental Engineering Firms, 2 proposals were returned and 1 firm declined to submit. Requests for proposals were also sent to 6 Architectural/Engineering firms and all firms returned proposals to the County. Administrator Mazza stated that the Intergovernmental Affairs Committee members conducted the interview process on February 4 with two firms; Sear Brown and Clark Patterson. It was agreed that the Committee would recommend Clark Patterson Associates for producing the Certificate of Need and Environmental Study. County Administrator Mazza thanked the Interview Committee members; Chairman of the Board, James Merrick; Vice Chairman of the Board, Gary Moore; Mt. Morris Town Supervisor, James Olverd; Springwater Town Supervisor, Mark Walker, Caledonia Town Supervisor, James Layland; Director of Long Term Care, Franklin Bassett; Planning Department Director, David Woods, Central Services Department Director, David Allen. The Clark Patterson Proposal was additionally reviewed by the Central Services, Health and Finance & Administration Committees and approved of by all three.

The County Administrator continued to inform the board on the decision process, stating during the Health Committee meeting lengthy discussions between committee members were held to determine the number of beds that should be constructed. The Hartman Study recommended 254 beds, however based on household model, current census and meeting 90% occupancy needs, the Health Committee is in agreement and has accepted a recommendation of 266 beds. The County Administrator reported that the new design will accommodate this recommendation. He thanked again all of the participating committees and offered to answer any questions, there were no questions asked. Mr. Mazza introduced Clark Patterson Associates; Roger Vanderbrook, Michele Trod, Todd Liebert, and Jon Norris to the Board.

Todd Liebert, Architect for Clark Patterson, then came forward and provided a brief presentation on the program they intend for the Skilled Nursing Facility project. Mr. Liebert who specializes in Health Care Facilities stated he appreciates the opportunity to be here. He stated his understanding of the project and reviewed the objectives. Mr. Liebert briefly explained his background and experience in health care, long term and acute care within the realm of the Certificate of Need process. He then explained that this is a State of the Art Facility with a homelike environment. A brochure was handed out outlining the process (on file) Part I – Concept Design; Part II – CON Application; and Part III – CON Review. He closed stating he was looking forward to working with the County.

Chairman Merrick asked the Board if there were any questions for Mr. Liebert.

Mr. Davis questioned Mr. Liebert about the layout of the household facility and the placement of clusters.

This question was referred to Mr. Bassett who came forward to address the Board. Mr. Bassett stated what he has learned after touring models in other States, looking at staff efficiencies, and larger household sizes, that there will be 11 units with 24 beds to compromise a household and we will seek to a Department of Health waiver to allow one unit to be larger than 40 beds. We are still in the decision making stage and will be working closely with Clark Patterson to determine whether we will be following a two floor or three floor design. Mr. Bassett thanked the Board and Mr. Mazza.

Mr. Merrick asked if there were any other questions at this time. There were none.

Mr. Mazza thanked all the Board members for the time and attention they have given over a relatively short period of time to assist the County with this important undertaking. The construction management RFP's went out on Friday, February 8th and are expected back Wednesday, February 20th. We will go through much the same process as we have previously six firms have been sent the proposal package.

Mr. Merrick thanked Clark Patterson representatives and all others present for their part in this process.

PREFERRED AGENDA

RESOLUTION NO. 2002-068. AUTHORIZING SEQRA LEAD AGENCY DETERMINATION - CONSTRUCTION OF A NEW SKILLED NURSING FACILITY

WHEREAS, Livingston County is proposing construction of a new skilled nursing facility; and

WHEREAS, the Livingston County Board of Supervisors has determined that the proposed project is subject to review under the State Environmental Quality Review Act (SEQRA); now, therefore, be it

RESOLVED, that the Chairman of the Livingston County 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 SEQRA review of the proposed project.

Dated at Geneseo, New York

February 13, 2002

Central Services Committee

RESOLUTION NO. 2002-069. AUTHORIZING A STATUE OF GENERAL JAMES S. WADSWORTH TO BE PLACED ON THE LAWN OF THE LIVINGSTON COUNTY COURTHOUSE

WHEREAS, Livingston County was home to General James S. Wadsworth, a hero of the Civil War, and

WHEREAS, the General Wadsworth Statue Fund Committee has requested authority to place a statue of General James S. Wadsworth on the lawn of the Livingston County Courthouse, and

WHEREAS, the Central Services Committee unanimously approved this request at their regular committee meeting held on February 6, 2002, it is hereby

RESOLVED, that the Livingston County Board of Supervisors hereby authorizes a statue of General James S. Wadsworth to be placed on the lawn of the Livingston County Courthouse with the exact location to be determined by the Supervisor of Buildings and Grounds in conjunction with the General Wadsworth Statue Fund Committee.

Dated at Geneseo, New York

February 13, 2002

Central Services Committee

RESOLUTION NO. 2002-070. DECLARING SURPLUS PROPERTY – PUBLIC HEALTH, SHERIFF

WHEREAS, the County of Livingston owns 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 items as surplus property to be disposed of as determined by the County Administrator.

PUBLIC HEALTH

1 broken wooden chair
 1 broken desk light
 3 desk chairs
 3 car seats (below minimum standards)
 13 odd chairs
 2 pamphlet racks
 4 folding chairs
 6 room dividers
 1 folding table
 1 box reel to reel film
 1 broken phone
 1 Kodak carousel projector
 2 night stands
 2 oxygen tanks
 1 broken stool
 1 box of outdated reference books
 1 broken adding machine
 3 boxes of educational information
 1 banquet table
 1 box of various equipment pieces
 6 exam lites
 1 box of odd replacement parts
 1 set of crutches
 1 Westinghouse x-ray cabinet
 1 privacy screen
 1 divider screen
 1 broken Centrifuge
 1 garbage cart and can
 1 old air conditioner
 1 broken baby scale
 2 outdated Singer ans. machines
 2 Microfiche projectors
 1 Gold Star Monitor and Processor
 1 Compak Monitor
 1 Microtek Scanner
 1 Compak Hard Drive
 1 computer table
 2 old desks
 5 broken typewriters
 2 outdated printers

SHERIFF

1 bus wheelchair lift #LZ05V64PB
 6 bus seats from converted LATS bus
 Cut stainless steel shelving
 Blodgett oven, Livingston County #01830
 CFS-1055, Sony radio and speakers
 Air ompressor, #8-164079-20
 Brown wood desk, Livingston County #01639
 Old table
 Several unserviceable kitchen stools and chairs
 1 red and one blue light bar
 1 1985 Chevrolet Monte Carlo, Vin #1G1GZ3721FR169340

Dated at Geneseo, New York
February 13, 2002
Finance and Administration Committee

RESOLUTION NO. 2002-071. PROVIDING FOR PUBLIC HEARINGS FOR SMALL CITIES GRANT PROGRAM FUNDING

WHEREAS, Livingston County Board of Supervisors wishes to apply for a Small Cities Grant Program funding, and

WHEREAS, two public hearings are required to discuss needs and priorities and to provide residents with information about the Small Cities Program and to describe the County's plan to meet these priorities, now, therefore, be it

RESOLVED, that two public hearings shall be held for the above stated purposes by this Board on March 13, 2002 and March 27, 2002 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 shall be given by posting thereof on the bulletin board of the Government Center in this County, and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York
February 13, 2002
Finance & Administration Committee

RESOLUTION NO. 2002-072. APPOINTING MEMBER TO THE LIVINGSTON COUNTY BOARD OF HEALTH - GODSAVE

RESOLVED, that Bruce Godsave of 17 Stuyvesant Manor, Geneseo, New York 14454 is hereby appointed to the Livingston County Board of Health for term commencing on January 1, 2002 and ending on December 31, 2007.

Dated at Geneseo, New York
February 13, 2002
Health Committee

RESOLUTION NO. 2002-073. APPOINTING MEMBER TO THE LIVINGSTON COUNTY COMMUNITY SERVICES BOARD MENTAL HEALTH SUBCOMMITTEE - WILLIS

RESOLVED, that the following member is hereby appointed to the Livingston County Mental Health Subcommittee for a term commencing January 1, 2002 and expiring December 31, 2005:

Betty Lou Willis, 1992 Lake Avenue, Apt. 8, Lima, NY 14485

Dated at Geneseo, New York
February 13, 2002
Health Committee

RESOLUTION NO. 2002-074. APPOINTING MEMBER TO LIVINGSTON COUNTY PLANNING BOARD - BRINDUSE

RESOLVED, that the following person is hereby appointed to the Livingston County Planning Board for a term to expire December 31, 2004:

Village of Dansville – Tim Brinduse, 67 Main Street, Dansville, NY 14437

Dated at Geneseo, New York
February 13, 2002
Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-075. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. A - 2002 LOCAL LAW AUTHORIZING IMPOSITION OF A FEE UPON INDIVIDUALS FOR ELECTRONIC MONITORING SERVICES

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on February 13, 2002, a proposed Local Law entitled Local Law A - 2002 Local Law Authorizing Imposition Of A Fee Upon Individuals For Electronic Monitoring Services, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 27th day of February, 2002 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 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

February 13, 2002

Public Safety & Criminal Justice Committee

RESOLUTION NO. 2002-076. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD - TROGLAUER, YATES

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

TOWNREPRESENTATIVE	TERM
Mt. Morris Ken Troglauer, Highway Superintendent , 3245 Moyer Road, Mt. Morris, NY 14510	12/31/04
Mt. Morris Sherman Yates, 24 Grove Street, Mt. Morris, NY 14510	12/31/04

Alternate

Dated at Geneseo, New York

February 13, 2002

Public Safety & Criminal Justice Committee

Mr. Merrick asked if there were any questions or discussion on any of the preferred agenda items today.

Mr. Kennison stated he wished to discuss item number 2 on the agenda. The Wadsworth Statue, he informed the Board is a copy of the same statue located in Gettysburg. The receipt of this statue is largely an effort of private fund raising efforts with the stipulation that a site be declared prior to further fund raising activities. Mr. Kennison stated he feels the County site will assist in greater citizen involvement and awareness in our rich history, as was the case with the Millennium Celebration.

Mr. Merrick thanked Mr. Kennison for his support of this effort.

PREFERRED AGENDA VOTE

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

Motion made by Mr. Layland and seconded by Mr. Jaeger to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent - Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-077. AUTHORIZING CONTRACT FOR ENVIRONMENTAL ENGINEERING SERVICES FOR THE NEW SKILLED NURSING FACILITY IN MT. MORRIS, NEW YORK

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

WHEREAS, the County Administrator solicited a Request for Proposal for environmental engineering services for the new Skilled Nursing Facility in Mt. Morris, New York, and

WHEREAS, two proposals were received and

WHEREAS, the interview committee reviewed and interviewed the two firms, and

WHEREAS, the Health Committee and the Finance & Administration Committee of the Livingston County Board of Supervisors endorsed the recommendation of the interview committee, and

WHEREAS, Clark Patterson Associates of 186 North Water Street, Rochester, New York 14604 was determined to be the most qualified to provide environmental engineering services for the new Skilled Nursing Facility in Mt. Morris, New York, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Clark Patterson Associates for environmental engineering services at a cost not to exceed Twenty Five Thousand Ninety Six Dollars (\$25,096.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 13, 2002
Central Services Committee

The 2/3 majority roll was called as follows: Ayes - 1,635; Noes - 0; Absent – Olverd, 147; Schuster, 50; Total, 197; Adopted.

RESOLUTION NO. 2002-078. AUTHORIZING CONTRACT FOR ARCHITECTURAL/ENGINEERING SERVICES FOR THE NEW SKILLED NURSING FACILITY IN MT. MORRIS, NEW YORK

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

WHEREAS, the County Administrator solicited a Request for Proposal for architectural/engineering services for the new Skilled Nursing Facility in Mt. Morris, New York, and

WHEREAS, six proposals were received and

WHEREAS, the interview committee reviewed and interviewed two firms, and

WHEREAS, the Health Committee and the Finance & Administration Committee of the Livingston County Board of Supervisors endorsed the recommendation of the interview committee, and

WHEREAS, Clark Patterson Associates of 186 North Water Street, Rochester, New York 14604 was determined to be the most qualified to provide the architectural/engineering services for the new Skilled Nursing Facility in Mt. Morris, New York, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Clark Patterson Associates for architectural/engineering services at a cost not to exceed Forty Four Thousand Six Hundred Fifty Dollars (\$44,650.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 13, 2002

Central Services Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-079. AUTHORIZING TRANSFER OF FUNDS – EMERGENCY MANAGEMENT SERVICES, PUBLIC HEALTH, 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

February 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-080. AUTHORIZING THE CONSTRUCTION OF AN ANIMAL CONTROL FACILITY AT THE COUNTY COMPLEX AT HAMPTON CORNERS IN AND FOR THE COUNTY OF LIVINGSTON, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$500,000 AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF

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

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Livingston, New York, as follows:

Section 1. The construction of an Animal Control Facility at the County Complex at Hampton Corners, including incidental reconstruction and related improvements and expenses in connect therewith, is hereby authorized in and for said County of Livingston at a maximum estimated cost of \$500,000.

Section 2. The plan for the financing of such maximum estimated cost shall be by the issuance of \$500,000 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivisions 11(b) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

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. To the extent not paid from other sources, including water charges, there shall annually be levied on all the taxable real property in 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 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 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 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 specific 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 Lake and Valley Clarion* and *The Livingston County News*, the official newspapers, 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

February 13, 2002

Finance and Administration Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent - Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-081. AUTHORIZING REAPPROPRIATION OF FUNDS – SHERIFF

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

WHEREAS, Livingston County has received insurance recovery funds, be it now,

RESOLVED, that the County Treasurer is hereby authorized to make the following transfer:

Sheriff

From:	A3110.2680 Sheriff/Insurance Recoveries	\$5,140.00
	A3110.2680 Sheriff/Insurance Recoveries	\$763.46
To:	A3110.2100 Sheriff/Automotive	\$5,140.00
	A3110.4127 Sheriff/Automotive Repair	\$763.46

Dated at Geneseo, New York

February 13, 2002

Finance and Administration Committee

RESOLUTION NO. 2002-082. CORRECTING TAX ROLL – TOWNS OF GENESEO AND LIVONIA

Mr. Layland 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 five (5) parcels) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Towns of Geneseo 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	Chargebacks to Taxing Jurisdictions
1. 2002 Geneseo THE PEOPLE OF THE STATE OF NEW YORK Tax Map Number 80.16-1-34	Livingston County	\$797.50	\$0.00	\$0.00	\$797.50
	Geneseo Town Tax	<u>244.84</u>	<u>0.00</u>	<u>0.00</u>	<u>244.84</u>
	Total	\$1042.34	\$0.00	\$0.00	\$1042.34
2. 2002 Geneseo THE PEOPLE OF THE STATE OF NEW YORK Tax Map Number 80.16-1-33	Livingston County	\$667.11	\$0.00	\$0.00	\$667.11
	Geneseo Town Tax	<u>204.81</u>	<u>0.00</u>	<u>0.00</u>	<u>204.81</u>
	Total	\$871.92	\$0.00	\$0.00	\$871.92
3. 2002 Livonia WILLARD, James B. Tax Map Number 85-1-3.114	Livingston County	\$787.47	\$787.47	\$0.00	\$0.00
	Livonia Town Tax	519.59	519.59	0.00	0.00
	Livonia Fire 3	373.65	23.85	0.00	349.80
	Livonia Fire 1	<u>16.36</u>	<u>256.33</u>	<u>0.00</u>	<u>-239.97</u>
	Total	\$1697.07	\$1587.24	\$0.00	\$109.83
4. 2002 Livonia VAUGHN, Robert J. & Laurie Tax Map Number 75.12-1-7	Livingston County	\$270.28	\$270.28	\$0.00	\$0.00
	Livonia Town Tax	148.61	148.61	0.00	0.00
	Livonia Fire 3	126.69	126.69	0.00	0.00
	Livonia Water 3	73.13	73.13	0.00	0.00
	Cty Wtr#1 Z4 Impunits	47.00	47.00	0.00	0.00
	Liv. Ctr. Sewer Impunits	<u>119.00</u>	<u>0.00</u>	<u>119.00</u>	<u>119.00</u>
	Total	\$784.71	\$665.71	\$119.00	\$119.00
5. 2002 Livonia JOHNSTON, Bryan A. & Judy M. Tax Map Number 75.12-1-11	Livingston County	\$457.50	\$457.50	\$0.00	\$0.00
	Livonia Town Tax	301.87	301.87	0.00	0.00
	Livonia Fire 3	128.67	128.67	0.00	0.00
	Livonia Water 3	74.27	74.27	0.00	0.00
	Cty Wtr#1 Z4 Impunits	47.00	47.00	0.00	0.00
	Liv. Ctr. Sewer Impunits	<u>119.00</u>	<u>0.00</u>	<u>119.00</u>	<u>119.00</u>
	Total	\$1128.31	\$1009.31	\$119.00	\$119.00

Credit

Dated at Geneseo, New York

February 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-083. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT BETWEEN THE COUNTY OF LIVINGSTON AND HILLSIDE CHILDREN=S CENTER FOR CHILDREN=S DAY TREATMENT PROGRAM AT BOCES

Mr. Walker 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, 2001 and terminating August 31, 2002, is hereby approved and ratified, and the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute same, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-084. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH UNLIMITED CARE, INC. FOR EXPANDED IN-HOME SERVICES TO THE ELDERLY PROGRAM (EISEP) FOR NON-MEDICAL AIDE SERVICES

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

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement for a term commencing April 1, 2002 and terminating March 31, 2003, with Unlimited Care, Inc. for Expanded In-Home Services to the Elderly Program (EISEP) which includes non-medical personal care/housekeeper services, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-085. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A LEASE RENEWAL BETWEEN SAMUEL J. D'ANGELO ENTERPRISE AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH, WOMEN'S HEALTH CENTER FOR THE AVON SITE

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a lease renewal between Samuel J. D'Angelo Enterprise, of PO Box 219, Avon, New York 14414, and the Livingston County Department of Health, Women's Health Center, for the site at 239 Rochester Street, Avon, NY 14414, commencing on April 1, 2002 and terminating on March 31, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-086. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT BETWEEN BATEMAN THERAPY SERVICES AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between Bateman Therapy Services, located at 275 Parrish Street, Suite A, Canandaigua, NY 14424-1785 and the Livingston County Department of Health for Early Intervention Services commencing on January 1, 2002 and terminating on December 31, 2006, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-087. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A REAFFIRMATION OF AGREEMENT BETWEEN ROBERTS WESLEYAN COLLEGE AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR EDUCATIONAL PROGRAM CLINICAL EXPERIENCE

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a Reaffirmation of Agreement between Roberts Wesleyan College, located at 2301 Westside Drive, Rochester, NY 14624, and the Livingston County Department of Health for Educational Program Clinical Experience, commencing on July 1, 2001 and terminating on June 30, 2002, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-088. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN CONTRACT RENEWALS BETWEEN THE SUNY COLLEGE OF TECHNOLOGY AT ALFRED STATE AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR CLINICAL WORK

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign contract renewals between the SUNY College of Technology at Alfred State, located at Alfred, New York 14802, and the Livingston County Department of Health for clinical work, commencing on 2/28/01 and terminating on 2/28/03, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-089. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT EXTENSION BETWEEN HEALTH RESEARCH INC. (HRI) AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR WEST NILE VIRUS SURVEILLANCE ACTIVITIES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract extension between Health Research Inc. (HRI), located at One University Place, Rensselaer, NY 12144-3456 and the Livingston County Department of Health for West Nile Virus surveillance activities, commencing on 12/31/01 and terminating on 3/31/02, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 13, 2002

Health Committee

Mr. Moore asked what the numbers are in 2001 are in comparison to 2000. He also asked if there has there been an increase in the counts of positive virus infected birds or mosquitoes.

Mr. Merrick asked that the Director of the Department of Public Health, Joan Ellison address this question.

J. Ellison stated that the numbers are showing as much lower in 2001 and the surveillance done indicated there were no reports of positive mosquitoes or birds in 2001 in Livingston County.

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002- 090. MODIFYING THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH CERTIFIED HOME HEALTH AGENCY FEES FOR 2002

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

WHEREAS, after a review of the Agency’s 2001 projected cost/unit of service, the estimated cost/unit of service, the Medicare and Medicaid cost limits, as well as the estimated 2002 Medicaid Rates, it has been determined that the 2002 Agency charge structure, to maximize all 2002 third-party revenue, should be changed as follows from 2002, now, therefore be it

RESOLVED, that the following schedule of charges for the Livingston County Certified Home Health Agency be effective February 1, 2002:

<u>DISCIPLINE</u>	<u>BILLING</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2001</u>	<u>Modified</u> <u>2002</u>
Skilled Nursing	Per Visit	\$82.00	\$82.00	\$82.00	\$85.00	\$ 85.00	\$90.00	\$105.00
Physical Therapy	Per Visit	61.00	70.00	70.00	83.00	83.00	93.00	93.00
Speech Pathology	Per Visit	83.00	83.00	83.00	83.00	83.00	100.00	100.00
Occupational Therapy	Per Visit	66.00	66.00	66.00	83.00	83.00	100.00	100.00
Medical Social Services	Per Visit	63.00	83.00	83.00	83.0	83.00	100.00	100.00
Home Health Aide	Per Visit	54.00	54.00	54.00	54.00	54.00	60.00	60.00

Home Health Aide	Per Hour	30.00	35.00	35.00
Nutrition		120.00	120.00	120.00

Dated at Geneseo, New York
February 13, 2002
Health Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-091. 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. Walker presented the following resolution and moved its adoption:

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign 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, for a term commencing on April 1, 2002 and terminating on December 31, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York
February 13, 2002
Health Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-092. AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT BETWEEN THE HEARING AND SPEECH CENTER OF ROCHESTER, INC. AND THE CAMPUS SKILLED NURSING FACILITY FOR AUDIOLOGICAL SERVICES

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

RESOLVED, the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between with Hearing and Speech Center of Rochester, Inc. of 1000 Elmwood Avenue, Suite 400, Rochester, New York 14620 and the Campus Skilled Nursing Facility For Audiological Services commencing March 1, 2002 and remaining in effect until terminated by one or both parties, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York
February 13, 2002
Health Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-093. AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT BETWEEN SOUTHSIDE HEARING CENTER AND THE GENESEO SKILLED NURSING FACILITY FOR AUDIOLOGICAL SERVICES

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

RESOLVED, the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between Southside Hearing Center of 50 East South Street, Suite 400, Geneseo, New York 14454 and the Geneseo Skilled Nursing Facility For Audiological Services commencing March 1, 2002 and remaining in effect until terminated by one or both parties, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York
February 13, 2002
Health Committee

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent – Olverd, 146; Schuster, 51; Total, 197; Adopted.

RESOLUTION NO. 2002-094. AUTHORIZING DISPOSITION OF PHARMACY INVENTORY

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

WHEREAS, Livingston County is required by New York State Public Health Law to destroy or return for credit where possible inventory associated with the closure of its pharmacy located at Livingston County Campus, 1 Murray Hill Drive, Mt. Morris, New York, and

WHEREAS, correspondence was distributed to four area nursing facilities and to Omnicare Pharmacy of Western New York, requesting offers for the purchase of said inventory and three offers were received, and Omnicare Pharmacy of Western New York offered \$19,867.21 for the inventory valued at \$25,000, it is hereby

RESOLVED, that Livingston County Board of Supervisors authorizes the disposition of pharmacy inventory to Omnicare Pharmacy of Western New York, of 2410 North America Drive, West Seneca, New York 14224 at a price of Nineteen Thousand Eight Hundred Sixty Seven Dollars and Twenty One Cents (\$19,867.21).

Dated at Geneseo, New York

February 13, 2002

Health Committee

Mr. Merrick offered at this time the opportunity for the Director of Long Term Care, Frank Bassett to comment on process for this resolution.

F. Bassett came forward and stated the pharmacist had remained employed through November 1, 2001 to assist in the transition of outsourcing the pharmacy. Since the end of November, we have stored inventory worth \$25,000. F. Bassett continued stating that as long as the inventory has not been dispersed, the State considers this an active Pharmacy. This resolution will allow us to sell to Omni Care who has offered a 100% return price on our inventory. He continued reporting that we will be working with David Morris the County Attorney, on this settlement of pharmaceutical products. F. Bassett further stated that there are \$4,000 of unusable drugs and \$643.87 in expired medications which will be destroyed. F. Bassett stated for a comparison of offers on the inventory, St. Ann's offered \$3,000, and Monroe Community offered \$4,000 to purchase the whole inventory. We have yet to determine the return for credit policy with the State, and whether or not we can offer this inventory for sale to someone other than the party who sold it to us. If we cannot, all of this inventory will have to go through a return service process, which will only give us 15 cents on dollar. F. Bassett continued to explain the need for approval through Department of Health and reported without this option, we will receive about the same price offered by St. Ann's and Monroe Community.

The roll was called as follows: Ayes - 1,617; Noes - 0; Absent - Olver, 146; Schuster, 51; Total, 197; Adopted.

OTHER BUSINESS

1. Chairman of the Board Appointment of State Education Representative for Title II Adult Education Representative on Genesee, Livingston, Orleans, Wyoming Workforce Investment Board (GLOW WIB) – Ted Hale, Charles G. May Occupational Center, 27 Lackawanna Avenue, Mt. Morris, NY 14510

Mr. Merrick informed the Board that a resolution is not needed for this appointment and there is no term associated with this appointment.

2. Mr. Davis stated he has the statistics on deer population. The current report on deer takes statewide is down 5-6%. He continued to report that last year in Livingston County the tagged deer count was 9,024 and this year it is 8,609. The bucks taken last year per acre is 5.2 and 4.9 bucks per acre this year. Mr. Davis continued stating there is a lot of talk at the state level to extend the season for deer nuisance tags. Mr. Davis encouraged the other members of the board to write letters to their Assembly Representatives requesting an extension of the season into January. Mr. Davis additionally stated there were 77,000 deer/automobile incidents reported last year. Perhaps an extension of the season would help reduce these incidents.

Mr. Moore stated that perhaps we should refer this issue to the Legislative and Agricultural Committee to establish a resolution on the matter. There has been a drop in the statistics indicating we should promote youth interest.

Mr. Davis stated that 2 years ago the average age of those hunting was 46, interestingly 20 years prior the age was 26 which indicates the same persons are still hunting. There was discussion briefly on the ages allowed to hunt and possibly lowering the age criteria to have youth become interested in hunting.

Mr. Moore asked about the hunter training programs.

Mr. Davis stated that the courses are out there and if you call DEC they can steer you to the locations available. The

current ages are 12 years old for small game, 14 years old to hunt big game with bow, and 16 years old to hunt with a shotgun. He stated he has talked to Dan Burling and he would like to see new kids get hunting licenses to take a buck or doe at younger age in order to accentuate their interests in hunting.

Mr. Kennison noted he feels there are not as many youth interested in hunting and this decline in interest concerns him. He questioned whether there is something that can be done to promote hunting as a sport. He stated he is interested in pursuing and perhaps working with the Chamber of Commerce to promote youth interest. He feels the Government should try to promote sports orientated activities including hunting. As computer automation interests continues in our youth we see the physical activities decline. It was agreed that this topic will be sent to the Legislative Committee to further review the options.

Mr. Davis added that he has previously spoken to Steve Newvine, President of the Chamber of Commerce, about the amount of people that come in from different states. He continued reporting this is a highly desired hunting area and to date there have been persons from 17 different states seeking hunting licenses here.

3. The County Administrator noted to the board that there are a couple of surplus resolutions. He encouraged the members to review this list and if they are interested in any of the items to let him know.

4. Frank Bassett, Long Term Care Director announced that the Livingston County Campus open house and ribbon cutting ceremony for the new dementia unit will be held on February 27th following the next Board Meeting at 3:30 p.m.

5. Mr. Merrick announced that on March 14, 2002, Noyes Memorial will be inviting the Board Members to another supper. The Supervisors should have an invitation arriving shortly with the specifics.

6. County Administrator at this time reminded the Board that Virginia Amico will be starting her vacation tomorrow and wished her a restful break from the routine.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Walker to adjourn until Wednesday, February 27, at 1:30 p.m. Carried.

The Board adjourned at 2:40 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, FEBRUARY 27, 2002
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.

INTRODUCTION OF GUESTS

Chairman Merrick greeted former North Dansville Supervisor Robert Hart and acknowledged that he had been Chairman of the Board of Supervisors for 23 years and thanked him for attending the meeting. Chairman Merrick also acknowledged the presence of former Ossian Supervisor Emery Jaeger.

MINUTES

Minutes of 2/13/02 Regular Board Meeting were approved as presented.

PUBLIC HEARING – 1:35 P.M.

The Chairman opened the public hearing to receive comments on Local Law No. A – 2002 Authorizing Imposition Of A Fee Upon Individuals For Electronic Monitoring Services. The Chairman requested Barbara Campbell, Probation Director, to come forward and explain the local law. B. Campbell explained the electronic monitoring system is being used as an alternative to incarceration to reduce the jail population. There is a \$20.00 fee which can be imposed and also waived if necessary. B. Campbell stated that the program has been successful to date. B. Campbell asked those present if they had any questions about the Local Law or the program. There were no questions.

Chairman Merrick asked if anyone wished to speak regarding the Public Hearing. No one wished to speak. The Chairman announced that the public hearing will remain open until the end of the meeting.

COMMUNICATIONS

1. Legislative Forum will be held on Friday, April 12, 2002 at 10:00 a.m.
2. Corrections Officer of the Year Awards for 2001 were presented by the NYS Sheriffs' Association at the Annual Winter Conference in Albany to Corporal Jamie Kelly; Officer Boe Langless; Officer Andrew Eichhorn; Officer Mark Cole; and Officer Matthew Polizzi.
3. There will be an open house of the new East Country Lane dementia unit at the Campus Skilled Nursing Facility today at 3:30 p.m.
4. Reminder that the Livingston County Department of Health business hours will change from 9 a.m. to 5 p.m. to 8 a.m. to 4 p.m. effective June 1, 2002.
5. Please note that the format of the Committee Meeting Notices has been redesigned to provide more space for the agenda items.

RESOLUTION NO. 2002-095. APPROVING ABSTRACT OF CLAIMS #2B – FEBRUARY 27, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #2B dated February 27, 2002 in the total amount of \$1,107,125.42.

Dated at Geneseo, New York

February 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

PREFERRED AGENDA

RESOLUTION NO. 2002-096. ADOPTING A POLICY PROHIBITING USE OF EXCESSIVE FORCE IN NON-VIOLENT CIVIL RIGHTS DEMONSTRATIONS

WHEREAS, Livingston County, State of New York, has made application for Community Development Block Grant (CDBG) Funds from the State of New York; and

WHEREAS, in accordance with Section 519 of Public Law 101-144, the HUD Appropriations Act requires a statement of certain assurances and certifications; now, therefore, be it

RESOLVED, that in consideration of Livingston County being granted CDBG funds by the State of New York, Livingston County, by administrative act, does adopt a statement of policy prohibiting the use of excessive force by its law enforcement agencies against any individuals engaged in non-violent civil rights demonstrations.

Dated at Geneseo, New York

February 27, 2002

Highway & Public Works Committee

RESOLUTION NO. 2002-097. APPROVING & ADOPTING THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT SAFETY PROGRAM

WHEREAS, the County of Livingston recognizes that it has the responsibility to provide a safe work environment for the employees of the County Highway Department, and that there is a wide range of Federal & State laws, regulations, and requirements to be followed in the interest of employee safety and health, and

WHEREAS, each employee of the County Highway Department has the responsibility to recognize that personal safety in the workplace is a high priority, and that compliance with established laws, regulations, requirements, policies and procedures is essential in ensuring safe working conditions, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors, in an effort to maintain safe working conditions in the County Highway Department, does hereby approve and adopt the following components of the Safety Program (including future revisions as appropriate), and expects all Department employees to cooperate, comply, and assist in the spirit of ensuring the success of the Program:

A) The Highway Department has designated a current Supervisor to serve as a "Safety Supervisor." He has the responsibility and authority to initiate, organize, implement, oversee and enforce the Highway Department's Safety Program.

B) The Safety Supervisor will be responsible for maintaining (and revising as applicable) the "Livingston County Highway Department Safety Policy and Procedures Manual." The Safety Supervisor will be responsible for formulating and scheduling appropriate employee training.

C) The Safety Supervisor will advise and consult with the County Highway Superintendent in all matters pertaining to the Safety Program, including: programming; revisions or additions; training; purchases; loss control; specific unsafe conditions; accident investigations, and employee compliance issues.

D) The Safety Supervisor will inform, advise and consult with the Department's supervisory staff regarding safety issues and problems. The Supervisors will in turn be responsible for the safety of the workers in their work area or site, and for employee compliance with elements of the Safety Program.

E) Each Highway Department employee will be responsible for his or her personal safety, for the safe completion of assigned tasks, and for compliance with this Program. The employee will be cognizant and helpful regarding the safety of fellow employees working in their area. All employees are encouraged to contribute constructive ideas, concerns and solutions in the spirit of maintaining a safe work environment.

F) The County Highway Superintendent will be responsible for appropriate and necessary communication and interaction with the County Administrator in regards to this Safety Program.

Dated at Geneseo, NY

February 27, 2002

Highway & Public Works Committee

RESOLUTION NO. 2002-098. APPOINTING ENVIRONMENTAL MANAGEMENT COUNCIL CHAIRPERSON - MCCLEARY

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 23, 2002, the EMC voted to recommend that the Board of Supervisors appoint William McCleary as Chairperson of the Environmental Management Council; now, therefore be it

RESOLVED, that William McCleary, 3247 Bronson Hill Road, Livonia, New York, is hereby appointed as Chairperson of the Livingston County Environmental Management Council, for a term to expire March 1, 2003.

Dated at Geneseo, New York

February 27, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-099. REAPPOINTING MEMBERS TO LIVINGSTON COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL – WALKER AND VANHOUTEN

RESOLVED, that Susan Walker, 7630 Walker Road, Wayland, NY 14572 is hereby reappointed to the Livingston County Environmental Management Council as a representative of Agriculture for a term to expire December 31, 2003; and be it further

RESOLVED, that Ralph VanHouten, 1704 Parkside Place, Lima, NY 14485 is hereby reappointed to the Livingston County Environmental Management Council as a General Citizen member for a term to expire December 31, 2003

Dated at Geneseo, New York

February 27, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-100. APPOINTING MEMBER TO LIVINGSTON COUNTY PLANNING BOARD - BENSON

RESOLVED, that the following person is hereby appointed to the Livingston County Planning Board for a term to expire December 31, 2002:

Village of Nunda – William Benson, 3134 Geneseo Road, Mt. Morris, NY 14510

Dated at Geneseo, New York

February 27, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002- 101. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD – KING, CRANDALL

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

TOWN	REPRESENTATIVE	TERM EXPIRATION
Avon Alternate	James King, 5734 East Avon-Lima Road, Avon, NY 14414	12/31/02
Nunda	John Crandall, 10115 State Street, Dalton, NY 14836	12/31/04

Dated at Geneseo, New York

February 27, 2002

Public Safety & Criminal Justice Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Layland and seconded by Mr. Jaeger to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

RESOLUTION NO. 2002-102. AUTHORIZING TRANSFER OF FUNDS – CONTINGENCY/SHERIFF/ECONOMIC DEVELOPMENT, PUBLIC HEALTH, 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

	Total	\$1950.69	\$1476.69	\$474.00	\$474.00
3. 2000 Groveland	Livingston County	\$871.85	\$852.71	\$19.14	\$19.14
SOLBERG, Mei Wan	Groveland Town Tax	562.33	549.98	12.35	12.35
Tax Map Number 136.-1-11.1	Groveland Fire 1	<u>121.02</u>	<u>121.02</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$1555.20	\$1523.71	\$31.49	\$31.49
4. 2001 Groveland	Livingston County	\$862.65	\$843.74	\$18.91	\$18.91
SOLBERG, Mei Wan	Groveland Town Tax	569.80	557.32	12.48	12.48
Tax Map Number 136.-1-11.1	Groveland Fire 1	<u>96.86</u>	<u>96.86</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$1529.31	\$1497.92	\$31.39	\$31.39
5. 2002 Groveland	Livingston County	\$802.00	\$781.86	\$20.14	\$20.14
SOLBERG, Mei Wan	Groveland Town Tax	497.01	484.53	12.48	12.48
Tax Map Number 136.-1-11.1	Groveland Fire 1	<u>88.92</u>	<u>88.92</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$1387.93	\$1355.31	\$32.62	\$32.62
6. 2002 Livonia	Livingston County	\$522.25	\$522.25	\$0.00	\$0.00
ALLISON, Mary L. & Ralph E.	Livonia Town Tax	344.60	344.60	0.00	0.00
Tax Map Number 75.7-1-1.1	Livonia Fire 3	146.88	146.88	0.00	0.00
	Liv.Ctr.Sewer ImpUnits	<u>119.00</u>	<u>0.00</u>	<u>0.00</u>	<u>119.00</u>
	Total	\$1132.73	\$1013.73	\$0.00	\$119.00

Dated at Geneseo, New York
February 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

RESOLUTION NO. 2002-105. AUTHORIZING PURCHASE OF TIMBER BRIDGE MATERIALS FOR HIGHWAY DEPARTMENT

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

WHEREAS, Livingston County Board Resolution 2001-457 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 January 2, 2002 publicly opened and read sealed bids for Prefabricated, Glulamated, Timber Bridge Decks, and

WHEREAS, the bid of Unadilla Laminated Products of Unadilla, N.Y. was the lowest of three (3) bids received, and said bid meets all bid specifications, now, therefore, be it

RESOLVED, that said bid, totaling \$55,591.00 for one (1) bridge structure, 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 27, 2002

Highway & Public Works Committee

Chairman Merrick referred to Donald Higgins, County Superintendent of Highways, to answer any questions. Supervisor Moore explained that the County has other bridges made from timber, and they have been quite successful over the years.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

RESOLUTION NO. 2002-106. AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS FOR POAGS HOLE BRIDGE OVER CANASERAGA CREEK, TOWN OF N. DANVILLE

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

WHEREAS, Poags Hole Bridge over Canaseraga Creek, Town of N. Dansville, Livingston County, P.I.N. # 475277 ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, 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, Row Incidentals/Acquisition, and Construction CI & CS

NOW, THEREFORE, The Chairman, duly convened does hereby

RESOLVE, that the Board of Supervisors hereby approves the above subject; and it is hereby further

RESOLVED, that the Board of Supervisors hereby authorizes the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering, ROW Incidentals/Acquisition, and Construction CI & CS work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$1,867,800.00 is hereby appropriated from the Board of Supervisors and made available to cover the cost participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors 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 Board of Supervisors 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 Board of Supervisors with the New York State Department of Transportation in connection with the advancement of approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and, it is further

RESOLVED, that a certified copy of this resolution 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.

Dated at Geneseo, New York

February 27, 2002

Highway & Public Works Committee

Donald Higgins, County Superintendent of Highways, stated that the bid opening for the Poags Hole Bridge project is scheduled for March 19, 2002 and the award of bid is expected to be approved at the April 8, 2002 Board meeting. The total project cost is \$1.87 million, and the County share is 5% or \$93,390.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 2002-107. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH POPLI CONSULTING ENGINEERS FOR ENGINEERING, DESIGN AND INSPECTION SERVICES FOR TWO (2) FEMA CONSTRUCTION PROJECTS

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

WHEREAS, engineering, design and inspection services are required for two (2) FEMA sponsored projects (CR 7 Bridge replacement - Portage and CR4 Embankment repair - Leicester), and

WHEREAS, eight (8) proposals were received in response to a "Request for Proposal", and the proposal of Popli Engineering Consultants was selected on the basis of qualifications, experience, availability and cost, now therefore, be it

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to sign an Architectural/Engineering Consultant Agreement with Popli Consulting Engineers of Penfield, New York, for engineering, design and inspection services for two (2) FEMA sponsored projects (CR7 & CR4), at a maximum fee of \$67,201.00, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 27, 2002

Highway & Public Works Committee

Donald Higgins, County Highway Superintendent, explained the two FEMA projects in the Towns of Leicester and

Portage. The County has been fortunate to receive the funding for these projects. The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

RESOLUTION NO. 2002-108. AUTHORIZING THE COUNTY HIGHWAY SUPERINTENDENT TO ENTER INTO A CONTRACT WITH THE NYS DEPARTMENT OF CONSERVATION FOR STATE ASSISTANCE (PURSUANT TO THE CLEAN WATER/CLEAN AIR BOND ACT) FOR THE CONSTRUCTION OF A SALT STORAGE BUILDING AT HAMPTON CORNERS

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

WHEREAS, the County of Livingston, herein called the “ Municipality”, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the “Project”, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith; now, therefore, be it

RESOLVED, by the Livingston County Board of Supervisors that Donald N. Higgins, County Highway Superintendent or such person’s successor in office, is the representative authorized to act on behalf of the Municipality’s governing body in all matters related to State assistance under ELC Article 56, Title 3. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for their Municipality’s governing body in all matters related to the project and to State assistance; and it further be

RESOLVED, that the Municipality’s agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project’s filed work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and it is further

RESOLVED, that one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation; and it is further

RESOLVED, that this Resolution take effect immediately.

Dated at Geneseo, New York

February 27, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

RESOLUTION NO. 2002-109. AWARDING BIDS AND AUTHORIZING PURCHASE OF MATERIALS (AGGREGATES) FOR THE HIGHWAY DEPARTMENT THROUGH MARCH 31, 2003

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

WHEREAS, after due advertisement, bids for materials (aggregates) were opened on February 6, 2002 in Room 205 of the Livingston County Government Center, and

WHEREAS, the Bid Specification, 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 the following aggregate materials:

- Sand
- Run of Bank Gravel
- Screened Gravel & Oversized Gravel Stone
- Screened Gravel ~ DELIVERED
- Crushed Gravel, Recycled Crushed Asphalt & Recycled Crushed Concrete
- Crushed Gravel, Recycled Crushed Asphalt & Recycled Crushed Concrete ~ DELIVERED
- Recycled Railroad Ballast
- Crushed Stone
- Crushed Stone ~ DELIVERED
- Stone Rip Rap ~ DELIVERED
- Stone Filling
- Screened Topsoil

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 the following highway materials (aggregates) from the bidders per bid specifications through March 31, 2003.

Dated at Geneseo, New York

February 27, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

**RESOLUTION NO. 2002-110. AWARDING BIDS AND AUTHORIZING PURCHASE OF
CONSTRUCTION MATERIALS AND SERVICES FOR THE HIGHWAY DEPARTMENT
THROUGH APRIL 1, 2003**

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

WHEREAS, after legal advertisement, bids for Construction & Maintenance Materials and Services were received and opened on February 06, 2002 in Room 205 of the Livingston County Government Center, and

WHEREAS, the Bid Specification, Bid Submissions, Bid Tabulations/Award Package are all on file at the office of the Livingston County Highway Department, for the following Materials and Services:

DRAINAGE

Corrugated Metal Pipe
Corrugated Polyethylene Pipe
Precast Catch Basins
Round Frames and Grates
Heavy Duty Frames and Grates
Trench Drain System

MISCELLANEOUS HIGHWAY MATERIALS

Guide Railing
Guide Railing Installation
Pavement Marking
Modified Asphalt Crack Filler
Pavement Reinforcement Grids
Propane Fuel

STRUCTURAL

Structural Steel, Steel Sheet Piling
Railroad Rails, Used Heavy Steel Pipe, Boiler Shells
Transit Mix Concrete

ASPHALT RECYCLING

Recycled Asphalt Pavement (COLD) TYPE I
Recycled Asphalt Pavement (COLD) TYPE II
Full Depth Reclamation

STRUCTURAL FILL & DUST CONTROL

Controlled Low-Strength Material (Flowable Fill)
& Controlled Density Fill
Geotextiles & Geo Grids
Calcium Chloride
Liquid Calcium Chloride & Tembind

COLD MIX ASPHALT & EMULSIONS

Liquid Bituminous Materials
Asphalt Emulsion Slurry Seal
Paver Placed Chip Seal / Ultrathin Hot Mix Asphalt
Furnishing & Placing Cold Mix Asphalt Pavement

BANK & SLOPE PROTECTION

Gabion Baskets
Cable Concrete
Non-Organic Turf Stabilizing Mats
Organic Turf Stabilizing Mats
Precast Retaining Wall System (OPEN CELL TYPE)
Precast Retaining Wall System (CLOSED CELL TYPE)

HOT MIX ASPHALT

Asphalt Concrete Mixes
Superpave Hot Mix Asphalt
Furnishing & Placing Hot Mix Asphalt Pavement

now, therefore, be it

RESOLVED, that said bids be accepted, and that the Superintendent of Highways is hereby authorized to purchase said Materials and Services for said prices through April 1, 2003, with the option to renew for a one-year period from date of expiration, 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

February 27, 2002

Highway & Public Works Committee

Supervisor Moore stated he would like to have the County Highway Superintendent comment on the prices. D.

Higgins stated that the most significant price difference is that of the in-place hot mix asphalt. The price is significantly lower than cold mix, and he stated that the Supervisors may want to keep this in mind for Town projects. The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

RESOLUTION NO. 2002-111. AWARDING BIDS AND AUTHORIZING RENTAL OF VARIOUS PIECES OF CONSTRUCTION EQUIPMENT FOR THE HIGHWAY DEPARTMENT THROUGH APRIL 1, 2003

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

WHEREAS, after legal advertisement, bids for Rental of Various Pieces of Construction Equipment opened and read, on February 6, 2002 in Room 205 of the Livingston County Government Center, and,

WHEREAS, the Bid Specifications, Bid Submission, Bid Tabulation/Award Package are all on file at the office of the Livingston County Highway Department, for rental of the following pieces of construction equipment:

- | | |
|--|--|
| Compressors | Trench Shields |
| Portable Sand Blasting Equipment | Vermeer Pavement Cutter |
| Pavement Profilers | Stump and Tree Grinder |
| Self-Propelled Shoulder Widener | Stump Grinder |
| Asphalt & Bituminous Pavers | 4 WD Self-Propelled Snorkel |
| Single Drum Roller - Vibratory | Hydraulic Excavator Track |
| Pneumatic Tired Rollers | Hydraulic Excavator Track With Impact Breaker |
| Dual Drum Rollers - Static | Self Powered Chip Spreader |
| Dual Drum Rollers - Vibratory | Cold Mix Paver |
| Truck Mounted Concrete Pump | Micro Surfacing Continuous Flow Mixing Machine |
| Curb Pavers | Micro Surfacing Truck Mounted Mixing Machine |
| Concrete Saws | 40 Ton Equipment Trailer |
| Motor Graders | Dump Trailer |
| Loaders - Crawler | Live Bottom Trailer |
| Loaders - Wheel | Dump Trucks |
| Loaders - Wheel Skid Steer | Articulated Off-Road Dump Trucks |
| Multi-Purpose Bucket | Bucket Truck |
| Side Dump Bucket | Hydraulic Rock Splitter |
| Crawler Dozers | Track Type Trenchers |
| Truck Cranes | Trench Shields |
| Truck Mounted Hydraulic Guiderail Post Driver | Vermeer Pavement Cutter |
| Water Pumps | Stump and Tree Grinder |
| Concrete Power Trowel | Stump Grinder |
| Concrete Power Screed | 4 WD Self-Propelled Snorkel |
| Trailer Mounted Brush Chipper | Hydraulic Excavator Track |
| Dual Pavement Sweepers | Hydraulic Excavator Track With Impact Breaker |
| Self Propelled Catch Basin Suction Machine | Hydraulic Excavator Track With 52' Boom |
| Self-Propelled Sheeps Foot Roller | Hydraulic Excavator Track With Hydraulic Thumb |
| Towed Sheeps Foot Roller - Vibratory | Hydraulic Excavator Track With Grapple |
| Self-Propelled Pavement Broom - Rotary | Rubber Tired Excavator |
| Pull Type Pavement Broom | Rubber Tired Hydraulic Excavator With Thumb |
| Self Powered Chip Spreader | Tractor - Loader - Backhoe |
| Cold Mix Paver | Portable Screening Plant |
| Micro Surfacing Continuous Flow Mixing Machine | Portable Crushing Plant & Conveyor |
| Micro Surfacing Truck Mounted Mixing Machine | Closed Circuit Crushing Plant |

40 Ton Equipment Trailer
 Dump Trailer
 Live Bottom Trailer
 Dump Trucks
 Articulated Off-Road Dump Trucks
 Bucket Truck
 Hydraulic Rock Splitter
 Track Type Trenchers

REPORT OF THE SUPERVISORS' PROCEEDINGS

Material Crushing Service
 Sub-Surface Edge-Drain Tiling Installation Service
 Trencher Installation
 Plow Installation
 Removal of Asphalt Pavement by Grinding
 Steel Sheet Piling Installation Service
 Video Inspection & Locator System
 Delivery of Gravel Products
 Soil Preparator

Now, therefore, be it

RESOLVED, that said bids be accepted, and that the Superintendent of Highways is hereby authorized to rent pieces of construction equipment for said prices through April 1, 2003, with the option to renew for a one-year period from date of expiration, 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

February 27, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

RESOLUTION NO. 2002-112. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. FOR COLLECTION, TRANSPORTATION, & DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE FROM THE GLOW REGION RESIDENTS

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

WHEREAS, the GLOW Region Solid Waste Committee has secured funding for the 2002 Household Hazardous Waste Collection Program, and

WHEREAS, the GLOW Region Solid Waste Committee has requested, received and evaluated proposals for the 2002 Household Hazardous Waste Collection Program, and

WHEREAS, GLOW has recommended Clean Harbors Environmental Services, Inc. as the most responsive proposal to provide the needed services for the household hazardous waste collection event, now, therefore be it

RESOLVED, that Livingston County Board of Supervisors authorizes the Chairman of the Board to enter into a contract with the other GLOW Counties and Clean Harbors Environmental Services, Inc. for the GLOW Household Hazardous Waste Collection Program at a cost not to exceed Twenty Nine Thousand Dollars (\$29,000.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 27, 2002

Highway & Public Works Committee

Cathy Muscarella, Director of Public Works, announced that the Household Hazardous Waste Collection will be held on May 11, at Hampton Corners. Anyone wishing to bring hazardous materials to the event must make an appointment prior to the event. This is mainly to control traffic flow. Flyers will be distributed with an 800 number. Each participant is allowed to dispose two computers. There will be a \$2.00 charge for tires.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

RESOLUTION NO. 2002-113. AUTHORIZING AMENDED CONTRACT WITH NICHOLS GRAPHICS DESIGN – CONESUS LAKE WATERSHED MANAGEMENT PLAN

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, Resolution No. 2001-127 authorized a contract with Nichols Graphic Design for professional design services for the Conesus Lake Watershed Management Plan; and

WHEREAS, additional professional design services are needed; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract amendment with Nichols Graphic Design, after review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 27, 2002

Legislative & Agricultural Affairs Committee

The County Administrator explained that the Conesus Lake Watershed Management Plan is over 100 pages, and the County has hired Nichols Graphic Design to develop a quality document that will be user friendly.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

RESOLUTION NO. 2002-114. AUTHORIZING THE CHAIRMAN TO SIGN A MEMORANDUM OF AGREEMENT WITH THE CORNELL COOPERATIVE EXTENSION ASSOCIATION OF LIVINGSTON COUNTY FOR PAYMENT OF COUNTY APPROPRIATIONS FOR 2002

Mrs. Cansdale presented the following resolution and moved its adoption:

RESOLVED, that the sum of \$341,516 is hereby appropriated to the Cooperative Extension Association of Livingston County for the fiscal year beginning January 1, 2002, and ending December 31, 2002, 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 \$341,516 in twelve monthly installments in advance of the first day of each month beginning January 1, 2002, 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 above Association to expend the funds only for the purpose set forth in said budget of said Association referred to herein and requiring an 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 Attorney and County Administrator.

Dated at Geneseo, New York

February 27, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

RESOLUTION NO. 2002-115. AMENDING THE DEPARTMENT HEAD SALARY SCHEDULE - MENTAL HEALTH AND APPOINTING FINANCIAL MANAGER

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

Create one Financial Manager position and appoint Mary T. Foley of Apt. H2 Valley View Court, Geneseo, New York 14454 to the position effective March 4, 2002 at an annual salary of \$41,000.

Dated at Geneseo, New York

February 27, 2002

Personnel and Employee Relations Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

Mark Brown, Director of Community Services, introduced Mary T. Foley as the new Financial Manager. Mary Foley will be succeeding Joanne Semmel when she retires in May 2002. M. Brown stated he would like to express his appreciation to the Board of Supervisors for permitting the department to be proactive in planning for the transition and providing Mary Foley the opportunity to work with Joanne before her departure. M. Brown continued to report the Mental Health Department has tripled in size in both budget and clients seen.

Mary Foley thanked the Board of Supervisors for hiring her and stated she is looking forward to working for the County in the Community Services Department.

The County Administrator asked Mark Brown to elaborate on Ms. Foley's experience. M. Brown informed the Board of Supervisors that Ms. Foley did her undergraduate work at SUNY Geneseo and her major was Accounting. She received her Masters in Business Administration from William Simon School of Business/University of Rochester. She began her accounting profession at Harry Schein as a Senior Accountant. She also had experience as an Auditor at Ernst & Young and Miller Lilly Pearce & Co. She has been working for Lapp Insulator as an Accountant for years prior to accepting the position with the County.

**RESOLUTION NO. 2002-116. AMENDING SALARY SCHEDULE: DEPARTMENT OF HEALTH;
VARIOUS DEPARTMENTS**

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

Public Health Department

Convert one half time Public Health Nurse position to full time.

Delete one half time Registered Professional Nurse position.

Various Departments

Correct the salary schedule pursuant to the attached list of corrections.

Dated at Geneseo, New York

February 27, 2002

Personnel and Employee Relations Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

**RESOLUTION NO. 2002-117. AUTHORIZING EXECUTION OF MEMORANDA OF AGREEMENT:
UNSCHEDULED SHIFT INCENTIVE, MEAL VOUCHER, HEALTH INSURANCE OPTION**

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

WHEREAS, the County and the CSEA have entered into negotiations regarding certain terms and conditions of employment relating to employees in the County's Skilled Nursing Facilities; and

WHEREAS, the parties have reached agreement and desire to implement an unscheduled shift incentive, a meal voucher program, and a new health insurance option; and

WHEREAS, memoranda of agreement have been prepared to formalize the parties agreement regarding these terms and conditions of employment; and

WHEREAS, the Board of Supervisors desires to authorize execution of these memoranda of agreement; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the County Administrator and Director of Long Term Care to execute the attached memoranda of agreement in order to implement the parties' agreements regarding the unscheduled shift incentive, meal voucher program and new health insurance option, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 27, 2002

Personnel & Employee Relations Committee

Frank Bassett, Director of Long-Term Care, stated that the facilities have been working for a number of months to seek and preserve workforce and quality of care. He explained the two Memoranda of Agreement and the implications of each related to unscheduled shift incentive, meal voucher, and the new health insurance option.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

**RESOLUTION NO. 2002-118. AWARDING BID FOR THE PURCHASE OF FIVE MARKED VEHICLES
AND ONE UNMARKED VEHICLE FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT**

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

WHEREAS, after proper legal advertisement for bids for the purchase of vehicles for the Livingston County Sheriff's Department, bids were received and opened on February 19, 2002, now, therefore, be it

RESOLVED, that the bid of DeLacy Ford Inc., 3061 Transit Road, Elma, New York 14059 for the purchase of five marked vehicles and one unmarked vehicle (two 2002 vehicles and four 2003 vehicles) in an amount not to exceed One Hundred Thirty Seven Thousand Four Hundred Dollars (\$137,400.00) which includes trade-in allowances of two vehicles is hereby accepted as the lowest responsible bid.

Dated at Geneseo, New York

February 27, 2002

Public Safety & Criminal Justice Committee

Mr. Mahus commented that the price of the Crown Victoria is lower compared to last year.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

CLOSE PUBLIC HEARING

The Chairman asked if anyone else wished to speak at this time regarding the Public Hearing. No one wished to speak. The Chairman declared the public hearing closed.

MOTION TO VOTE ON LOCAL LAW NO. A - 2002

Mr. Mahus moved and Mr. Layland seconded to call Local Law No. A - 2002 to the table. Carried.

VOTE ON LOCAL LAW NO. 2 (A) - 2002

LOCAL LAW NO. 2 (A) - 2002 LOCAL LAW AUTHORIZING IMPOSITION OF A FEE UPON INDIVIDUALS FOR ELECTRONIC MONITORING SERVICES

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

Section 1.

Pursuant to the authority granted by Section 10 of the Municipal Home Rule Law of the State of New York, Livingston County has the authority to assess fees for the actual use of services provided by the County. The Livingston County Department of Probation provides an electronic monitoring service, which allows individuals who would otherwise be incarcerated in the Livingston County Jail, to agree to be supervised electronically in order to avoid loss of employment caused by incarceration.

Section 2.

The Livingston County Board of Supervisors imposes a fee of \$20.00 per day upon all individuals who make use of the electronic monitoring service offered by the Livingston County Department of Probation. Such fee represents the cost to Livingston County to provide such service. The fee shall be paid directly to the Livingston County Department of Probation.

Section 3.

The Livingston County Department of Probation is authorized to adopt procedures for the collection of these fees.

Section 4.

The Livingston County Department of Probation shall retain the authority to waive the fee if it determines that the payment of the fee would work an unreasonable hardship on such individual, such individual's immediate family or any person dependent on such individual for financial support.

Section 5.

All fees collected pursuant to this Local Law shall be paid directly to the Livingston County Department of Probation to be retained and utilized for local probation purposes.

Section 6.

This Local Law shall take effect upon filing with the Secretary of the State of New York.

Dated at Geneseo, New York

February 13, 2002 (introduced)

February 27, 2002 (adopted)

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent – Davis, 29; Adopted.

OTHER BUSINESS

1. County Administrator Mazza stated that the County leases space on Franklin Street in the Village of Dansville for the Women's Health Center. There was a fire in the building which started in the Laundromat on February 25, at 11:30 a.m. Highway and Central Services staff moved equipment and supplies from the building. The clinic has begun providing services at the Campus, and they are contacting the patients to inform them of the change. The County Administrator stated that an alternative solution will be determined as soon as possible.
2. County Administrator Mazza announced there will be a Certificate of Need kick-off meeting for the new nursing home on Friday, March 1, 2002 at 10:00 a.m. in Room 303B. All Supervisors are invited to attend. The County Administrator stated that he will continue to keep the board apprised of this project.
3. County Administrator Mazza stated that Requests for Proposals for the Construction Management firm for the new nursing facility have been received and a recommendation will be presented to the Central Services Committee on March 5, 2002.
4. Geneseo Supervisor Kennison stated he is disappointed that we had to cancel the Legislative Forum scheduled for February 8th, and he looks forward to the April session. He mentioned that he attended a forum at York Central School and Assemblyman Kolb had asked whether he would be willing to get signatures on a petition to

have the State Legislature adopt a Budget in a timely manner. Mr. Kennison read the wording on the petition, and stated that he would have the petition available after the Board meeting for anyone who wishes to sign it.

5. Supervisor Wahl commented there was an article in the February 28, 2002 issue of The Lake and Valley Clarion, regarding the enlargement of Vitale Park. The article states that the Town will be leasing land west of Vitale Park at a price of \$6,000 per month for the next 15 months. Mr. Wahl stated that the article should read \$1,000 per month.
6. Mr. Bassett reminded the Board that the open house for the new dementia unit will be held at 3:30 p.m. today in Building #1, and it is expected that Assemblyman Errigo will be in attendance.

ADJOURNMENT

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

The Board adjourned at 2:25 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, MARCH 13, 2002
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 2/27/02 Regular Board Meeting were approved as presented.

PUBLIC HEARING – 1:35 P.M.

The Public Hearing to receive comments on the Small Cities Program was called in accordance with the notice published in the official newspapers. The Chairman introduced Grant Writer Stuart I. Brown of Stuart I. Brown Associates, and asked him come forward to explain this grant program.

Stuart I. Brown explained that each year the Governor's Office of Small Cities solicits for grants for small cities that could be used for a variety of community improvements such as housing, sewer, and economic development. The deadline for this grant application is April 12, and prior to the County submitting the grant application, we must conduct two Public Hearings. The first public hearing will be to give residents the opportunity to make suggestions to the Board of Supervisors for projects to be considered under the Small Cities Grant application. The second public hearing will be to identify the project(s). Stuart I. Brown explained the State has \$53 million to distribute; with a maximum grant available in the amount of \$400,000 and communities applying together may receive a joint grant amount of \$600,000. Counties are also allowed to apply for \$600,000 with a provision that no more than \$400,000 may be spent in any one community. Mr. Brown continued informing the Board that last year the Village of Nunda was awarded \$400,000 for a water storage tank. The Town Leicester was able to extend sewers in the town, and the year before, the County was awarded \$400,000 to extend sewer lines to Livonia. The Towns of Sparta and Conesus received \$600,000 and this will be used to extend public water from current County Water lines to the Hamlet of Scottsburg. Additionally, last year 211 applications were received and 95 were funded. Stuart I. Brown commented that the County is interested in submitting an application, however, we do not have a project identified at this moment. He mentioned that possibly the County could submit an application to receive grant funds for the five towns/villages that have sewer projects and this funding could relieve some of the debt service and also provide residents the opportunity to connect to the system.

The Chairman asked if anyone wished to speak regarding the public hearing to please come forward and sign in at the podium sign in. No one choose to speak.

The Chairman announced that the public hearing will remain open until the end of the meeting.

COMMUNICATIONS

1. Genesee County Legislature invites Supervisors and employees to the 200-year celebration to be held on March 30, 2002 from 11:00 – 7:00 p.m. at Batavia Holiday Inn (ON DESKS).
2. Letter from Senator Dale M. Volker acknowledging receipt of correspondence received regarding the Governor's Executive Budget Proposal for 2002-2003.
3. NACo Annual Conference to be held in New Orleans, Louisiana, July 12-16, 2002.
4. Letter from Senator Dale M. Volker notifying the County of an approved Legislative Initiative Grant in the amount of \$40,000 for the Indigent Parolee Program.
5. The Taste of Livingston County will be held on Wednesday, April 3, 2002 from 6:00 p.m. to 8:00 p.m. at the Genesee River Hotel. You may purchase tickets from Joan Ellison, Director of the Department of Health.

RESOLUTION NO. 2002-119. APPROVING ABSTRACT OF CLAIMS #3A – MARCH 13, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #3A dated March 13, 2002 in the total amount of \$1,207,599.47.

Dated at Geneseo, New York

March 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

PRIVILEGE OF THE FLOOR

1. Sheriff John M. York stated it is his extreme pleasure to introduce Livingston County Correction Officers Corporal Jamie Kelly; Officer Boe Langless; Officer Andrew Eichhorn; Officer Mark Cole; and Officer Matthew Polizzi who were recipients of a Corrections Officer of the Year Award for 2001 presented by the NYS Sheriffs' Association at the Annual Winter Conference in Albany. Sheriff York requested Major James Rose and each of the officers to come forward as their name is called in order to be recognized for their achievement. Sheriff York explained that on February 4, 2001 there was a fire that broke out in the Jail and these Correction Officers evacuated 74 inmates in less than two minutes, and then made arrangements for the inmates to be transported to temporary housing facilities across New York State. The Sheriff stated that County forces came together and the County Jail was in complete operation within four days. The Sheriff stated he was honored to recognize these officers here today and then thanked the Board of Supervisors for this opportunity to additionally recognize these men and their achievements.

A standing ovation was given in honor of these men for their achievements.

Chairman Merrick stated that he happened to be on the scene at the time of the incident and commended the Sheriff and the Correction Officers for a very orderly evacuation.

PREFERRED AGENDA

RESOLUTION NO. 2002-120. SUPPORTING THE 2002 LIVINGSTON COUNTY JOB FAIR

WHEREAS, the Livingston County Department of Social Services (Take Pride Program), the Livingston County Workforce Development 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; and

WHEREAS, these organizations have scheduled the 2002 Job Fair for April 23, 2002 at the Genesee River Hotel and Reception Center in Mt. Morris, New York from noon to 4:00 p.m., now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors supports the 2002 Livingston County Job Fair on April 23, 2002 and urges area employers and job seekers to attend.

Dated at Geneseo, New York

March 13, 2002

Legislative & Agricultural Affairs Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Martello and seconded by Mr. Moore to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

RESOLUTION NO. 2002-121. AUTHORIZING CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE CERTIFICATE OF NEED PROCESS FOR NEW SKILLED NURSING FACILITY IN MT. MORRIS, NEW YORK

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

WHEREAS, the County Administrator solicited a Request for Proposal for construction management services for the new Skilled Nursing Facility in Mt. Morris, New York, and

WHEREAS, six proposals were received and

WHEREAS, Bovis Lend Lease of 767 Warren Road, Ithaca, New York 14850 was determined to be the most qualified to provide construction management services for the new Skilled Nursing Facility in Mt. Morris, New York, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Bovis Lend Lease for construction management services at a cost not to exceed Five Thousand Dollars (\$5,000.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 13, 2002

Central Services Committee

The County Administrator informed the Board that Requests For Proposals were sent out and six firms submitted proposals. Bovis Lend Lease was the lowest responsible bidder who submitted a proposal of \$5,000 (300 hours). The proposals were reviewed by Committee, and the recommendation is to award to Bovis Lend Lease.

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

RESOLUTION NO. 2002-122. AUTHORIZING TRANSFER OF FUNDS – EMERGENCY MANAGEMENT SERVICES, HIGHWAY, OFFICE FOR THE AGING, PUBLIC HEALTH, SHERIFF

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

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

Dated at Geneseo, New York

March 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

RESOLUTION NO. 2002-123. CORRECTING TAX ROLL – TOWN OF SPRINGWATER

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

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to one (1 parcel) application for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Town of Springwater 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	Chargebacks to Taxing Jurisdictions
1. 2002 Springwater STEVENSON, Hugh M. & Genevieve	Livingston County Springwater Town Tax	\$1355.62	\$1170.94	\$184.68	\$184.68
	Late Payment Penalties	1423.91	1229.93	193.98	193.98
Tax Map Number 163-2-19.1	Springwater Fire 1	30.33	26.31	4.02	4.02
	Total	<u>253.74</u>	<u>229.71</u>	<u>24.03</u>	<u>24.03</u>
		\$3063.60	\$2656.89	\$406.71	\$406.71

Dated at Geneseo, New York

March 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

RESOLUTION NO. 2002-124. AUTHORIZING CONTRACT WITH FAMILY SERVICES OF ROCHESTER FOR LEGAL SERVICES FOR THE ELDERLY

Mr. Walker 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 January 1, 2002 and terminating December 31, 2002, with Family Services of Rochester for Legal Services to the Elderly, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

RESOLUTION NO. 2002-125. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT AMENDMENT BETWEEN THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH AND PHYSICAL THERAPY PROFESSIONAL, P.C. FOR CERTIFIED HOME HEALTH AGENCY SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract amendment between the Livingston County Department of Health and Physical Therapy Professional, P.C. of PO Box 723, 6003 Big Tree Rd., Lakeville, NY for Certified Home Health Agency Services commencing on January 1, 2002 and terminating on December 31, 2002, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

RESOLUTION NO. 2002-126. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT AGREEMENT BETWEEN THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH AND JACK VENESKY, CPA FOR THE PREPARATION OF MEDICARE AND MEDICAID COST REPORTS

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a Contract Agreement between the Livingston County Department of Health and Jack Venesky, CPA, of 6114 Route 31, Cicero, New York 13039, for the preparation of the Medicare and Medicaid cost reports, commencing on May 1, 2002 and terminating on July 31, 2004, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

Chairman Merrick announced that if it seems as if there is not a lot of discussion on these resolutions it is because the action items are discussed in detail at the Committee level.

RESOLUTION NO. 2002-127. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CHAPTER GRANT AGREEMENT BETWEEN THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH AND THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a Chapter Grant Agreement between the Livingston County Department of Health and the March of Dimes Birth Defects Foundation of University Center, 385 N. French Rd., Suite 100, Buffalo, NY 14228, for Maternal Action Plan, commencing on April 1, 2002 and terminating on March 31, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

RESOLUTION NO. 2002-128. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT BETWEEN THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH AND THE COUNTY OF MONROE FOR FAMILY HEALTH PLUS FACILITATED ENROLLMENT

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between the Livingston County Department of Health and the County of Monroe, located at 111 Westfall Rd., Room 1046, PO Box 92832, Rochester, NY, for Family Health Plus Facilitated Enrollment, commencing on September 1, 2001 and terminating on October 31, 2002, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

RESOLUTION NO. 2002-129. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT EXTENSION BETWEEN THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH AND THE NEW YORK STATE DEPARTMENT OF HEALTH FOR A NO COST 3 MONTH EXTENSION FOR THE GENESEE VALLEY HEALTH PARTNERSHIP

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract extension between the Livingston County Department of Health and the New York State Department of Health, located at the Office of Rural Health, Corning Tower, Room 1119, Empire State Plaza, Albany, NY, for a no cost extension to the Genesee Valley Health Partnership Contract # C-017146, which extends the termination date of the existing contract to March 31, 2002, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

RESOLUTION NO. 2002-130. 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 THE LIVINGSTON COUNTY CAMPUS SKILLED NURSING FACILITY

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign 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 the Livingston County Campus Skilled Nursing Facility, for a term commencing on April 1, 2002 and terminating on March 31, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

RESOLUTION NO. 2002-131. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH ROCHESTER GENESEE REGIONAL TRANSPORTATION AUTHORITY FOR THE ADULT DAY HEALTH CARE PROGRAM, CAMPUS SKILLED NURSING FACILITY

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Rochester Genesee Regional Transportation Authority For The Adult Day Health Care Program, Campus Skilled Nursing Facility, for a term commencing on May 1, 2002 and terminating on April 30, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

RESOLUTION NO. 2002-132. APPOINTING LIVINGSTON COUNTY HIGHWAY SUPERINTENDENT – HIGGINS

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

RESOLVED, that Donald Higgins of P.O. Box 322, Dansville, New York 14437 is hereby appointed as Livingston County Highway Superintendent for a term commencing April 4, 2002 and expiring April 3, 2006.

Dated at Geneseo, New York

March 13, 2002

Personnel & Employee Relations Committee

Mr. Moore, Chairman of the Highway and Public Works Committee stated that Don Higgins has been a good Superintendent of the County Highway Department and then offered congratulations to him on his reappointment.

Chairman Merrick additionally congratulated D. Higgins and further stated he has done a marvelous job and is looking forward to continued success in the Highway Department.

Chairman Merrick left the podium to shake hands with D. Higgins.

D. Higgins then thanked the Board of Supervisors for the support and confidence they have offered him.

The roll was called as follows: Ayes - 1,673; Noes - 0; Absent – Layland, 141; Adopted.

CLOSE PUBLIC HEARING

The Chairman asked if anyone else wished to speak at this time regarding the Public Hearing for the Small Cities Grant.

Mr. Wahl encouraged the County to apply for a Community Development Grant to assist the residents of Livonia, Sparta, Conesus, Leicester, and York with the one-time cost for initial hook-up fees to the new sewer systems.

Chairman Merrick agreed with Mr. Wahl and stated he hoped that the Town of Groveland would also be added to the list providing the Groveland Station Sewer District Extension is approved.

The Chairman asked if there were any other comments or questions. There were none. The Chairman declared the public hearing closed.

OTHER BUSINESS

1. County Administrator Mazza reported that a meeting was held this week for the new nursing facility SEQRA process. Geneseo Supervisor Kennison stated that he and Mt. Morris Supervisor Olverd attended this meeting and things are moving forward very positively and answers to his questions were given in regard to the emergency response issues. The County Administrator stated that earlier this week the engineers began their meetings with the staff to apprise them of the project. Meetings with the architect will continue twice a month and will be held on Fridays and the next meeting is scheduled for March 15, 2002 at 10:00 a.m. for those who wish to attend.
2. The County Administrator announced that he, Director of Long-Term Care Frank Bassett, Lima Supervisor Peter Yendell and Geneseo Supervisor Weston Kennison will be traveling to Albany on March 26, 2002 to meet

with the County Nursing Facilities of New York, Inc. to lobby for the restoration of Intergovernmental Transfer funding for our nursing homes.

FIFTH ANNUAL EMPLOYEE RECOGNITION CEREMONY - HONORING EMPLOYEES WITH 10 AND 25 YEARS OF FULL-TIME SERVICE EFFECTIVE 12/31/01

Chairman Merrick welcomed everyone in attendance and thanked those employees who are being honored for their years of service. The County Administrator provided opening remarks and commented that he was honored and delighted to have the opportunity to acknowledge the dedicated employees for their years of service, and stated he believes this ceremony is the most important thing we do every year. On behalf of the County Board of Supervisors, Department Heads, co-workers, friends, family members, and the 65,000 citizens of Livingston County, the County Administrator extended his gratitude for their years of service. He stated that today is an opportunity to reflect on our lives. He mentioned the terrorist attack of September 11th on the World Trade Center and the Pentagon and the impacts this tragedy has had on our lives and how we all have taken notice of the important things in life. He stated that we must value and enjoy each day. He reflected on two employees that served the county with dedication and commitment and who had deceased this past year. Joseph D'Imperio, Central Services employee, age 49, passed away at his home after 22 years of service and David Caldwell, Sewer District employee, age 48, died from a motorcycle accident after 21 years of service. He continued by sharing an excerpt from a book entitled A Short Guide to a Happy Life written by Anna Quindlen.

The County Administrator, Chairman Merrick and Vice Chairman Moore recognized the Department Heads with 10 years of Service. They are as follows:

Mark Brown, Director of Community Service
Gerald L. Smith, Commission, Board of Elections

The Clerk of the Board called forward those Department Heads who have employees being recognized for 10 years of service and proceeded to call the names of those being recognized and Chairman Merrick, Vice Chairman Moore and the County Administrator presented the 10 and 25 year awards as follows:

10-YEAR AWARDS

Community Services

Pamela Boyd

Department of Health

Michael Cloonan

Department of Social Services

Deborah Beardsley

Sheriff

Raymond J. Bartolotti
Rodrick J. Bennett
Daniel T. Burk
Frederick K. Cutcher
Wendy Hopkins
Donald W. Lubanski

Skilled Nursing Facility- Campus

Shirley A. Schledorn
Stella Vazquez
Steven Vondell

Skilled Nursing Facility-Geneseo
Cheryl Bailey
Renee Chichester

25-YEAR AWARDS

Department of Social Services

James Cornell
Donna Least
Susan C. Scicchitano
Linda Taylor
Anne Williams

Probation

Mary Clark
Edward Erhard

Sheriff

Martin D. Herkimer
Pamela B. Rychlicki

Vice Chairman Moore again thanked those employees for their years of service and announced that a reception will be held at the Big Tree Inn, Geneseo, New York immediately following the Board meeting to honor the employees. Individual photographs were taken of all employees recognized as well as departmental group photographs with the Chairman, Vice Chairman and County Administrator in each picture.

Chairman Merrick again congratulated everyone and thanked them for coming to the ceremony.

ADJOURNMENT

Motion made by Mr. Moore and seconded by Mr. Yendell to adjourn until Wednesday, March 27, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:35 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, MARCH 27, 2002
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Mr. Olverd and Mr. Davis.

The Pledge of Allegiance.

MINUTES

Minutes of 3/13/02 Regular Board Meeting were approved as presented.

PUBLIC HEARING – 1:35 P.M.

The Public Hearing to receive comments on the Small Cities Program was called in accordance with the notice published in the official newspapers. The Chairman introduced Grant Writer Stuart I. Brown of Stuart I. Brown Associates, and asked him come forward to explain this grant program.

Stuart I. Brown explained this hearing is the second of two required hearings which must be held before the County is eligible to submit an application. The intent of the second hearing is for the County to offer a proposed project and to take comments on the proposal or to receive comments from the public for other projects. The first hearing was held on 3/13/02. The deadline to submit an application is April 12 and the County does intend to submit a proposal for funding low to moderate income households to relieve some of the debt service and also provide residents the opportunity to connect to the system. S. Brown asked if there were any questions or comments.

The Chairman asked if anyone wished to speak regarding the public hearing to please come forward and sign in at the podium.

1. Julie Everitt, Director of Development of Housing Opportunities, Inc., encouraged municipalities to address the housing needs of low and moderate-income families in their communities. Correspondence on file.
2. Bob Martin, Genesee Valley Rural Preservation (GVRP), stated that GVRP is currently the administrator of the rehabilitation program and recommended the County submit an application and to consider expanding the application to include repairs of existing septic systems.

The Chairman asked if anyone else wished to speak at this time. No one wished to speak. The Chairman announced that the public hearing will remain open until the end of the meeting.

COMMUNICATIONS

1. The Taste of Livingston County will be held on Wednesday, April 3, 2002 from 6:00 p.m. to 8:00 p.m. at the Genesee River Hotel. You may purchase tickets from Joan Ellison, Director of the Department of Health.
2. The Legislative Forum is scheduled for April 12, 2002 at 10:00 a.m. in the Board of Supervisors Assembly Room.
3. A Petition is on file in the matter of the creation of the Groveland Station County Sewer District in the County of Livingston for portions of the Town of Groveland and Sparta for the Purpose of Treatment and Disposal of Sewage.
4. Letter from Senator Hillary Rodham Clinton acknowledging approval of a grant application for a Water and Waste Disposal Loan from the United State Department of Agriculture – Scottsburg.
5. Mark your calendars - A County Facility Tour has been scheduled for Thursday, May 2, 2002. Rain date is Thursday, May 23, 2002.
6. Letter from Assemblyman Joseph Errigo regarding the CHIPS funding and the PINS legislation.
7. Thank you card from the family of Sparta Supervisor Mark Schuster for flowers sent in memory of his father
8. Resignation letter from Fire Investigator John W. Morgan

RESOLUTION NO. 2002-133. APPROVING ABSTRACT OF CLAIMS #3B – MARCH 27, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #3B dated March 27, 2002 in the total amount of \$849,797.56.

Dated at Geneseo, New York

March 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

PRIVILEGE OF THE FLOOR

1. Michelle Levey, 2002 Livingston County Campaign Coordinator for Employees and Cabinet Member, announced that the 2001 campaign raised \$20,930.68 which is a 23% increase from 2000. She stated that the 2002 goal for Livingston County employees is \$38,127 and encouraged the Supervisors to make a donation and to watch the video in order to be qualified to win a vehicle. She introduced Karen Rumfola, Regional Coordinator for Livingston County and Leah Forsburg, Loan Executive.

Karen Rumfola stated that the goal for Livingston County is \$325,000. She acknowledged Gary Blythe, Chairman of the 2002 Campaign, and Steve Newvine who is assisting.

Michele Levey thanked the Board for their time.

2. Frank Bassett, Director of Long-Term Care, updated the Board on the IGT Lobbying Effort held in Albany on March 26, 2002 and distributed handouts summarizing the lobby effort (on file). F. Bassett reported that a group met with several Assemblymen including the key contact the chair of the Health Committee. F. Bassett thanked Geneseo Supervisor Kennison and Lima Supervisor Yendell for taking the time to participate in the lobbying effort. Letters will be sent to the Assemblymen and copied to the Board of Supervisors outlining the meeting. Geneseo Supervisor Kennison commended Frank Bassett for doing a fine job on this lobbying effort and also thanked the County Administrator for inviting Supervisors to attend. He urged Supervisors to participate in upcoming events similar to this. Chairman Merrick thanked F. Bassett and Supervisors Kennison and Yendell for their efforts.
3. Joan Ellison, Director of Public Health, presented the Department of Health 2001 Annual Report through a Power-Point presentation and distributed a handout as a reference (on file). She reviewed the Vision and Mission statements of the department and highlighted accomplishments and 2003 Goals and Objectives. She mentioned that Livingston County has the fourth lowest teen pregnancy rate in New York State. Chairman Merrick thanked Mrs. Ellison for presenting a fine report.

PREFERRED AGENDA**RESOLUTION NO. 2002-134. APPOINTING MEMBER TO THE LIVINGSTON COUNTY YOUTH BOARD – LACEY**

RESOLVED, that the Livingston County Board of Supervisors hereby approves the appointment of the following person to the Livingston County Youth Board to serve a term expiring August 31, 2002:

<u>Town or Agent</u>	<u>Name</u>	<u>Address</u>
Lima	Jean Lacey	1842 Rochester Street, Lima, NY 14485

Dated at Geneseo, New York

March 27, 2002

Intergovernmental Affairs Committee

RESOLUTION NO. 2002-135. SEEKING EXPANSION OF EMPIRE ZONES TO ALL COUNTIES

WHEREAS Empire Zones (formerly known as Economic Development Zones) were authorized by the State Legislature to provide for enhanced public and private sector incentives for certain distressed areas of the State, and

WHEREAS through later legislative changes the value of incentives offered through the Empire Zones has become a significant variable in attraction of business to New York State, and

WHEREAS those communities with Empire Zones have been able to incorporate areas into existing zones not meeting the original distress criteria with administrative ease, and

WHEREAS despite the authorization of 54 Empire Zones statewide, 21 counties in New York State, including Livingston County, do not qualify for Empire Zones because they lack the original distress criteria to qualify, and

WHEREAS, by a separate program, Empire State Development has conferred upon two sites in Livingston County Build NOW-NY certified status, and

WHEREAS, these certified sites do not qualify as Empire Zones under current law, now, therefore be it

RESOLVED that Livingston County hereby finds that designation of an Empire Zone is critical to the business attraction strategy of Livingston County and New York State, and be it further

RESOLVED that Livingston County supports the legislation proposed by Governor Pataki to expand the Empire Zones program, provided such legislation also incorporates expansion of Empire Zones into each county, and be it further

RESOLVED that copies of this resolution be sent to the Governor, our State Legislators, the Commissioner of Empire State Development and the other counties that lack Empire Zones; specifically: Delaware, Franklin, Genesee, Greene, Hamilton, Madison, Nassau, Orleans, Otsego, Putnam, Rockland, Saratoga, Schoharie, Schuyler, Tompkins, Warren, Washington, Wayne, Wyoming and Yates.

Dated at Geneseo, New York

March 27, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-136. PROCLAIMING MAY 5-12, 2002 AS NATIONAL TOURISM WEEK

WHEREAS, National Tourism week for 2002 is being celebrated nationally from May 5-12, 2002, and

WHEREAS, the Finger Lakes Region encompasses 14 west central New York State Counties and has been recognized as one of the premier destination vacationlands in the United States, and

WHEREAS, the Finger Lakes Association, the oldest tourism promotion agency in the Country and the largest in New York State, has been promoting tourism since 1919, and

WHEREAS, there are nearly 8,000 tourism businesses in the Finger Lakes Region providing approximately 80,000 jobs with an annual payroll of over \$821,000,000, and

WHEREAS, the Finger Lakes Region's Activity Index reflects more than 22.2 million visitations, and

WHEREAS, this results in an overall economic impact in excess of 2.3 billion dollars annually in the Finger Lakes Region, and

WHEREAS, tourism in the Finger Lakes Vacationland ranks with agriculture, manufacturing and education as a major factor in the region's economy, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors proclaims May 5-12, 2002 as National Tourism Week in the Finger Lakes Region and May 8, 2002 as National Recognition Day.

Dated at Geneseo, New York

March 27, 2002

Legislative and Agricultural Affairs Committee

DISCUSSION OF THE RESOLUTIONS ON PREFERRED AGENDA

Geneseo Supervisor Kennison asked the County Administrator to comment on the resolution regarding Empire Zones. The County Administrator explained that this resolution is asking the State Legislature to designate an Empire Zone in each county. Currently, there are 14 counties who do not have an Empire Zone. Empire Zones provide tax breaks to businesses looking to grow or expand in a community, and it is an unfair disadvantage to those counties who do not have a zone. This is another critical piece to make our economic development program successful.

PREFERRED AGENDA VOTE

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

Motion made by Mr. Martello and seconded by Mr. Moore to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

RESOLUTION NO. 2002-137. AUTHORIZING TRANSFER OF FUNDS – CENTRAL SERVICES, COUNTY CLERK, ECONOMIC DEVELOPMENT, PUBLIC HEALTH, RECORDS MANAGEMENT, VARIOUS

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

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

Dated at Geneseo, New York

March 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

RESOLUTION NO. 2002-138. CORRECTING TAX ROLL – TOWNS OF CONESUS AND LEICESTER

Mr. Layland 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 four (4 parcels) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Towns of Conesus and Leicester 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	Chargebacks to Taxing Jurisdictions
1. 2002 Conesus MCCOY, William G. Tax Map Number 128-1-60.1	Livingston County	\$138.19	\$89.83	\$0.00	\$48.36
	Conesus Town Tax	125.65	62.83	0.00	62.82
	Conesus Fire 1	<u>14.46</u>	<u>14.46</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$278.30	\$167.12	\$0.00	\$111.18
2. 2000 Leicester JOHNSON, Ronald C. Tax Map Number 88-1-56.11	Livingston County	\$558.96	\$558.96	\$0.00	\$0.00
	Leicester Town Tax	450.39	450.39	0.00	0.00
	York School Relevy	1419.87	1419.87	0.00	0.00
	Leicester Fire 1	76.66	76.66	0.00	0.00
	Leicester Light 1	63.62	63.62	0.00	0.00
	Leicester Water 1	<u>82.18</u>	<u>0.00</u>	<u>82.18</u>	<u>82.18</u>
Total	\$2651.68	\$2569.50	\$82.18	\$82.18	
3. 2001 Leicester JOHNSON, Ronald C. Tax Map Number 88-1-56.11	Livingston County	\$551.88	\$551.88	\$0.00	\$0.00
	Leicester Town Tax	464.14	464.14	0.00	0.00
	Leicester Fire 1	80.09	80.09	0.00	0.00
	Leicester Light 1	63.39	63.39	0.00	0.00
	Leicester Water 1	<u>82.72</u>	<u>0.00</u>	<u>82.72</u>	<u>82.72</u>
Total	\$1242.22	\$1159.50	\$82.72	\$82.72	

4. 2002 Leicester	Livingston County	\$578.03	\$578.03	\$0.00	\$0.00
SPERINO-BROCK, Traci A.	Leicester Town Tax	484.97	484.97	0.00	0.00
Tax Map Number 88-2-35	Leicester Fire 1	81.59	81.59	0.00	0.00
	Leicester Water 1	<u>81.61</u>	<u>0.00</u>	<u>81.61</u>	<u>81.61</u>
	Total	\$1226.20	\$1144.59	\$81.61	\$81.61

Dated at Geneseo, New York
March 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

RESOLUTION NO. 2002-139. APPROVING APPOINTMENT OF LIVINGSTON COUNTY DEPUTY HIGHWAY SUPERINTENDENT - BAREFOOT

Mr. Moore 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 Livingston County Board of Supervisors hereby approves the Superintendent’s appointment of Dennis J. Barefoot of 2015 Genesee Street, Piffard, New York 14533 as Deputy Highway Superintendent for a term commencing April 4, 2002 and terminating April 3, 2006.

Dated at Geneseo, New York
March 27, 2002

Highway & Public Works Committee

Don Higgins, County Highway Superintendent, stated that he likes to compare the Highway Department with a NFL football team and furthermore, Dennis Barefoot has been the Offensive and Defensive Coordinator, and he has had a lot of good players making up the team. D. Higgins stated that D. Barefoot has been employed by the County since June 1997 and has been a tremendous help to him and the department. D. Higgins recommended his reappointment, and stated he looks forward to working with him over the next four years.

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted. Chairman Merrick congratulated Dennis Barefoot on his reappointment as Deputy Highway Superintendent.

RESOLUTION NO. 2002-140. ACCEPTING THE PETITION AS PRESENTED FOR THE CREATION OF A COUNTY SEWER DISTRICT, AND ACCEPTING MAPS PLANS AND REPORT ON PROPOSED DISTRICT CREATION AND CALLING FOR PUBLIC HEARING ON PROPOSED DISTRICT CREATION - GROVELAND STATION SEWER DISTRICT PROJECT

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

WHEREAS, the Towns of Sparta and Groveland have petitioned for the creation of a County Sewer District, and

WHEREAS, the petitioners have had maps, plans and reports prepared of the area to be serviced by said district, and

WHEREAS, the Highway and Public Works Committee has reviewed and accepted the maps, plans and report, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors accepts the petition as presented for the creation of a Groveland Station 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 April 10, 2002 at 1:35 p.m. to receive comments on the creation of the County Sewer District, and be it further

RESOLVED, that appropriate notices be published in the County’s official newspapers.

Dated at Geneseo, New York
March 27, 2002

Highway & Public Works Committee

Chairman Merrick commented that this project has been in fruition for approximately nine years. The Towns of Groveland and Sparta have been experiencing similar problems, and he stated he is really happy that this resolution is being presented today.

Sparta Supervisor Schuster concurred with Chairman Merrick, and stated he is hopeful that the creation of the district will alleviate some of the problems.

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

RESOLUTION NO. 2002-141. AUTHORIZING THE CHAIRMAN TO SIGN A LOAN RESOLUTION FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) – SCOTTSBURG WATER PROJECT

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

RESOLVED, that the Livingston County Board of Supervisors hereby authorizes the Chairman to sign a Loan Resolution from the United States Department of Agriculture (USDA) which will provide for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its water lines to the Hamlet of Scottsburg, in the amount of (\$640,800.00), pursuant to the provisions of Local Finance Law and Bond Resolution dated July 11, 2001, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 27, 2002

Highway & Public Works Committee

Sparta Supervisor Schuster thanked the Board of Supervisors for their support of this project. There are 76 users that will be connected. He thanked Director of Public Works Cathy Muscarella and Grant Writer Stuart I. Brown and everyone else that has worked on this project. Installation is anticipated to be completed by fall 2002.

Conesus Supervisor Witte commented that this project is a prime example of intermunicipal cooperation between the Towns of Conesus and Sparta. He thanked the Board of Supervisors for forming the Livingston County Water & Sewer Authority, and he publicly stated that he appreciates what the County has done for the Towns of Conesus and Sparta.

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

RESOLUTION NO. 2002-142. AUTHORIZING CHAIRMAN TO SIGN AN AMENDED WEATHERIZATION CONTRACT WITH THE NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, the New York State Division of Housing and Community Renewal has awarded Livingston County additional Weatherization Assistance Program grant funds; and

WHEREAS, the New York State Division of Housing and Community Renewal has extended the termination date of the 2001-2003 Weatherization contract to March 31, 2003, now, therefore, be it

RESOLVED, that the Chairman be, and hereby is authorized to sign an amended Weatherization contract with the New York State Division of Housing and Community Renewal, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 27, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

RESOLUTION NO. 2002-143. APPOINTING DIRECTOR OF OPERATIONS FOR THE CONESUS LAKE COUNTY SEWER DISTRICT - PUFFER

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

RESOLVED, that the Livingston County Board of Supervisors hereby appoints Vance Puffer of 3219 State Street, Caledonia, New York 14423 to the position of Director of Operations for the Conesus Lake County Sewer District with an annual salary of \$52,000 effective April 22, 2002.

Dated at Geneseo, New York

March 27, 2002

Personnel & Employee Relations Committee

Cathy Muscarella, Director of Public Works, presented an overview of the recruiting process for the Director of Operations position. She acknowledged the interview committee consisting of Supervisors Wahl, Brooks, and Moore;

Joseph Kornbau, Senior Sewage Treatment Plant Operator of the Conesus Lake County Sewer District; Harold Stewart from the Livingston County Water & Sewer Authority; and herself.

Vance Puffer thanked the Board of Supervisors for the opportunity to work for the Water & Sewer Authority and he stated he looks forward and welcomes the challenge.

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

RESOLUTION NO. 2002-144. AMENDING SALARY SCHEDULE - CAMPUS SNF, DEPARTMENT OF HEALTH, INFORMATION & TECHNOLOGY SERVICES, MENTAL HEALTH, SHERIFF

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

Campus Skilled Nursing Facility

Delete one Registered Professional Nurse position and one Social Work Assistant position.

Department Of Health

Delete one Nurse Practitioner position.

Information And Technology Services

Delete one Programmer position.

Mental Health

Delete two Mental Health Social Work Aide positions.

Sheriff's Department

Delete one Clerk/Typist position.

Dated at Geneseo, New York

March 27, 2002

Personnel & Employee Relations Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

RESOLUTION NO. 2002-145. AMENDING DEPARTMENT HEAD SALARY SCHEDULE - DEPARTMENT OF HEALTH, DISTRICT ATTORNEY, PUBLIC DEFENDER

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

Department Of Health

Delete one Director of Family Planning position and one Hospice Administrator position.

District Attorney

Delete three Assistant District Attorney positions.

Public Defender

Delete one Assistant Public Defender position.

Dated at Geneseo, New York

March 27, 2002

Personnel & Employee Relations Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

RESOLUTION NO. 2002-146. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR ISSUANCE OF EQUIPMENT FOR RESPONDING TO ACTS OF TERRORISM INVOLVING WEAPONS OF MASS DESTRUCTION

Mr. Mahus 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 New York State Division of Criminal Justice Services for issuance of equipment for responding to acts of terrorism involving weapons of mass destruction, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 27, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

RESOLUTION NO. 2002-147. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH GOVERNMENT PAYMENT SERVICES, INC. FOR PROVIDING CREDIT CARD BAIL FOR INMATES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign a contract with Government Payment Services, Inc. for providing credit card bail for inmates, for a term commencing April 1, 2002 and terminating March 31, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

March 27, 2002

Public Safety & Criminal Justice Committee

Vice Chairman Moore requested an explanation of how the inmates will use their credit cards for bail. The County Attorney explained that the County does not process the payment from the credit card. The inmate will call Government Payment Services, Inc. and they will process the payment, collect their fee and transfer the money to the County. Once the money is transferred, the inmate can be released. Vice Chairman Moore asked what the time limit is on this process. The County Attorney stated that usually money should be transferred to the County within a 24-hour period.

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

CLOSE PUBLIC HEARING

The Chairman asked if anyone wished to speak regarding the public hearing. There were none. The Chairman declared the public hearing closed.

RESOLUTION NO. 2002-148. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO EXECUTE AND SUBMIT A SMALL CITIES APPLICATION FOR THE FISCAL YEAR 2002 PROGRAM

Mrs. Cansdale presented the following resolution and moved its adoption:

RESOLVED, that the Chairman of the Livingston County Board of Supervisors, is hereby authorized as the official representative of the County to execute and submit a Small Cities application for the Fiscal Year 2002 program, 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

March 27, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Olverd, 146; Davis, 29; Total 175; Adopted.

OTHER BUSINESS

1. County Administrator Mazza reminded the Board that he will be on vacation March 29- April 7, 2002 and anyone wishing to see him should do so after the meeting.

ADJOURNMENT

Motion made by Mr. Moore and seconded by Mr. Walker to adjourn until Wednesday, April 10, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:34 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, APRIL 10, 2002
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 3/27/02 Regular Board Meeting were approved as presented.

PUBLIC HEARING – 1:35 P.M.

The Public Hearing to receive comments on the creation of the Groveland Station Sewer District was called in accordance with the notice published in the official newspapers.

Chairman Merrick asked Cathy Muscarella, Director of Public Works, to comment on the creation of the Groveland Station Sewer District. C. Muscarella distributed and reviewed a handout regarding the district (on file). C. Muscarella highlighted the boundaries of the district (southern most portion of Groveland and northwest corner of Sparta). An informational meeting was held at the Groveland Fire Hall to take comments from the public on March 28, 2002.

Mr. Davis entered.

C. Muscarella stated the district cannot be approved until the SEQRA process is complete, consequently, there will be a resolution at the end of the meeting authorizing the intent to approve the District.

The Chairman asked if anyone wished to speak regarding the public hearing to please come forward and sign in at the podium.

1. Charles Comer, property owner in Hamlet of Groveland Station, explained that he personally has had some sewer problems on his property in the Town of Groveland and recommended to approve the creation of the Groveland Station Sewer District. Chairman Merrick thanked Mr. Comer for his comments.

Chairman Merrick asked Sparta Supervisor Schuster if he would like to comment on the creation of the District.

Mr. Schuster thanked Charles Comer for comments and stated this could provide a good opportunity for people to capitalize on this system, and he is hopeful this project will be affordable. He publicly thanked Cathy Muscarella, Director of Public Works, and engineers of Fraser Willey Associates, Inc.

Chairman Merrick concurred with Mr. Schuster's remarks and stated this will be an worthwhile improvement to the area.

The Chairman asked if anyone else wished to speak at this time. No one wished to speak. The Chairman announced that the public hearing will remain open until the end of the meeting.

COMMUNICATIONS

1. Retirement Party for Joanne Semmel, Mental Health Administrative Officer, May 3, 2002, 6:30 p.m. at Peter's Party Complex, \$27.00 per person. RSVP to Gail Long by April 12, 2002 at 243-7250.
2. Reminder that the Legislative Forum is scheduled on April 12, 2002 at 10:00 a.m. in the Board Room.
3. Household Hazardous Waste Collection will take place on May 11, 2002, 9:00 a.m. – 2:00 p.m. at the Hampton Corners Complex, Groveland, New York.
4. Intercounty Association of Western New York meeting to be held on April 19, 2002, 9:30 a.m., in Genesee County, at the LeRoy Country Club.

PROGRAM: GIS/Pictometry, Medicaid Migraine, Bicentennial Blast

5. The Highway & Public Works Committee will be conducting highway tours on their regular scheduled meeting dates of May 15 and June 19. May 15 tour will be for the Southern half of the County, and June 19 for the Northern half. The Committee will begin their meeting at 8:00 a.m. at the Highway Facility and then proceed with the Highway Tour immediately following their meeting. The Committee is requesting all Supervisors to report to Don Higgins any road(s) within their town that they would like the Committee to review while on this tour. All Supervisors are invited to attend the Highway Tours.
6. The NYS Office of the State Comptroller is sponsoring a teleconference, Thursday, April 25, 2002 entitled "Avoiding Conflicts of Interest" at Livingston County Cornell Cooperative Extension, Mt. Morris, NY. Registration begins at 6:15 p.m. and broadcast airs 6:30 p.m. – 8:45 p.m., \$10.00 per person. Contact Clerk of the Board for further details.

RESOLUTION NO. 2002-149. APPROVING ABSTRACT OF CLAIMS #4A – APRIL 10, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #4A dated April 10, 2002 in the total amount of \$1,095,548.25.

Dated at Geneseo, New York

April 10, 2002

Finance & Administration Committee

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

PRIVILEGE OF THE FLOOR

1. Mike Tenalio, Dawn Aprile-Riehm, and Dan Caryl of the YMCA Citizens Initiative; and Buddy Campbell Vice President YMCA of Greater Rochester; and Peter Nemeth, Network Consultant, YMCA of the USA present to discuss the YMCA Initiative in the Village/Town of Geneseo.

Mike Tenalio introduced the above-named counterparts that are involved in the YMCA initiative. M. Tenalio stated that a group of people has been exploring the possibility of bringing a YMCA into Livingston County. M. Tenalio reviewed the handout (on file). All towns will benefit from the organization and the group will solicit support from all towns. M. Tenalio presented a power-point presentation explaining the history of the YMCA, structure, programs, recent activities and what has been done and what needs to be done to have a YMCA in Livingston County. Mike Tenalio asked the Board of Supervisors whether they would support a YMCA and encouraged a few Supervisors to participate in this county-wide initiative. Mike Tenalio asked if he could answer any questions.

Conesus Supervisor Witte asked what YMCA means. M. Tenalio stated Young Men Christian Association and explained that the organization is co-ed.

Lima Supervisor Yendell asked what type of support the group was looking for today. M. Tenalio stated it is not their objective to solicit funding today but would like the Supervisors to think of someone that could participate in the organizational committee.

Conesus Supervisor Witte asked if the committee has chosen Geneseo as the location for the YMCA. M. Tenalio stated there are no commitments of any kind, and the YMCA could have programs in multiple towns.

Livonia Supervisor Wahl stated that some towns have recreation programs and asked what the YMCA does to compliment the existing programs. M. Tenalio stated that the YMCA will try to meet the unmet needs in the community but not in a competitive mode.

Ossian Supervisor Martello asked what led to the YMCA structure as opposed to other organizations available. M. Tenalio stated the YMCA appears to have the right values, is a strong organization, and at a first glance, meets the needs of the community. M. Tenalio reminded the audience that the organizational committee

approached the YMCA.

Geneseo Supervisor Kennison stated that people have been very enthusiastic about this new idea and there is a growing momentum.

M. Tenalio stated there is a draft press release in the packet that provides address and telephone numbers of the consultants and thanked the Board of Supervisors for their time.

Chairman Merrick thanked Mike Tenalio and the group for their presentation.

PREFERRED AGENDA

RESOLUTION NO. 2002-150. DECLARING SURPLUS PROPERTY – WORKFORCE DEVELOPMENT

WHEREAS, the County of Livingston owns 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 items as surplus property to be disposed of as determined by the County Administrator.

WORKFORCE DEVELOPMENT

One (1) Mobile White bulletin board combination

Seven (7) Brown vinyl chairs (missing feet)

One (1) Black shelving unit 6' x 3' x 1.5'

One (1) Overhead projector (damaged)

One (1) WWI era secretary chair

One (1) AST 486 computer

One (1) AST Bravo MS-T5100 Pentium computer

These items are subject to first refusal by NYS Department of Labor and GLOW WIB Employment & Training Offices.

Dated at Geneseo, New York

April 10, 2002

Finance and Administration Committee

RESOLUTION NO. 2002-151. APPOINTING MEMBER TO THE LIVINGSTON COUNTY COMMUNITY SERVICES BOARD DEVELOPMENTAL DISABILITIES SUBCOMMITTEE - DUFF

RESOLVED, that the following member is hereby appointed to the Livingston County Community Services Board Developmental Disabilities Subcommittee for a term commencing January 1, 2002 and expiring December 31, 2003:

Margaret Duff, 15 North View Drive, Geneseo, NY 14454

Dated at Geneseo, New York

April 10, 2002

Health Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Kennison and seconded by Mr. Moore to move the Preferred Agenda. Carried.

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

RESOLUTION NO. 2002-152. AUTHORIZING TRANSFER OF FUNDS - HIGHWAY

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

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

Administrator.

Dated at Geneseo, New York

April 10, 2002

Finance & Administration Committee

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

RESOLUTION NO. 2002-153. AMENDING 2002 BUDGET – HIGHWAY DEPARTMENT

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

WHEREAS, the Livingston County Highway Department received additional revenue from Hardcore Composites of New Castle, Delaware as penalty for late shipment of the Triphammer Road Bridge be it, hereby

RESOLVED, that the 2002 Livingston County Highway Budget be amended as follows:

Decrease Revenue Account

D5110.2770	Other unclassified	\$10,000.00
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Increase Appropriation Account

D5113.4425	Bridge Supplies	\$10,000.00
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Dated at Geneseo, New York

April 10, 2002

Finance & Administration Committee

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

Chairman Merrick mentioned that the resolutions are thoroughly discussed at committee meetings where there are several Supervisors in attendance.

RESOLUTION NO. 2002-154. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A LETTER OF AGREEMENT BETWEEN THE HEALTH ASSOCIATION AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR A COMMUNITY EXERCISE PROGRAM FOR DIABETES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a letter of Agreement between The Health Association of 176 Genesee Street, Rochester, NY 14611, and the Livingston County Department of Health for a community exercise program for diabetes commencing on April 01, 2002, and terminating on June 30, 2002, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 10, 2002

Health Committee

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

RESOLUTION NO. 2002-155. 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 FAMILY PLANNING

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract renewal between the New York State Department of Health, located in Room 878, Corning Tower, Empire State Plaza, Albany, NY 12237-0657, and the Livingston County Department of Health, for the Family Planning Program, Contract Number C-014703, commencing on April 1, 2002 and terminating on March 31, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 10, 2002

Health Committee

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

RESOLUTION NO. 2002-156. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT BETWEEN THE NEW YORK STATE DEPARTMENT OF HEALTH AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR CHILDHOOD LEAD POISONING PREVENTION PROGRAM

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract between the New York State Department of Health located at Room 878, Corning Tower, Empire State Plaza, Albany, NY 12237-0657, and the Livingston County Department of Health for the Childhood Lead Poisoning Prevention Program, Contract Number C-018000, commencing on April 1, 2002 and terminating on March 31, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 10, 2002

Health Committee

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

RESOLUTION NO. 2002-157. AWARDING BID AND AUTHORIZING PURCHASE OF CONSTRUCTION MATERIALS FOR SALT STORAGE SHED FOR HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for Construction Materials for Salt Storage Shed were received and opened on Monday, March 18, 2002 in Room 303B, of the Livingston County Government Center, and

WHEREAS, submittals were received from two (2) companies, and the bid received from Rogers & Tenbrook of Dansville New York, in the amount of \$21,725.55 was the lowest bid which met all specifications dated February 25, 2002 and addendum, dated March 7, 2002, now, therefore, be it

RESOLVED, that said bid be accepted, and the Superintendent of Highways be authorized to purchase said material for said prices, contingent upon Rogers & Tenbrook signing a contract with the County of Livingston, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 10, 2002

Highway and Public Works Committee

Mr. Moore announced there is a packet on each Supervisor's desk explaining the Highway Department resolutions. Chairman Merrick questioned whether the salt storage shed construction had begun. D. Higgins, County Highway Superintendent, responded that construction will begin within 30 days.

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

RESOLUTION NO. 2002-158. APPROVING MAXIMUM WAGE RATES FOR TOWN, VILLAGE AND COUNTY HIGHWAY EMPLOYEES WHILE ENGAGED IN SNOW AND ICE WORK ON STATE HIGHWAYS FROM 01/01/2002 TO 12/31/2002 AND FOR WORK DONE FOR THE COUNTY DURING THAT PERIOD.

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

RESOLVED, that the maximum wage rates shown on the attached schedules 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 01/01/2002-12/31/2002.

Copy of rates on file in Clerk's office.

Dated at Geneseo, New York

April 10, 2002

Highway and Public Works Committee

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

RESOLUTION NO. 2002-159. AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN AN AGREEMENT BETWEEN THE COUNTY OF LIVINGSTON, VILLAGE OF DANSVILLE AND TOWN OF NORTH DANSVILLE FOR FEDERAL/STATE-AID BRIDGE REPLACEMENT PROJECT (NYS DOT PIN 4752.77), POAGS HOLE ROAD, TOWN OF NORTH DANSVILLE

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

WHEREAS, a municipal agreement is necessary because a portion of the bridge replacement project, and the subsequent realignment of Poags Hole Road, will encroach upon lands owned by the Village of Dansville, and

WHEREAS, this is a County-sponsored project replacing a County-owned bridge on a Town of North Dansville road, now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to sign a "Construction Contract & Jurisdictional Maintenance Agreement" between the County of Livingston, Village of Dansville and Town of North Dansville, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 10, 2002

Highway & Public Works Committee

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

RESOLUTION NO. 2002-160. AWARDING BID AND AUTHORIZING A CONSTRUCTION CONTRACT FOR FEDERAL/STATE-AID BRIDGE REPLACEMENT PROJECT (NYS DOT PIN 4752.77), POAGS HOLE ROAD, TOWN OF NORTH DANSVILLE, FOR LIVINGSTON COUNTY HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, and following Federal-Aid bid regulations and requirements, bids for the Poags Hole Road Bridge Replacement project were received and opened on March 19, 2002 at the Livingston County Government Center, and

WHEREAS, the bid of Ramsey Constructors Inc. of Avon, New York in the amount of \$1,087,354.35 was the lowest of five (5) bid proposals received, and said bid meets all bid specifications, and

WHEREAS, the bid of Ramsey Constructors, Inc. has been reviewed and approved by Sear-Brown Group and NYSDOT Region 4 officials, and

WHEREAS, the total Federal Aid (80%) and State Aid (15%) for this contract will be \$1,032,986.00 and the County share will be \$54,368.35, now, therefore, be it

RESOLVED, that said bid of Ramsey Constructors, Inc. of \$1,087,354.35 be accepted and the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a construction contract for said amount, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 10, 2002

Highway & Public Works Committee

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

RESOLUTION NO. 2002-161. AUTHORIZING A SUPPLEMENTAL AGREEMENT AND CONTRACT WITH SEAR-BROWN GROUP FOR CONSTRUCTION INSPECTION SERVICES FOR FEDERAL/STATE-AID BRIDGE REPLACEMENT PROJECT, (NYS DOT PIN 4752.77), POAGS HOLE ROAD, TOWN OF NORTH DANSVILLE, FOR LIVINGSTON COUNTY HIGHWAY DEPARTMENT

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

WHEREAS, Resolution No. 2000-197, authorized a contract with Sear-Brown Group for Engineering, Design, Right-of-Way and Construction Support for the above-noted project, and

WHEREAS, said contract provided for Construction Inspection Services to be added as a Supplemental Agreement at a later date, and

WHEREAS, Sear-Brown Group has submitted a "Cost Plus Fixed Fee" proposal in an amount not to exceed \$165,000.00 for Construction Inspection Services, and said cost proposal has been reviewed by NYSDOT Region 4 officials, now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to sign a Supplemental Agreement with Sear-Brown Group of Rochester, New York, for Construction Inspection Services for the above-noted Federal/State-Aid project, at a maximum fee not to exceed \$165,000.00 (of which the County share will be 5%), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 10, 2002

Highway & Public Works Committee

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

RESOLUTION NO. 2002-162. AUTHORIZING THE CHAIRMAN TO SIGN A QUIT CLAIM DEED AND RELATED DOCUMENTS TO TRANSFER A PARCEL ON SLIKER HILL ROAD - JARZABEK

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

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:

David B. Jarzabek and Kathleen D. Jarzabek

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Conesus, County of Livingston and State of New York, and being bounded and described as follows:

Commencing at the point marked by a masonry nail, said point being the intersection of the centerline of East Swamp Road with the former centerline of Sliker Hill Road (a/k/a County Road No. 33); thence

(1) N 00° 36' 50" E along the centerline of East Swamp Road a distance of 133.69 feet to an iron pin set in the south boundary of the present right-of-way of Sliker Hill Road; thence

(2) Easterly and continuing along the south boundary of Sliker Hill Road, said line being on a curve to the right, with a radius of 669.62 feet, for an arc distance of 393.78 feet to a point, said point being on the present south boundary of Sliker Hill Road and also being on the former centerline of Sliker Hill Road; thence

(3) Westerly and continuing along the former centerline of Sliker Hill Road, said line being on a curve to the left, with a radius of 881.47 feet, for an arc distance of 65.65 feet to a point; thence

(4) N 76° 09' 10" W continuing along the former centerline of Sliker Hill Road a distance of 270.33 feet to the true point and place of beginning.

Containing within said bounds 0.34 acre and being the area depicted as "Map of A Survey of Part Lands of Livingston County, David B. and Kathleen D. Jarzabek, Situate at the Southeast Corner of East Swamp Road and Sliker Hill Road, Town of Conesus, Livingston County, New York" prepared by Gary L. Dutton, L.S., dated December 14, 2000, a copy of said instrument survey map being filed in the Office of the Livingston County Clerk on even date herewith.

Dated at Geneseo, New York

April 10, 2002

Highway & Public Works Committee

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

RESOLUTION NO. 2002-163. AWARDING BID FOR THE LIVONIA CENTER SANITARY SEWER PROJECT

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

WHEREAS, after proper legal advertisement for bids for the construction of the Livonia Center Sanitary Sewer Project, six bids were received, then opened on March 25, 2002, now, therefore, be it

RESOLVED, the bid of Beardsley Pipeline, Inc. of 5740 South Lima Road, PO Box 175, Livonia, NY 14480 in an amount not to exceed Six Hundred Twenty Five Thousand, Five Hundred Fifty Six Dollars And Twenty One Cents (\$625,556.21), be and hereby is accepted as the lowest responsible bid, and it is further,

RESOLVED, that the Chairman of the Board is hereby authorized to sign a contract with Beardsley Pipeline, Inc. for said project, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 10, 2002

Highway & Public Works Committee

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

RESOLUTION NO. 2002-164. PROVIDING THE LOCAL SHARE OF THE COST OF CONSTRUCTING A SANITARY SEWER SYSTEM TO SERVE THE HAMLET OF GROVELAND STATION

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

WHEREAS, the Towns of Groveland and Sparta have commissioned a preliminary engineering evaluation to define a solution to resolve the serious existing waste disposal problems that face residents of the Hamlet of Groveland Station; and

WHEREAS, the most effective solution to these problems would involve the construction of a public sanitary sewer collection system, pump stations and a package treatment system; and

WHEREAS, the Livingston County Board of Supervisors intends to create a Sanitary Sewer District to serve the residents of Groveland Station; and

WHEREAS, the engineering analysis estimated the cost of undertaking these improvements at \$1,919,300 including construction, legal, engineering and administrative costs; and

WHEREAS, the Towns of Groveland and Sparta have signed a Cooperation Agreement and intend to file a joint application for Small Cities funding in the amount of \$600,000 for the construction of the proposed improvements recommended in the engineering evaluation; and

WHEREAS, the Groveland Station sanitary sewer project is eligible for funding from USDA Rural Development and the NYS Clean Water State Revolving Fund (CWSRF) to provide the balance of the financial resources to undertake the project, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors commits that it will provide \$1,319,300 in funds plus any overruns that may be incurred to build the proposed improvements recommended in the preliminary engineering analysis referenced herein, to address the wastewater disposal problems and to create a sanitary sewer system for the Hamlet of Groveland Station. These funds are to be provided by general obligation bonds to be issued by the County of Livingston consistent with applicable laws of the State of New York or with assistance from Rural Development and/or the NYS Clean Water State Revolving Fund (CWSRF) if said applications filed with said agencies are approved.

Dated at Geneseo, New York

April 10, 2002

Highway & Public Works Committee

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

CLOSE PUBLIC HEARING

The Chairman asked if anyone wished to speak regarding the public hearing. No one wished to speak. The Chairman declared the public hearing closed.

RESOLUTION NO. 2002-165. NAMING LIVINGSTON COUNTY AS THE LEAD AGENCY (LEAD AGENCY) PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) FOR PURPOSES OF EXTENDING THE CONESUS LAKE COUNTY SEWER DISTRICT TO THE HAMLET OF CONESUS

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

WHEREAS, Livingston County has received a petition from the Town of Conesus to extend the Conesus Lake County Sewer District, and

WHEREAS, Livingston County has accepted the petition and called for maps, plans, and reports be prepared, and

WHEREAS, the Livingston County intends to evaluate the potential environmental impacts which may result from the actions outlined above, as required by the SEQRA and it proposes to serve as the Lead Agency for undertaking such environmental review, now, therefore, be it

RESOLVED, that Livingston County desires that the necessary steps be implemented to establish a Lead Agency pursuant to SEQRA, and be it further

RESOLVED, that Livingston County directs that the staff prepare and distribute the requisite notices to all involved agencies to commence the SEQRA review process and to duly establish a Lead Agency, and be it further

RESOLVED, that upon the earlier consent of other Involved Agencies or upon the expiration of the requisite period of notice without objection to such Lead Agency, Livingston County shall assume Lead Agency status and proceed with SEQRA review.

Dated at Geneseo, New York

April 10, 2002

Highway & Public Works Committee

C. Muscarella, Director of Public Works, stated that several steps had been take years ago to initiate this project, and now we are reactivating the project again and SEQRA must be done.

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

RESOLUTION NO. 2002-166. INTENT TO APPROVE THE CREATION OF GROVELAND STATION COUNTY SEWER DISTRICT

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

WHEREAS, the Board of Supervisors accepted a petition to create a Sewer District from the Towns of Sparta and Groveland, and

WHEREAS, the Board of Supervisors accepted the maps, plans and reports prepared in the connection with the creation of the Sewer District and conducted a public hearing, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors has considered the comments from the public hearing and intends to pursue the creation of the proposed Groveland Station County Sewer District in accordance with the procedures set forth under Article 5-A of the County Law and the State Environmental Quality Review Act.

Dated at Geneseo, New York

April 10, 2002

Highway & Public Works Committee

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

OTHER BUSINESS

1. First Responder Award plaque provided by NACo (National Association of Counties) in recognition of responding to the terrorists attacks on September 11, 2001 - County Administrator Dominic F. Mazza read a letter from NACo explaining that the Association honored counties from across America that responded to or provided direct assistance following the terrorist attack on September 11. The County Administrator passed around an impressive plaque that was provided to Livingston County. The County Administrator stated that the plaque will be hung in a location to be determined.
2. The County Administrator provided an update on the new nursing facility and reported there are have been a series of very productive meetings held culminating the site and floor plans. The SEQRA process is moving along. The County Administrator suggested and the Board concurred that a special Board of Supervisors meeting will be held on May 29 to discuss the Certificate of Need for the new nursing facility. Devoting a special meeting to this project will provide the opportunity to answer any questions about the project. The Certificate of Need application will be presented to the Central Services and Health Committees the week after the special Board meeting, and then a resolution to approve the Certificate of Need will be presented to the full Board of Supervisors on June 12, 2002.
3. Legislative Forum - The County Administrator reminded the Board of Supervisors that a Legislative Forum has been scheduled for Friday, April 12, 2002 at 10:00 a.m. in the Board Assembly Room. The County Administrator reviewed the agenda.
4. Apportionment of Weighted Vote – Chairman Merrick asked the County Attorney to comment on the apportionment of weighted vote. The County Attorney reported that he received and reviewed a draft report from the mathematician. The County Attorney requested that the mathematician prepare an analysis showing 7-8 different weighted vote scenarios for simple and 2/3 majority. He expects the report to be finalized within two to three weeks.
5. Geneseo Supervisor Kennison commented that he recalls being in the Government Center on September 11th and it was a great honor and privilege to see the leadership at work, and he stated the plaque that was provided by NACo goes to the staff. He stated that the County Administrator, the Sheriff and the Director of Emergency Management Services should be commended again for their leadership and their actions taken on that day.

Mr. Kennison also commented that he has asked the YMCA representatives to remain in attendance until the end of the meeting to give Supervisors the opportunity to dialogue.

6. The County Administrator reminded the Board to review the list of surplus property that was approved today and to let him know if they are interested in any of the surplus property.

ADJOURNMENT

Motion made by Mr. Moore and seconded by Mr. Mahus to adjourn until Wednesday, April 24, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:47 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, APRIL 24, 2002
1:30 P.M.**

The Board met pursuant to adjournment.

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

The Pledge of Allegiance.

MINUTES

Minutes of 4/10/02 Regular Board Meeting were approved as presented.

COMMUNICATIONS

1. Acknowledgement from Governor George Pataki regarding receipt of Res. 2002-135 Seeking Expansion of Empire Zones To All Counties.
2. Letter from Dormitory Authority of the State of New York regarding the State Environmental Quality Review (SEQR) Lead Agency Request for the State University of New York, College at Geneseo, 80-Bed Residence Hall Project, Geneseo, Livingston County, New York.
3. If you plan to attend the Facility Tour on May 2, 2002, please inform Virginia today.
4. Acknowledgement from Assemblyman Daniel J. Burling regarding receipt of Res. 2002-135 Seeking Expansion of Empire Zones To All Counties.
5. Letter from Senator Dale M. Volker thanking us for inviting him to the Legislative Forum and stating he was pleased with the issues that were selected for discussion and appreciated the opportunity to comment.
6. Acknowledgement from Assemblyman Brian M. Kolb regarding receipt of Res. 2002-135 Seeking Expansion of Empire Zones To All Counties.
7. Memorandum to Supervisors regarding E-mail capabilities (ON DESKS). Please respond today.

RESOLUTION NO. 2002-167. APPROVING ABSTRACT OF CLAIMS #4B – APRIL 24, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #4B dated April 24, 2002 in the total amount of \$967,976.32.

Dated at Geneseo, New York

April 24, 2002

Finance & Administration Committee

The roll was called as follows: Ayes – 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

PRIVILEGE OF THE FLOOR

1. David Woods, Planning Director – Regional Workshop May 10 and Annual Earth Day Award
D. Woods distributed a brochure (on file) for the upcoming Spring 2002 Regional Local Government Workshop sponsored by Genesee Finger Lakes Regional Planning Council and co-sponsored by other State agencies and regional Planning Boards. The workshop will be held on Friday, May 10, 2002 at the Genesee River Hotel & Conference Center, Mt. Morris, New York. D. Woods encouraged the Supervisors to pass on this information to other Town Board members, Town Planning and Zoning Board officials and others that may benefit from this workshop.

D. Woods introduced Bill McCleary, Chairperson of the Livingston County Environmental Management Council (EMC) to come forward to comment on the Earth Day Award and to present the awards.

B. McCleary explained that the EMC membership consists of county residents with a wide range of backgrounds. The membership is categorized by agriculture, industry/commerce, and citizens. He acknowledged two active members that were in the audience; Jean Meekin of Livonia and Barbara Davis of Geneseo. He explained that the Board of Supervisors established the EMC in May 1979 to act in an advisory capacity on matters related to the environment.

One project established by the EMC is the Earth Day Award which is presented to a person or group of individuals that has shown an awareness of the environment. Mr. McCleary acknowledged those who have previously received the award, and he stated this year the EMC sought hard to seek several nominations and were successful. Mr. McCleary stated he is honored to announce that this year's award is presented to both the Dalton Elementary School Earth Club and Advisor Holly Adams. Mr. McCleary read the nomination submitted for Advisor Holly Adams and explained the purpose and accomplishments of the Earth Club. Accepting the Earth Day Award on behalf of the Dalton Elementary School was Elementary Principal Green. An award was also presented to Advisor Holly Adams and each individual member by grade level (on file). A standing ovation was provided by the Board of Supervisors. Chairman Merrick stated that all recipients are very deserving of the award and thanked them for coming.

2. Keith Mitchell, Workforce Development/Youth Bureau Director – Teen Recognition Banquet, Youth Council Vacancy and Promise of Assets Conference

K. Mitchell announced that the Annual Teen Recognition Banquet will be held on May 1, 2002 at 6:00 p.m. at the Genesee River Hotel & Conference Center, Mt. Morris, New York, and he encouraged the Supervisors to attend the banquet. He stated that 59 teens from Livingston County will be recognized.

K. Mitchell stated he is seeking a member from the Board of Supervisors to fill the vacancy on the Youth Advisory Council. The Council meets the second Tuesday of each month at 3:30 p.m. in Batavia and transportation is provided by the Sheriff's Department. If anyone is interested, please contact Keith Mitchell.

K. Mitchell also announced there will be a conference beginning at 2:00 p.m. on May 20, 2002 at the Genesee Community College in Batavia, New York titled the Promise of Assets: A Regional Celebration of Asset Building and featuring Peter L. Benson, Ph.D., President, Search Institute.

In conclusion, K. Mitchell thanked the Board for their time and stated he hopes to see them at the Teen Recognition Ceremony and the Asset conference.

3. Carolyn Taylor, County Treasurer – 2001 Annual Report

County Treasurer Carolyn Taylor presented her 2001 Annual Report using a power-point presentation and handouts (on file). She reviewed the unappropriated balance as of 12/31/02 for each account listed in Schedule B and project balances which are listed in Schedule C. The General Fund has \$9,957,734.54. The County Treasurer stated that her office faced several challenges during the year 2001, and she thanked the County Administrator, County Auditor, the Information & Technology Services department, all department heads and especially her staff including Deputy County Treasurer Amy Mann for their assistance. She stated the annual financial audit was completed and there were not any findings, and she thanked everyone for working together to make this happen.

Caledonia Supervisor Layland, Chairman of the Finance & Administration Committee, commended the County Treasurer, County Administrator and anyone else involved in the financial status of the County. He stated the County is on solid ground and the fund balances are strong even under these economical conditions because of the concerted effort of all players for the past 8-10 years.

The County Treasurer thanked the Board for their time and the Board applauded her.

PREFERRED AGENDA

RESOLUTION NO. 2002-168. **DECLARING SURPLUS PROPERTY – EMERGENCY MANAGEMENT SERVICES**

WHEREAS, the County of Livingston owns an 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 item as surplus property to be disposed of as determined by the County Administrator.

EMERGENCY MANAGEMENT SERVICES

One (1) 1984 Ford Van, Vin #1FDJE37L8EHA24526

Dated at Geneseo, New York

April 24, 2002

Finance and Administration Committee

RESOLUTION NO. 2002-169. SUPPORTING SENATE BILL S6297 AND ASSEMBLY BILL A9895 AMENDING SECTION 239-C OF THE NEW YORK STATE GENERAL MUNICIPAL LAW

WHEREAS, Section 239-c of the New York State General Municipal Law provides for the establishment and membership of county planning boards; and

WHEREAS, Senate Bill S6297 and Assembly Bill A9895 have been introduced in the New York State Legislature amending Section 239-c to provide that, "Any member of a municipal board who serves as a member of a regional or county planning board may participate in any deliberations of such county or regional board, but shall excuse himself or herself from any vote relating to a matter or proposal before such county or regional planning board which is or has been the subject of a proposal, application or vote before the municipal board of which he or she is a member;" now therefore be it

RESOLVED, that the Livingston County Board of Supervisors does hereby endorse and support Senate Bill S6297 and Assembly Bill A9895 amending section 239-c of the New York State General Municipal; and be it further

RESOLVED, that certified copies of this resolution be sent to the members of the Senate and Assembly representing Livingston County, to Governor George Pataki, and to the New York State Legislative Commission on Rural Resources.

Dated at Geneseo, New York

April 24, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-170. SUPPORTING THE EXPANSION OF VITALE PARK IN TOWN OF LIVONIA

WHEREAS, Conesus Lake is a regionally-significant public water supply and recreational resource; and

WHEREAS, Vitale Park is a 3.5 acre Town of Livonia Park on Conesus Lake; and

WHEREAS, Conesus Lake is one of the most heavily developed, if not *the* most heavily developed, of the Finger Lakes; and

WHEREAS, there is a 5.5 acre vacant parcel of land available at the north end of Conesus Lake immediately adjacent to Vitale Park; and

WHEREAS, this is the last substantial undeveloped piece of property on Conesus Lake; and

WHEREAS, this property is identified on the New York State Open Space Plan – Region 8 Open Space Priority Project List; and

WHEREAS, the Town of Livonia has secured a 15-month option to purchase this parcel of land, beginning March 1, 2002; and

WHEREAS, a Town of Livonia survey was sent with property tax receipts from January 1, 2002 through February 15, 2002, asking if the taxpayers were in favor of purchasing the 5.5 acres for \$630,000, half of which would come from the residents of the Town and half from State and Federal grants; 536 surveys were returned, with 68% of the respondents in favor of the purchase; and

WHEREAS, Livingston County, in partnership with numerous, local, regional, and State public and private agencies is developing a Watershed Management Plan for the Conesus Lake Watershed; now therefore be it

RESOLVED, that the Livingston County Board of Supervisors does hereby support the acquisition of additional land by the Town of Livonia for the expansion of Vitale Park; and be it further

RESOLVED, that the Livingston County Board of Supervisors does hereby recommend that Federal, State, and other funding agencies give favorable consideration to applications by the Town of Livonia for grant applications for the acquisition of additional land for the expansion of Vitale Park; and be it further

RESOLVED, that certified copies of this resolution be sent to the New York State Senators and Assemblymen representing Livingston County, the New York State Office of Parks, Recreation, and Historic Preservation, and the Genesee/Finger Lakes Regional Planning Council.

Dated at Geneseo, New York

April 24, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-171. OPPOSING THE PROPOSED INCREASE IN THE LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND

WHEREAS, the Governor has proposed to remove certain offices overseeing Cultural Education from the New York State Education Department, incorporating these in an entirely new Institute for Cultural Education, and

WHEREAS, in order to fund this Institute; including the State Archives, State Library, State Museum and State Office for Public Broadcasting, New York State will need to raise millions of dollars in capital investment and plans to do this by quadrupling the present five dollars collected by all County Clerks and the Register of the City of New York on all recorded, indexed and entered documents to twenty dollars, effective July 1, 2002, and

WHEREAS, the Local Government Records Management Improvement Fund was created in 1989 to support grants and technical assistance to local governments to improve and enhance the management of their records and information, and

WHEREAS, said fee increase would provide no improvement in service for the taxpayers paying the fee, nor any additional benefits to the local governments that must collect said fee increase, and

WHEREAS, no demonstrated benefit has been identified in the relocation of these functions to the proposed Institute, in contrast to the highly effective and beneficial relationship that local governments now enjoy with the New York State Education Department, now, therefore, be it

RESOLVED, that Livingston County stands firmly opposed to this proposal, and be it further

RESOLVED, that a copy of this resolution be delivered to the Governor, Livingston County State Representatives and all others deemed necessary and property, and we urge them to likewise oppose this proposal.

Dated at Geneseo, New York

April 24, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-172. SUPPORTING ESTABLISHMENT OF A NATIONAL DAY OF RECOGNITION FOR VOLUNTEER AND PAID FIREFIGHTERS

WHEREAS, volunteer and paid firefighters provide invaluable and essential services to the people of the State of New York, including, but not limited to firefighting, and rescue services; and

WHEREAS, in the performance of such services, volunteer and paid firefighters potentially place their lives at risk selflessly on a daily basis to help others and their communities; and

WHEREAS, the tragic events of September 11, 2001 showcased the bravery and sacrifice of this Country's volunteer and paid firefighters; and

WHEREAS, there is currently no national day of recognition for our firefighters; now therefore be it

RESOLVED, that the Livingston County Board of supervisors supports the establishment of a national day of recognition for all volunteer and paid firefighters and urges the United States Congress to enact Legislation creating such a day and it is further

RESOLVED, that certified copies of this resolution be sent to Senator Charles E. Schumer, Senator Hillary Clinton and Congressman Thomas M. Reynolds.

Dated at Geneseo, New York

April 24, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-173. HONORING LIVINGSTON COUNTY EMERGENCY SERVICES PROVIDERS ON AN ANNUAL BASIS DURING THE WEEK OF SEPTEMBER 11TH

WHEREAS, The Livingston County Board of Supervisors desires to establish an annual Emergency Services Provider Week to honor and thank the Law Enforcement, Fire, and Emergency Medical Service Workers throughout Livingston County; now, therefore be it

RESOLVED, That the Livingston County Board of Supervisors designates the week commencing the first Monday after the first Thursday in September of each year as Emergency Services Provider Week for the purposes of acknowledging the invaluable services provided to the residents of Livingston County by Law Enforcement, Fire, and Emergency Medical Service Workers.

Dated at Geneseo, New York

April 24, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-174. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD – KREILEY, SMITH

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

<u>TOWN</u>	<u>REPRESENTATIVE</u>	<u>TERM EXPIRATION</u>
Sparta	Glenn Kreiley, 8153 Parker Hill Road, Dansville, NY 14437	12/31/03
Sparta Alternate	William Smith, 6009 Springwater Road, Dansville, NY 14437	12/31/03

Dated at Geneseo, New York

April 24, 2002

Public Safety & Criminal Justice Committee

DISCUSSION OF RESOLUTIONS ON PREFERRED AGENDA

Chairman Merrick asked Sparta Supervisor Schuster if he would like to comment Res. No 2002-172 and 173. Mr. Schuster thanked the County Attorney for developing these resolutions and thanked the Legislative & Agricultural Committee for approving and presenting them. He stated he believed it would be worthwhile to seek support of the State Legislature to establish a national day of recognition for volunteer and paid fire fighters and also it was appropriate to proclaim the week of September 11th on an annual basis to honor the Livingston County emergency service providers.

PREFERRED AGENDA VOTE

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

Motion made by Mr. Layland and seconded by Mr. Witte to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-175. AUTHORIZING TRANSFER OF FUNDS – DISTRICT ATTORNEY, PLANNING, PUBLIC HEALTH

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

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

Dated at Geneseo, New York

April 24, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-176. CORRECTING TAX ROLL – TOWNS OF CONESUS AND LIVONIA

Mr. Layland 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 (13 parcels) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Towns 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	Chargebacks to Taxing Jurisdictions
1. 2002 Conesus STATE OF NEW YORK Tax Map Number 101-1- 102.13	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
	Conesus Town Tax	0.00	0.00	0.00	0.00
	Conesus Fire 1	0.00	0.00	0.00	0.00
	Cty. Wtr. #1 Zone 1	<u>347.00</u>	<u>0.00</u>	<u>0.00</u>	<u>347.00</u>
	Total	\$347.00	\$0.00	\$0.00	\$347.00
2. 2002 Conesus THE PEOPLE OF THE STATE OF NEW YORK Tax Map Number 110-1-47.1	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
	Conesus Town Tax	0.00	0.00	0.00	0.00
	Conesus Fire 1	0.00	0.00	0.00	0.00
	Cty. Wtr. #1 Zone 1	<u>10.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10.00</u>
	Total	\$10.00	\$0.00	\$0.00	\$10.00
3. 2002 Conesus THE PEOPLE OF THE STATE OF NEW YORK Tax Map Number 110.70-1-9	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
	Conesus Town Tax	0.00	0.00	0.00	0.00
	Conesus Fire 1	0.00	0.00	0.00	0.00
	Cty. Wtr. #1 Zone 1	<u>10.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10.00</u>
	Total	\$10.00	\$0.00	\$0.00	\$10.00
4. 2002 Conesus THE PEOPLE OF THE STATE OF NEW YORK Tax Map Number 110.70-1-10	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
	Conesus Town Tax	0.00	0.00	0.00	0.00
	Conesus Fire 1	0.0	0.00	0.00	0.00
	Cty. Wtr. #1 Zone 1	<u>10.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10.00</u>
	Total	\$10.00	\$0.00	\$0.00	\$10.00
5. 2002 Conesus THE PEOPLE OF THE STATE OF NEW YORK Tax Map Number 110.70-1-11	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
	Conesus Town Tax	0.00	0.00	0.00	0.00
	Conesus Fire 1	0.00	0.00	0.00	0.00
	Cty. Wtr. #1 Zone 1	<u>10.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10.00</u>
	Total	\$10.00	\$0.00	\$0.00	\$10.00
6. 2002 Conesus THE PEOPLE OF THE STATE OF NEW YORK Tax Map Number 110.70-1-12	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
	Conesus Town Tax	0.00	0.00	0.00	0.00
	Conesus Fire 1	0.00	0.00	0.00	0.00
	Cty. Wtr. #1 Zone 1	<u>10.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10.00</u>
	Total	\$10.00	\$0.00	\$0.00	\$10.00
7. 2002 Conesus THE PEOPLE OF THE STATE OF	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
	Conesus Town Tax	0.00	0.00	0.00	0.00

NEW YORK	Conesus Fire 1	0.00	0.00	0.00	0.00
Tax Map Number 110.70-1-22.1	Cty. Wtr. #1 Zone 1				
		<u>10.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10.00</u>
	Total	\$10.00	\$0.00	\$0.00	\$10.00
8. 2002 Conesus	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
THE PEOPLE OF THE STATE OF NEW YORK	Conesus Town Tax	0.00	0.00	0.00	0.00
Tax Map Number 110.70-1-23	Conesus Fire 1	0.00	0.00	0.00	0.00
	Cty. Wtr. #1 Zone 1	<u>10.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10.00</u>
	Total	\$10.00	\$0.00	\$0.00	\$10.00
9. 2002 Conesus	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
THE PEOPLE OF THE STATE OF NEW YORK	Conesus Town Tax	0.00	0.00	0.00	0.00
Tax Map Number 110.70-1-24	Conesus Fire 1	0.00	0.00	0.00	0.00
	Cty. Wtr. #1 Zone 1	<u>10.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10.00</u>
	Total	\$10.00	\$0.00	\$0.00	\$10.00
10. 2002 Conesus	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
THE PEOPLE OF THE STATE OF NEW YORK	Conesus Town Tax	0.00	0.00	0.00	0.00
Tax Map Number 110.70-1-25	Conesus Fire 1	0.00	0.00	0.00	0.00
	Cty. Wtr. #1 Zone 1	<u>10.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10.00</u>
	Total	\$10.00	\$0.00	\$0.00	\$10.00
11. 2002 Livonia	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
STATE OF NEW YORK	Livonia Town Tax	0.00	0.00	0.00	0.00
Tax Map Number 65.63-1-26.1	Livonia Fire 2	0.00	0.00	0.00	0.00
	Livonia Light 1	0.00	0.00	0.00	0.00
	Livonia Water 2	0.00	0.00	0.00	0.00
	Cty. Wtr. #1 Zone 4	<u>10.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10.00</u>
	Total	\$10.00	\$0.00	\$0.00	\$10.00
12. 2002 Livonia	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
STATE OF NEW YORK	Livonia Town Tax	0.00	0.00	0.00	0.00
Tax Map Number 75.11-1-15	Livonia Fire 3	0.00	0.00	0.00	0.00
	Livonia Water 3	0.00	0.00	0.00	0.00
	Cty. Wtr. #1 Zone 4	47.00	0.00	0.00	47.00
	Liv. Ctr. Sewer	<u>119.00</u>	<u>0.00</u>	<u>0.00</u>	<u>119.00</u>
	Total	\$166.00	\$0.00	\$0.00	\$166.00
13. 2002 Livonia	Livingston County	\$0.00	\$0.00	\$0.00	\$0.00
COUNTY OF LIVINGSTON	Livonia Town Tax	0.00	0.00	0.00	0.00
Tax Map Number 75.7-1-3	Livonia Fire 3	0.00	0.00	0.00	0.00
	Livonia Water 3	0.00	0.00	0.00	0.00
	Liv. Ctr. Sewer	<u>10.00</u>	<u>0.00</u>	<u>0.00</u>	<u>10.00</u>
	Total	\$10.00	\$0.00	\$0.00	\$10.00

Dated at Geneseo, New York

April 24, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-177. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT AMENDMENT WITH RAYMOND F. WAGER &

ASSOCIATES TO PROVIDE AUDIT SERVICES FOR THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION COMPLIANCE AUDIT

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

WHEREAS, a contract with Raymond F. Wager & Associates was authorized pursuant to Res. No. 2001-076 to provide audit services for the Livingston County Treasurer and the Livingston County Health Care Facilities, and

WHEREAS, there is a need to have auditing services provided for each state transportation assistance program tested for the year ended December 31, 2001, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract amendment with Raymond F. Wager & Associates to provide audit services for the New York State Department of Transportation Compliance Audit at a cost not to exceed One Thousand Five Hundred Dollars (\$1,500.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 24, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-178. AMENDING ESTABLISHED DAILY ROOM RATES FOR PRIVATE PAY NURSING FACILITY RESIDENTS TO ADDRESS THE IMPACT OF HCRA 2002

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

WHEREAS, the State of New York passed the Health Care Workforce Recruitment and Retention Act (HCRA) of 2002 enacting a 6% Cash Receipts Assessment Tax on nursing home cash receipts received during the period April 1, 2002 through March 31, 2005; and

WHEREAS, the Livingston County Skilled Nursing Facilities are financially harmed by this State action and seeks to pass-through the impact of the Assessment on private pay revenues; now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors authorizes increasing established room and board rates for private pay nursing facility residents of the Livingston County Skilled Nursing Facilities to a private daily room rate of \$202.13 and semi-private daily room rate of \$191.49, effective June 1, 2002, (increases of \$12.13 and \$11.49 respectively), said increase to remain in effect until such time as the Cash Receipts Assessment Tax is modified or repealed by the State of New York or until a subsequent rate change is authorized by the Livingston County Board of Supervisors.

Dated at Geneseo, New York

April 24, 2002

Health Committee

Frank Bassett, Director of Long-Term Care, commented that the State of New York passed the Health Care Workforce Recruitment and Retention Act (HCRA) enacting a 6% Cash Receipts Assessment Tax on nursing home cash receipts received during the period April 1, 2002 through March 31, 2005. F. Bassett stated that we could not measure the impact of this new legislation at the time the 2002 facility budgets were developed. Without passage of this HCRA pass through to private pays, the facilities would face a loss of approximately \$75,000 for the period June 1 through December 31, 2002. F. Bassett stated he discussed this shortfall with Health Committee Chairman Mark Walker, the County Administrator and Chairman Merrick and they agreed to increase the room and board rates for private pay nursing facility residents to accommodate for the shortfall until such time the legislation is repealed or a change is authorized by the Board of Supervisors.

Vice Chairman Moore asked what is the percentage of private pay residents in the nursing facilities. F. Bassett responded there are approximately 30 private pay residents between the two facilities.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-179. AMENDING THE 2002 UNION SALARY SCHEDULE - DEPARTMENT OF HEALTH, SHERIFF'S DEPARTMENT

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

Department of Health

Convert two part-time Public Health Nurse positions to one full-time Public Health Nurse position.

Create one Outreach Worker position.

Sheriff's Department

Create one Deputy Sheriff/Road Patrol position.

APRIL 24, 2002

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Dated at Geneseo, New York

April 24, 2002

Personnel & Employee Relations Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-180. AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN A CONTRACT WITH THE NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES PROVIDING STATE FUNDS FOR THE SHERIFF'S WORK RELEASE PROGRAM

Mr. Mahus 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 \$18,400 for alternatives to incarceration programming; and

WHEREAS, the County's Service Plan Update has been approved for the period January 1, 2002 through December 31, 2002; it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the contract between the New York State Division of Probation and Correctional Alternatives and the County of Livingston for the period January 1, 2002 through December 31, 2002, in an amount of \$18,400.00 for the Sheriff's Work Release Program, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 24, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-181. AUTHORIZING ACCEPTANCE OF JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT FOR THE LIVINGSTON COUNTY PROBATION DEPARTMENT

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

WHEREAS, the County of Livingston has applied to the New York State Division of Criminal Justice Services for continued funding of the Juvenile Offender Accountability Program, and

WHEREAS, the State has approved funding in the amount of \$18,652.00 to provide continuation of program services, it is hereby

RESOLVED, that the Chairman of the Board is authorized to sign an agreement to accept the Juvenile Accountability Incentive Block Grant for the period commencing October 1, 2002 and terminating September 30, 2003 in an amount of \$18,652.00, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

April 24, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-182. AWARDING BID FOR DRY CLEANING FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT

Mr. Mahus 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 4, 2002, 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, 2002 and terminate April 30, 2003, 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 Attorney and County Administrator.

Dated at Geneseo, New York

April 24, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

OTHER BUSINESS

1. New Nursing Home Facility Update

Chairman Merrick asked Frank Bassett, Director of Long-Term Care, to provide an update on the new nursing home project.

F. Bassett reported that we are in the process of finalizing the Certificate of Need (CON) application for submission to the State. County Officials will meet with State officials on May 17 in Albany to review the CON application. A Special Board of Supervisors' meeting will be held on May 29, 2002 for the purpose of providing an overview of the cost of the project and a schematic design of the new nursing facility and to answer any other questions from the Board. Requests will be presented to the Central Services, Health and Finance & Administration Committees the week of June 3rd to approve the CON application for submission to the State. A board resolution will be presented on June 12 to meet the submission deadline of June 14. The SEQRA process is moving forward aggressively and a Stage I Cultural Investigation is required. F. Bassett reported the building is approximately 175,000 sq. ft. compared to Building 1 which has 150,000 sq. ft. Cost estimates have been provided to the accounting firm and the construction management firm Bovis Lend Lease and the engineering firm Clark Patterson Associates are continuing to work together. Central Services Committee Chairman James Olverd requested that Frank Bassett come to the next Central Services committee meeting on May 7th to provide an update.

2. Deer Population

Portage Supervisor Ivan Davis reported the 2001 Deer Take for each Town within Livingston County. The report is on file. Overall, there were 3,167 bucks taken and a total of 8,612 deer taken within the County. Mr. Davis also stated that the number of big games license's issues had diminished from last year; however, the number of fishing licenses issued had increased.

3. Central Services Committee Chairman James Olverd announced he would like to meet with the Central Services committee briefly in Caucus Room 303B.

ADJOURNMENT

Motion made by Mr. Moore and seconded by Mr. Yendell to adjourn until Wednesday, May 8, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:44 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, MAY 8, 2002
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 4/24/02 Regular Board Meeting were approved as presented.

COMMUNICATIONS

1. Annual Disclosure Statements are due May 15, 2002.
2. A Special Board Meeting is scheduled for May 29, 2002, 1:30 p.m. to review cost estimates and schematic design for new nursing facility.
3. The Household Hazardous Waste Collection will be held on May 11, 2002, 9:00 a.m. – 2:00 p.m. at Hampton Corners. You must register prior to collection day by calling 1-800-836-1154.
4. Summons and Complaint and Amended Summons and Complaint in the matter of Nicholas C. Cannarozzo, an Infant, and Anthony J. Johnson, an Infant, by Joann Cannarozzo, their Guardian Ad Litem versus the County of Livingston, Town of Avon, Raymond S. Gascon, Bonnie Lynn Johnson Estate by Carolyn D. Taylor, Livingston County Treasurer as Limited Administrator, and Christopher J. Cannarozzo.
5. Acknowledgement from Assemblyman Joseph A. Errigo for receipt of Res. No. 2002-135 Supporting to Expand Empire Zones to All Counties.
6. Announcement of the New York State Office of State Comptroller Division of Municipal Affairs sponsoring live, interactive satellite teleconferences:
 - May 21 – Pre-Retirement Seminars: An Employer Perspective
 - May 30 – Fire District Management – Tools of the Trade: Roles and Responsibilities
 - October 3 – Calling All City, Town and Village Clerks
 See Virginia for more details.
7. The Digest of 2001 Laws prepared by the Association of Towns is on file. This report consists of new Town laws and amendments to Town Laws.
8. Intercounty Association of Western New York meeting of May 17, 2002 hosted by Monroe County will be held at the Public Safety Training Facility, 1190 Scottsville Road, Rochester, NY. Registration at 9:30 a.m. Reservations to be made by May 10, 2002. PROGRAM: Tour of Public Safety Training Facility
9. Acknowledgement from Senator Patricia K. McGee for receipt of Res. No. 2002-169, 170, 171.
10. Acknowledgement from Assemblyman Daniel Burling for receipt of Res. No. 2002-169, 170, 171.
11. You are invited to attend the swearing in ceremony of the new Undersheriff on May 13, 2002 at 9:00 a.m. in the Sheriff's Briefing Room. A reception will follow the ceremony. (ON DESKS)

RESOLUTION NO. 2002-183. APPROVING ABSTRACT OF CLAIMS #5A – MAY 8, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #5A dated May 8, 2002 in the total amount of \$851,631.90.

Dated at Geneseo, New York

May 8, 2002

Finance & Administration Committee

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

PRIVILEGE OF THE FLOOR

1. Mark Brown, Director of Community Services, invited the board of supervisors to attend the Mental Health Fair/Open House today at the Mental Health offices after the board meeting.

M. Brown continued to provide an overview of the Community Service programs and the changes that have taken place over the past seven years. Several new programs were instituted as a result of increased Reinvestment dollars. There will no longer be any new investment dollars and as a result will hamper any new programs. M. Brown mentioned the 2001 Community Services accomplishments, specifically the new program instituted for children entitled Home Community-Based Waiver Program. This is a program that provides extremely intensive services to children and families to avoid psychiatric placement. M. Brown also commented on the reorganization of the Mental Health System and the New Initiatives Plan, and Single Point of Entry for Children and Adults. Overall, M. Brown stated 2001 was a positive year for the department and he stated he appreciates the support the Board of Supervisors provides.

PREFERRED AGENDA**RESOLUTION NO. 2002-184. DECLARING SURPLUS PROPERTY – CAMPUS SNF**

WHEREAS, the County of Livingston owns 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 items as surplus property to be disposed of as determined by the County Administrator.

CAMPUS SNF

- | | |
|---|--|
| (1) square wooden dining table | (1) high backed green cloth desk chair |
| (3) brown vinyl sled based chairs | (2) old oak colored bed side stands |
| (1) small wooded decorative table which is very marred | (3) cherry colored bed side stands |
| (1) sewing machine cabinet/stand | (1) cherry colored wardrobe |
| (2) manual beds | (2) old commodes |
| (2) swivel desk chairs, one orange cloth, and one black | (3) very old table lamps |
| (1) brown lounge chair with wooden arms | (11) brass pole lamps |
| (1) typewriter | (1) old white topped pedestal table |
| (4) wheelchairs | (4) very old single drawer file cabinets |
| (2) very old metal pole lamps | (1) tall metal stand with a fan on it |
| (16) Misc. chairs. | (1) 6' pew we have no current need for |
| (3) oak colored low tables | (2) IBM Selectric II typewriters |

Dated at Geneseo, New York

May 8, 2002

Finance and Administration Committee

RESOLUTION NO. 2002-185. PROCLAIMING THE WEEK OF MAY 6-12, 2002 AS NURSES WEEK

WHEREAS, the delivery of the best quality nursing care to all residents is the function of the Livingston County nursing staff, and

WHEREAS the Livingston County Board of Supervisors salutes the LPN's, RN's, Nurse Practitioners, MSN's, and Nurse Administrators for their leadership and contributions to the health care of Livingston County residents, and

WHEREAS, the nurses in "our neighborhoods" are employed in a variety of areas where their expertise in community resources, skilled nursing, and specialized services are utilized, and

WHEREAS, the Adult Day Health Care, Campus Skilled Nursing Facility, Geneseo Skilled Nursing Facility, Home Care, Hospice, Immunization Clinics, Livingston County Jail, Mental Health, Office for the Aging, Prevent Team, Strong Memorial Hospital, WIC Program, and the Women's Health Center, are the "neighborhoods" where nurses provide care to children, adolescents, adults, seniors, the sick, and the terminally ill, now therefore be it

RESOLVED, that the Livingston County Board of Supervisors recognizes the contributions of Livingston County's nursing staff, and does hereby proclaim the week of May 6-12, 2002, as Nurses Week.

Dated at Geneseo, New York
May 8, 2001
Health Committee

RESOLUTION NO. 2002-186. PROCLAIMING THE WEEK OF MAY 19-25, 2002 AS EMERGENCY MEDICAL SERVICES WEEK

WHEREAS, the Emergency Medical Services community in Livingston County volunteers many hours to save lives and minimize the effects of unforeseen injuries; and

WHEREAS, EMS services are available 365 days a year, now therefore be it

RESOLVED, that the Livingston County Board of Supervisors does hereby declare the week of May 19-25, 2002 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 8, 2002
Health Committee

RESOLUTION NO. 2002-187. PROCLAIMING THE WEEK OF MAY 12-18, 2002 AS NURSING HOME WEEK IN LIVINGSTON COUNTY IN CELEBRATION OF OLDER AMERICANS' MONTH

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

WHEREAS, nursing homes at the local, state and national level provide 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 nursing homes in Livingston County 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 Livingston County Board of Supervisors proclaims May 12-18, 2002 as Nursing Home Week.

Dated at Geneseo, New York
May 8, 2002
Health Committee

RESOLUTION NO. 2002-188. APPOINTING ALTERNATE MEMBER TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD – JARZABECK

RESOLVED, that the following person is hereby appointed to the Livingston County Traffic Safety Board for the term designated:

<u>TOWN</u>	<u>REPRESENTATIVE</u>	<u>TERM EXPIRATION</u>
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Conesus Alternate	Kathleen Jarzabek, 6272 East Swamp Road, Conesus, NY 14435	12/31/02
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Dated at Geneseo, New York
May 8, 2002
Public Safety & Criminal Justice Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Layland and seconded by Mr. Walker to move the Preferred Agenda. Carried.

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

RESOLUTION NO. 2002-189. AWARDING BID FOR WATER LINE REPLACEMENT – CAMPUS BUILDING #2

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

WHEREAS, after proper legal advertisement for bids for Building #2 water line replacement project, three bids were received, then opened on April 9, 2002, now, therefore, be it

RESOLVED, that the bid of MKS Plumbing of 19 Ransier Drive, West Seneca, New York 14224, in an amount not to exceed Forty Six Thousand One Hundred Sixty Dollars (\$46,160.00), be and hereby is accepted as the lowest responsible bid for Building #2 water line replacement project, 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 Attorney and County Administrator.

Dated at Geneseo, New York

May 8, 2002

Central Services Committee

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

RESOLUTION NO. 2002-190. AWARDING BID FOR CONCRETE COURTYARD – CAMPUS BUILDING #1

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

WHEREAS, after proper legal advertisement for bids for Building #1 concrete courtyard project, six bids were received, then opened on March 29, 2002, now, therefore, be it

RESOLVED, that the bid of Jason Excavating & Residential Construction of 10 Oak Grove, Mt. Morris, New York 14510, in an amount not to exceed Twenty Four Thousand Three Hundred Four Dollars (\$24,304.00), be and hereby is accepted as the lowest responsible bid for Building #1 concrete courtyard project, 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 Attorney and County Administrator.

Dated at Geneseo, New York

May 8, 2002

Central Services Committee

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

RESOLUTION NO. 2002-191. AUTHORIZING TRANSFER OF FUNDS – PLANNING, PUBLIC HEALTH, SHERIFF

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

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

Dated at Geneseo, New York

May 8, 2002

Finance & Administration Committee

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

RESOLUTION NO. 2002-192. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR LIVINGSTON COUNTY DEPARTMENT OF HEALTH - NEW YORK STATE DEPARTMENT OF HEALTH, MARY B. MEYER, HOSPICE PHARMACIA

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

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

New York State Department of Health for Youth Empowerment Against
Tobacco Use Program
NYS Department of Health, ESP Corning Tower Bldg., Room 515
Albany, NY 12237-0675

CONTRACT TERM

4/1/02 – 3/31/03

New York State Department of Health for the Source Water Assessment

Program (SWAP)
NYS Department of Health
Flanigan Square, 547 River St., Troy, NY 12180-2216

4/1/02 - 3/31/03

Mary B. Meyer for Early Intervention Services (Renewal)
9932 Ward Rd., Wayland, NY 14572

5/1/02 – 12/31/07

Hospice Pharmacia for Hospice Pharmacy Needs
530 Walnut St., Suite 550, Philadelphia, PA 19106
Dated at Geneseo, New York

6/1/02 – 5/31/03

May 8, 2002
Health Committee

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

RESOLUTION NO. 2002-193. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR LIVINGSTON COUNTY OFFICE FOR THE AGING – LIVINGSTON AREA TRANSPORTATION SERVICES, NOYES MEMORIAL HOSPITAL

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

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

CONTRACT TERM

Livingston Area Transportation Services for transportation services to the
Senior nutrition sites, Renewal
Noyes Memorial Hospital for Emergency Alert Response System / Lifeline
Services, Renewal

4/1/02 – 3/31/03

4/1/02 – 3/31/03

Dated at Geneseo, New York
May 8, 2002
Health Committee

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

RESOLUTION NO. 2002-194. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH LISA S. MISITI, CSW FOR CONSULTING SOCIAL WORK SERVICES FOR THE LIVINGSTON COUNTY SKILLED NURSING FACILITIES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Lisa S. Misiti, CSW of 10894 Ryan Road, Medina, New York 14103 for a three-year term from June 1, 2002 through May 31, 2005 at an hourly rate of Forty-Five Dollars (\$45.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York
May 8, 2002
Health Committee

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

RESOLUTION NO. 2002-195. AUTHORIZING WITHDRAWAL FROM THE E. J. LINDSAY MEMORIAL FUND - GENESEO SNF

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

WHEREAS, the Geneseo Skilled Nursing Facility desires to have a holiday party and funds are necessary to hire a band, it is hereby

RESOLVED, that the County Treasurer is hereby authorized to withdraw Four Hundred Dollars (\$400.00) from the E. J. Lindsay Memorial Fund and pay it to the Geneseo Skilled Nursing Facility for the above purpose.

Dated at Geneseo, New York
May 8, 2002

Health Committee

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

OTHER BUSINESS

1. Geneseo Supervisor Kennison thanked the Board of Supervisors and staff for all the cards and telephone calls to him as he recuperates.
2. Finance & Administration Committee Chairman Layland reminded the committee that the regular meeting is changed to Monday, May 13, 2002 at 10:30 a.m.
3. The County Administrator acknowledged the efforts of County Attorney David Morris for dealing with a tax matter in the Town of Caledonia.

ADJOURNMENT

Motion made by Mr. Mahus and seconded by Mr. Moore to adjourn until Wednesday, May 22, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:08 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, MAY 22, 2002
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Mr. Kennison and Mr. Davis.

The Pledge of Allegiance.

MINUTES

Minutes of 5/8/02 Regular Board Meeting were approved as presented.

COMMUNICATIONS

1. Acknowledgement from Assemblyman Brian M. Kolb for receipt of Res. No. 2002-169, 170, 171
2. Acknowledgement from Assemblyman Joseph A. Errigo for Receipt of Res. No. 2002-169, 170, 171.
3. Acknowledgement from Senator Patricia K. McGee for receipt of Res. No. 2002-135.
4. If you are interested in touring the Fairport Baptist Nursing Home on May 30, 2002, 10:00 A.M. – 12:00 P.M., please notify Virginia today. The van will leave at 9:00 A.M. from the Government Center (Employee Parking Lot) and return approximately 1:30 P.M.
5. 2001 Departmental Annual Reports are on file in the Clerk's Office.
6. Letter of support from Assemblyman Daniel J. Burling regarding an Empire Zone Designation.
7. Letter from NYS Department of Environmental Conservation acknowledging receipt of the Water Quality Improvement Project Application for the Hamlet Of Conesus Sanitary Sewer System – Phase 2 and assigning an Identification Number to the project.
8. Letter from the Livingston County Traffic Safety Board to the Livingston County State Representatives opposing the proposed legislation to amend Section 1662-A of the Vehicle and Traffic Law to permit towns to set speed limits on local roads within their jurisdiction (ON DESKS).
9. The final State of Conesus Lake: Watershed Characterization Report is on file in the Clerk's Office.
10. The New York Temporary State Commission on Lobbying provided information on the amended State's Lobbying Act effective April 1, 2002 and requested a designee to be a liaison between the County and Commission staff in order to implement the program.

RESOLUTION NO. 2002-196. APPROVING ABSTRACT OF CLAIMS #5B – MAY 22, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #5B dated May 22, 2002 in the total amount of \$863,469.54.

Dated at Geneseo, New York

May 22, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,598; Noes - 0; Absent – Kennison, 187; Davis, 29; Total 216; Adopted.

PREFERRED AGENDA

RESOLUTION NO. 2002-197. DECLARING SURPLUS PROPERTY – CENTRAL SERVICES, INFORMATION AND TECHNOLOGY SERVICES, PLANNING

WHEREAS, the County of Livingston owns 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 items as surplus property to be disposed of as determined by the County Administrator.

CENTRAL SERVICES

One (1) 1988 Dodge Pick-up D15, Vin #1B7FD14Y9JS743945

INFORMATION & TECHNOLOGY SERVICES

Unit	s/n	asset	Unit	s/n	asset
Gateway 2000	682883		AST PC 1566	67100125307	
386DX/33			ASTVISION 5U	HMAH900921	6285
WangPC461/25SC	D4795D	6435	AST MONITOR	H1AGB03134	
P3300	563405594S		4039	11Z1092	6202
P6300	560068399	6446	BRAVO 5200	337100683222	6747
IBM PPS II	2391	5094	ASTVISION 7U	H3LHA01648	6748
ALPS Allegro 500XT	10P0100113Y		GENERIC	NO SERIAL #	7359
Sampo KDM-1455	241Q0593	6436	COMPUTER		
Gateway 2000	TB9C51348		DJ 600	US5C51D07O	6510
PMV1448			FX 1050	63944	6334
AST #41	9543023995		P6300	560071187	
Wang PM-004L			LEXMARK 400	11N2460	6514
AST Manhattan	317100675361	6286	LEXMARK 400	11N2124	6534
AST 5L	41AGB03134		ASTVISION 7L	5044L00236	6052
AST LC 4/66D	105APC021102	6158	P6300	56002494LX	6077
NEC 6300 / WANG	561117682LX/ Y21976		AST P75		
WANG PC	A6988C		15" VGA		
WANG PC	A6987C		132 DM	42563B	6087
WANG MONITOR	A0233Q		AS/400	10-4692A	
WANG MONITOR	A0011Q		AS/401	10-07C0G	
AST MONITOR	501930001		BIOS		6324
			Packard Bell	GSMN51009757	6325

PLANNING

One (1) IBM Selectric II Typewriter, #5323818

Dated at Geneseo, New York

May 22, 2002

Finance and Administration Committee

RESOLUTION NO. 2002-198. APPOINTING MEMBER TO THE LIVINGSTON COUNTY COMMUNITY SERVICES BOARD AND MENTAL HEALTH SUBCOMMITTEE - HERKIMER

RESOLVED, that the following member is hereby appointed to the Livingston County Community Services Board and Mental Health Subcommittee to fill the unexpired term of Daniel Maloney expiring December 31, 2003:

Martin Herkimer, 2124 Antonio Drive, Avon, New York 14414

Dated at Geneseo, New York

May 22, 2002

Health Committee

RESOLUTION NO. 2002-199. REAPPOINTING MEMBER TO LIVINGSTON COUNTY PLANNING BOARD - BRINDUSE

RESOLVED, that the Tim Brinduse of 67 Main Street, Dansville, NY 14437 is hereby appointed to the Livingston County Planning Board to represent the Village of Dansville for a term to expire December 31, 2004.

Dated at Geneseo, New York

May 22, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-200. REAPPOINTING MEMBER TO LIVINGSTON COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL - WALKER

RESOLVED, that Susan Walker of 7630 Walker Road, Wayland, NY 14572 is hereby reappointed to the Livingston County Environmental Management Council as a representative of Agriculture for a term to expire December 31, 2003.

Dated at Geneseo, New York

May 22, 2002

Legislative & Agricultural Affairs Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Wahl and seconded by Mr. Walker to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,598; Noes - 0; Absent – Kennison, 187; Davis, 29; Total 216; Adopted.

Mr. Davis entered.

RESOLUTION NO. 2002-201. AUTHORIZING TRANSFER OF FUNDS – CENTRAL SERVICES, DISTRICT ATTORNEY, ECONOMIC DEVELOPMENT, PUBLIC HEALTH

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

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

Dated at Geneseo, New York

May 22, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-202. AUTHORIZING TRANSFER OF FUNDS – CONTINGENCY/JAIL IMPROVEMENT PROJECT

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

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

Dated at Geneseo, New York

May 22, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-203. APPROVING APPORTIONMENT OF MORTGAGE TAX RECEIPTS FOR PERIOD OF 10/01/01-03/31/02

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

WHEREAS, the Finance & Administration Committee submits the following report on Apportionment of the Mortgage Tax receipts for the period October 1, 2001 through March 31, 2002, among the several Towns and Villages of the County, it is hereby

RESOLVED, that the County Treasurer is hereby directed to pay to the various municipalities the amount set forth herein:

TAX DISTRICT	AMOUNT	DISTRIBUTED TO TOWNS	DISTRIBUTED TO VILLAGES
AVON	59,378.39	46,354.70	13,023.69
CALEDONIA	42,727.51	33,389.96	9,337.55
CONESUS	34,993.52	34,993.52	0.00

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	Chargebacks to Taxing Jurisdictions
1. 2002 Avon KEATLEY, Brad C. & Donna S.	Livingston County Avon Town Tax	\$919.31	\$915.56	\$3.75	\$3.75
		<u>274.89</u>	<u>273.77</u>	<u>1.12</u>	<u>1.12</u>
Tax Map Number 34.15-1- 3.8	Total	\$1194.20	\$1189.33	\$4.87	\$4.87

Dated at Geneseo, New York

May 22, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-206. AUTHORIZING RECONVEYANCE OF COUNTY PROPERTY ACQUIRED BY TAX DEED TO DIMITRIOS K. MIHALITSAS

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

WHEREAS, by tax deed dated after tax foreclosure, the County of Livingston took title to property assessed to Dimitrios K. Mihalitsas based upon the failure to pay real estate taxes, and

WHEREAS, Dimitrios K. Mihalitsas has recently paid all past and current real estate taxes in the amount of \$29,835.30, plus an administrative fee of \$1,500.00, now, therefore be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute a deed of conveyance and any and all related documents prepared by the County Attorney to reconvey the property to Dimitrios K. Mihalitsas.

Dated at Geneseo, New York

May 22, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-207. 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 GENESEE VALLEY HEALTH PARTNERSHIP RENEWAL

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract renewal between the New York State Department of Health, located at Room 1119, Corning Tower, Empire State Plaza, Albany, NY 12237, and the Livingston County Department of Health for the Genesee Valley Health Partnership, commencing on April 1, 2002 and terminating on December 31, 2002, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

May 22, 2002

Health Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-208. AWARDING BID FOR THE COUNTY WATER DISTRICT #1 EXTENSION 1, ZONE 5, - SCOTTSBURG – CONTRACT 1-WATER MAIN

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

WHEREAS, after proper legal advertisement for bids for the construction of extension 1, of County Water District No. 1, Zone 5, - Water Supply and Distribution project Contract No. 1 – Water Main, seven bids were received, then opened on April 22, 2002, now, therefore, be it

RESOLVED, the bid of R. Meyers Contractors, Inc. 60 Bowman Street, Rochester, NY 14609 in an amount not to exceed Six Hundred Seventy Two Thousand, One Hundred and Forty Two Dollars and Fifty Cents (\$672,142.50), be and hereby is the lowest responsible bid, and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to sign a contact, subject to review by the County Attorney and County Administrator, and contingent upon approval by the USDA- Rural Development – Rural Utility Service.

Dated at Geneseo, New York

May 22, 2002

Highway & Public Works Committee

Mr. Moore commented that the final bid amounts were less than the engineer's estimates.

Cathy Muscarella, Director of Public Works, referred to a handout that explained the bid results for this resolution and the next resolution (on file). She mentioned that R. Meyers Contractors, Inc. was not the lowest priced bid but was the lowest responsible bidder.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-209. AWARDING BID FOR THE COUNTY WATER DISTRICT #1 EXTENSION 1, ZONE 5, - SCOTTSBURG – CONTRACT 2-WATER TANK

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

WHEREAS, after proper legal advertisement for bids for the construction of extension 1, of County Water District No. 1, Zone 5, - Contract No. 2 – Water Tank, four bids were received, then opened on April 22, 2002, now, therefore, be it

RESOLVED, the bid of Eastern Summit Development Inc. 535 West Main Street, Springville, NY 14141 for an amount not to exceed Three Hundred Eight Thousand Fifty Dollars and Fifteen Cents (\$308,050.15), be and hereby is the lowest responsible bid, and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to sign a contact, subject to review by the County Attorney and County Administrator, and contingent upon approval by the USDA- Rural Development – Rural Utility Service.

Dated at Geneseo, New York

May 22, 2002

Highway & Public Works Committee

Cathy Muscarella, Director of Public Works, stated that this contractor is the lowest responsible bidder.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-210. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE WORKFORCE INVESTMENT BOARD CHIEF ELECTED OFFICIAL AGREEMENT

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

WHEREAS, Res. No. 2000-235 authorized the Chairman of the Livingston County Board of Supervisors to sign the Workforce Investment Board (WIB) Chief Elected Official (CEO) Agreement expiring June 30, 2002, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the Workforce Investment Board CEO Agreement commencing July 1, 2002 and terminating June 30, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

May 22, 2002

Intergovernmental Affairs Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-211. SUPPORTING APPLICATION TO NEW YORK STATE DEPARTMENT OF STATE FOR ENVIRONMENTAL PROTECTION FUND GRANT FOR IMPLEMENTATION OF CONESUS LAKE WATERSHED MANAGEMENT PLAN

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, the Livingston County Planning Department is serving as Lead Agency for the development of the Conesus Lake Watershed Management Plan; and

WHEREAS, the “State of Conesus Lake: Watershed Characterization Report” has identified erosion and sediment as a significant contributor to water quality problems in Conesus Lake, including problems of weed and algae growth; and

WHEREAS, the New York State Department of State is accepting applications for funding under the Environmental Protection Fund for projects implementing a waterbody management plan; and

WHEREAS, since Livingston County is not eligible to apply directly, the Town of Geneseo has agreed to serve as applicant and grantee for this application; now therefore be it

RESOLVED, that the Livingston County Board of Supervisors does hereby endorse and support the application of the Town of Geneseo to the New York State Department of State for an Environmental Protection Fund grant for implementation of the Conesus Lake Watershed Management Plan.

Dated at Geneseo, New York

May 22, 2002

Legislative & Agricultural Affairs Committee

David Woods, Planning Director, stated that this resolution would support the application of the Town of Geneseo to the State for a grant to assist streambank and roadside ditch remediation in the Conesus Lake Watershed. If this grant is not successful, an application will be submitted next year. D. Woods asked if there were any questions. There were none.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-212. AWARDING BID FOR WEATHERIZATION MATERIALS - HOME WEATHERIZATION ASSISTANCE PROGRAM

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, after due advertisement, bids were opened on April 5, 2002 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:

Nunda Lumber & Hardware 11 South St. Nunda, NY 14517	Ace General Hardware 21 Chapel St. Mt. Morris, NY 14510	Raubers, Inc. PO Box 427 Wayland, NY 14572
Gullo Enterprises, Inc. 86 Main St. Mt. Morris, NY 14510	Harris Supply Co., Inc. 36 Central Place Wellsville, NY 14895	
MHAC, Inc. Box 678 Harmony, PA 16037	Power Survey & Control Corp. 2 Cooper Ave. 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 May 1, 2002 and ending April 30, 2002, 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 Attorney and County Administrator.

Dated at Geneseo, New York

May 22, 2002

Legislative & Agricultural Affairs Committee

David Woods, Planning Director, stated that this is the annual resolution to authorize purchase of weatherization materials.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-213. AMENDING THE 2002 UNION SALARY SCHEDULE - SEWER DISTRICT, TREASURER'S OFFICE

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

Sewer District

Convert one part-time Account Clerk Typist position to full-time.

Treasurer's Office

Delete one Senior Account Clerk position.

Dated at Geneseo, New York

May 22, 2002

Personnel & Employee Relations Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-214. AMENDING RESOLUTION NO. 2001-468 ADOPTING SALARIES OF THE EMPLOYEES OF THE COUNTY COVERED BY THE CIVIL SERVICE EMPLOYEES ASSOCIATION FULL-TIME EMPLOYEE UNIT CONTRACT, THE CIVIL SERVICE EMPLOYEES ASSOCIATION PART-TIME/SEASONAL EMPLOYEE UNIT CONTRACT, THE LIVINGSTON COUNTY DEPUTY SHERIFFS' ASSOCIATION CONTRACT, THE LIVINGSTON COUNTY COALITION OF PATROL SERVICES CONTRACT, AND THE NEW YORK STATE NURSES ASSOCIATION CONTRACT FOR THE YEAR 2002, AND ESTABLISHING CERTAIN COMPENSATION AND BENEFITS FOR OTHER EMPLOYEES

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

WHEREAS, in 1995, Blue Million health insurance coverage was deleted as a benefit for department heads; and

WHEREAS, a resolution (resolution number 95-161) was adopted at that time concerning department heads' entitlement to Blue Million health insurance coverage after retirement; and

WHEREAS, it was the intent of the Board that the language of this resolution regarding department head entitlement to Blue Million health insurance coverage after retirement would be included in each year's resolution adopting salaries from that point forward; and

WHEREAS, this language was inadvertently omitted from such future resolutions; now, therefore, be it

RESOLVED that paragraph 14 of Livingston County Board resolution number 2001-468 be amended to read as follows:

14 a. RESOLVED, that employee benefits, as granted in the Civil Service Employees Association full-time employee unit contract to wit: retirement, sick leave, bereavement leave, holiday and personal leave, shall be granted to all the department heads set forth in the department head list except for the Traffic Safety Board Executive Secretary, the Public Health Director, the Directors of Patient Services, the WIC Program Coordinator, and the Deputy Sheriff/Majors. The Public Health Director, Directors 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. The Deputy Sheriff/Majors in road patrol, investigations and corrections shall receive the same health insurance and vacation benefits as provided to other department heads, but shall receive other benefits pursuant to the Livingston County Deputy Sheriff's Association contract. Department heads will be granted one-week vacation after six months employment with the county; 15 working days on the first 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, First Assistant Public Defender, Assistant Public

Defender's and the Traffic Safety Board Executive Secretary, and any other part-time positions on the list, and be a further

14 b. RESOLVED, that effective July 1, 1995, the Blue Cross/Blue Shield Blue Million health insurance plan will be available to any department heads set forth in the department head list that qualifies for paid health insurance at the time of retirement and subsequently establishes permanent residency outside of the HMO service area, and be it further

14 c. RESOLVED, any department heads set forth in the department head list, that as of April 26, 1995, had twenty years or more of continuous county service that will qualify for paid health insurance when they retire from county service, will have the option to change their insurance coverage to the Blue Cross/Blue Shield Blue Million contract if they establish residency outside of the HMO service area at no additional cost to the employee, and be it further

14 d. RESOLVED, any department heads set forth in the department head list, that as of April 26, 1995, had at least 15 but less than 20 years of continuous county service that will qualify for paid health insurance when they retire from county service, will have the option to change their insurance coverage to the Blue Cross/Blue Shield Blue Million contract if they establish residency outside of the HMO service area. The employee would be required to pay one-half of the difference between the cost of present coverage and the cost of the same coverage under the Blue Cross/Blue Shield Blue Million plan and the county would be responsible for the remaining one-half, and be it further

14 e. RESOLVED, any other department heads set forth in the department head list that will qualify for paid health insurance when they retire from county service, will have the option to change their insurance coverage to the Blue Cross/Blue Shield Blue Million contract if they establish residency outside of the HMO service area. The employee would be required to pay the difference between the cost of the present coverage and the cost of the same coverage under the Blue Cross/Blue Shield Blue Million plan.

Dated at Geneseo, New York

May 22, 2002

Personnel & Employee Relations Committee

Chairman Merrick stated that there have been some issues regarding health insurance and after researching the matter we realized that this language was not in the resolution done in December.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-215. AUTHORIZING MEMORANDUM OF AGREEMENT BETWEEN FULL AND PART-TIME CSEA EMPLOYEES REGARDING CHANGE IN SHIFT DIFFERENTIAL APPLICATION

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

RESOLVED, that the County Administrator and the Director of Long Term Care are hereby authorized to enter into a Memorandum of Agreement between full and part-time CSEA employees regarding change in shift differential application consistent in substance with the document attached hereto.

MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made this 2nd day of May, 2002, by and between the CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000 AFSCME, AFL-CIO, LIVINGSTON COUNTY LOCAL 826 (Full-time Employees Unit), hereinafter referred to as "CSEA (FT)," CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000 AFSCME, AFL-CIO, LIVINGSTON COUNTY LOCAL 826 (Part-time Employees Unit), hereinafter referred to as "CSEA (PT)", and LIVINGSTON COUNTY, hereinafter referred to as "COUNTY,"

RECITALS:

- A. The COUNTY's Skilled Nursing Facilities have an established four hour eligibility rule to determine when an employee who works over into a different shift is entitled to the higher shift differential; and
- B. The parties wish to change this rule to provide the higher shift differential if the employee works at least one hour into the shift.

NOW, THEREFORE, in consideration of the promises and agreements made herein and for other good and valuable consideration, the parties hereby agree as follows:

1. **Eligibility for Shift Differential.** Employees who work an evening shift (2nd shift) or a night shift (3rd shift) shall receive shift differential as provided in the applicable collective bargaining agreement. For work of 1 hour or more in a shift preceding or following the employee's scheduled shift, the shift differential for the hours worked outside of the employee's scheduled shift shall be the higher of the two shifts. For work of less than one hour, the employee will receive the shift differential of the scheduled shift for the time worked immediately

before or after that shift. The higher shift differential will not be provided if an employee works into the next shift in order to complete his/her duties.

2. **Effective Date.** This agreement will become effective on the first day of the pay period immediately following execution of this agreement.

WITNESS, the following signatures:

CSEA

By:

Robert Leonard

Its: Labor Relations Specialist and
CSEA (PT) Co-Administrator

Robert Ellis

Its: President, CSEA (FT) and
Co-Administrator, CSEA (PT)

COUNTY

By:

Franklin Bassett

Its: Director of Long Term Care

Dated at Geneseo, New York

May 22, 2002

Personnel & Employee Relations Committee

Frank Bassett, Director of Long-Term Care, explained the above Memorandum of Agreement. he stated that he is hopeful that another Memorandum of Agreement will be presented regarding premium pay in the near future.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-216. AWARDING BID FOR MAINTENANCE OF COUNTY-OWNED VEHICLES EXCLUDING THE HIGHWAY DEPARTMENT

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

WHEREAS, after due advertisement, eight (8) bids were received and opened on April 19, 2002, by the Office of the Livingston County Administrator for maintenance of county-owned vehicles excluding the Highway Department, and

WHEREAS, Jimmy's Sales and Service of 2871 Jones Bridge Road, Mt. Morris, New York 14510 presented the lowest responsible bid, it is hereby

RESOLVED, that the bid of Jimmy's Sales and Service, be awarded according to prices on file in the Office of the County Administrator. This award shall be effective July 1, 2002 and terminate June 30, 2003 with an option to renew for one additional year, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a contract with Jimmy's Sales and Service, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

May 22, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-217. AWARDING BID FOR MEAT USED BY THE LIVINGSTON COUNTY JAIL

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

WHEREAS, after proper legal advertisement for bids for meat for the Livingston County Jail, two (2) bids were received, then opened on April 29, 2002, now, therefore, be it

RESOLVED, that the bid of Leon Kastner Meats of 774 Jay Street, Rochester, New York 14611, be awarded according to prices on file in the Office of the County Administrator. This award shall be effective June 1, 2002 and terminate May 31, 2003, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a contract with Leon Kastner Meats, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

May 22, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

RESOLUTION NO. 2002-218. AWARDING BID FOR UNIFORMS AND ACCESSORIES FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT

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

WHEREAS, after due advertisement, bids were opened on April 18, 2002 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 and accessories from United Uniform Co., Inc. of 494 N. French Road, Buffalo, NY 14228 for the period May 1, 2002 through April 30, 2003, 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 Attorney and County Administrator.

Dated at Geneseo, New York

May 22, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Total 187; Adopted.

OTHER BUSINESS

1. The County Administrator thanked those Supervisors who attended the Genesee Community College groundbreaking in Dansville and encouraged others to view the area if they have not done so. This facility is a great enhancement to the Dansville area and will have a state-of-the-art computer lab. The County Administrator thanked North Dansville Supervisor for his assistance with the zoning issues for this building and specifically acknowledged the Director of Economic Development Patrick Rountree for his efforts.
2. The County Administrator reported that the Legislative & Agricultural Affairs Committee conducted a special meeting on May 13, 2002 to discuss submitting an Empire Zone application. Our Senators and Assemblymen suggested that we prepare an application and provide them a copy to submit to the State. The County Administrator acknowledged the Director of Economic Development Patrick Rountree and Deputy Director of Economic Development Julie Marshall for working all weekend to prepare the application.
3. The County Administrator reported that he is still in the process of analyzing the NYS 2002 State budget to determine the impact on county government. He stated he is disturbed about a few things that occurred, namely, the removal of the revenue sharing for the Child Health Plus, the lack of CHIPS Operation & Maintenance funding, and the decreased TANF and Employment & Training dollars, and the lack of restoration of the IGT funding.
4. The County Administrator stated some good news is that he and the Director of Long-Term Care Frank Bassett, met with the NYS Department of Health regarding the Certificate of Need process for the new nursing facility and it was a very positive meeting. The NYS DOH was very complimentary as to how the Board of Supervisors has approached this project and the decisions made to date. The County Administrator publicly thanked the Director of Long-Term Care for the time and efforts he has put forth regarding this new nursing home project.
5. Vice Chairman Moore thanked those Supervisors who attended the Highway Tour of the southern portion of the County on May 15, 2002 and acknowledged the Highway Department for making great strides in improving the roads and bridges in the County. He announced there will be another highway tour of the northern portion of the county on June 19, 2002 beginning at 8:00 a.m. from the Highway Facility at Hampton Corners, and he invited all Supervisors to attend the tour.
6. Vice Chairman Moore acknowledged the letter from Geneseo Supervisor Weston Kennison regarding his absence from the Board meeting due to his attendance at the Democratic State Convention as a candidate for Lieutenant Governor. Letter on file.

ADJOURNMENT

Motion made by Mr. Moore and seconded by Mr. Walker to adjourn until Wednesday, May 29, 2002 at 1:30 p.m.
Carried.

The Board adjourned at 2:19 p.m.

**SPECIAL BOARD MEETING
WEDNESDAY, MAY 29, 2002
1:30 P.M.**

The Board met pursuant to adjournment.

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

The Pledge of Allegiance.

COMMUNICATIONS

1. If you are interested in touring the Fairport Baptist Nursing Home on May 30, 2002, 10:00 A.M. – 12:00 P.M., please notify Virginia today, if you have not already done so. The van will leave at 9:00 A.M. from the Government Center (Employee Parking Lot) and return approximately 1:30 P.M.

PURPOSE OF THE MEETING:

To present the final plans for the submission of the Certificate of Need application to the New York State Department of Health for the construction of a new nursing facility on the Livingston County Campus in Mt. Morris.

CHAIRMAN'S REMARKS

Chairman Merrick welcomed and thanked all the Supervisors for coming to this Special meeting.

“This special meeting was called to present to the Board of Supervisors the final plans for the submission of the Certificate of Need application to the New York State Department of Health for the construction of a new nursing facility on the Livingston County Campus in Mt. Morris.

This project began approximately 2 years ago. As Chairman, I appointed a Facility Options Steering Committee who attended several lengthy meetings. The members of the committee were as follows:

Former Lima Supervisor Lance Bassage
Mt. Morris Supervisor James Olverd
Geneseo Supervisor Weston Kennison
Caledonia Supervisor James Layland
Former Conesus Supervisor Donna Avery
Springwater Supervisor Mark Walker
County Administrator Dominic Mazza
Director of Long-Term Care Frank Bassett
Director of Public Health Joan Ellison
Director of the Office for the Aging Kaaren Smith and
Supervisors of Buildings and Grounds David Allen.

I would like to thank all those people for their dedication and input to this project.

This Steering Committee worked with Bovis Lend Lease, the construction management firm that reviewed cost estimates on an ongoing basis and Hartman Associates who was hired to study the nursing home operations and to make recommendations on the different options to be considered. During these past two years, we have thoroughly reviewed all these options, conducted community forums and focus groups to seek input from the medical and human service providers and the community in general.

The Board of Supervisors has been involved in this project throughout this entire process, and in December of 2001, the Board of Supervisors adopted a resolution setting the direction of where we are today. Clearly, at that time, we

were charged with completing the Certificate of Need process by June and all goals and deadlines have been met, and we are pleased today to bring forward what we hope is the finalization of the CON application.

Once this project is underway, it is my commitment to appoint a Steering Committee to develop recommendations of the future use of the existing Geneseo nursing facility.

In closing, I am in full support of this project and let us be reminded that we are here to provide quality care and reliable services to the citizens of Livingston County now and well into the future.”

Mr. Merrick deferred the meeting the County Administrator.

PRESENTATION

The County Administrator stated he appreciates all the support that he has received from everybody.

Mr. Martello entered.

The County Administrator mentioned that he and the Director of Long-Term Care Frank Bassett, met with the NYS Department of Health on 5/17/02 regarding the Certificate of Need process for the new nursing facility, and it was a very positive meeting. He stated that early in 2002, the County hired consulting engineers, a construction management firm and accountants, and in February Clark Patterson began work knowing that the County would be charged to submit a CON application in June 2002. The Finance & Administration Committee did meet and talked about financial implications. The County Administrator acknowledged an article and editorial written in the May 16, 2002 Livingston County News.

The County Administrator stated the presentation today shall consist of Todd Liebert and Michele Trott of Clark Patterson Associates who will make a presentation on the building design; and Mark Balling and Kyle Tuttle of Bovis Lend Lease, the construction managers, who will review construction costs; Cathy Angelone of Rotenberg & Company LLP, a CPA firm, will review the financial impact; Frank Bassett, Director of Long-Term Care will discuss the programmatic and staff issues; and then the Board will be apprised of the next steps in this process. The County Administrator thanked the Board for their attendance today which shows their interest and support in the project and for the citizens of Livingston County.

The County Administrator introduced Todd Liebert of Clark Patterson Associates who thanked the Board for coming today to this Special meeting.

Todd Liebert presented a power-point presentation reviewing the following:

- Project Justification - review of concerns of current facilities.
- Project History – culmination of a 20 month effort
- Project Goals – Objectives
- Site Plan – features, culmination of several studies
- Floor Plans – Third Floor, explanation of household concept; Second Floor, First Floor, concentrated on the function of the units at this point, need to determine administrative area at a later date, Ground Floor,
- Household Plan – quality of life issue
- Preliminary design of the entry way of the new facility.
- Bed Configuration – currently we have significant number of rooms triple and quad that the state would not allow today
- Project Scope – replacement facility composed of 266 beds each household is 24 beds with a unit being 48 beds. There are 11 households with two specialized units One 24 bed dementia unit Third Floor and one 26 bed transition care unit (ground level and two terminate care suites and two respite beds, and one adult day care with 15 registrants.
- Project Schedule – Board approval 6/12, complete CON and submit to DOH 6/14 and CON Approval October 2002

Todd Liebert asked if the Board had any questions regarding the architectural components.

Conesus Supervisor Witte questioned if there had been a conscious effort to minimize the removal of the pine trees on the Campus in the area where the new nursing home will be located. T. Liebert responded the engineers are trying to find the flattest part of the site and remove as little trees as possible. Mr. Witte also asked whether there was any thought of using the existing heating plant. T. Liebert responded that the CON process requires a stand alone heating system. There have been discussions of the positives and negatives of utilizing the existing heating plant and the possibility of installing a co-generation system. In addition, Mr. Witte asked if consideration has been given to the changing requirements of hospice, respite and dementia units and if the facility will be able to adapt. T. Liebert explained that the household style allows for closure and/or change depending on the need.

Ossian Supervisor Martello asked if beds could be added to the existing 15 beds for the adult day care. The current program consists of 15 beds and on an average the utilization of the program consists of 8 beds.

The County Administrator introduced Mark Balling of the construction management firm Bovis Lend Lease to review the construction costs.

Mark Balling stated that now that there is a preliminary design of the new nursing facility, cost estimates were able to be developed, and they were able to reduce the overall square footage even though the bed count had increased. M. Balling reviewed the detailed budget summary and schedule (on file). The estimates are based on the mechanics standing alone and not connected with the existing facility. There has been discussion of investigating the possibility of using co-generation. The goal is to build within the caps. The budget is based on the worst case scenario with a 10% contingency. The County Administrator explained the importance of the 10% contingency which provides some flexibility for the project to move forward without setbacks and then have to come back to the Board for additional funding. The budget is still within the caps and the goal is to get as close to the caps without going over. M. Balling stated that construction is expected to begin October 2003 providing the CON is approved in October 2002. There are some advantages of beginning the project prior to the CON approval to get a six month jump start on the construction season.

The County Administrator began explaining the financial analysis and reviewed the CON Revenue and Expenses prepared by Rotenberg & Company LLP, in the absence of Cathy Angelone (on file). Overall, there will be a \$2.2 million deficit on an annual basis. He commented that the County will be eligible for Medicaid rebasing which allows us to recover the higher health insurance, retirement and wage costs which are inherent to publicly-operated nursing facilities, and given the fact that the IGT funding will not be available, this will be a huge financial benefit. The County Administrator commented that if we continue to maintain the operations of the current facilities, there would also be a \$2.2 million deficit. He stated that the State Budget did not change anything to benefit counties, and he referred to an editorial in the Democrat & Chronicle. He reassured the Board that the Finance & Administration Committee has reviewed these numbers and they are aware that there will be an annual subsidy. The County Administrator, as Chief Budget Officer, stated he intends to recommend to issue full General Obligation Bonds to pay the debt. The State requires 10% equity for the project, however, being a public facility, it is likely that they will waive this requirement.

The County Administrator reminded the Board that the County has 78% of the nursing home beds in the County and it has been the commitment of the county to take care of our own and to continue to provide quality care. This project will insure this goal over the next 25-30 years. The County Administrator commented that it is part of our obligation to raise the money necessary to take care of our elderly.

The County Administrator closed by saying that the County's credit rating and surplus are good, and we are ready to move forward with this project. He asked the Board if they had any questions.

Livonia Supervisor Wahl asked if enrollment declines, what is the plan. The County Administrator commented that we will be able to shut down a household and reconfigure the staffing.

Caledonia Supervisor Layland confirmed that the amount of money we are losing will continue to rise if we remain at the current base rate.

The County Administrator commented that we have to remember that some of the residents' rooms are set up as triples and quads and the state has been good at understanding our limitations, however, he is not sure how they would react if we did not build a new facility. The State may force us to do things that are not cost effective.

Cathy Angelone of Rotenberg & Company LLP entered.

Ossian Supervisor Martello asked what are the projections for 2005 and why were the numbers developed on figures to date. The County Administrator referred to Cathy Angelone to make a few comments.

Cathy Angelone responded that the \$2.2 million loss is fairly accurate and explained that the current trend factor was used to project expenses. She stated that it is obvious that the federal government will have to do something over the next few years or public facilities will suffer.

Mt. Morris Supervisor Olverd stated that he thought the maintenance costs would go down instead of increase. Cathy Angelone explained that they tried to be conservative estimating the insurance and utility costs.

Mt. Morris Supervisor requested a copy of the staffing plan.

Ossian Supervisor Martello questioned why the beauty and barber expense is cut considerably. The County Administrator responded that these services, as well as the pharmacy services, will be contracted.

Nunda Supervisor Brooks questioned why we used 25 years as useful life for the depreciation schedule. F. Bassett explained that certain components have a shorter depreciation schedule and this was used as the average.

The County Administrator asked Frank Bassett, Director of Long-Term Care, to come forward to discuss programming.

Frank Bassett commented that this day has been a long time coming. Work began in 1997, looking at the nursing facility buildings and their deficiencies. He commended the Health Committee and the County Administrator for their leadership, and acknowledged both Administrators Paul Kesselring and Keith Chambery. He stated that approximately 60 staff members have toured the Fairport Baptist Nursing Home and several meetings have been held with Bovis Lend Lease and Clark Paterson to discuss the square footage in order to keep this project below the caps but still maintain the quality of life and environment that is necessary. He acknowledged Former Conesus Supervisor Donna Avery for her efforts in establishing a hospice room in the Campus facility. The total project cost is \$38,000,000. F. Bassett explained that the existing furniture has been reviewed to determine what can be used and what will be depreciated by 2005. Lift equipment will be available throughout the facility to eliminate the need to lift any resident.

Frank Bassett restated that Livingston County provides 78% of the nursing home beds in the County and out of 1,110 admissions, 501 were discharged back to their own homes as result of transitional care units. This new model provides an opportunity to have specialized services and also it will accommodate change. He explained how the household design provides an opportunity for the residents to step out of their room and into a living room to enjoy the company of other residents. He stated that staff will have an air-conditioned environment and will continue to provide quality care. He believes this is a wonderful model, and he was appreciative for the chance to participate in this project and thanked the Board for supporting this project.

Frank Bassett referenced the narrative report made to the NYS Department of Health (on file). He stated that the County of Livingston has a legacy of providing care to the indigent since 1829, and he looks forward to seeing this project to fruition and thanked the Board for the attention. Frank Bassett acknowledged Planning Director David Woods in guiding us through the SEQRA process.

Chairman Merrick asked if any Board member had any comments.

Geneseo Supervisor Kennison stated that since the December 19, 2001 Board of Supervisors meeting, he has found this process to be open and fair and all his questions have been answered. He stated he believes that all the Supervisors should be enthusiastically supportive.

Mt. Morris Supervisor Olverd commented that the design definitely fits the site and setting on the Campus, and he likes the household design.

Caledonia Supervisor Layland reminded the Board of Supervisors that in 1990, we were losing about \$800,000 a year and, we are doing a better job caring for the elderly and that is what is most important.

Springwater Supervisor Walker stated the public is becoming aware that this project is moving forward, and we can continue to educate the public to gain support. He stated he is looking forward to a new facility.

Vice Chairman/Leicester Supervisor Moore stated he thought the plan looks good and is in favor of the new facility.

Caledonia Supervisor Layland reminded the Board of Supervisors that the Board did consider privatizing the nursing facilities back in the early 1990's, and the private sector did not want to takeover the facilities due to their size.

The County Administrator stated that when we announced that the County was moving forward with the CON process, the County had conversations with private sector providers and clearly there was not interest to take over the facilities.

Livonia Supervisor Wahl commended those Supervisors and the team that have been working on this project and stated that the presentation was well done.

Chairman Merrick thanked the project team and stated that he did not intend to forget anyone that has worked on this project. He extended special thanks to the Board of Supervisors for moving forward with this project.

The County Administrator stated that the next step is to present the proposed resolutions (on file) to the Central Services and Finance & Administration Committee the first week of June. The title of the resolutions are as follows:

- Authorizing the Chairman of the Livingston County board of Supervisors to Submit Certificate of Need Application to the New York state department of Health
- Declaring Intent to Fund Replacement Nursing Facility Operations

The resolutions will then be presented at the June 12th Board meeting. The Central Services Committee will need to determine how they will conduct the RFP process for the engineering firm and if they desire to move forward with the detailed design prior to formal Department of Health approval, we could be ahead of the construction season by six months. The Finance & Administration Committee will have to make determinations to offset future deficits. The County Administrator thanked everyone for attending the meeting.

Chairman Merrick asked if anyone had any further questions. There were none.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Walker to adjourn until Wednesday, June 12, 2002 at 1:30 p.m. Carried.

The Board adjourned at 3:03 p.m.

REPORT OF THE SUPERVISORS' PROCEEDINGS
REGULAR BOARD MEETING
WEDNESDAY, JUNE 12, 2002
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.

APPROVAL OF MINUTES

The minutes of 5/22/02 Regular Meeting and 5/29/02 Special Meeting were approved as presented.

COMMUNICATIONS

1. Inter-County Association of Western New York meeting to be held on June 21, 2002 in Cattaraugus County at Sprague's Maple Farms, Portville, New York. Registration at 9:30 a.m.
PROGRAM: Tom Livak, Director/Terry Martin, Chief Planner, Department of Economic Development, Planning & Tourism Smart Development for Quality Communities
2. GLOW Region Solid Waste Management Committee 2001 Fiscal Audit
3. Letter from Senator Dale M. Volker regarding his support for Senate Bill 6182B which excludes drivers of utility trucks from operating vehicles for a period of time prescribed by the Commissioner of Transportation.
4. 2001 Space Occupancy Cost Analysis prepared by Jack Venesky, C.P.A.
5. Acknowledgement from Assemblyman Daniel J. Burling regarding request to support to a bill that amends the Transportation Law excluding drivers of utility trucks from hours of service regulations prescribed by the Department of Transportation.
6. Notification from the New York State Office of Parks, Recreation and Historic Preservation that the Williamsburg Cemetery, Abel Road, Town of Groveland has been considered for nomination to the National and State Registers of Historic Places.
7. Notification from the New York State Office of Parks, Recreation and Historic Preservation that the First Presbyterian Church of Tuscarora, Tuscarora, New York, Town of Mt. Morris has been considered for nomination to the National and State Registers of Historic Places.
8. The June 19, 2002 Highway & Public Works meeting will be held at Hampton Corners at 8:00 a.m. A Highway Tour of the northern part of the County will be conducted immediately after the meeting.

RESOLUTION NO. 2002-219. APPROVING ABSTRACT OF CLAIMS #6A – JUNE 12, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #6A dated June 12, 2002 in the total amount of \$1,911,739.71.

Dated at Geneseo, New York

June 12, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

WELCOME TOWN HIGHWAY SUPERINTENDENTS

Chairman Merrick welcomed the Town Highway Superintendents that were in attendance.

PRIVILEGE OF THE FLOOR

1. Tom Pearson, P.E., Regional Water Engineer, NYSDEC Region 8, was invited to discuss Phase II Stormwater Regulations.

T. Pearson thanked the Board of Supervisors for inviting him to the meeting, and he commented that he was glad to see some Town Highway Superintendents in attendance.

T. Pearson commented that erosion and sedimentation causes the need to rebuild roads and damages the aquatic habitats and contaminates the drinking water. Deposition causes infrastructure damage and costly repairs. The new Phase II Stormwater regulations will require Town and County Highway Departments to implement erosion and sediment control measures when doing road work. T. Pearson encouraged the municipalities to develop a long-term plan.

Livonia Supervisor Wahl asked what entity will be enforcing these regulations. T. Pearson commented that NYSDEC will not be getting any new staff and stated he envisions that the Code Enforcement Officers will be monitoring these regulations.

Geneseo Supervisor Kennison asked whether NYSDOT had to abide by these new regulations. T. Pearson stated they will have to abide by these new regulations, and the NYSDOT has hired nine new people to monitor the storm sewer systems.

The permits will be out for public review within the next 30 days. Permits must be applied for by 3/10/03.

Livonia Supervisor Wahl stated that the Towns should probably begin the process of adopting a local erosion law.

T. Pearson asked if the Town Highway Superintendents had any questions. The question was asked as to how these new regulations affect farmers and if there was any regulation to keep them 25 feet away from the ditches to avoid the highway departments of having to go back and repair the ditch that they may have already dredged. T. Pearson recommended that the Highway Department follow the best management practices to avoid municipality liability.

T. Pearson thanked the Board for Privilege of the Floor. Chairman Merrick thanked him for his presentation.

PREFERRED AGENDA

RESOLUTION NO. 2002-220. APPOINTING MEMBER TO THE LIVINGSTON COUNTY COMMUNITY SERVICES BOARD - FITZPATRICK

RESOLVED, that the following member is hereby appointed to the Livingston County Community Services Board to fill the unexpired term of Elizabeth Hall expiring December 31, 2005:

Daniel Fitzpatrick, 6 Rorbach Lane, Geneseo, New York 14454

Dated at Geneseo, New York

June 12, 2002

Health Committee

RESOLUTION NO. 2002-221. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY YOUTH BOARD – ROUNSVILLE, CLANCY

RESOLVED, that the Livingston County Board of Supervisors hereby approves the appointment of Alise Rounsville of 5491 Carney Road, Dansville, NY 14437 to the Livingston County Youth Board representing the Town of Sparta to serve a term commencing June 1, 2002 and expiring August 31, 2004, and be it further

RESOLVED, that the Livingston County Board of Supervisors hereby approves the appointment of Debbie Clancy of 958 Main Street, Hunt, NY 14846 to the Livingston County Youth Board representing the Town of Portage to serve a term commencing June 1, 2002 and expiring August 31, 2003.

Dated at Geneseo, New York

June 12, 2002

Intergovernmental Affairs Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Layland and seconded by Mr. Wahl to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 2002-222. DECLARING INTENT TO FUND REPLACEMENT NURSING FACILITY OPERATIONS

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

WHEREAS, New York State Department of Health, Division of Financial Analysis, requires the Livingston County Board of Supervisors to submit as an exhibit to the Full Review Certificate of Need, evidence of the County's intention to provide the transfer of funds and donated services necessary to support the operation of the replacement nursing facility, and

WHEREAS, the Livingston County Board of Supervisors, pursuant to Res. No. 2001-435 adopted on December 19, 2001, authorized the consolidation of the existing county-operated nursing homes to a new facility to be constructed at the Livingston County Campus in the Town of Mt. Morris, New York, and

WHEREAS, the Livingston County Board of Supervisors has been apprised of the operating deficits projected to result from the construction and operation of said replacement nursing facility, and upon approval of the Certificate of Need by the New York State Department of Health and upon completion of the State Environmental Quality Review process commits to support said project and deficit by means of budgetary appropriations, operating transfers, and donated services, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized and directed to submit a copy of this resolution in support of the Full Review Certificate of Need application to the New York State Department of Health for replacement and consolidation of the county-operated nursing homes at the Livingston County Campus in the Town of Mt. Morris, New York.

Dated at Geneseo, New York

June 12, 2002

Finance & Administration Committee

Health Committee

Central Services

Mr. Layland stated that this resolution has been approved by three Committees with the intent to move forward on this project. Mr. Olverd concurred with Mr. Layland. Mr. Walker stated that the County would have the same deficit if we didn't build a new facility.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 2002-223. AUTHORIZING TRANSFER OF FUNDS – PUBLIC HEALTH

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

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

Dated at Geneseo, New York

June 12, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 2002-224. AMENDING 2002 COUNTY BUDGET – OFFICE FOR THE AGING

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

WHEREAS, revenue from the Federal government has been received, it is hereby

RESOLVED, that the 2002 Office for the Aging Budget be amended as follows:

Increase Revenue Account

A6777.4772 Federal Revenue \$12,595.94

Increase Appropriation Accounts

A6777.1950 Temporary Services \$2,797.00

A6777.8100 FICA	\$106.00
A6777.4020 Travel	\$1,192.94
A6777.2050 Office Machines	<u>\$8,500.00</u>
	\$12,595.94

Dated at Geneseo, New York
June 12, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 2002-225. APPROVING THE TOWN OF LEICESTER ECONOMIC DEVELOPMENT INFRASTRUCTURE PROJECT AND AUTHORIZING THE COUNTY TREASURER TO INCREASE CAPITAL PROJECTS INFRASTRUCTURE ACCOUNT FOR SEWER IMPROVEMENTS IN THE TOWN OF LEICESTER

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

WHEREAS, the Finance & Administration Committee of the Livingston County Board of Supervisors has reviewed and recommended the Town of Leicester Economic Development Infrastructure Project, it is hereby

RESOLVED, that the Livingston County Board of Supervisors approves said project as proposed, and be it further

RESOLVED, that the Livingston County Board of Supervisors directs the County Attorney and County Administrator to prepare any necessary agreements and budgetary appropriations for the implementation of this project:

Town of Leicester Sewer Line Extension

Name of Project:	Town of Leicester Line Extension
Project Type:	Town Sponsored
Applicant:	Town of Leicester
Municipal Sponsor:	Town of Leicester
Project Description:	Construction of sewer line to include Seneca Foods, Parkside Restaurant and Mint Mobile Home Park
Project Financing Requested:	\$100,000
Other Funds Committed or Leveraged:	\$400,000 – Small Cities grant
	\$170,000 – User Charges
	\$100,000 - Livingston County

and it is further

RESOLVED, that the Livingston County Board of Supervisors, upon completion of any necessary agreements, does hereby authorize the County Treasurer to increase Capital Projects H6989.2900 Infrastructure Projects in the amount of \$100,000 from H6989.5031 Transfer from the General Fund Economic and Infrastructure Reserve for sewer improvements for the Town of Leicester, and it is further

RESOLVED, that the Livingston County Board of Supervisors, upon completion of any necessary agreements, hereby authorizes and directs the County Treasurer to remit to the Town of Leicester \$100,000 representing the County=s share of sewer improvements for the Town of Leicester.

Dated at Geneseo, New York
June 12, 2002

Finance & Administration Committee

Mr. Layland stated that this project is similar to the project in the Town of York. Mr. Moore stated that Seneca Foods is the largest beet processing plant in the world. This project will provide the opportunity for the firm to winterize its facility and operate 12 months out of the year.

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 2002-226. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SUBMIT CERTIFICATE OF NEED APPLICATION TO THE NEW YORK STATE DEPARTMENT OF HEALTH

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

WHEREAS, New York State Department of Health regulations require the submission of a Full Review Certificate of Need for all projects exceeding \$10,000,000, and

WHEREAS, the Livingston County Board of Supervisors pursuant to Res. No. 2001-435 adopted on December 19, 2001, authorized the consolidation of the existing county-operated nursing homes at the Livingston County Campus in the Town of Mt. Morris, New York, and

WHEREAS, the Livingston County Board of Supervisors pursuant to Res. No. 2002-049 adopted on January 23, 2002, authorized a contract with the firm of Rotenberg & Company LLP of 1870 Winton Road South, Rochester, New York 14618, for the preparation of a Certificate of Need, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized and directed to submit a Certificate of Need application to the New York State Department of Health for replacement and consolidation of the county-operated nursing homes in a new facility to be constructed at the Livingston County Campus in the Town of Mt. Morris, New York.

Dated at Geneseo, New York

June 12, 2002

Health Committee

Finance & Administration Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

Chairman Merrick explained that each resolution is discussed at length at the committee level with approximately 7-10 Supervisors present, and he wanted to be sure the public was aware of this.

RESOLUTION NO. 2002-227. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN VARIOUS CONTRACTS FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: (1) NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS FOR PETROLEUM QUALITY TESTING PROGRAM-WEIGHTS AND MEASURES; (2) HEALTH RESEARCH, INC. FOR PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM; (3) TOWN OF CONESUS FOR DOG CONTROL SERVICES; (4) VILLAGE OF LIVONIA FOR DOG CONTROL SERVICES; (5) TOWN OF LIVONIA FOR DOG CONTROL SERVICES; (6) RUSH INTER PET, INC. FOR PROFESSIONAL ANIMAL DISPOSITION SERVICES; (7) HOME AND HEALTH CARE SERVICES FOR CHHA HOME HEALTH AIDE SERVICES; (8) NEW YORK STATE DEPARTMENT OF HEALTH FOR GENESEE VALLEY HEALTH PARTNERSHIP RENEWAL; (9) NEW YORK STATE DEPARTMENT OF HEALTH FOR TOBACCO CONTROL AND INSURANCE INITIATIVES

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

	CONTRACT TERM
New York State Department of Agriculture and Markets Of 1 Winners Circle, Albany, New York 12235 for Petroleum Quality Testing Program-Weights and Measures C010083-Amendment	4/1/02 to 3/31/03
Health Research, Inc. Of One University Place, Rensselaer, NY 12144-3455 For Public Health Preparedness and Response to Bio-terrorism #1617-01-New Contract	5/1/02 to 8/31/03
Town of Conesus Of 6210 South Livonia Rd., Box 188, Conesus, NY 14435 For Dog Control Services-Renewal	1/1/02 to 12/31/02
Village of Livonia Of 36 Commercial Street, Livonia, NY 14487 For Dog Control Services-Renewal	1/1/02 to 12/31/02
Town of Livonia Of 35 Commercial Street, PO Box 43, Livonia, NY 14487 For Dog Control Services-Renewal	1/1/02 to 12/31/02
Rush Inter Pet, Inc. Of 139 West Rush Road, West Rush, NY 14543 For professional animal disposition services-Renewal with rates unchanged	2/1/02 to 12/31/02

Home and Health Care Services

Of 137 Chemung Street, Corning, New York 14830

For CHHA Home Health Aide Services-Renewal with rates unchanged

1/1/02 to 12/31/02

New York State Department of Health

Of Room 1119, Corning Tower, ESP, Albany, NY 12237

For Genesee Valley Health Partnership Renewal

4/1/02 to 12/31/02

New York State Department of Health

Of Room 515, Corning Tower, ESP, Albany, NY 12237

For Tobacco Control and Insurance Initiatives Contract Renewal (C016525)

6/1/02 to 5/31/03

Dated at Geneseo, New York

June 12, 2002

Health Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 2002-228. AUTHORIZING THE CHAIRMAN TO SIGN A QUIT CLAIM DEED AND RELATED DOCUMENTS TO TRANSFER A PARCEL ON WEST LAKE ROAD – VERBLAW, TOWN OF GENESEO

Mr. Moore 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 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:

Mildred Verblaw

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Geneseo, County of Livingston and State of New York, bounded and described as follows:

Commencing at an iron pin set on the centerline of Old West Lake Road, said point being 242.80 feet southerly from the North line of town lot 111 as measured along the centerline of Old West Lake Road, said point also being the Northeast corner of lands conveyed to the Mildred Verblaw Revocable Trust by Deed recorded in Liber 896 of Deeds at page 247; thence

- 1) N 73° 50' 41" W a distance of 25.02 feet to an iron pin set on the East highway line of New West Lake Road, a/k/a New York State Route 256; thence
- 2) N 18° 46' 49" E along the East highway line of New West Lake Road a distance of 25.54 feet to an iron pin set; thence
- 3) S 80° 33' 11" E a distance of 25.32 feet to a point, said point being in the centerline of Old West Lake Road; thence
- 4) S 18° 46' 22" W along the centerline of Old West Lake Road, also being the West line of Verblaw, a distance of 28.50 feet to the point of beginning.

This conveyance is made and accepted subject to such grants, easements, reservations, covenants, agreements and restrictions of record in the Livingston County Clerk=s Office, as may pertain to or affect the above described premises.

Dated at Geneseo, New York

June 12, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes - 1,785; Noes - 0; Absent - Davis, 29; Adopted.

OTHER BUSINESS.

1. Chairman Merrick announced that Portage Supervisor Ivan Davis fell and broke three ribs.

2. Geneseo Supervisor Kennison recognized former Conesus Supervisor Donna Avery in attendance as she continues to follow the new nursing home facility project.
3. The County Administrator thanked everyone for their time and attention to the new nursing home project and commented that today is the beginning of a long road ahead. Chairman Merrick also thanked everyone for their efforts and acknowledged former Conesus Supervisor Donna Avery for her involvement in the project.
4. Caledonia Supervisor Layland commented that he had enclosed a revised statistical estimate in regard to the sales tax portion versus property tax as revenue for the nursing home project in the board packet. If a Supervisor has any questions, they can contact Mr. Layland.

ADJOURNMENT

Motion made by Mr. Mahus and seconded by Mr. Schuster to adjourn until Wednesday, June 26, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:18 p.m.

**SPECIAL BOARD MEETING
WEDNESDAY, JUNE 17, 2002
9:00 A.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Moore, Olver, Walker and Deming.

The Pledge of Allegiance.

PURPOSE OF THE MEETING:

To request the State Legislature to adopt legislation authorizing the County to impose an additional 30¢ surcharge to wireless phone bills.

DISCUSSION

The County Administrator explained that if the State authorizes legislation for the County to impose a 30¢ additional surcharge on wireless phone bills it will be worth approximately \$20,000 to \$25,000 in revenue to the County. This figure resulted from estimating that 25% of the 24,000 land lines totaling approximately 6,000 cellular phones would be subject to the surcharge.

The County Administrator stated that Sheriff York has compiled some information, and he is here to explain the need to impose this additional surcharge.

The County Administrator stated that we do have an Assembly Bill number; however, we are awaiting a number from the Senate. He encouraged the Board to adopt the resolution with the intent that the Bill numbers will be added later.

Mr. Walker entered.

Sheriff York thanked the Board of Supervisors for attending this special meeting.

Sheriff York distributed background information regarding the service and cost of operating the 911 center, and the impact of imposing the 30¢ additional surcharge to wireless phone bills (on file). Sheriff York commented that this surcharge is needed to offset the operations of the 911 center and encouraged the Supervisors to contact the Assemblymen and Senators to let them know that it is important that the State legislation is adopted.

Sheriff York explained that the State has adopted legislation to impose an additional 70¢ surcharge in addition to the current 35¢ surcharge; however, the counties will not receive any of this revenue. The State has authorized counties to request a Home Rule Message for the State Legislature to prepare a bill, and Sheriff York encouraged the Board to adopt the resolution requesting a Home Rule Message.

Portage Supervisor Davis questioned where a cellular emergency call to 911 would be directed if a person was calling from the NYS Thruway. The Sheriff stated that all Thruway calls are directed to Albany. The Sheriff explained that technology is changing in order for the 911 center to know the location of the cellular phone.

The County Administrator stated that the State must adopt legislation to allow us to do this and the Session of the Legislature is expected to close on Thursday, June 20, 2002.

Sparta Supervisor Schuster asked if we get authorization to impose this 30¢ surcharge, is the County assured that we will get this revenue. The County Attorney responded that if the Legislature authorizes us to impose the surcharge, the Board of Supervisors will have to conduct a Public Hearing and adopt a Local Law. Once the Local Law is filed with the State, the County will inform the cellular companies that they must collect the 30¢ surcharge and remit the revenues directly to the County.

The County Administrator explained the wireless communications service supplier is entitled to retain, as an administrative fee, an amount equal to 2% of its collections of a surcharge imposed. He stated that we are expecting that the surcharge will be derived by using the billing address of the cell phone user.

The County Administrator encouraged the Board of Supervisors to adopt the proposed resolution.

Chairman Merrick commented to keep in mind this is the first step of this process and we may or may not be authorized to move forward.

The County Administrator commented that information received from Albany indicates that the legislative opportunity to impose this additional surcharge may not be available next year.

Sheriff York stated that Senator Volker and Assemblyman Errigo are the legislators that will be introducing the bill for the County.

RESOLUTION NO. 2002-229. REQUESTING THE NEW YORK STATE SENATE AND THE NEW YORK STATE ASSEMBLY TO ADOPT LEGISLATION AUTHORIZING THE COUNTY OF LIVINGSTON TO IMPOSE A SURCHARGE ON WIRELESS COMMUNICATION DEVICES

WHEREAS, a bill has been introduced in the New York State Senate (S7634) and the New York State Assembly (A11722) to amend the County Law by adopting legislation authorizing the County of Livingston to impose a surcharge on wireless communication devices, and

WHEREAS, the Livingston County Board of Supervisors must make a Home Rule Request requesting the New York State Senate and the New York State Assembly to enact this special law, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors request that the New York State Legislature adopt Senate Bill S7634, Assembly Bill A11722, amending the County Law by adopting legislation authorizing the County of Livingston to impose a surcharge on wireless communication devices, and, be it further

RESOLVED, that the Chairman of the Board of Supervisors and the Clerk of the Board of Supervisors are authorized to file the appropriate Home Rule Request with the New York State Senate and the New York State Assembly.

Dated at Geneseo, New York

June 17, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes – 1,504; Noes – 0; Absent – Moore, 70; Olverd, 147; Deming, 111; Total 328; Adopted.

ADJOURNMENT

Motion made by Mr. Wahl and seconded by Mr. Davis to adjourn until Wednesday, June 26, 2002 at 1:30 p.m. Carried.

The Board adjourned at 9:26 a.m.

**REGULAR BOARD MEETING
WEDNESDAY, JUNE 26, 2002
1:30 P.M.**

The Board met pursuant to adjournment.

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

The Pledge of Allegiance.

MINUTES

Minutes of 6/12/02 Regular Board Meeting were approved as presented.

COMMUNICATIONS

1. Notice of Claim in the matter of Timothy A. Sauerbier versus the County of Livingston and the Livingston County Mental Health Services.
2. Notification from Assemblyman Daniel J. Burling regarding the designation of six new Empire Zones
3. Copy of letter from Senator Dale M. Volker to the NYS Department of Health strongly supporting the Certificate of Need application.
4. Letter from Assemblyman Daniel J. Burling regarding the Home Rule Request to impose a surcharge on wireless communication devices.
5. Letters from Senator Patricia K. McGee and Assemblymen Brian M. Kolb and Daniel J. Burling regarding the resolution that relates to the payment to certain employees who are injured or taken ill in the performance of their duties.
6. Letters from Senator Dale M. Volker and Assemblymen Brian M. Kolb and Joseph A. Errigo regarding the resolution to support legislation to exclude drivers of utility trucks from hours of service restrictions.
7. Letters from Assemblymen Daniel J. Burling and Joseph A. Errigo regarding the County's request to have the State Legislature introduce legislation to authorize the County to impose a surcharge on wireless phone bills.
8. Letter from Assemblyman Daniel J. Burling regarding a letter of support to the Department of Health for the Certificate of Need application for the new nursing facility.
9. Management Letter and General Purpose Financial Statements for Year Ended December 31, 2001 prepared by Raymond F. Wager, CPA, P.C.

INTRODUCTION OF LOCAL LAW

LOCAL LAW NO. B – 2002 – A LOCAL LAW UPDATING APPORTIONMENT FOR THE LIVINGSTON COUNTY BOARD OF SUPERVISORS ON A WEIGHTED VOTE BASIS

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

SECTION 1. The Livingston County Board of Supervisors having heretofore enacted local laws implementing adjusted weighted voting plans for simple majority and two-thirds majority votes, and since those enactments the 2000 Federal census has been completed, the Livingston County Board of Supervisors has prepared revised plans utilizing the said census figures.

SECTION 2. The apportionment of the voting strength of each of the members of the Livingston County Board of Supervisors as determined by utilization of the 2000 Federal census shall be as follows upon any vote requiring a simple majority vote:

TOWN	NUMBER OF VOTES	VOTING POWER
Avon	175	10.05
Caledonia	126	7.10
Conesus	66	3.65
Geneseo	247	15.00
Groveland	107	5.99
Leicester	64	3.54
Lima	125	7.05

Livonia	195	11.34
Mt. Morris	126	7.10
N. Dansville	157	8.94
Nunda	84	4.68
Ossian	21	1.16
Portage	24	1.33
Sparta	46	2.52
Springwater	65	3.60
W. Sparta	34	1.93
York	90	5.01
Total	1752	100.00

A total of 877 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a simple majority vote.

SECTION 3. The apportionment of the voting strength of each of the members of the Livingston County Board of supervisors as determined by utilization of the 2000 Federal census shall be as follows upon any vote requiring a two-thirds majority vote.

<u>TOWN</u>	<u>NUMBER OF VOTES</u>	<u>VOTING POWER</u>
Avon	183	10.04
Caledonia	129	7.12
Conesus	66	3.66
Geneseo	289	14.98
Groveland	108	5.98
Leicester	65	3.59
Lima	128	7.04
Livonia	206	11.30
Mt. Morris	129	7.12
N. Dansville	162	8.90
Nunda	85	4.70
Ossian	21	1.16
Portage	24	1.33
Sparta	45	2.51
Springwater	65	3.59
W. Sparta	36	1.94
York	90	5.04
Total	1831	100.00

A total of 1221 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a two-thirds majority vote.

SECTION 4. Any local law, ordinance, resolution or other act to the extent inconsistent herewith shall be superseded by this Local Law.

SECTION 5. If any clause, sentence, paragraph or section of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or section thereof directly involved in the preceding in which such adjudication shall have rendered.

SECTION 6. This Local Law shall become effective upon the date it is filed in the office of the Secretary of State.

SECTION 7. This Local Law is subject to a permissive referendum.

Dated at Geneseo, New York
June 26, 2002 (Introduction)

County Attorney David Morris explained that the proposed local law outlines the new reapportionment for weighted votes based upon the 2000 census. The County Attorney stated that the final report prepared by Professor Lee Papayanopoulos indicated several different proposals, and the Finance and Administration Committee recommended

the proposed total weighted votes for simple majority to be 1,752 and for 2/3 majority to be 1,831 both having low discrepancy rates. The proposed 2/3 weight vote is almost identical to the current 1,832. The current reapportionment of weighted vote does include group population from SUNY Geneseo, Elim Bible School and Groveland Correctional Facility which were excluded in the 1992 reapportionment.

Mr. Layland, Chairman of Finance & Administration Committee, concurred with David Morris, and explained that Mt. Morris and Caledonia have identical census figures and some of the plans did not reflect the same numbers for these two towns. He confirmed that the Committee determined the best scenario for all involved.

The County Attorney stated this local law will lay over until the next board meeting to be held on July 10th.

Mr. Davis stated the last time the Board changed the weighted vote they did not include the group populations, and he wondered if there was any law requiring us to include them at this time. The County Attorney stated there was an opinion from a case from the Court of Appeals indicating that in their opinion excluding the group population was not appropriate. This case was explained to the Committee and this is the reason why the group population was included.

RESOLUTION NO. 2002-230. APPROVING ABSTRACT OF CLAIMS #6B – JUNE 26, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #6B dated June 26, 2002 in the total amount of \$1,775,598.85.

Finance & Administration Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

PREFERRED AGENDA

RESOLUTION NO. 2002-231. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. B - 2002

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on June 26, 2002, a proposed Local Law entitled Local Law No. B – 2002 A Local Law Updating Apportionment For The Livingston County Board Of Supervisors On A Weighted Vote Basis, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 10th day of July, 2002 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

June 26, 2002

Finance & Administration Committee

RESOLUTION NO. 2002-232. APPOINTING MEMBER TO THE BOARD OF THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY – SAWYER

RESOLVED, that the following individual be appointed to the board of the Livingston County Water and Sewer Authority for a term to expire on December 31, 2004:

John Sawyer of 5244 Booher Hill Road, Geneseo, New York 14454

Dated at Geneseo, New York

June 26, 2002

Highway & Public Works Committee

RESOLUTION NO. 2002-233. APPOINTING MEMBER TO THE LIVINGSTON COUNTY YOUTH BOARD – RAUBER

RESOLVED, that the Livingston County Board of Supervisors hereby approves the appointment of Diane Rauber of 10912 McCurdy Road, Dansville, New York 14437 to the Livingston County Youth Board representing the Town of Ossian to serve a term commencing June 1, 2002 and expiring August 31, 2003.

Dated at Geneseo, New York

June 26, 2002

Intergovernmental Affairs Committee

RESOLUTION NO. 2002-234. APPOINTING MEMBER TO LIVINGSTON COUNTY PLANNING BOARD - ERDLE

RESOLVED, that the Sue Erdle of 4815 Stoner Hill Road, Dansville, New York 14437 is hereby appointed to the Livingston County Planning Board to represent the Town of West Sparta for a term to expire December 31, 2002.

Dated at Geneseo, New York

June 26, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-235. DESIGNATING THE FINGER LAKES ASSOCIATION, INC. AS THE OFFICIAL TOURISM PROMOTION AGENCY

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 2003, 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.

June 26, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-236. PROVIDING FOR PUBLIC HEARING TO CONSIDER PUBLIC COMMENT ON THE COUNTY'S PROPOSAL TO SUBMIT AN APPLICATION FOR SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDGB) FOR COMMODITY RESOURCE CORPORATION

RESOLVED, that the Livingston County Board of Supervisors hereby schedules a public hearing to be held on Wednesday, July 10, 2002 at 1:35 PM in the Board of Supervisors Assembly Room, Livingston County Government Center, Third Floor, Geneseo, New York, with the purpose of said hearing to consider public comment on the County's proposal to submit an application for Small Cities Community Development Block Grant (CDBG) assistance in the amount of \$330,000 to support the establishment of an agricultural feed processing operation in the Town of Caledonia, to be known as Commodity Resource Corporation 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

June 26, 2002

Legislative & Agricultural Affairs Committee

PREFERRED AGENDA VOTE

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

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

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-237. AUTHORIZING TRANSFER OF FUNDS – OFFICE FOR THE AGING

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

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

Dated at Geneseo, New York

June 26, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-238. AMENDING 2002 COUNTY BUDGET – OFFICE FOR THE AGING

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

RESOLVED, that the County Treasurer is authorized and directed to make the requested budget amendments per the Budget Amendment 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 26, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-239. AUTHORIZING THE OFFICE FOR THE AGING TO ACCEPT A DONATION FROM THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH TASTE OF LIVINGSTON COUNTY

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

RESOLVED, that the Livingston County Board of Supervisors authorizes the Office for the Aging to accept a donation from the Livingston County Department of Health Taste of Livingston County for the Home Delivered Meals Program in the amount of Two Thousand Dollars (\$2,000), and be it further

RESOLVED, that Revenue Account A.6774.4772 Title III C 2 Home Delivered Meals Program donations be increased by \$2,000.

Dated at Geneseo, New York

June 26, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-240. APPROPRIATING MONEY TO THE FINGER LAKES ASSOCIATION, INC. FOR THE 2002-2003 ADVERTISING CAMPAIGN

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

RESOLVED, that this body shall appropriate for the 2002-2003 advertising campaign, sponsored by the Finger Lakes Association, an amount of \$5,000.00, 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

June 26, 2002

Finance & Administration Committee

Mr. Layland indicated that this is the same amount as last year.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-241. ADOPTING LIVINGSTON COUNTY TRAVEL AND CONFERENCE POLICY

Mr. Layland 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 June 26, 2002, said policy to supersede the existing travel policy.

LIVINGSTON COUNTY
TRAVEL AND CONFERENCE POLICY
EFFECTIVE JUNE 26, 2002

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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.

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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 .4020 or .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 Government Center in Geneseo). The employee may receive reimbursement for the mileage incurred in travel of this nature.

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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.

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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.

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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.

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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 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.

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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	\$8.00
Lunch	12.00
Dinner	22.00
Maximum	\$42.00

These per diem meal rates apply to all locations in and out of New York State.

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.

Employees attending 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 only if such a meeting will promote a County purpose. **Claim must state guests and topics discussed.** A valid detailed receipt should accompany the claim.

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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/FAX EXPENSES

Livingston County will pay for all business related phone calls or faxes 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.

Page 10

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 that 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 up to the per diem rate will be allowed on those days when a Board member has a morning meeting and an afternoon meeting.
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
June 26, 2002

Finance & Administration Committee

Mr. Layland explained that the only changes to the Travel Policy are the meal limit prices on page 8 and generic language was added regarding the mileage rate on page 7. The current mileage rate is 36.5¢.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-242. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR LIVINGSTON COUNTY SKILLED NURSING FACILITIES – (1) AETNA HEALTH INC. FOR PROVISION OF HEALTH CARE SERVICES TO POLICY HOLDERS, (2) CHCS SERVICES, INC. FOR PROVISION OF HEALTH CARE SERVICES TO POLICY HOLDERS

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

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

Aetna Health Inc., 15 Columbia Circle, Albany, NY 12203 for Provision of Health Care Services to Policy Holders beginning July 15, 2002 and terminating June 14, 2004 and shall renew, at the County's sole option, for two additional one year periods commencing July 15, 2004 and July 15, 2005;

CHCS Services, Inc., 3050 Universal Blvd, Suite 150, Weston Florida for Provision of Health Care Services to Policy Holders beginning July 1, 2002 and terminating July 14, 2004 and shall renew, at the County's sole option, for two additional one year periods commencing July 1, 2004 and July 1, 2005.

Dated at Geneseo, New York
June 26, 2002

Health Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-243. AUTHORIZING EXTENSION OF SNOW AND ICE AGREEMENT BETWEEN NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND LIVINGSTON COUNTY THROUGH THE 2003-2004 SEASON

Mr. Moore 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 modification 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 2003-2004 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 Attorney and County Administrator.

Dated at Geneseo, New York

June 26, 2002

Highway and Public Works Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-244. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH CORNELL COOPERATIVE EXTENSION OF LIVINGSTON COUNTY, KESHEQUA CENTRAL SCHOOL DISTRICT AND GENESEE VALLEY BOCES TO IMPLEMENT THE SUMMER CAREER EXPLORATION PROGRAMS

Mr. Schuster 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 Cornell Cooperative Extension of Livingston County, Keshequa Central School District and Genesee Valley BOCES to implement the Summer Career Exploration Programs for a term commencing July 1, 2002 and expiring August 23, 2002, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

June 26, 2002

Intergovernmental Affairs Committee

Mr. Brooks questioned if there were any dollars associated with this contract. K. Mitchell, Director of workforce Development, explained there are separate contracts at \$4,000 each.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-245. APPROVING THE BUDGETS FOR THE GRANT RECIPIENT, GLOW WIB STAFF, AND THE ONE-STOP OPERATORS FOR THE COUNTIES OF LIVINGSTON, GENESEE, WYOMING AND ORLEANS

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

WHEREAS, the GLOW Workforce Investment Board has approved the budgets for the Grant Recipient, GLOW WIB staff, and the One-Stop Operators for the counties of Livingston, Genesee, Wyoming and Orleans, and

WHEREAS, these budgets and the process conform to the requirements of the WIB CEO Agreement and allow for the provision of Core and Intensive Services for Livingston County residents, and

WHEREAS, the Livingston County Treasurer is hereby authorized to maintain Account No. (WIA)J6292 for Workforce Investment Act funds to provide services for Adult and Dislocated participants, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors approves the Program Year 2002 budgets for the Grant Recipient, GLOW WIB staff, and the One-Stop Operators for the counties of Livingston, Genesee, Wyoming and Orleans, and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to execute documents authorizing this agreement, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

June 26, 2002

Intergovernmental Affairs Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-246. AMENDING UNION SALARY SCHEDULE - DEPARTMENT OF HEALTH, PROBATION, AND SHERIFF'S DEPARTMENT

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

Department of Health

Create one Clerk/Typist position.

Probation Department

Create one Probation Officer/Probation Officer Trainee position.

Sheriff's Department

Create two Corrections Officer positions.

Delete two Court Security Officer positions effective July 5, 2002.

Dated at Geneseo, New York

June 26, 2002

Personnel & Employee Relations Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-247. APPOINTING DEPUTY SHERIFF/MAJOR (INVESTIGATIONS) - ELLIS

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

RESOLVED, that Ray Ellis of Oak Begole Road, Mt. Morris, New York 14510 is hereby appointed to the position of Deputy Sheriff/Major (Investigations) effective May 13, 2002, at an annual salary of \$60,225.

Dated at Geneseo, New York

June 26, 2002

Personnel and Employee Relations Committee

Chairman Merrick congratulated Ray Ellis on his appointment to Major of Investigations.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-248. AWARDING BID FOR FOOD USED BY THE LIVINGSTON COUNTY JAIL

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

WHEREAS, after proper legal advertisement, seven (7) bids for food used by the Livingston County Jail were received, then opened on May 20, 2002, now, therefore, be it

RESOLVED, that the following vendors submitted the lowest acceptable bids according to prices on file in the Office of the County Administrator:

Food (Groceries)	Perry Jacobstein, Inc. 15 Airline Drive, Rochester, NY 14609
Bread & Rolls	Stroehmann Bakeries L.C., 900 Jefferson Road, Rochester, NY 14623
Dairy (Milk & Eggs)	Byrne Dairy, Inc., 240 Oneida Street, Syracuse, NY 13202

and it is further,

RESOLVED, that this award shall be effective July 1, 2002 and terminate June 30, 2003 subject to two one-year renewals at the option of the County, and, it is further

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

Dated at Geneseo, New York

June 26, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

RESOLUTION NO. 2002-249. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN CONTRACTS FOR SCHOOL RESOURCE OFFICERS WITH DANSVILLE, CALEDONIA-MUMFORD, AND MT. MORRIS CENTRAL SCHOOL DISTRICTS

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign contracts for School Resource Officers with Dansville, Caledonia-Mumford and Mt. Morris Central School Districts for a term commencing in 2002 and expiring 2007 in an amount not to exceed Thirteen Thousand Eight Hundred Sixty Dollars (\$13,860.00) for the first year (and increasing five (5) percent per year for the subsequent four years) for each district, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

June 26, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Kennison, 187; Adopted.

OTHER BUSINESS

1. The County Administrator stated that he and the County Attorney have heard from our State representatives that the Home Rule Request is working its way through the committees of the Senate and Assembly, and the bill should be voted on today. Approximately 15-20 counties requested approval for the additional surcharge on wireless telephone bills.
2. The County Administrator updated the Board regarding the issue of securing an Empire Zone. The Economic Development Zone Program has conducted statewide meetings and Pat Rountree and other department heads attended a meeting. There is not a significant change in the rules for applying for an Empire Zone. The application is due August 31, 2002 and it will require a lot of work. The previous application was rejected, and this application will require more detailed information. The County Administrator thanked the Committee for the flexibility to move forward on this new application. The Legislative & Agricultural Affairs Committee will meet on 7/15/02 to review the application. The County Administrator stated that this application will again focus on the sudden economic distress as it relates to Foster Wheeler Energy Corporation. The County Administrator explained the State created ten Empire Zones and four have already been designated. There are approximately 20 counties that still do not have an Empire Zone. A local law will have to be adopted once the application is approved. The County Administrator stated that the State should announce the designations in October.
3. Chairman of Finance & Administration James Layland commented that the financial exit interview on 6/24/02 with Rotenberg Associates went well, and he stated that the County broke even and did not have to use any money from fund balance. He congratulated County Treasurer Carolyn Taylor, County Administrator Dominic Mazza and the department heads and stated that we entered 2002 in good shape. Mr. Layland reminded the Finance & Administration Committee that the regular meeting scheduled for 7/3/02 had been canceled. Chairman Merrick concurred with Mr. Layland regarding his comments about the financial exit interview and extended his congratulations to the same people. Chairman Merrick stated he is concerned about what the State will do to counties in the future.
4. Chairman of Central Services Committee James Olverd announced that the members will meet after the board meeting to review the RFP's for construction management for the new nursing facility.

ADJOURNMENT

Motion made by Mr. Schuster and seconded by Mr. Layland to adjourn until Wednesday, July 10, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:11 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, JULY 10, 2002
1:30 P.M.**

The Board met pursuant to adjournment.

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

The Pledge of Allegiance.

MINUTES

Minutes of 6/26/02 Regular Board Meeting were approved as presented.

PUBLIC HEARING – 1:35 P.M.

The Public Hearings to receive comments on Local Law No. B – 2002 A Local Law Updating Apportionment for the Livingston County Board of Supervisors on a Weighted Vote Basis and the Small Cities Community Development Block Grant for Commodity Resource Corporation, Town of Caledonia were called in accordance with the notices published in the official newspapers.

The Chairman requested the County Attorney to comment on Local Law No. B - 2002. The County Attorney stated this is the proposed weighted vote reapportionment based on the 2000 census. No group populations are excluded unlike other reapportionments. The group populations include college and prison population. Several plans were developed by the consultant and the Finance & Administration Committee proposed the weighted votes for simple majority and 2/3 majority that are listed in the Local Law. The agenda does allow for a vote on this local law today.

The Chairman requested Pat Rountree, Director of Economic Development, to comment on the Small Cities Community Development Block Grant for Commodity Resource Corporation, Town of Caledonia. P. Rountree explained that a public hearing is required under the Small Cities Block Grant Program and that the County is filing a Small Cities grant application for \$331,000 on behalf of Commodity Resource Corporation to cover some of the expense of this \$14 million feed and fertilizing distribution facility project.

The Chairman asked if anyone wished to speak regarding the public hearings to please come forward and sign in at the podium. No one wished to speak.

The Chairman asked if any Supervisor wished to speak.

Geneseo Supervisor Kennison indicated that as a result of this change in weighted vote, Geneseo has the most weighted votes. Mr. Kennison reassured the public that the change in these weighted votes was not a political move. He mentioned there is case history regarding the group population being included in the weighted vote system. He also indicated there are 17 equal partners in this Assembly Room and the change in weighted vote does not change that at all.

The Chairman announced that the public hearing will remain open until the end of the meeting.

COMMUNICATIONS

1. Acknowledgement from the Office of Governor George Pataki regarding receipt of Res. No. 2002-169, 170, and 171.
2. Letter from Fernando (Fred) DiMaggio, Director of Empire Zone Program, rejecting the application by Livingston County for an Empire Zone.
3. Application for Real Property Tax Exemption on file regarding the Livingston County Industrial Development Agency and Richard E. Gray, Sr. and Carole L. Gray/Gray Metal Products, Inc. 2002 Facility.

4. An American Rock Salt tour will be held on Monday, July 22, 2002 at 6:00 p.m. for the Board of Supervisors and the Town of Groveland Town Board. If you are interested in attending the tour, please notify Virginia today. Chairman Merrick added that Supervisors should not sign up for the tour if they think they cannot attend because that occupies a slot for someone else.
5. Letter from Senator Patricia K. McGee regarding the CHIPS funding.
6. Jack Venesky, CPA, submitted the Indirect Cost Recovery Project for 2001.

RESOLUTION NO. 2002-250. APPROVING ABSTRACT OF CLAIMS #7A – JULY 10, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #7A dated July 10, 2002 in the total amount of \$1,129,394.13.

Dated at Geneseo, New York

July 10, 2002

The roll was called as follows: Ayes - 1,634; Noes - 0; Absent – Mahus, 180; Adopted.

PREFERRED AGENDA

RESOLUTION NO. 2002-251. PROCLAIMING THE WEEK OF JULY 21 - 27, 2002 AS YOUTH WEEK

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 and 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 make 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 21-27, 2002 as Youth Week.

Dated at Geneseo, New York

July 10, 2002

Intergovernmental Affairs Committee

RESOLUTION NO. 2002-252. RECOGNIZING LIVINGSTON COUNTY EMPLOYERS FOR HIRING TEMPORARY ASSISTANCE CLIENTS

WHEREAS, the passage of the federal Personal Responsibilities and Work Opportunities Reconciliation Act (PRWORA) in 1996, changed the emphasis for the provision of welfare services to one of “Jobs First”, timed limited assistance and accountability, and

WHEREAS, the State of New York and the County of Livingston embrace these concepts in moving people from dependency to self-sufficiency, and

WHEREAS, the Take Pride Employment Unit of the Livingston County Department of Social Services has actively formed partnerships with the New York State Department of Labor, BOCES, Office of Workforce Development, VESID and other community stakeholders to effect this change, and

WHEREAS, Livingston County employers provided employment to over 300 people otherwise eligible for Temporary Assistance during 2001, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors recognizes, salutes and commends the efforts of our Livingston County Employers for contributing to the personal growth and professional success of tomorrow's workforce, and to the well being of this community.

Dated at Geneseo, New York

July 10, 2002

Intergovernmental Affairs Committee

RESOLUTION NO. 2002-253. APPOINTING MEMBERS TO LIVINGSTON COUNTY PLANNING BOARD – SCHUSTER, TAYLOR-DAVIS

RESOLVED, that the following person is hereby appointed to the Livingston County Planning Board for a term to expire December 31, 2004:

Town of Sparta – Suzanne Schuster, 8820 Reeds Corners Road, Dansville, NY 14437;
and, be it further

RESOLVED, that the following person is hereby appointed to the Livingston County Planning Board for a term to expire December 31, 2002, to fill the unexpired term of Mary Collins who resigned:

Village of Avon – Bonnie Taylor-Davis, 410 North Avenue, Avon, NY 14414

Dated at Geneseo, New York

July 10, 2002

Legislative & Agricultural Affairs Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Layland and seconded by Mr. Martello to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Mahus, 180; Adopted.

RESOLUTION NO. 2002-254. AWARDING BID FOR MT. MORRIS CAMPUS ROOF/MASONRY REPAIR PROJECT

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

WHEREAS, after proper legal advertisement for bids for Mt. Morris Campus Roof/Masonry Repair Project, three bids were received, then opened on June 25, 2002, now, therefore, be it

RESOLVED, that the bid of John Siddons Corp. of 299 Gregory Street, Rochester, NY 14620, in an amount not to exceed One Hundred Twenty Thousand One Hundred Seventy Five Dollars (\$120,175.00), be and hereby is accepted as the lowest responsible bid for the Mt. Morris Campus Roof/Masonry Repair Project, 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 Attorney and County Administrator.

Dated at Geneseo, New York

July 10, 2002

Central Services Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Mahus, 180; Adopted.

RESOLUTION NO. 2002-255. AUTHORIZING TRANSFER OF FUNDS – OFFICE FOR THE AGING, PUBLIC HEALTH

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

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

Dated at Geneseo, New York

July 10, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Mahus, 180; Adopted.

RESOLUTION NO. 2002-256. AUTHORIZING CENTRAL SERVICES TO ACCEPT A DONATION TO THE COUNTY PARK AND AUTHORIZE A BUDGET AMENDMENT

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

RESOLVED, that the Livingston County Board of Supervisors authorizes the Central Services Department to accept a donation for the County Park in the amount of Twenty Five Dollars (\$25.00), and be it further

RESOLVED, that Revenue Account A1610.2705 Donations to County Park be increased by \$25.00, and the Appropriation Account A1610.4110 Building Repairs, Supplies & Expenses be increased by \$25.00.

Dated at Geneseo, New York

July 10, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Mahus, 180; Adopted.

RESOLUTION NO. 2002-257. AUTHORIZING VARIOUS CONTRACTS FOR THE COMMUNITY SERVICES DEPARTMENT - HILLSIDE CHILDREN'S CENTER, THE MENTAL HEALTH ASSOCIATION, THE HEALTH ASSOCIATION, COMPEER, CATHOLIC CHARITIES OF LIVINGSTON COUNTY, LAKEVIEW MENTAL HEALTH SERVICES, INC., STEUBEN CHURCH PEOPLE AGAINST POVERTY (SCAP), LIVINGSTON COUNTY COUNCIL ON ALCOHOL AND SUBSTANCE ABUSE, INC., LIVINGSTON/WYOMING ARC

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contracts for a term commencing January 1, 2002 and expiring December 31, 2002, subject to review by the County Attorney and County Administrator:

Hillside Children's Center

The Mental Health Association

The Health Association

Compeer

Catholic Charities Of Livingston County

Lakeview Mental Health Services, Inc.

Steuben Church People Against Poverty (SCAP)

Livingston County Council On Alcohol And Substance Abuse, Inc.

Livingston/Wyoming ARC

Dated at Geneseo, New York

July 10, 2002

Health Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Mahus, 180; Adopted.

RESOLUTION NO. 2002-258. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR LIVINGSTON COUNTY DEPARTMENT OF HEALTH - NEW YORK STATE DEPARTMENT OF HEALTH FOR IMMUNIZATION ACTION GRANT AND DRINKING WATER PROGRAM ENHANCEMENT WORKPLAN, THE HEALTH ASSOCIATION, DIANE D. LEITGEB, GENESEE REGION HOME CARE, HEALTH RESEARCH, INC.

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

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

	CONTRACT TERM
New York State Department of Health of Room 649, Corning Tower, Empire State Plaza, Albany, NY 12237 for Immunization Action Grant	4/1/02 – 3/31/03
The Health Association of 176 Genesee Street, Rochester, NY 14611 For Community Exercise Program for Diabetes	7/15/02-12/31/02
Diane D. Leitgeb of Clinical Associates of the Finger Lakes Bright Beginnings , 1341 Turner Drive, Victor, NY 14564	01/01/00-12/31/04

For Early Intervention Services

Genesee Region Home Care of 70 Metro Park, Rochester, NY 14623 1/1/97-renews annually

For Amendment to Certified Home Health Services Contract

Health Research, Inc. of One University Place, Rensselaer, NY 12144 4/1/02-12/31/02

For West Nile Virus Project

New York State Department of Health of Flanigan Square, 547 River Street, 4/1/02-3/31/03

Troy, NY 12180-2216 for Drinking Water Program Enhancement Workplan

Dated at Geneseo, New York

July 10, 2002

Health Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Mahus, 180; Adopted.

RESOLUTION NO. 2002-259. AUTHORIZING CONTRACTS BETWEEN ST. JOHN=S EPISCOPAL CHURCH, AND MASONIC TEMPLE/PHOENIX LODGE FOR LEASE OF SPACE FOR THE SENIOR NUTRITION PROGRAM

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

WHEREAS, Livingston County desires to lease space from the St. Johns Episcopal Church, 23 State Street, Mt. Morris, New York and the Masonic Temple/Phoenix Lodge, 68 Elizabeth Street, Dansville, New York for the Office for the Aging Senior Nutrition Program, it is hereby

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the following leases, subject to review by the County Attorney and County Administrator:

St. Johns Episcopal Church for a term of one year, with five options to renew for one year each at the County’s option, commencing January 1, 2002, in the sum of \$6,000 per year to be paid in monthly installments of \$500.00; and

Masonic Temple/Phoenix Lodge for a term of one year, with five options to renew for one year each at the County’s option, commencing January 1, 2002, in the sum of \$6,000 per year to be paid in monthly installments of \$500.00.

Dated at Geneseo, New York

July 10, 2002

Health Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Mahus, 180; Adopted.

Chairman Merrick wanted to be sure the public was aware that resolutions are discussed at length at the committee level with approximately 7-10 Supervisors present.

RESOLUTION NO. 2002-260. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN AN AGREEMENT THAT AMENDS THE GLOW WIB COMPREHENSIVE FIVE YEAR PLAN REGARDING “WORKFORCE INVESTMENT ACT EQUAL OPPORTUNITY AND NONDISCRIMINATION POLICY AND COMPLAINT PROCESSING PROCEDURES

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

WHEREAS, the Workforce Investment Act of 1998 requires each Workforce Investment Area to enact policies and procedures to assure compliance regarding Equal Opportunities and Nondiscrimination, and

WHEREAS, the GLOW Workforce Investment Board has developed these policies and procedures and seeks to amend the GLOW WIB Five Year Plan to include these policies and procedures, now, therefore be it,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign this amendment to the Five Year plan, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

July 10, 2002

Intergovernmental Affairs Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Mahus, 180; Adopted.

RESOLUTION NO. 2002-261. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH GENESEE COUNTY ON BEHALF OF THE GLOW WORKFORCE INVESTMENT BOARD FOR THE WORKFORCE INVESTMENT ACT YEAR-ROUND YOUTH FUNDS

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

WHEREAS, there is a provision in the Workforce Investment Act that provides for a Year-Round program, and
WHEREAS, each county is allocated money by formula, but youth providers must compete for the funding through a Request for Proposal process, and

WHEREAS, the GLOW Youth Council made funding recommendations to the GLOW Workforce Investment Board who approved these recommendations at the April 16, 2002 Board meeting, and

WHEREAS, the Livingston County Employment and Training Department was the successful applicant in Livingston County for the Youth Program funding and will be receiving \$132,585.00, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Genesee County on behalf of the GLOW Workforce Investment Board for the Workforce Investment Act Year-Round Youth Funds for a term commencing April 17, 2002 and terminating June 30, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

July 10, 2002

Intergovernmental Affairs Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Mahus, 180; Adopted.

CLOSE PUBLIC HEARING

The Chairman asked if anyone else wished to speak at this time regarding the Public Hearings. No one wished to speak. The Chairman declared the public hearings closed.

RESOLUTIONS cont.

RESOLUTION NO. 2002-262. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO EXECUTE AND SUBMIT A SMALL CITIES APPLICATION FOR ECONOMIC DEVELOPMENT ASSISTANCE – COMMODITY RESOURCE CORPORATION, TOWN OF CALEDONIA

Mrs. Cansdale presented the following resolution and moved its adoption:

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized as the official representative of the County to execute and submit a Small Cities application for economic development assistance to support the establishment of an agricultural feed processing operation in the Town of Caledonia, to be known as the Commodity Resource Corporation, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with submission of the application and to provide such additional information as may be required.

Dated at Geneseo, New York

July 10, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Mahus, 180; Adopted.

MOTION TO VOTE ON LOCAL LAW NO. B - 2002

Mr. Wahl moved Mr. Layland seconded to call Local Law No. B - 2002 to the table. Carried.

VOTE ON LOCAL LAW NO. 3 (B) - 2002

LOCAL LAW NO. 3 – 2002 – A LOCAL LAW UPDATING APPORTIONMENT FOR THE LIVINGSTON COUNTY BOARD OF SUPERVISORS ON A WEIGHTED VOTE BASIS

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

SECTION 1. The Livingston County Board of Supervisors having heretofore enacted local laws implementing adjusted weighted voting plans for simple majority and two-thirds majority votes, and since those enactments the 2000

Federal census has been completed, the Livingston County Board of Supervisors has prepared revised plans utilizing the said census figures.

SECTION 2. The apportionment of the voting strength of each of the members of the Livingston County Board of Supervisors as determined by utilization of the 2000 Federal census shall be as follows upon any vote requiring a simple majority vote:

TOWN	NUMBER OF VOTES	VOTING POWER
Avon	175	10.05
Caledonia	126	7.10
Conesus	66	3.65
Geneseo	247	15.00
Groveland	107	5.99
Leicester	64	3.54
Lima	125	7.05
Livonia	195	11.34
Mt. Morris	126	7.10
N. Dansville	157	8.94
Nunda	84	4.68
Ossian	21	1.16
Portage	24	1.33
Sparta	46	2.52
Springwater	65	3.60
W. Sparta	34	1.93
York	90	5.01
Total	1752	100.00

A total of 877 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a simple majority vote.

SECTION 3. The apportionment of the voting strength of each of the members of the Livingston County Board of supervisors as determined by utilization of the 2000 Federal census shall be as follows upon any vote requiring a two-thirds majority vote.

TOWN	NUMBER OF VOTES	VOTING POWER
Avon	183	10.04
Caledonia	129	7.12
Conesus	66	3.66
Geneseo	289	14.98
Groveland	108	5.98
Leicester	65	3.59
Lima	128	7.04
Livonia	206	11.30
Mt. Morris	129	7.12
N. Dansville	162	8.90
Nunda	85	4.70
Ossian	21	1.16
Portage	24	1.33
Sparta	45	2.51
Springwater	65	3.59
W. Sparta	36	1.94
York	90	5.04
Total	1831	100.00

A total of 1221 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a two-thirds majority vote.

SECTION 4. Any local law, ordinance, resolution or other act to the extent inconsistent herewith shall be superseded by this Local Law.

SECTION 5. If any clause, sentence, paragraph or section of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or section thereof directly involved in the preceding in which such adjudication shall have rendered.

SECTION 6. This Local Law shall become effective upon the date it is filed in the office of the Secretary of State.

SECTION 7. This Local Law is subject to a permissive referendum.

Dated at Geneseo, New York

June 26, 2002 (Introduction)

July 10, 2002 (Adopted)

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Mahus, 180; Adopted.

OTHER BUSINESS

1. The County Administrator reported that a group of County officials traveled to Albany to meet with the NYS Department of Health (DOH) and Empire State Development to discuss the new nursing home project and securing an Empire Zone. The County Administrator clarified that the letter that was reported in the communications today is a rejection letter for the Empire Zone application that was requested by our State Legislators. The County is in the process of submitting another application. As a result of the meeting with Empire State Development, we feel the County is eligible to submit another application. The County Administrator thanked the Legislative & Agricultural Affairs Committee for the authorization to hire a consultant to assist with this second Empire Zone application. The deadline is August 30, 2002. We will have to conduct public hearings over the next few weeks.

The County Administrator indicated that we are attempting to recover \$3.3 million in undepreciated assets prior to the closure of the nursing homes. The NYS DOH provided direction on this and we will continue negotiations with the State.

ADJOURNMENT

Motion made by Mr. Wahl and seconded by Mr. Walker to adjourn until Wednesday, July 24, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:00 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, JULY 24, 2002
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 7/10/02 Regular Board Meeting were approved as presented.

COMMUNICATIONS

1. Notice of Claim in the matter of Nick and Beth Dispenza versus the County of Livingston
2. Inter-County Association of Western New York meeting notice for August 16, 2002, 9:30 a.m. at Pleasant Valley Winery in Steuben County.
PROGRAM: PINS and the Juvenile Justice System – Frank Justice, Director of Probation
3. Letter from Senator Patricia K. McGee supporting the County's application for an Empire Zone.
4. Notice of Claim in the matter of Glenn Phillips and Dorothy Phillips versus the Town of Geneseo and the County of Livingston
5. Letter from Senator Joseph L. Bruno regarding our opposition to Senate Bill 7253-A which relates to the payment of certain employees who are injured or taken ill in the performance of their duties.
6. Letter from Glen King of the Governor's Office for Small Cities inviting the County to submit a grant application on behalf of Commodity Resource Corporation.
7. Letter from Senator Dale M. Volker supporting the County's application for an Empire Zone.
8. The Dog Control Office is officially occupying the new Animal Control Facility building at Hampton Corners.
9. Please mark your calendars. The 2002 Board Picture is scheduled for September 11, 2002 at 11:30 a.m. sharp.

INTRODUCTION OF LOCAL LAW

LOCAL LAW NO. C – 2002 – A LOCAL LAW AUTHORIZING THE SUBMISSION OF AN APPLICATION BY LIVINGSTON COUNTY BOARD OF SUPERVISORS TO EMPIRE STATE DEVELOPMENT FOR DESIGNATION OF AREAS WITHIN LIVINGSTON COUNTY AS AN EMPIRE ZONE

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

PREAMBLE

It is the public policy of the State of New York to offer incentives through the creation of Empire Zones that will promote the development of new business and the expansion of existing business within economically impoverished areas and to do so without inducing the relocation of business investment from other areas of the State. It is also the public policy of New York State to achieve their goals through the mutual cooperation of all levels of State and local governments and the business community. It is the intent of this Local Law to authorize Livingston County to submit an application for Empire Zone Designation pursuant to General Municipal Law Section 960.

SECTION I

The Chairman of the Livingston County Board of Supervisors is hereby authorized to submit an application to Empire State Development for designation of an area within Livingston County, as described in Section II hereof, as an Empire Zone.

SECTION II

The boundaries of such Empire Zone are described as follows:

EMPIRE ZONE BOUNDARY DELINEATION

The Empire Zone encompasses a total of +/-1184 acres, in 6 non-contiguous areas within Livingston County.

BOUNDARY LINE DESCRIPTION FOR AREA 1

Contains a 352+/- acre parcel of land in the Town of North Dansville, Village of Dansville and Town of Sparta which borders on the streets listed herein below and known as the following tax parcels:

Street/Avenue	Tax Map Number
Rt.63	189.5-1-1
Zerfass Road	189.9-1-1
Robert Hart Drive	189.9-1-2.1
Robert Hart Drive	189.9-1-2.2
Main Street	189.10-1-1
Forbes Street	189.18-2-28
Forbes Street	189.18-2-29
Maple Street	189.18-2-34
Forbes Street	189.18-2-30
Forbes Street	189.18-2-32
Forbes Street	189.18-2-33
Village Plaza	203.5-1-1.1
Franklin Plaza	203.5-1-2.1
Franklin Plaza	203.5-1-2.2
Franklin Plaza	203.5-1-3
Maple Street	203.6-1-81.1
Maple Street	203.6-1-1.11
Maple Street	203.6-1-1.2
Morse Street	203.6-1-34.312
Maple Street	203.6-1-34.32
Maple Street	203.6-1-10.1
Genesee & Wyoming Railroad	189-1-58.1
Meter Road	189.-1-6
Foster Wheeler Road	189.-1-7.1
Hartman Road	189.-1-19
Hartman Road	189.-1-20
Hartman Road	189.-1-43
Airport Plaza	189.-1-44.1
Foster Wheeler Road	189.-1-44.2
Airport Plaza	189.-1-44.3
Route 36	189.-1-45
Foster Wheeler Road	189.-1-46
Foster Wheeler Road	189.-1-47
Route 36	189.-1-48.1
Foster Wheeler Road	189.-1-49.1
Cumminsville	189.17-2-2.1
Cumminsville	189.17-2-3.1
Cumminsville	189.17-2-5.1
Cumminsville	189.17-2-7
Cumminsville	189.17-2-8
Cumminsville	189.17-1-1
Cumminsville	189.17-1-2.1
Cumminsville	189.17-1-2.2
Cumminsville	189.17-1-3
Cumminsville	189.17-1-4
Cumminsville	189.17-1-5
Cumminsville	189.17-1-6
Cumminsville	189.17-1-7
Cumminsville	189.17-1-8

Cumminsville	189.17-1-9
Cumminsville	189.17-1-10
Cumminsville	189.17-1-11
Cumminsville	189.17-1-13
Cumminsville	189.17-1-14
Cumminsville	189.17-1-15
Cumminsville	189.17-1-16
Cumminsville	189.17-1-17
Cumminsville	189.17-1-18
Cumminsville	189.17-1-19
Cumminsville	189.17-1-20
Cumminsville	189.17-1-21.1
Cumminsville	189.17-1-22
Cumminsville	189.17-1-23
Cumminsville	189.17-1-24
Cumminsville	189.17-1-25
Cumminsville	189.17-1-26
Cumminsville	189.17-1-27
Cumminsville	189.17-1-28
Cumminsville	189.17-1-29
Cumminsville	189.17-1-30
Cumminsville	189.17-1-31
Cumminsville	189.17-1-33.1
Cumminsville	189.17-1-33.2
Cumminsville	189.17-1-34.1
Cumminsville	189.17-1-34.2
Cumminsville	189.17-1-35
Cumminsville	189.17-1-36
Cumminsville	189.17-1-38.1
Cumminsville	189.17-1-39
Cumminsville	189.17-1-40
Cumminsville	189.17-1-41
Cumminsville	189.17-1-42
Cumminsville	189.17-1-43
Cumminsville	189.17-1-44
Cumminsville	189.17-1-45
Cumminsville	189.17-1-46
Cumminsville	189.17-1-47
Cumminsville	189.17-1-48
Cumminsville	189.17-1-49
Cumminsville	189.17-1-50
Cumminsville	189.17-1-51

BOUNDARY LINE DESCRIPTION FOR AREA 2

Contains a 375+/- acre parcel of land in the Village of Avon which borders on the streets listed herein below and known as the following tax parcels:

Street/Avenue	Tax Map Number
Rochester Street	24.1-1-1
Rochester Street	24.14-1-2
Rochester Street	24.14-1-3.1
Rochester Street	24.14-1-3.2

Rochester Street	24.14-1-4.1
Rochester Street	24.14-1-4.21
Rochester Street	24.14-1-5.1
Rochester Street	24.14-1-1
West Main Street	24.17-1-2
West Main Street	24.17-1-3
Rochester Street	24.18-1-2
Rochester Street	24.18-1-3
Rochester Street	24.18-1-4
Rochester Street	24.18-1-5
Rochester Street	24.18-1-6
Rochester Street	24.18-1-7
Rochester Street	24.18-1-8
Rochester Street	24.18-1-9
Rochester Street	24.18-1-10
Rochester Street	24.18-1-11
Rochester Street	24.18-1-12
Rochester Street	24.18-1-13
Rochester Street	24.18-1-14
Rochester Street	24.18-1-15
Rochester Street	24.18-1-16.1
Rochester Street	24.18-1-16.2
Rochester Street	24.18-1-17
Rochester Street	24.18-1-74
Rochester Street	24.18-1-75
Rochester Street	24.18-1-1
Farmers Road	34.5-1-11
West Main Street	34.5-1-12
West Main Street	34.5-1-13
West Main Street	34.5-1-14
West Main Street	34.5-1-68
Livonia, Avon & Lakeville Railroad	34.6-1-70.1
West Main Street	34.6-1-70.2
Wadsworth Avenue	34.6-1-20
Wadsworth Avenue	34.6-1-21
West Main Street	34.6-1-23
West Main Street	34.6-1-26
West Main Street	34.6-1-34
Railroad Avenue	34.6-1-37
Spring Street	34.13-1-66.11
North Avenue	34.13-1-9.1

BOUNDARY LINE DESCRIPTION FOR AREA 3

Contains a 237+/- acre parcel of land in the Village of Mt. Morris and Town of Leicester which borders on the streets listed herein below and known as the following tax parcels:

Street/Avenue	Tax Map Number
Lackawanna Avenue	106.15-1-49
G&W Railroad	106.11-1-5
North Main Street	106.6-1-2
North Main Street	106.6-1-3.11
North Main Street	106.6-1-3.12

Swett Street	106.6-1-7
Conlon Avenue	106.6-1-8.1
Conlon Avenue	106.6-1-8.2
Swett Street	106.6-1-6
Lower Mt. Morris Road	97.-1-32.2
Lower Mt. Morris Road	97.-1-33

BOUNDARY LINE DESCRIPTION FOR SUB-ZONE 1

Contains a 110+/- acre parcel of land in the Town of Avon which borders on the streets listed herein below and known as the following tax parcels:

East Avon Road	35.-1-13.511
Interstate Drive	35.-1-13.53
Interstate Drive	35.-1-13.22
Road A	35.-1-13.52
Tec Drive	35.-1-13.31
Tec Drive	35.-1-13.26
Tec Drive	35.-1-13.25
Tec Drive	35.-1-13.23
Tec Drive	35.-1-13.273

BOUNDARY LINE DESCRIPTION FOR SUB-ZONE 2

Contains a 23+/- acre parcel of land in the Village of Mt. Morris which borders on the streets listed herein below and known as the following tax parcels:

Connor Ave.	115.7-2-70.1
Connor Ave.	115.8-1-2
Connor Ave.	115.8-1-1.22
Connor Ave.	115.8-1-1.12
Connor Ave.	115.8-1-1.11
Connor Ave.	115.8-1-1.21
Connor Ave.	115.7-2-63.21

BOUNDARY LINE DESCRIPTION FOR SUB-ZONE 3

Contains a 87+/- acre parcel of land in the Town of Geneseo which borders on the streets listed herein below and known as the following tax parcels:

Street/Avenue	Tax Map Number
Volunteer Road	81.-1-2.8

SECTION III

The Director or Deputy Director of the Livingston County Economic Development Office shall serve as the local Empire Zone Certifying Officer.

SECTION IV

The composition of the local Empire Zone Administration Board shall consist of a Chairman and five (5) members each of who shall be appointed by the Chairman of the Livingston County Board of Supervisors and confirmed by the Livingston County Board of Supervisors. The Chairman of said Board shall be the Chairman of the Livingston County Board of Supervisors. The members of the Empire Zone shall serve for a term of two (2) years.

SECTION V

The application for said designation of Livingston County as an Empire Zone shall be completed in a manner and form as specified in Article 18-B of the General Municipal Law of the State of New York.

SECTION VI

If any clause, sentence, paragraph, subdivision, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order have rendered.

SECTION VII

This Local Law shall be effective upon filing with the Secretary of State.

Dated at Geneseo, New York

July 24, 2002 (Introduction)

Chairman Merrick asked Patrick Rountree, Director of Economic Development, and Julie Marshall, Deputy Director of Economic Development to explain the local law. P. Rountree indicated the Local Law is the first step for the County to apply for an Empire Zone. Six Empire Zones will be designated and the competition will be very intense. The deadlines for this application are extremely compressed; applications are due August 30th and resolutions must be approved by all municipalities and school districts that are in the zone. P. Rountree explained the zones and referred to the maps in the handout outlining the zones and subareas (on file).

Mr. Davis entered.

P. Rountree indicated that 96 acres remain for landbanking. If a community is not designated as a zone, an area can be landbanked.

P. Rountree recognized Julie Marshall, Deputy Director of Economic Development, and commended her for the work she has done on this project.

P. Rountree stated a public informational meeting has been scheduled for July 31, 2002 at 7:00 p.m. in the Livingston County Government Center, Room 205/208.

The County Attorney explained this procedure is the same as any local law adopted by the Board and that a public hearing for this local law is scheduled for August 14, 2002 at 1:35 p.m. in the Assembly Room of the Board of Supervisors. He indicated that a few changes will be made to the local law and a new copy will be put on the desks for review ten days prior to the vote.

Geneseo Supervisor Kennison stated that a resolution is required from those municipalities that are earmarked to be in the zone and questioned whether those municipalities need to adopt a local law. P. Rountree stated that the statute provides the option to do a local law or a resolution and a sample resolution will be provided to all municipalities involved.

Livonia Supervisor Wahl mentioned the rumors regarding Foster Wheeler Energy Corporation closing its operation in Dansville and asked if an Empire Zone would provide benefits to the existing company. P. Rountree stated that an Empire Zone is primarily geared toward new job creation. If Foster Wheeler were to add additional employment, then the list of benefits would be made available to the company.

RESOLUTION NO. 2002-263. APPROVING ABSTRACT OF CLAIMS #7B – JULY 24, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #7B dated July 24, 2002 in the total amount of \$1,404,961.92.

Dated at Geneseo, New York

July 24, 2002

Finance & Administration Committee

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

PREFERRED AGENDA

RESOLUTION NO. 2002-264. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. C - 2002

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on July 24, 2002, a proposed Local Law entitled Local Law No. C – 2002 A Local Law Authorizing The Submission Of An Application By Livingston County Board Of Supervisors To Empire State Development For Designation Of Areas Within Livingston County As An Empire Zone, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 14th day of August, 2002 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 be given by posting thereof on the bulletin board of the Government Center in this County, and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

July 24, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-265. APPOINTING MEMBER TO THE LOCAL CONDITIONAL RELEASE COMMISSION - GOLL

WHEREAS, Res. No. 89-230 Established a Local Conditional Release Commission to determine whether individuals should be conditionally released from County Jail and to monitor them if they are released, and

WHEREAS, pursuant to Res. No. 98-301 Raymond L. Goll was appointed to the Local Conditional Release Commission for a four-year term to expire August 19, 2002, and he desires to be reappointed, 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 commencing August 20, 2002 and terminating August 19, 2006.

Dated at Geneseo, New York

July 24, 2002

Public Safety & Criminal Justice Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Layland and seconded by Mr. Walker to move the Preferred Agenda. Carried.

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

RESOLUTION NO. 2002-266. AUTHORIZING TRANSFER OF FUNDS – SHERIFF

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

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

Dated at Geneseo, New York

July 24, 2002

Finance & Administration Committee

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

RESOLUTION NO. 2002-267. AMENDING 2002 COUNTY BUDGET – PUBLIC HEALTH

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

WHEREAS, revenue from the new Bioterrorism and Emergency Preparedness Grant has been received, it is hereby

RESOLVED, that the 2002 Public Health Budget be amended as follows:

Increase Revenue Account	
A4112.4489 Federal Health	\$85,000.00
Increase Appropriation Accounts	
A4112.1000 Personal Services	\$40,000.00
A4112.2050 Office Equipment	1,500.00
A4112.2200 DP Equipment	6,000.00
A4112.4020 Training	800.00
A4112.4025 Conf./Seminars	800.00
A4112.4055 Phone	970.00

A4112.4060 Supplies	1,000.00
A4112.4070 Services Contracts	130.00
A4112.4075 ITS Charges	600.00
A4112.4080 Professional Services	15,000.00
A4112.4200 Print/Ads	3,000.00
A4112.4340 Mileage	1,500.00
A4112.4440 Medical Supplies	1,080.00
A4112.8100 FICA	3,060.00
A4112.8200 Retirement	1,080.00
A4112.8300 Health Insurance	7,400.00
A4112.8400 Compensation	<u>\$1,080.00</u>
	\$85,000.00

Dated at Geneseo, New York

July 24, 2002

Finance & Administration Committee

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

RESOLUTION NO. 2002-268. APPROVING THE ASSIGNMENT OF A RIGHT TO RECEIVE TREASURER'S DEED

Mr. Layland 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 which assigns to Richard M. Jopson, Jr. the right of Alexander Hamilton Property, Inc. to receive a Treasurer's Deed to 16 Ossian Street, Dansville, New York, upon the condition that all current and past real property taxes are paid at the time the deed is released to Richard M. Jopson, Jr.

Dated at Geneseo, New York

July 24, 2002

Finance & Administration Committee

Mr. Layland explained that the deed for this parcel was never recorded and Richard Jopson has agreed to pay all current and past real property taxes.

The roll was called as follows: Ayes - 1,814; Noes - 0; Absent - Davis, 29; Adopted.

RESOLUTION NO. 2002-269. ACCEPTING THE REPORT OF COMMITTEE ON WORKERS= COMPENSATION INSURANCE ESTIMATE AND APPORTIONMENT OF COUNTY SELF INSURANCE FOR THE YEAR 2003

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

WHEREAS, the Finance & Administration Committee has submitted the annual estimate and apportionment of expenses for the Livingston County Self-Insurance Plan for the fiscal year beginning January 1, 2003, and ending December 31, 2003, pursuant to Section 67 Paragraph 1 of the Workers= Compensation Law.

LIVINGSTON COUNTY SELF INSURANCE PLAN

ANNUAL ESTIMATE AND APPORTIONMENT OF EXPENSES JANUARY 1, 2003

AWARDS:	\$1,250,000.00	
MEDICAL	\$700,000.00	
CLAIM EXP:	\$65,000.00	SUBTOTAL \$2,015,000.00
ADMINISTRATIVE COSTS:		
.4 - Contractual Expenses		
Administration (RMSCO)	\$71,000.00	
Legal Fees	\$18,000.00	
W.C. Board Assessments	\$250,000.00	
Insurance	\$55,000.00	
Office Supplies	\$1,000.00	
Public Goods Pool	\$15,000.00	
		SUBTOTAL \$410,000.00
CONTRIBUTION TO RESERVE FUND		SUBTOTAL \$300,000.00

	TOTAL	\$2,725,000.00
LESS: RECOVERIES	\$150,000.00	
LESS: INTEREST INCOME	\$30,000.00	
LESS: INTERFUND REVENUES	\$1,223,000.00	
	LESS	<u>\$1,403,000.00</u>
	AMOUNT TO BE RAISED BY TAX	\$1,322,000.00

APPORTIONMENT OF WORKERS' COMPENSATION INSURANCE FOR THE YEAR 2003

PARTICIPANTS	RATIO	ASSESSSED VALUES		FULL	% OF	SHARE OF	
		2001	2003			2003	2002
<u>TOWNS</u>							
Avon	97.29	\$271,987,964	\$279,564,153	\$279,564,153	5.19%	\$68,629	\$67,741
Caledonia	97.00	\$185,167,834	\$190,894,674	\$190,894,674	3.54%	\$46,862	\$46,988
Conesus	95.73	\$112,431,356	\$117,446,314	\$117,446,314	2.18%	\$28,832	\$28,275
Geneseo	96.06	\$310,324,504	\$323,052,784	\$323,052,784	6.00%	\$79,304	\$76,437
Groveland	100.00	\$85,034,948	\$85,034,948	\$85,034,948	1.58%	\$20,875	\$21,292
Leicester	100.00	\$81,236,996	\$81,236,996	\$81,236,996	1.51%	\$19,943	\$20,459
Lima	97.36	\$171,341,887	\$175,987,969	\$175,987,969	3.27%	\$43,203	\$42,948
Livonia	95.78	\$330,976,992	\$345,559,607	\$345,559,607	6.42%	\$84,829	\$82,833
Mt. Morris	100.00	\$122,689,390	\$122,689,390	\$122,689,390	2.28%	\$30,119	\$31,083
North Dansville	100.00	\$156,204,641	\$156,204,641	\$156,204,641	2.90%	\$38,346	\$39,689
Nunda	100.00	\$81,501,801	\$81,501,801	\$81,501,801	1.51%	\$20,008	\$20,474
Ossian	100.00	\$33,577,252	\$33,577,252	\$33,577,252	0.62%	\$8,243	\$8,365
Portage	100.00	\$26,333,452	\$26,333,452	\$26,333,452	0.49%	\$6,465	\$6,580
Sparta	100.00	\$50,094,621	\$50,094,621	\$50,094,621	0.93%	\$12,298	\$12,678
Springwater	100.00	\$85,341,657	\$85,341,657	\$85,341,657	1.58%	\$20,950	\$21,502
West Sparta	84.01	\$35,528,111	\$42,290,336	\$42,290,336	0.79%	\$10,382	\$10,705
York	100.00	\$144,068,576	\$144,068,576	\$144,068,576	2.68%	\$35,367	\$36,479
TOTALS		\$2,283,841,982	\$2,340,879,171	\$2,340,879,171	43.47%	\$574,655	\$574,528
<u>COUNTY</u>							
Livingston County		\$2,283,841,982	\$2,340,879,171	\$2,340,879,171	43.47%	\$574,655	\$574,528
<u>VILLAGES</u>							
Avon	97.29	\$119,312,299	\$122,635,727	\$122,635,727	2.28%	\$30,105	\$29,929
Caledonia	97.00	\$80,932,080	\$83,435,134	\$83,435,134	1.55%	\$20,482	\$20,636
Dansville	100.00	\$118,737,166	\$118,737,166	\$118,737,166	2.20%	\$29,148	\$29,991
Geneseo	96.06	\$144,037,549	\$149,945,398	\$149,945,398	2.78%	\$36,808	\$35,725
Leicester	100.00	\$14,715,309	\$14,715,309	\$14,715,309	0.27%	\$3,612	\$3,669
Lima	97.36	\$63,952,847	\$65,686,983	\$65,686,983	1.22%	\$16,125	\$16,023
Livonia	95.78	\$45,978,895	\$48,004,693	\$48,004,693	0.89%	\$11,784	\$11,513
Mt. Morris	100.00	\$71,972,750	\$71,972,750	\$71,972,750	1.34%	\$17,668	\$18,297
Nunda	100.00	\$28,346,358	\$28,346,358	\$28,346,358	0.53%	\$6,958	\$7,161
TOTALS		\$687,985,253	\$703,479,518	\$703,479,518	13.06%	\$172,690	\$172,944
GRAND TOTALS		\$5,255,669,217	\$5,385,237,860	\$5,385,237,860	100.00%	\$1,322,000	\$1,322,000

and

WHEREAS, the Finance & Administration 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

July 24, 2002

Finance & Administration Committee

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

RESOLUTION NO. 2002-270. AUTHORIZING AGREEMENT WITH LIVINGSTON AREA TRANSPORTATION SERVICES FOR TRANSPORTATION SERVICES TO THE SENIOR NUTRITION SITES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign an agreement with Livingston Area Transportation Services for Transportation Services to the Senior Nutrition Sites for the period April 1, 2002 through March 31, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

July 24, 2002

Health Committee

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

RESOLUTION NO. 2002-271. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH SUSAN SCHELL, R.D. FOR CONSULTING DIETITIAN SERVICES

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

WHEREAS, Susan Schell has agreed to provide 12 hours per week consulting dietitian services (mandated by New York State Office for the Aging) until a full-time dietitian is hired to provide services, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Susan Schell, R.D., for a term commencing August 1, 2002 until terminated by the County, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

July 24, 2002

Health Committee

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

RESOLUTION NO. 2002-272. APPOINTING THE COMMISSIONER OF ELECTIONS - GUENTHER

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, Laura M. Schoonover, Secretary of the Democratic Committee, 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 a 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, of 6520 Stone Hill Road, Livonia, New York 14487, is hereby appointed as Commissioner of Elections for a term commencing January 1, 2003 and terminating December 31, 2006.

Dated at Geneseo, New York

July 24, 2002

Legislative & Agricultural Affairs Committee

Mr. Kennison commented that Susan Guenther does a wonderful job and is knowledgeable in her field and supported her appointment.

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

RESOLUTION NO. 2002-273. AUTHORIZING FFY 2003 CSBG CONTRACT WITH NEW YORK STATE DEPARTMENT OF STATE

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, the New York State Department of State has awarded Federal Fiscal year 2003 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 2003 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 2003 Delegate Agency Agreements with CSBG delegate agencies and amendments thereto, 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

July 24, 2002

Legislative & Agricultural Affairs Committee

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

RESOLUTION NO. 2002-274. AUTHORIZING THE SIGNING OF CONTRACT WITH THE FINGER LAKES ASSOCIATION FOR TRANSFER OF FUNDING FOR FINGER LAKES-LAKE ONTARIO WATERSHED PROTECTION ALLIANCE - FY 2002-2003 FUNDING - CLAWS XIII

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, Livingston County, as one of the twenty-five (25) voting members of the Water Resources Board of the Finger Lakes-Lake Ontario Watershed Protection Alliance, has been allocated NYS Department of Environmental Conservation (NYSDEC) funds for its water quality program under the Finger Lakes-Lake Ontario Watershed Protection Alliance (FL-LOWPA); and

WHEREAS, NYSDEC has agreed to transfer funding for the twenty-five (25) member Programs to the Finger Lakes Association (FLA) via a single contract between NYSDEC and FLA; now therefore be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign a contract between Livingston County and the Finger Lakes Association for the Finger Lakes- Lake Ontario Watershed Protection Alliance as specified in said contracts, after review by the County Attorney and County Administrator; 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 for FL-LOWPA funds; and be it further

RESOLVED, that a signed certified copy of this resolution be submitted to the Finger Lakes Association along with said contract; and be it further

RESOLVED, that the Chairman is authorized to sign a contract with the Livingston County Soil and Water Conservation District, subject to review by the County Attorney and County Administrator; and be it further

RESOLVED, that this resolution take effect immediately.

Dated at Geneseo, New York

July 24, 2002

Legislative and Agricultural Affairs Committee

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

RESOLUTION NO. 2001- 275. AMENDING 2002 SALARY SCHEDULE – GENESEO SKILLED NURSING FACILITY

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

Geneseo Skilled Nursing Facility

Delete one Senior Cleaner position effective July 31, 2002.

Dated at Geneseo, New York

July 24, 2002

Personnel & Employee Relations Committee

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

RESOLUTION NO. 2002-276. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN AN AGREEMENT BETWEEN THE NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR INTENSIVE SUPERVISION PROGRAM

Mr. Mahus 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 \$12,000 annually, and

WHEREAS, these funds are 100% reimbursable for approved expenditures, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign said agreement with the New York State Division of Probation and Correctional Alternatives for an Intensive Supervision Program for the period January 1, 2002 to December 31, 2002, for an amount not to exceed Twelve Thousand Dollars (\$12,000.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

July 24, 2002

Public Safety & Criminal Justice Committee

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

RESOLUTION NO. 2002-277. AUTHORIZING ACCEPTANCE OF JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT FOR THE LIVINGSTON COUNTY PROBATION DEPARTMENT FOR THE JUVENILE ELECTRONIC MONITORING PROGRAM

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

WHEREAS, the County of Livingston has applied to the New York State Division of Criminal Justice Services for Juvenile Accountability Incentive Block Grant for the juvenile electronic monitoring program, and

WHEREAS, the State has approved funding in the amount of \$13,062.00 to provide funding for this program, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign an agreement to accept the Juvenile Accountability Incentive Block Grant for the period commencing July 1, 2002 and terminating September 30, 2003 in the amount of \$13,062.00, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

July 24, 2002

Public Safety & Criminal Justice Committee

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

RESOLUTION NO. 2002-278. ACCEPTING A GRANT AND AUTHORIZING THE CHAIRMAN TO SIGN A CONTRACT WITH THE STATE OF NEW YORK, GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR DWI PROGRAM ENHANCEMENT

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

RESOLVED, that the County Treasurer is hereby authorized to accept a grant in the amount of \$20,000 from the State of New York, Governor's Traffic Safety Committee for DWI Program enhancement, and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute a contract with the State of New York, Governor's Traffic Safety Committee for DWI Program enhancement, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

July 24, 2002

Public Safety & Criminal Justice Committee

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

RESOLUTION NO. 2002-279. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH THE UNIFIED COURT SYSTEM SEVENTH JUDICIAL DISTRICT FOR 2002-2003 SECURITY SERVICES

Mr. Mahus 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 State of New York Unified Court System Seventh Judicial District for 2002-2003 Security Services for contract period April 1, 2002 through March 31, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

July 24, 2002

Public Safety & Criminal Justice Committee

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

RESOLUTION NO. 2002-280. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH THE COUNTY OF MONROE PUBLIC SAFETY LABORATORY, REGIONAL CRIME LABORATORY, FOR FORENSIC LABORATORY SERVICES

Mr. Mahus 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 Monroe County Public Safety Laboratory, Regional Crime Laboratory, for Forensic Laboratory Services for a period January 1, 2003 through December 31, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

July 24, 2002

Public Safety & Criminal Justice Committee

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

OTHER BUSINESS

1. The County Administrator announced that at the last Personnel & Employee Relations Committee meeting, the Committee wanted to meet to discuss the Early Retirement Incentive. He stated that information is still being gathered and asked when it would be convenient for the committee to meet to review the options. The Committee agreed to meet Wednesday, July 31, 2002 at 10:00 a.m. The County Administrator stated that the County has until August 14, 2002 to introduce a local law.
2. The County Attorney commented that we will continue to use the current weighted voting system because the proposed weighted voting system, pursuant to Local Law No. B 2002 is subject to permissive referendum. If no petitions are filed within 45 days, the law will be submitted to the Secretary of State.
3. Mr. Layland, Chairman of Finance & Administration Committee, stated that it has been a County wide policy to reserve money and the reason why we desperately need to try not to spend and continue to do business the way we do is to prevent from having to borrow millions of dollars similar to that of a neighboring county.

ADJOURNMENT

Motion made by Mr. Moore and seconded by Mr. Davis to adjourn until Wednesday, August 14, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:18 p.m.

**REPORT OF THE SUPERVISORS' PROCEEDINGS
REGULAR BOARD MEETING
WEDNESDAY, AUGUST 14, 2002
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 7/24/02 Regular Board Meeting were approved as presented.

PUBLIC HEARING – 1:35 P.M.

The Public Hearing to receive comments on Local Law No. C – 2002 A Local Law Authorizing The Submission Of An Application By Livingston County Board Of Supervisors To Empire State Development For Designation Of Areas Within Livingston County As An Empire Zone was called in accordance with the notices published in the official newspapers.

The Chairman requested Pat Rountree, Director of Economic Development, to comment on the local law for designating an Empire Zone. P. Rountree explained the local law requires that a Public Hearing be held in order to file an application for an empire zone. P. Rountree stated that all 7 of the municipalities have approved a resolution to be included in the application, and he is in seeking support from the school districts as well.

The Chairman asked if anyone wished to speak regarding the public hearing to please come forward and sign in at the podium. No one wished to speak.

The Chairman announced that the public hearing will remain open until the end of the meeting.

COMMUNICATIONS

1. Thank you note from Livingston County Hospice in memory of Raymond Bartolotti.
2. Letters from Senator Patricia K. McGee and Assemblyman Joseph A. Errigo regarding support for the Certificate of Need Application for the new nursing facility.
3. Notice of Claim in the matter of Daniel M. Sweet, Individually and Daniel M. Sweet as Administrator of the Estate of Catherine Sweet; Colleen Sweet, Individually and Noreen S. Borghi, Individually versus Geneseo Skilled Nursing Facility and County of Livingston.
4. Letter from Assemblyman Brian M. Kolb regarding our letter urging the Governor to veto a bill which provides a procedure for the inclusion of viable agricultural land within a certified agricultural district.
5. Letter from Assemblyman Daniel J. Burling to Senator Charles Schumer requesting support for inclusion of New York State farms into the Northeast Dairy Compact and an increase in milk price.
6. Letter from Charles A. Gargano to Assemblyman Joseph A. Errigo regarding the creation of an Empire Zone in Livingston County.
7. A final report from the New York State Task Force on Election Modernization entitled "Voting in New York in the 21st Century".
8. Letter to Senator Volker from Livingston County Highway Superintendent Donald Higgins thanking him for securing \$250,000 of NYS Multi-Modal funding for the reconstruction of the final 2.5 mile section of East Lake Road, Town of Conesus.

INTRODUCTION OF LOCAL LAW

Local Law No. D – 2002 A Local Law Updating Apportionment for The Livingston County Board Of Supervisors On A Weighted Vote Basis.

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

SECTION 1. The Livingston County Board of Supervisors having heretofore enacted local laws implementing adjusted weighted voting plans for simple majority and two-thirds majority votes, and since those enactments the 2000 Federal census has been completed, the Livingston County Board of Supervisors has prepared revised plans utilizing the said census figures.

SECTION 2. The apportionment of the voting strength of each of the members of the Livingston County Board of Supervisors as determined by utilization of the 2000 Federal census shall be as follows upon any vote requiring a simple majority vote:

<u>TOWN</u>	<u>NUMBER OF VOTES</u>	<u>VOTING POWER</u>
Avon	175	10.05
Caledonia	126	7.10
Conesus	66	3.65
Geneseo	247	15.00
Groveland	107	5.99
Leicester	64	3.54
Lima	125	7.05
Livonia	195	11.34
Mt. Morris	126	7.10
N. Dansville	157	8.94
Nunda	84	4.68
Ossian	21	1.16
Portage	24	1.33
Sparta	46	2.52
Springwater	65	3.60
W. Sparta	34	1.93
York	90	5.01
Total	1752	100.00

A total of 877 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a simple majority vote.

SECTION 3. The apportionment of the voting strength of each of the members of the Livingston County Board of supervisors as determined by utilization of the 2000 Federal census shall be as follows upon any vote requiring a two-thirds majority vote.

<u>TOWN</u>	<u>NUMBER OF VOTES</u>	<u>VOTING POWER</u>
Avon	183	10.04
Caledonia	129	7.12
Conesus	66	3.66
Geneseo	289	14.98
Groveland	108	5.98
Leicester	65	3.59
Lima	128	7.04
Livonia	206	11.30
Mt. Morris	129	7.12
N. Dansville	162	8.90
Nunda	85	4.70
Ossian	21	1.16
Portage	24	1.33
Sparta	45	2.51
Springwater	65	3.59
W. Sparta	36	1.94
York	90	5.04
Total	1831	100.00

A total of 1221 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a two-thirds majority vote.

SECTION 4. Any local law, ordinance, resolution or other act to the extent inconsistent herewith shall be superseded by this Local Law.

SECTION 5. If any clause, sentence, paragraph or section of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or section thereof directly involved in the preceding in which such adjudication shall have rendered.

SECTION 6. This local law supercedes Local Law No. B of the year 2002 which was adopted by the Livingston County Board of Supervisors on July 10, 2002 but was not published in accordance with County Law §214.

SECTION 7. This Local Law shall become effective upon the date it is filed in the office of the Secretary of State.

SECTION 8. This Local Law is subject to a permissive referendum.

Dated at Geneseo, New York

August 14, 2002 (Introduction)

Mr. Davis entered.

Chairman Merrick asked County Attorney David Morris to comment on this local law. The County Attorney explained that Section 214 of the County Law requires that local laws be published in the official newspapers at least once a week for two successive weeks, the first publication shall be within ten days after such local law has become effective. The Clerk of the Board requested the publication for the weeks of 7/15/02 and 7/22/02. The Lake and Valley Clarion was not publishing the week of 7/22/02 and the Livingston County News forgot to publish the legal notice the second week. The County Attorney advised that the local law be done again to assure that the process is legal.

RESOLUTION NO. 2002-281. APPROVING ABSTRACT OF CLAIMS #8A – AUGUST 14, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #8A dated August 14, 2002 in the total amount of \$1,479,333.33.

Dated at Geneseo, New York

August 14, 2002

Finance & Administration Committee

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

PRIVILEGE OF THE FLOOR

1. Conesus Supervisor Dennis L. Witte regrettably informed the Board of Supervisors that he would be resigning from the position of Supervisor effective August 25, 2002 in order to allow a caucus to be held on August 26, 2002. Supervisor Witte explained that he has persevered in the position without any administrative help and the Conesus Town Board does not want to provide funding for any part time help and also his wife's health has forced him to resign. He concluded his remarks by saying that it has been a pleasure working with the Board of Supervisors, the administrative staff and departments heads.

PREFERRED AGENDA

RESOLUTION NO. 2002-282. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. D - 2002

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on August 14, 2002, a proposed Local Law entitled Local Law No. D – 2002 A Local Law Updating Apportionment For The Livingston County Board Of Supervisors On A Weighted Vote Basis, 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 August, 2002 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

August 14, 2002

Finance & Administration Committee

RESOLUTION NO. 2002-283. DECLARING SURPLUS PROPERTY – ECONOMIC DEVELOPMENT, MENTAL HEALTH

WHEREAS, the County of Livingston owns 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 items as surplus property to be disposed of as determined by the County Administrator.

ECONOMIC DEVELOPMENT

One (1) 1993 Ford Crown Victoria, Vin #2FAC171WZPX175114

MENTAL HEALTH

Unit	s/n	Tag no.
Computer Workstation		902456
IBM Computer		6943
IBM Monitor		6934
AST Computer		6208
AST Monitor		6308
IBM Computer		6313
IBM Monitor		6315
NEC printer	560071187	
Computer desk chair		01299

Dated at Geneseo, New York

August 14, 2002

Finance and Administration Committee

RESOLUTION NO. 2002-284. DECLARING SUPPORT OF A.11436-FACILITATING PAYMENT OF CLAIMS BY HEALTH INSURERS TO MUNICIPALITIES FOR EARLY INTERVENTION SERVICES

WHEREAS, the Early Intervention Program submits claims to health insurers, and

WHEREAS, those claims are denied reimbursement, and

WHEREAS, the cost for Early Intervention Program services continues to increase, now, therefore, be it

RESOLVED, that the County of Livingston will submit a letter to the Rules Committee, Assemblymen Errigo, Kolb, and Burling, Senators Volker and McGee, Governor Pataki and to NYSAC in support of A.11436.

Dated at Geneseo, New York

August 14, 2002

Health Committee

RESOLUTION NO. 2002-285. DECLARING SUPPORT OF RESTRUCTURING NEW YORK STATE’S EARLY INTERVENTION PROGRAM

WHEREAS, the Early Intervention Program was intended to provide families with the knowledge and tools to deal with their children’s disabilities, and

WHEREAS, in New York State there is a clinically based program of direct service provision instead of a model of family competency-enhancement practices, and

WHEREAS, there must be increased provider accountability, and

WHEREAS, there is a disproportionate burden on the local tax levy for the Early Intervention Program, now therefore be it

RESOLVED, that the Livingston County Board of Supervisors strongly recommends and supports:

- A reform of the Early Intervention Program that brings the goals and taxonomy into line with the Federal Law and State intent;
- Increased Provider Accountability;

- Retainment of the current rate structure and methodology until the service taxonomy is restructured and service coordination is better defined;
- A reduction of the disproportionate burden on the local tax levy by:
 - Equitably distributing financial responsibility through a 50% state share for county administrative activities
 - Strengthening the insurance law to ensure reasonable return on county efforts to bill carriers, and
 - Establishing a system of a means-test for family contribution; and be it further

RESOLVED, that a copy of this resolution be forwarded to Governor Pataki,

Assemblymen Errigo, Burling, and Kolb, Senators Volker and McGee, NYSAC, and NYSACHO.

Dated at Geneseo, New York

August 14, 2002

Health Committee

RESOLUTION NO. 2002-286. APPOINTING MEMBER TO THE LIVINGSTON COUNTY YOUTH BOARD – OSWALD

RESOLVED, that the Livingston County Board of Supervisors hereby approves the appointment of Cynthia Oswald of Livingston County Business Education Alliance, 4560 Millennium Drive, Geneseo, New York 14454 to the Livingston County Youth Board representing the Livingston County Business Education Alliance to serve a term coterminous with her tenure.

Dated at Geneseo, New York

August 14, 2002

Intergovernmental Affairs Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Witte and seconded by Mr. Layland to move the Preferred Agenda. Carried.

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

Mr. Layland moved and Mr. Moore seconded to move the orders of the day because the funding for the ventilation improvement project must be authorized prior to the award of the contract. Carried.

RESOLUTION NO. 2002-287. AUTHORIZING TRANSFER OF FUNDS – CONTINGENCY, CENTRAL SERVICES, HIGHWAY, WORKFORCE DEVELOPMENT

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

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

Dated at Geneseo, New York

August 14, 2002

Finance & Administration Committee

Mr. Layland explained that \$93,632 will be transferred from contingency to fund the ventilation project as well as other projects necessary in the County Jail.

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

RESOLUTION NO. 2002-288. AWARDING BID FOR VENTILATION IMPROVEMENTS FOR BUILDING #3

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

WHEREAS, after proper legal advertisement for bids for Building #3 ventilation improvements, two bids were received, then opened on July 8, 2002, now, therefore, be it

RESOLVED, that the bid of Postler & Jaekle Corp. of 615 South Avenue, Rochester, New York 14620, in an amount not to exceed Sixty Three Thousand Four Hundred Dollars (\$63,400.00), be and hereby is accepted as the lowest responsible bid for Building #3 ventilation improvements, 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 Attorney and County Administrator.

Dated at Geneseo, New York

August 14, 2002

Central Services Committee

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

RESOLUTION NO. 2002-289. **AUTHORIZING A CONTRACT WITH WAMP REAL ESTATE TO CONDUCT PUBLIC AUCTIONS OF THE COUNTY=S REAL PROPERTY ACQUIRED THROUGH TAX SALE PROCEEDINGS**

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

WHEREAS, a Request for Proposal was issued and proposals were received and reviewed by the Finance & Administration Committee of the Livingston County Board of Supervisors for a firm to conduct public auctions of the county=s real property acquired through tax sale proceedings, and

WHEREAS, Wamp Real Estate of 126 Main Street, Dansville, New York was determined to be the most qualified to conduct public auctions of the county=s real property acquired through tax sale proceedings, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Wamp Real Estate, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

August 14, 2002

Finance & Administration Committee

Mr. Layland stated that the overall price is the same, and the County Treasurer will be able to maintain better contact with this firm due to its location.

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

RESOLUTION NO. 2002-290. **AUTHORIZING CENTRAL SERVICES TO ACCEPT A DONATION TO THE COUNTY PARK AND AUTHORIZE A BUDGET AMENDMENT**

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

RESOLVED, that the Livingston County Board of Supervisors authorizes the Central Services Department to accept a donation for the County Park in the amount of Forty Dollars (\$40.00), and be it further

RESOLVED, that Revenue Account A1610.2705 Donations to County Park be increased by \$40.00, and the Appropriation Account A1610.4110 Building Repairs, Supplies & Expenses be increased by \$40.00.

Dated at Geneseo, New York

August 14, 2002

Finance & Administration Committee

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

RESOLUTION NO. 2002-291. **AMENDING 2002 COUNTY BUDGET – PUBLIC HEALTH**

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

WHEREAS, fine money has been collected to be used for education of youth, it is hereby

RESOLVED, that the 2002 Public Health Budget be amended as follows:

Increase Revenue Account	
A4093.2610 Fines	\$3,601.00
Increase Appropriation Account	
A4093.4020 Training/Education	\$3,601.00

Dated at Geneseo, New York

August 14, 2002

Finance & Administration Committee

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

RESOLUTION NO. 2002-292. **AUTHORIZING ACCEPTANCE OF GRANT AND AMENDING THE 2002 COUNTY BUDGET - RECORDS MANAGEMENT**

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

WHEREAS, Livingston County has been awarded a grant in the amount of \$32,830 by the New York State Archives for a Grant to be divided between the years 2002 and 2003, and

WHEREAS, the County of Livingston is honored that it has been selected to receive this grant, now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to accept said grant from the New York State Archives, and, be it further

RESOLVED, that the 2002 Livingston County Budget is hereby amended by increasing Account A3060 Revenues State Aid in the amount of \$16,415.00 and by increasing the following Appropriation Accounts:

1665 - Records Management

1950	Temporary Services	\$6,185
4390	Microfilming	\$9,757
8100	FICA	<u>\$473</u>
		\$16,415

Dated at Geneseo, New York

August 14, 2002

Finance & Administration Committee

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

RESOLUTION NO. 2002-293. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR LIVINGSTON COUNTY DEPARTMENT OF HEALTH – NEW YORK STATE DEPARTMENT OF HEALTH FOR WIC RENEWAL, THE RESEARCH FOUNDATION OF STATE UNIVERSITY OF NEW YORK

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

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

NEW YORK STATE DEPARTMENT OF HEALTH

Division of Nutrition, 150 Broadway, Albany, NY 12204-2719

For WIC Renewal, C-012329

CONTRACT TERM

10/1/02 to 9/30/03

THE RESEARCH FOUNDATION OF STATE UNIVERSITY

OF NEW YORK, PO Box 9, Albany, NY 12201-0009

For Monitoring West Nile Vector Mosquito Species

6/10/02 to 8/23/02

Dated at Geneseo, New York

August 14, 2002

Health Committee

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

RESOLUTION NO. 2002-294. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN VARIOUS CONTRACTS FOR THE LIVINGSTON COUNTY SKILLED NURSING FACILITIES - HEALTH SYSTEM SERVICES FOR MEDICARE PART B MEDICAL SUPPLIES, OMNI CARE PHARMACIES OF WESTERN NEW YORK FOR PHARMACEUTICAL AND CONSULTANT PHARMACIST SERVICES, LORRAINE A. BOOK, SPEECH-LANGUAGE PATHOLOGIST, FOR CONSULTING SPEECH THERAPY SERVICES

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

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

Health System Services of 4827 Tomson Avenue, Niagara Falls, New York 14304 for Medicare Part B medical supplies commencing September 1, 2002 and expiring August 31, 2003 and may renew, at the County's sole option for two (2) additional one-year periods which will end on August 31, 2005.

Omni Care Pharmacies of Western New York of 2410 North America Drive, West Seneca, New York 14224 for renewal of pharmaceutical and consultant pharmacist services according to prices on file commencing November 1, 2002 and expiring October 31, 2003.

Lorraine A. Book, Speech-Language Pathologist, of 8 Haley Avenue, Geneseo, New York 14454 for consulting speech therapy services at an hourly rate of \$45.00 for the period September 1, 2002 through August 31, 2003 and at an hourly rate of \$50.00 for the period September 1, 2003 through August 31, 2004.

Dated at Geneseo, New York

August 14, 2002

Health Committee

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

RESOLUTION NO. 2002-295. AWARDING BID AND AUTHORIZING A CONSTRUCTION CONTRACT FOR TWO (2) FEMA PROJECTS (COUNTY ROAD 7, PORTAGE & COUNTY ROAD 4, LEICESTER) FOR LIVINGSTON COUNTY HIGHWAY DEPARTMENT

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

WHEREAS, after legal advertisement, bids for one (1) construction contract for two (2) FEMA projects (Bridge Replacement on County Road 7, Portage, and Bank Stabilization on County Road 4, Leicester) were received and opened on August 5, 2002 at the Livingston County Government Center, and

WHEREAS, the bid of Ramsey Constructors, Inc. of Lakeville, New York in the amount of \$683,087.00 was the lowest of six (6) bids received, and said bid has been reviewed by Popli Consulting Engineers and meets all bid specifications, and

WHEREAS, the total Federal and State Aid for this contract will be 87-1/2 %, making the County share \$85,385.75, now, therefore, be it

RESOLVED, that said bid of Ramsey Constructors, Inc. in the amount of \$683,087.00 be accepted, and the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a construction contract for said amount, subject to review by FEMA, SEMO, the County Attorney and County Administrator.

Dated at Geneseo, New York

August 14, 2002

Highway & Public Works Committee

Mr. Moore mentioned this resolution did not go through Committee and asked Don Higgins, County Highway Superintendent, to comment. D. Higgins explained that he asked permission to put this resolution through prior to the August Committee meeting in order to gain two weeks on the construction schedule. He stated there were six bids received and explained that a bridge replacement will be done in the Town of Portage and bank stabilization will done on County Road 4 in the Town of Leicester. Mr. LeFeber asked for a cost breakdown between the projects. D. Higgins responded the bank stabilization will cost \$193,113 and the bridge replacement cost is \$489,974.

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

CLOSE PUBLIC HEARING

The Chairman asked if anyone else wished to speak at this time regarding the Public Hearings.

Chairman Merrick asked if there was a time allotment to be able to include some land in an Empire Zone that was omitted. P. Rountree stated that if the County is successful in attaining an Empire Zone, the County will have the opportunity on an annual basis to modify the zone boundaries by increasing or withdrawing parcels from the zone. P. Rountree explained that the Board of Supervisors will be required to appoint a zone administration to review the boundaries on an annual basis and the Chairman of the Board is the Chairperson of that Board.

Mt. Morris Supervisor Olverd stated that he had a business owner from Mt. Morris ask him why land that is already developed would be included in the empire zone. The business owner felt that the 6 acres of land across the street should have been included in the zone. Mr. Olverd asked whether this could be changed now. The County Attorney stated that if the Board decided to change the local law, a new local law would have to be introduced and a public hearing held which would not meet the deadline of August 30th. Mr. Olverd agreed that the change could not be done at this time and suggested that in the future, the Supervisors be provided a copy of the preliminary description of the land included in the zone.

The Chairman declared the public hearing closed.

MOTION TO VOTE ON LOCAL LAW NO. C – 2002 FOR A ROLL CALL VOTE

Mr. Deming moved Mr. Layland seconded to call Local Law No. C - 2002 to the table. Carried.

VOTE ON LOCAL LAW NO. 3 (C) - 2002

LOCAL LAW NO. 3 – 2002 A LOCAL LAW AUTHORIZING THE SUBMISSION OF AN APPLICATION BY LIVINGSTON COUNTY BOARD OF SUPERVISORS TO EMPIRE STATE DEVELOPMENT FOR DESIGNATION OF AREAS WITHIN LIVINGSTON COUNTY AS AN EMPIRE ZONE

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

PREAMBLE

It is the public policy of the State of New York to offer incentives through the creation of Empire Zones that will promote the development of new business and the expansion of existing business within economically impoverished areas and to do so without inducing the relocation of business investment from other areas of the State. It is also the public policy of New York State to achieve their goals through the mutual cooperation of all levels of State and local governments and the business community. It is the intent of this Local Law to authorize Livingston County to submit an application for Empire Zone Designation pursuant to General Municipal Law Section 960.

SECTION I

The Chairman of the Livingston County Board of Supervisors is hereby authorized to submit an application to Empire State Development for designation of an area within Livingston County, as described in Section II hereof, as an Empire Zone.

SECTION II

The boundaries of such Empire Zone are described as follows:

EMPIRE ZONE BOUNDARY DELINEATION

The Empire Zone encompasses a total of +/-1184 acres, in 6 non-contiguous areas within Livingston County.

BOUNDARY LINE DESCRIPTION FOR SUB-ZONE 1

Contains a 352+/- acre parcel of land in the Town of North Dansville, Village of Dansville and Town of Sparta which borders on the streets listed herein below and known as the following tax parcels:

Street/Avenue	Tax Map Number
Rt.63	189.5-1-1
Zerfass Road	189.9-1-1
Robert Hart Drive	189.9-1-2.1
Robert Hart Drive	189.9-1-2.2
Main Street	189.10-1-1
Forbes Street	189.18-2-28
Forbes Street	189.18-2-29
Maple Street	189.18-2-34
Forbes Street	189.18-2-30
Forbes Street	189.18-2-32
Forbes Street	189.18-2-33
Village Plaza	203.5-1-1.1
Franklin Plaza	203.5-1-2.1
Franklin Plaza	203.5-1-2.2
Franklin Plaza	203.5-1-3
Maple Street	203.6-1-81.1
Maple Street	203.6-1-1.11
Maple Street	203.6-1-1.2
Morse Street	203.6-1-34.312
Maple Street	203.6-1-34.32
Maple Street	203.6-1-10.1

Genesee & Wyoming Railroad	189-1-58.1
Meter Road	189.-1-6
Foster Wheeler Road	189.-1-7.1
Hartman Road	189.-1-19
Hartman Road	189.-1-20
Hartman Road	189.-1-43
Airport Plaza	189.-1-44.1
Foster Wheeler Road	189.-1-44.2
Airport Plaza	189.-1-44.3
Route 36	189.-1-45
Foster Wheeler Road	189.-1-46
Foster Wheeler Road	189.-1-47
Route 36	189.-1-48.1
Foster Wheeler Road	189.-1-49.1
Cumminsville	189.17-2-2.1
Cumminsville	189.17-2-3.1
Cumminsville	189.17-2-5.1
Cumminsville	189.17-2-7
Cumminsville	189.17-2-8
Cumminsville	189.17-1-1
Cumminsville	189.17-1-2.1
Cumminsville	189.17-1-2.2
Cumminsville	189.17-1-3
Cumminsville	189.17-1-4
Cumminsville	189.17-1-5
Cumminsville	189.17-1-6
Cumminsville	189.17-1-7
Cumminsville	189.17-1-8
Cumminsville	189.17-1-9
Cumminsville	189.17-1-10
Cumminsville	189.17-1-11
Cumminsville	189.17-1-13
Cumminsville	189.17-1-14
Cumminsville	189.17-1-15
Cumminsville	189.17-1-16
Cumminsville	189.17-1-17
Cumminsville	189.17-1-18
Cumminsville	189.17-1-19
Cumminsville	189.17-1-20
Cumminsville	189.17-1-21.1
Cumminsville	189.17-1-22
Cumminsville	189.17-1-23
Cumminsville	189.17-1-24
Cumminsville	189.17-1-25
Cumminsville	189.17-1-26
Cumminsville	189.17-1-27
Cumminsville	189.17-1-28
Cumminsville	189.17-1-29
Cumminsville	189.17-1-30
Cumminsville	189.17-1-31
Cumminsville	189.17-1-33.1

Cumminsville	189.17-1-33.2
Cumminsville	189.17-1-34.1
Cumminsville	189.17-1-34.2
Cumminsville	189.17-1-35
Cumminsville	189.17-1-36
Cumminsville	189.17-1-38.1
Cumminsville	189.17-1-39
Cumminsville	189.17-1-40
Cumminsville	189.17-1-41
Cumminsville	189.17-1-42
Cumminsville	189.17-1-43
Cumminsville	189.17-1-44
Cumminsville	189.17-1-45
Cumminsville	189.17-1-46
Cumminsville	189.17-1-47
Cumminsville	189.17-1-48
Cumminsville	189.17-1-49
Cumminsville	189.17-1-50
Cumminsville	189.17-1-51

BOUNDARY LINE DESCRIPTION FOR SUB-ZONE 2

Contains a 375+/- acre parcel of land in the Village of Avon which borders on the streets listed herein below and known as the following tax parcels:

Street/Avenue	Tax Map Number
Rochester Street	24.1-1-1
Rochester Street	24.14-1-2
Rochester Street	24.14-1-3.1
Rochester Street	24.14-1-3.2
Rochester Street	24.14-1-4.1
Rochester Street	24.14-1-4.21
Rochester Street	24.14-1-5.1
Rochester Street	24.14-1-1
West Main Street	24.17-1-2
West Main Street	24.17-1-3
Rochester Street	24.18-1-2
Rochester Street	24.18-1-3
Rochester Street	24.18-1-4
Rochester Street	24.18-1-5
Rochester Street	24.18-1-6
Rochester Street	24.18-1-7
Rochester Street	24.18-1-8
Rochester Street	24.18-1-9
Rochester Street	24.18-1-10
Rochester Street	24.18-1-11
Rochester Street	24.18-1-12
Rochester Street	24.18-1-13
Rochester Street	24.18-1-14
Rochester Street	24.18-1-15
Rochester Street	24.18-1-16.1
Rochester Street	24.18-1-16.2
Rochester Street	24.18-1-17

Rochester Street	24.18-1-74
Rochester Street	24.18-1-75
Rochester Street	24.18-1-1
Farmers Road	34.5-1-11
West Main Street	34.5-1-12
West Main Street	34.5-1-13
West Main Street	34.5-1-14
West Main Street	34.5-1-68
Livonia, Avon & Lakeville Railroad	34.6-1-70.1
West Main Street	34.6-1-70.2
Wadsworth Avenue	34.6-1-20
Wadsworth Avenue	34.6-1-21
West Main Street	34.6-1-23
West Main Street	34.6-1-26
West Main Street	34.6-1-34
Railroad Avenue	34.6-1-37
Spring Street	34.13-1-66.11
North Avenue	34.13-1-9.1
West Main Street	34.6-1-61

BOUNDARY LINE DESCRIPTION FOR SUB-ZONE 3

Contains a 237+/- acre parcel of land in the Village of Mt. Morris and Town of Leicester which borders on the streets listed herein below and known as the following tax parcels:

Street/Avenue	Tax Map Number
Lackawanna Avenue	106.15-1-49
G&W Railroad	106.11-1-5
North Main Street	106.6-1-2
North Main Street	106.6-1-3.11
North Main Street	106.6-1-3.12
Swett Street	106.6-1-7
Conlon Avenue	106.6-1-8.1
Conlon Avenue	106.6-1-8.2
Swett Street	106.6-1-6
Lower Mt. Morris Road	97.-1-32.2
Lower Mt. Morris Road	97.-1-33

BOUNDARY LINE DESCRIPTION FOR NEARBY LANDS 1

Contains a 110+/- acre parcel of land in the Town of Avon which borders on the streets listed herein below and known as the following tax parcels:

East Avon Road	35.-1-13.511
Interstate Drive	35.-1-13.53
Interstate Drive	35.-1-13.22
Road A	35.-1-13.52
Tec Drive	35.-1-13.31
Tec Drive	35.-1-13.26
Tec Drive	35.-1-13.25
Tec Drive	35.-1-13.23
Tec Drive	35.-1-13.273
West Henrietta Road	35.-1-8.3

BOUNDARY LINE DESCRIPTION FOR NEARBY LANDS 2

Contains a 23+/- acre parcel of land in the Village of Mt. Morris which borders on the streets listed herein below and known as the following tax parcels:

Connor Ave.	115.7-2-70.1
Connor Ave.	115.8-1-2
Connor Ave.	115.8-1-1.22
Connor Ave.	115.8-1-1.12
Connor Ave.	115.8-1-1.11
Connor Ave.	115.8-1-1.21
Connor Ave.	115.7-2-63.21

BOUNDARY LINE DESCRIPTION FOR NEARBY LANDS 3

Contains a 87+/- acre parcel of land in the Town of Geneseo which borders on the streets listed herein below and known as the following tax parcels:

Street/Avenue	Tax Map Number
Volunteer Road	81.-1-2.8

SECTION III

The Director of the Livingston County Economic Development Office shall serve as the local Empire Zone Certifying Officer.

SECTION IV

The composition of the local Empire Zone Administration Board shall consist of a Chairman and six (6) additional members each of who shall be appointed by the Chairman of the Livingston County Board of Supervisors and confirmed by the Livingston County Board of Supervisors. The Chairman of said Board shall be the Chairman of the Livingston County Board of Supervisors. The members of the Empire Zone shall serve for a term of two (2) years.

SECTION V

The application for said designation of Livingston County as an Empire Zone shall be completed in a manner and form as specified in Article 18-B of the General Municipal Law of the State of New York.

SECTION VI

If any clause, sentence, paragraph, subdivision, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order have rendered.

SECTION VII

This Local Law shall be effective upon filing with the Secretary of State.

Dated at Geneseo, New York

July 24, 2002 (Introduced)

August 14, 2002 (Adopted)

The roll was called as follows: Ayes - 1,639; Noes - 0; Absent – Mahus, 180; Adopted.

OTHER BUSINESS

- Chairman Merrick extended best wishes to Conesus Supervisor Witte and thanked him for his participation in county government.
- Nunda Supervisor Brooks, Chairman of Personnel & Employee Relations Committee (PERC), stated that the PERC Committee reviewed the proposed retirement incentive packages offered by the NYS Retirement System and at this time the Committee is not recommending that the County offer the program. Mr. Brooks thanked the County Administrator, the Personnel Officer and department heads who prepared information for the Committee to assist them in the decision. Tish Lynn, Personnel Officer, was available to answer any questions and she thanked the committee for their involvement. Mt. Morris Supervisor Olverd asked how the employees will be informed of this decision. Mr. Brooks responded that each department head is responsible for notifying their employees. Caledonia Supervisor Layland commented that isolated cases proved to be the only savings without cutting jobs.

AUGUST 14, 2002

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ADJOURNMENT

Motion made by Mr. Mahus and seconded by Mr. Schuster to adjourn until Wednesday, August 28, 2002 at 1:30 p.m.
Carried.

The Board adjourned at 2:12 p.m.

REPORT OF THE SUPERVISORS' PROCEEDINGS
REGULAR BOARD MEETING
WEDNESDAY, AUGUST 28, 2002
1:30 P.M.

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Olverd, and Davis and representation from the Town of Conesus.

The Pledge of Allegiance.

MINUTES

Minutes of 8/14/02 Regular Board Meeting were approved as presented.

PUBLIC HEARING – 1:35 P.M.

The Public Hearing to receive comments on Local Law No. D – 2002 A Local Law Updating Apportionment For The Livingston County Board Of Supervisors On A Weighted Vote Basis was called in accordance with the notices published in the official newspapers.

Mr. Olverd and Mr. Davis entered.

County Attorney David Morris indicated that this is the second time this local law has been presented because the official newspapers did not publish the law in accordance with the law; therefore, we must go through the legal procedures again.

The Chairman asked if anyone wished to speak regarding the public hearing to please come forward and sign in at the podium.

Charles Comer, resident Town of West Sparta and tax payer for many towns commented that he did not think the students and prisoners should be included in the weighted vote reapportionment.

Chairman Merrick asked County Attorney David Morris to respond. The County Attorney stated this is the first year that we counted the students and inmate population in the weighted vote apportionment. When the apportionment was done in 1992, those populations were not included. Since that time, the Court of Appeals has made a decision, on the basis of a case from Jefferson County, to accept the census figures without excluding those populations. On this basis, the County Attorney stated that he made the recommendation to the Board of Supervisors to include those two populations in the weighted vote apportionment.

Charles Comer questioned whether the prisoners can vote. The County Attorney responded that convicted felons cannot vote and some students do vote in Geneseo, however, the majority of the students probably vote in their home towns.

Charles Comer commented that the population figures could change over time. The County Attorney stated that the reapportionment is based on the current census figures. He stated he is aware that population figures could change but the weighted vote will remain the same.

Geneseo Supervisor Kennison commented that the presence of the Geneseo students provide additional revenues to the County, volunteer in the local fire departments, perform research on Conesus Lake and a variety of others things. He concurred that most students do not register here.

The Chairman asked if anyone else wished to speak. No one wished to speak. The Chairman announced that the public hearing will remain open until the end of the meeting.

COMMUNICATIONS

1. Notice of Claim in the matter of Michael G. Duffy versus the County of Livingston.
2. Legislation for the cellular telephone surcharge was signed by Governor Pataki on August 13, 2002. A local law will be introduced at the September 11, 2002 board meeting.
3. Resignation Letter from Conesus Supervisor Dennis L. Witte.
4. Letter from Senator Patricia K. McGee acknowledging receipt of Res. No. 2002-284 and 2002-285.

RESOLUTION NO. 2002-296. APPROVING ABSTRACT OF CLAIMS #8B – AUGUST 28, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #8B dated August 28, 2002 in the total amount of \$1,123,739.10.

Dated at Geneseo, New York

August 28, 2002

Finance & Administration Committee

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

PRIVILEGE OF THE FLOOR

1. Cynthia Oswald, Business Education Alliance (BEA) Coordinator thanked the County Administrator and the Board of Supervisors for their continued support. She explained some of the new innovative programs that the BEA has been providing to students. She read a letter from an inmate in the Livingston County Jail who was very thankful for the education programs that were provided during his incarceration. Geneseo Supervisor Kennison commented this organization produces wonderful tangible and intangible benefit. He stated a lot of time and energy is put forth into these programs, and he expressed his gratitude to the BEA.

PREFERRED AGENDA**RESOLUTION NO. 2002-297. APPOINTING MEMBER TO LIVINGSTON COUNTY PLANNING BOARD - MCCORMICK**

RESOLVED, that the following person is hereby appointed to the Livingston County Planning Board for a term to expire December 31, 2002:

Alternate at Large #3 – Patrick McCormick, 30 Crestline Drive, Avon, NY 14414

Dated at Geneseo, New York

August 28, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-298. PROCLAIMING THE WEEK OF SEPTEMBER 9-15, 2002 AS EMERGENCY SERVICES PROVIDER WEEK

WHEREAS, on April 24, 2002 the Livingston County Board of Supervisors adopted Res. No. 2002-173 Honoring Livingston County Emergency Services Providers On An Annual Basis During The Week Of September 11th, and

WHEREAS, the Livingston County Board of Supervisors desires to acknowledge the invaluable services provided to the residents of Livingston County by Law Enforcement, Fire and Emergency Medical Service providers, it is hereby

RESOLVED, that the Livingston County Board of Supervisors proclaims the week of September 9-15, 2002 as Emergency Services Provider Week to honor and thank the Law Enforcement, Fire and Emergency Medical Service providers throughout Livingston County.

Dated at Geneseo, New York

August 28, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-299. APPOINTING MEMBER TO THE WESTERN REGIONAL OFF TRACK BETTING CORPORATION BOARD OF DIRECTORS - WAMP

RESOLVED, that the Livingston County Board of Supervisors hereby appoints Thomas P. Wamp of 126 Main Street, P. O. Box 6, Dansville, New York 14437 to the Western Regional Off Track Betting Corporation Board of Directors.

Dated at Geneseo, New York

August 28, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-300. APPOINTING MEMBER TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD – LOUVAIN

RESOLVED, that the following person is hereby appointed to the Livingston County Traffic Safety Board for the term designated:

TOWN	REPRESENTATIVE	TERM EXPIRATION
Geneseo	William Louvain, 4720 Lima Road, Geneseo, New York 14454 (to fill the unexpired term of J. David Haskins)	12/31/02

Dated at Geneseo, New York

August 28, 2002

Public Safety & Criminal Justice Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Martello and seconded by Mr. Moore to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-301. AUTHORIZING TRANSFER OF FUNDS – HIGHWAY, INFORMATION & TECHNOLOGY SERVICES, OFFICE FOR THE AGING

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

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

Dated at Geneseo, New York

August 28, 2002

Finance & Administration Committee

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-302. AUTHORIZING ACCEPTANCE OF GRANT AND AMENDING THE 2002 COUNTY BUDGET - RECORDS MANAGEMENT

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

WHEREAS, Livingston County has been awarded a grant in the amount of \$5,000 by the New York State Archives for a Grant to be divided between the years 2002 and 2003, and

WHEREAS, the County of Livingston is honored that it has been selected to receive this grant, now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to accept said grant from the New York State Archives, and be it further

RESOLVED, that the 2002 Livingston County Budget is hereby amended by increasing Account 3060 Revenues State Aid in the amount of \$2,500.00 and by increasing the following Appropriation Account:

1665 Records Management

4080 Professional Services \$2,500

Dated at Geneseo, New York

August 28, 2002

Finance & Administration Committee

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-303. AMENDING 2002 COUNTY BUDGET – OFFICE FOR THE AGING

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

WHEREAS, the Office for the Aging has been provided additional State funds, it is hereby RESOLVED, that the 2002 Office for the Aging Budget be amended as follows:

Increase Revenue Account	
A6780.3772 State Funds	\$3,684.00
Increase Appropriation Account	
A6780.4190 Agency Contract	\$1,813.00
A6780.4020 Travel	\$457.00
A6780.4060 Office Supplies	\$940.00
A6780.4055 Telephone	<u>\$474.00</u>
	\$3,684.00
 Increase Revenue Account	
A6777.3772 State Funds	\$200.00
Increase Appropriation Account	
A6777.4055 Telephone	\$200.00

Dated at Geneseo, New York

August 28, 2002

Finance & Administration Committee

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-304. AUTHORIZING THE CHAIRMAN TO SIGN A QUIT CLAIM DEED AND RELATED DOCUMENTS TO TRANSFER A PARCEL ON WEST LAKE ROAD –BURGIO, TOWN OF GENESEO

Mr. Moore 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 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:

Jean Burgio

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Geneseo, County of Livingston and State of New York, described as follows:

On the west by a line 33 feet easterly from the centerline of the present West Lake Road and parallel thereto; on the east by the east line of the old West Lake Road; on the north and south by the respective north and south lines of Lot No. 2 as shown on a map of a Re-Survey of South part of the Sleggs Subdivision of part of Lot 11, prepared by W.P. Eshbaugh, C.E. and dated June 1, 1945 and filed in the office of the Clerk of Livingston County on September 15, 1947, currently known as map No. AO1422 and also filed in map book 13, pages 30-31 extended westerly to the west line of the parcel described herein (i.e. a line 33 feet east of the centerline of the present West lake Road and parallel thereto).

The above conveyance is **SUBJECT TO** the rights of the owners of the premises situate to the north (Lot No. 3 on said map) and south (Lot No. 1 on said map) of the subject premises for access to the present West Lake Road.

Said conveyance is also **TOGETHER WITH** rights of access to and from the above described premises across the portions of the discontinuance areas situated to the west of Lots “1” and “3” as shown on the above referenced map (to the south and north respectively of the above described shown on the above referenced map (to the south and north respectively of the above described premises).

Dated at Geneseo, New York

August 28, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-305. APPROVING EXTENSION AND RATE PER MILE FOR COUNTY SNOW & ICE CONTROL CONTRACT

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

WHEREAS, the current County Snow & Ice Control Contract is effective through August 31, 1999, but allows for annual extensions through September 1, 2007 under the same terms and conditions, and

WHEREAS, the Contract also provides for the "Rate Per Mile" to be negotiated each year, and

WHEREAS, Resolution No. 2001-311 increased the Rate Per Mile from \$2,900.00 to \$3,100.00, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors agrees to extend the County Snow & Ice Contract through August 31, 2003, and further, be it

RESOLVED, that the "Rate Per Mile" for said Contract Extension Period remain at \$3,100.00.

Dated at Geneseo, New York

August 28, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-306. AUTHORIZING A SUPPLEMENTAL AGREEMENT AND CONTRACT WITH DEWBERRY-GOODKIND, INC. FOR STRUCTURAL MONITORING PROGRAM SERVICES FOR FEDERAL/STATE-AID BRIDGE REPLACEMENT PROJECT (NYS DOT PIN 4753.01), TRIPHAMMER ROAD (CR 52), TOWN OF AVON, FOR LIVINGSTON COUNTY HIGHWAY DEPARTMENT

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

WHEREAS, Resolution No. 2000-354 authorized a contract with Goodkind & O'Dea, Inc. (now Dewberry-Goodkind, Inc.) of Rochester, N.Y. for engineering, design and construction support services for the above-noted project, and

WHEREAS, a two-year Performance Monitoring Program is a required component of the Federal Aid "Innovative Bridge Research & Construction" Program, and

WHEREAS, Dewberry-Goodkind, Inc. has submitted a proposal to provide administrative and oversight services for said Performance Monitoring Program, at a fee not to exceed \$15,000.00, and said fee will be 100% Federal/State-funded, and

WHEREAS, the services of a testing contractor for structural monitoring will be procured via a competitive bidding process, now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to sign a Supplemental Agreement with Dewberry-Goodkind, Inc. of Rochester, N.Y. for Performance Monitoring Program services for the above-noted Federal/State-Aid Project, at a maximum fee not to exceed \$15,000, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

August 28, 2002

Highway & Public Works Committee

Mr. Moore indicated this is a plastic bridge, and this project requires a stress test be conducted for two years.

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-307. AUTHORIZING A CONTRACT WITH FISHER ASSOCIATES ENGINEERS & SURVEYORS FOR ENGINEERING & DESIGN SERVICES FOR FEDERAL/STATE-AID BRIDGE REPLACEMENT PROJECT (NYS DOT PIN 4753.10), COVINGTON ROAD OVER G & W RAILROAD, TOWN OF LEICESTER, FOR LIVINGSTON COUNTY HIGHWAY DEPARTMENT

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

WHEREAS, twelve (12) consulting firms from the NYSDOT "LDSA List" submitted "Expression of Interest" letters for the above-noted project, and

WHEREAS, a 4-person Selection Committee comprised of NYSDOT and County officials reviewed and rated each submittal, and weighted scores were computed, and

WHEREAS, the highest-ranking firm resulting from this selection process was Fisher Associates Engineers & Surveyors of Henrietta, New York, and

WHEREAS, Fisher Associates has submitted a scope of services and a lump-sum fee proposal, not to exceed the amount of \$130,000.00, for the following project phases:

- a) Preliminary Engineering
- b) Design
- c) Right-of Way Incidentals and Acquisition
- d) Construction Support, and

WHEREAS, said proposed fee and scope of services have been reviewed and approved by NYSDOT, and

WHEREAS, a supplemental agreement with Fisher Associates for Construction Inspection Services will be negotiated following award of a Construction Contract, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to sign an Architectural/Engineering Consultant Agreement with Fisher Associates Engineers & Surveyors of Henrietta, N.Y., for engineering and design services for the above-noted Federal/State-Aid Project, at a maximum fee of \$130,000.00 (of which the County share will be 5%), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

August 28, 2002

Highway and Public Works Committee

Mr. Moore indicated a review and ranking process was required by the Federal government for aid for this project. A team consisting of Mr. Moore, the County Administrator, Chris Sheraton and Don Higgins reviewed the engineering proposals for Covington Road Bridge and recommended Fisher Associates. The County Administrator stated this was the first time a ranking system was done, and he believed it to be a very open and fair process.

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-308. REMOVING COUNTY ROAD 53 AND COUNTY ROAD 73 IN THE TOWN OF CALEDONIA FROM THE COUNTY ROAD SYSTEM

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

WHEREAS, pursuant to Section 115-b of the Highway Law, the County Superintendent of Highways has recommended the removal of County Road 53 and County Road 73 in the Town of Caledonia from the County Road System, and

WHEREAS, the Town Board of the Town of Caledonia has passed a resolution agreeing to the removal, now, therefore, be it

RESOLVED, that County Road 53 and County Road 73 are removed from the County Road System upon the signing of a written agreement between the Town of Caledonia and the County of Livingston, said agreement to be drafted by the County Attorney, and, be it further

RESOLVED, that upon the signing of the written agreement, the County Road Map is amended to eliminate County Road 53 and County Road 73 from the County Road Map referred to in Section 115 of the Highway Law.

Dated at Geneseo, New York

August 28, 2002

Highway & Public Works Committee

Mr. Moore stated that the Town of Caledonia has agreed to take over County highways Cameron Road and Maxwell Station Road for the exchange of River Road (4.7 miles). The two county highways have a total of 3.3 miles of road and the traffic count is 90 on Cameron Road and 120 on Maxwell Station Road versus 2000 on River Road. The Highway & Public Works Committee believes this is the first step to encourage the State to take over River Road. Caledonia Supervisor Layland stated that the Town of Caledonia has spent 21% of its budget on this road and 60% of their CHIPS money and now the Town is two years behind in maintaining their town roads. The businesses located in the industrial park on this road are dependent on the use of this road and they provide 300 jobs to the area. If this resolution and the following resolution are approved, Mr. Layland stated he would like to thank the Board on behalf of the Town of Caledonia.

Nunda Supervisor Brooks, who owns a company located in this industrial park on River Road, stated he appreciates the County considering the take over of this road.

Mr. Moore stated that the next resolution authorizes the take over of River Road and if approved, the County will immediately be doing some culvert work and installing some signage and striping the road.

Mr. Layland reassured the Board that the Town will contract with the County to be able to use the \$30,000 received from Senator Volker for the culvert work.

Geneseo Supervisor Kennison commented that he supports both resolutions and stated that we must continue to hold the State accountable to ultimately take over River Road.

Mr. Moore mentioned that Don Higgins, County Highway Superintendent was at a conference this week and was unable to attend the Board meeting.

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-309. ADDING RIVER ROAD IN THE TOWN OF CALEDONIA FROM THE MONROE COUNTY LINE SOUTH TO NYS ROUTE 5 TO THE COUNTY ROAD SYSTEM

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

WHEREAS, pursuant to Section 115 of the Highway Law, the County Superintendent of Highways has recommended the addition of approximately 4.65 miles plus or minus of River Road from the Monroe County line south to NYS Route 5 in the Town of Caledonia, to the County Road System, now, therefore, be it

RESOLVED, that 4.65 miles plus or minus of River Road from the Monroe County line south to NYS Route 5 is added to the County Road System, and, be it further

RESOLVED, that the Livingston County Map is amended to include said mileage, which mileage shall be designated as County Road 84, and, be it further

RESOLVED, that the provisions of this resolution shall be effective upon the signing of a written agreement between the Town of Caledonia and the County of Livingston.

Dated at Geneseo, New York

August 28, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-310. AMENDING DEPARTMENT HEAD SALARY SCHEDULE - GENESEO SKILLED NURSING FACILITY

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

Geneseo Skilled Nursing Facility

Create one Assistant Nursing Home Administrator position with a salary range of \$42,000 to \$52,000.

Establish a pay rate of \$16.00 per hour for temporary Administrators in Training.

Dated at Geneseo, New York

August 28, 2002

Personnel & Employee Relations Committee

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-311. APPROVING 2003 STOP-DWI PLAN FOR LIVINGSTON COUNTY

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

RESOLVED, that the Livingston County Board of Supervisors hereby approves the 2003 STOP-DWI Plan for Livingston County, and it is further

RESOLVED, that the Chairman of the Board is hereby authorized to the sign the 2003 STOP-DWI Plan for Livingston County and forward the Plan to the N.Y.S. Department of Motor Vehicles Governor's Traffic Safety Committee, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

August 28, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-312. AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN ST. JAMES MERCY HEALTH SYSTEM AND THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign a Memorandum of Understanding with St. James Mercy Health System relating to the transfer and management of behavioral health patients by the Livingston County Sheriff's Department, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

August 28, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

CLOSE PUBLIC HEARING

The Chairman asked if anyone else wished to speak at this time regarding the Public Hearings. No one wished to speak.

The Chairman declared the public hearing closed.

MOTION TO VOTE ON LOCAL LAW NO. D – 2002 FOR A ROLL CALL VOTE

Mr. Layland moved Mr. Schuster seconded to call Local Law No. D - 2002 to the table. Carried.

VOTE ON LOCAL LAW NO. D - 2002

Local Law No. (D) – 2002 A Local Law Updating Apportionment for The Livingston County Board Of Supervisors On A Weighted Vote Basis. *(This law is not yet numbered because it is subject to permissive referendum.)*

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

SECTION 1. The Livingston County Board of Supervisors having heretofore enacted local laws implementing adjusted weighted voting plans for simple majority and two-thirds majority votes, and since those enactments the 2000 Federal census has been completed, the Livingston County Board of Supervisors has prepared revised plans utilizing the said census figures.

SECTION 2. The apportionment of the voting strength of each of the members of the Livingston County Board of Supervisors as determined by utilization of the 2000 Federal census shall be as follows upon any vote requiring a simple majority vote:

<u>TOWN</u>	<u>NUMBER OF VOTES</u>	<u>VOTING POWER</u>
Avon	175	10.05
Caledonia	126	7.10
Conesus	66	3.65
Geneseo	247	15.00
Groveland	107	5.99
Leicester	64	3.54
Lima	125	7.05
Livonia	195	11.34
Mt. Morris	126	7.10
N. Dansville	157	8.94
Nunda	84	4.68
Ossian	21	1.16
Portage	24	1.33
Sparta	46	2.52
Springwater	65	3.60
W. Sparta	34	1.93
York	90	5.01
Total	1752	100.00

A total of 877 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a simple majority vote.

SECTION 3. The apportionment of the voting strength of each of the members of the Livingston County Board of supervisors as determined by utilization of the 2000 Federal census shall be as follows upon any vote requiring a two-thirds majority vote.

<u>TOWN</u>	<u>NUMBER OF VOTES</u>	<u>VOTING POWER</u>
Avon	183	10.04
Caledonia	129	7.12
Conesus	66	3.66

Geneseo	289	14.98
Groveland	108	5.98
Leicester	65	3.59
Lima	128	7.04
Livonia	206	11.30
Mt. Morris	129	7.12
N. Dansville	162	8.90
Nunda	85	4.70
Ossian	21	1.16
Portage	24	1.33
Sparta	45	2.51
Springwater	65	3.59
W. Sparta	36	1.94
York	90	5.04
Total	1831	100.00

A total of 1221 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a two-thirds majority vote.

SECTION 4. Any local law, ordinance, resolution or other act to the extent inconsistent herewith shall be superseded by this Local Law.

SECTION 5. If any clause, sentence, paragraph or section of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or section thereof directly involved in the preceding in which such adjudication shall have rendered.

SECTION 6. This local law supercedes Local Law No. B of the year 2002 which was adopted by the Livingston County Board of Supervisors on July 10, 2002 but was not published in accordance with County Law §214.

SECTION 7. This Local Law shall become effective upon the date it is filed in the office of the Secretary of State.

SECTION 8. This Local Law is subject to a permissive referendum.

Dated at Geneseo, New York

August 14, 2002 (Introduction)

August 28, 2002 (Adopted)

The roll was called as follows: Ayes – 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

OTHER BUSINESS

1. The County Administrator commented that he is steadfastly working on the 2003 County Budget, and he presented some correspondence to the Finance & Administration Committee this week indicating the severe budget impact that several counties are facing. He stated that it was good to be back from his vacation in Ireland, and he indicated that at times he thought he was in Livingston County.

ADJOURNMENT

Motion made by Mr. Mahus and seconded by Mr. Wahl to adjourn until Wednesday, September 11, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:19 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, SEPTMBER 11, 2002
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except representation from the Town of Conesus.

The Pledge of Allegiance.

MOMENT OF SILENCE IN MEMORY OF THE TRAGIC EVENTS OF SEPTEMBER 11, 2001

Chairman Merrick requested Privilege of the Floor for Emergency Management Services Director Kevin Niedermaier.

K. Niedermaier stated:

“Let us take a moment to reflect upon the past year. At 8:46 a.m. on September 11, 2001, a tragedy occurred like the world had never seen. This would changes our lives forever.

The world would also see a nation come together with great pride, unity and compassion. Acts of selflessness would emerge; people giving of their own lives to save others.

As we reflect upon this day and how it has impacted our lives and our country let us remember: the passengers and crews of American Airlines Flight 11 and United Airlines Flight 175 which crashed into the World Trade Center Towers; American Airlines Flight 77 which crashed into the Pentagon and took the life of one of our own, Commander William Donovan United States Navy, better known as Billy among his family and friends, who was from the Town of Nunda; United Airlines Flight 93 that went down in the fields of Somerset County, Pennsylvania; and the 343 members of the New York Fire Department, members of the Emergency Medical Services, New York City Police Department, New York City Port Authority, and all those who perished in the collapse of the World Trade Center.

Would you please rise as we take a moment of silence to honor all of those who lost their lives one year ago today, September 11, 2001.”

MINUTES

Minutes of 8/28/02 Regular Board Meeting were approved as presented.

COMMUNICATIONS

1. NYSAC 2002 Fall Conference, September 25-27, 2002, to be held at the Hyatt Regency in Rochester, NY. If you are interested in attending, please notify the Clerk of the Board.
2. Notice of Claim in the matter of the Estate of Bonnie Lynn Johnson, by Barbara Schreier, Administratrix versus the County of Livingston and the Town of Avon.
3. Letter from Livingston County Agricultural Society & Fair at Caledonia, Inc. thanking the County for the monetary assistance for 2002.
4. Letter from Assemblyman Brian M. Kolb acknowledging receipt of Res. No. 2002-284 declaring support of A.11346 facilitating payment of claims by health insurers to municipalities for early intervention services.

INTRODUCTION OF LOCAL LAWS

LOCAL LAW NO. E – 2002 A LOCAL LAW ENTITLED THE LIVINGSTON COUNTY HOTEL AND MOTEL ROOM OCCUPANCY TAX LAW.

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

TITLE 100 - GENERAL PROVISIONS:

Short Title: This Local Law shall be known as the Livingston County Hotel and Motel Room Occupancy Tax Law.

Intent: This Local Law is adopted to implement the provisions of Chapter 290 of the Laws of 1993, effective July 21, 1993, enacting section 1202-M of the Tax Law of the State of New York.

Definitions: Unless the context requires a different meaning, when used in this Local Law, the following terms shall mean:

"County" shall mean the County of Livingston.

"Person" shall mean an individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.

"Operator" shall mean any person operating a hotel or motel in the County of Livingston, including but not limited to the owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such hotel or motel.

"Hotel or Motel" or either term singly shall mean any facility or portion thereof providing lodging on an overnight basis. The term "hotel" or "motel" includes an apartment, hotel, motor court or inn, boarding house, cabin, cottage or club, or similar hotel or motel type of accommodations by whatever name designated, whether or not meals are served and shall include those facilities commonly known as "bed and breakfast" and "tourist" facilities.

"Occupancy" shall mean the use or possession, or the right to use or possession of any room in a hotel or motel.

"Occupant" shall mean a person who, for a consideration, uses, possesses, or has the right to use or possess, any room in a hotel or motel under any lease, concession, permit, right of access, license to use or other agreement, or otherwise.

"Permanent Resident" shall mean any occupant of any room or rooms in a hotel or motel for a period in excess of fourteen consecutive days.

"Rent" shall mean the consideration received for occupancy valued in money, whether received in money or otherwise.

"Room" shall mean any room of any kind in any part or portion of a hotel or motel, which is available for or let out for any purpose other than a place of assembly.

"Return" shall mean any return filed or required to be filed as herein provided.

"Tax" shall mean the tax imposed pursuant to this Local Law and any increase, reduction or modification hereafter authorized.

"Treasurer" shall mean the Treasurer of Livingston County or the Treasurer's designee.

"Board or other charge" shall mean the charge or charges which an operator shall impose for food and meals or for other services and facilities at a hotel or motel which charge is included in the cost of occupancy of a room as a common charge, or, if such charges are separately stated, is a charge which is not optional and is required to be paid by the occupant as part of the cost of occupancy of a room.

Territorial Limitations: A tax imposed by this Local Law shall apply only within the territorial limits of the County of Livingston.

Reference to Tax: Wherever reference is made in placards, advertisements or other publications to the tax imposed by this Local Law, such reference shall be substantially in the following form: "Tax on occupancy of hotel or motel rooms", except that in any bill, receipt, statement or other agreement or memorandum of occupancy or rent charge issued or employed by an operator, the words "occupancy tax" shall suffice.

TITLE 200 - ADMINISTRATION OF TAX LAW

Administration: The tax imposed by this Local Law shall be administered and collected by the Treasurer or other fiscal officers of the County as he may designate by such means and in such manner as are other taxes which are now collected and administered by such officers or as otherwise provided by this Local Law.

General Powers of the Treasurer: In addition to the powers granted to the Treasurer in this Local Law, the Treasurer is hereby authorized and empowered to:

make, adopt and amend rules and regulations appropriate to the carrying out of this Local Law and the purposes thereof, provided, however, that no rule or regulation shall become effective until 30 days after such rule or regulation shall have been filed with the Clerk of the Board of Supervisors;

extend for cause shown, the time of filing any return for a period not exceeding three months, provided not less than 90 percent of the estimated tax for the period for which the return is required to be filed shall be paid together with the request for such extension on or before the due date; and for cause shown to remit penalties but not interest computed at the rate and in the manner provided in section 924-a of the Real Property Tax Law on taxes not paid; and to compromise disputed claims in connection with the tax imposed by this Local Law;

request information from the Department of Taxation and Finance of the State of New York or the Treasury Department of the United States relative to any person; and to afford information to such taxation department or treasury department relative to any person, any other provision of this Local Law to the contrary notwithstanding; delegate his functions hereunder to a deputy treasurer or any employee or employees of the Treasurer, prescribe methods for determining the rents for occupancy and to determine the taxable and non-taxable rents; require any operator within the County to keep detailed records of the nature and type of hotel maintained, nature and type of service rendered, rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any occupancy is claimed to be subject to the tax and to furnish such information upon request to the Treasurer; assess, determine, revise and readjust the taxes imposed under this Local Law, and require the filing of estimated tax returns and payment of estimated tax where necessary; direct the County Attorney to take such action as may be required to enforce this Local Law, including but not limited to providing representation in any administrative proceeding conducted by the Treasurer for enforcement of this Local Law brought in the name of the County in any court of appropriate jurisdiction without any further authorization of the Board of Supervisors.

Administration of Oaths and Compelling Testimony:

The Treasurer or his employees or agents duly designated and authorized by him shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this Local Law. The Treasurer shall have power to subpoena and require the attendance of witnesses and the production of books, papers, and documents to secure information pertinent to the performance of his duties hereunder and of the enforcement of this Local Law and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of the state or unable to attend before him or excused from attendance.

A justice of the supreme court either in court or at chambers shall have power summarily to enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Treasurer under this Local Law.

Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Treasurer under this Local Law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars or imprisonment for not more than one year, or both such fine and imprisonment.

The officers who serve the summons or subpoena of the Treasurer and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as herein otherwise provided. Such officers shall be the County Sheriff and his duly appointed deputies or any officers or employees of the Treasurer, designated to serve such process.

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

Imposition of Tax: On and after the 1st day of January, 2003, there is hereby imposed and there shall be paid a tax of three percent (3%) upon the rent for every occupancy of a room or rooms in a hotel or motel in this County except that the tax shall not be imposed upon

permanent residents for the period of occupancy in excess of fourteen days, or exempt organizations as hereinafter set forth.

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

The tax to be collected shall be stated and charged separately from the rent and shown separately on any record thereof, at the time when the occupancy is arranged or contracted for and charged for, and upon every evidence of occupancy or any bill or statement or charge made for said occupancy issued or delivered by the operator, and the tax shall be paid by the occupant to the operator as trustee for and on account of the County, and the operator shall be liable for the collection thereof and for the tax. The operator and any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this Local Law, and the operator shall have the same right in respect to collecting the tax from the occupant, or in respect to nonpayment of the tax by the occupant as if the tax were a part of the rent for the occupancy payable at the time such tax shall become due and owing, including all rights of eviction, dispossession, repossession and enforcement of any innkeeper's lien that he may have in the event of non-payment of rent by the occupant; provided, however, that the Treasurer or other fiscal officer or officers, employees or agents duly designated by him shall be joined as a party in any action or proceeding brought by the operator to collect or enforce collection of the tax.

Where the occupant has failed to pay and the operator has failed to collect a tax as imposed by this Local Law, then in addition to all other rights, obligations and remedies provided, such tax shall be payable by the occupant directly to the Treasurer, and it shall be the duty of the occupant to file a return thereof with the Treasurer and to pay the tax imposed thereon to the County Treasurer within 15 days after such tax was due.

The Treasurer may, whenever he deems it necessary for the proper enforcement of this Local Law, provide by regulation that the occupant shall file returns and pay directly to the Treasurer the tax herein imposed, at such times as returns are required to be filed and payment made over by the operator.

The tax imposed by this Local Law shall be paid upon any occupancy on and after January 1, 2003, although such occupancy is had pursuant to a contract, lease or other arrangement made prior to such date. Where rent is paid or charged or billed, or falls due on either a weekly, monthly or other term basis, the rent so paid charged, billed or falling due shall be subject to the tax herein imposed to the extent that it covers any portion of the period on and after January 1, 2003. Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Treasurer may by regulation provide for credit and/or refund of the amount of such tax upon application therefor as provided in section 406 of this Local Law.

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

303. Determination of Taxable Rent:

If the cost of occupancy of a room includes only the cost of occupancy of the room and board and other charges are separately stated and are incurred at the option of the occupant, rent subject to the tax shall be the charge made by the operator for occupancy of a room and the tax shall be based on that amount.

If the cost of occupancy of a room shall include only board as a common charge, or where board is separately stated and board is not optional and is required to be paid by the occupant as part of the cost of occupancy of a room, the operator shall use the schedule shown below to determine the percentage of the total charge to be apportioned to rent subject to the tax, and collect the tax based on that amount.

Total charge includes	Room	Board
Room, breakfast, lunch, dinner	55%	45%
Room, lunch, dinner	65%	35%
Room, breakfast, dinner	65%	35%
Room, breakfast, lunch	75%	25%
Room, dinner	80%	20%
Room, lunch	90%	10%
Room, breakfast	90%	10%

If the cost of occupancy of a room shall include only charges, as defined herein, as a common charge, or where other charges are separately stated and such other charges are not optional and are required to be paid by the occupant as part of the cost of occupancy of a room, the operator shall use the schedule shown below to determine the percentage of the total charge to be apportioned to rent subject to the tax, and collect the tax based on that amount.

Total charge includes	Room	Other charge
Room, other charge	95%	5%

If the cost of occupancy of a room shall include charges defined in subparagraphs (b) and (c) of this section as a common charge or, where such charges are separately stated and such charges are not optional and are required to be

paid by an occupant as part of the cost of occupancy of a room, the operator shall use the schedule shown below to determine the percentage of the total charge to be apportioned to rent subject to the tax, and collect the tax based on that amount.

Total charge includes	Room	Board other charge
Room, breakfast, lunch, dinner, other charge	50%	50%
Room, lunch, dinner, other charge	60%	40%
Room, breakfast, dinner, other charge	60%	40%
Room, breakfast, lunch, other charge	70%	30%
Room, dinner, other charge	75%	25%
Room, lunch, other charge	85%	15%
Room, breakfast, other charge	85%	15%

When the occupant becomes a permanent resident, the operator shall discontinue collection of the tax. If the operator neither separately states the charge for board, other charges or both nor uses the above schedules, the entire charge is taxable until the occupant becomes a permanent resident.

304. Exempt Organizations:

Except as otherwise provided in this section, any use or occupancy by any of the following shall not be subject to the tax imposed by this Local Law:

The State of New York or any public corporation (including a public corporation created pursuant to agreement or compact with another state or Canada), improvement district or political subdivision of the state;

The United States of America, insofar as it is immune for taxation;

Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or education purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this section shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this section.

Where any organization described in section 304(a)(iii) carries on its activities in furtherance of the purposes for which it was organized, in premises in which, as part of said activities, it operates a hotel or motel, occupancy of rooms in the premises and rents therefrom received by such corporation or association shall not be subject to tax hereunder.

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

Registration: Within ten days after the effective date of this Local Law, or in the case of operators commencing business after such effective date of this Local Law, within three days after such commencement or opening, every operator shall file with the Treasurer an application for a certificate of authority empowering such operator to collect the tax from the occupant. Upon receipt of such application, the Treasurer shall issue a certificate of authority to such operator which when authenticated shall constitute the authority for the purposes of this Local Law. Each application for a certificate of authority shall state the hotel or motel to which it is applicable; the name of the operator of such hotel or motel, the address of such operator, the taxpayer identification number assigned to such operator, the state of incorporation and the date upon which such corporation obtained authority to do business in this state, if not organized in this state, the names of each partner, if a partnership, and such other information as the Treasurer may by rule require. Such certificates of authority shall be prominently displayed by the operator in such manner that it may be seen and come to the notice of all occupants and persons seeking occupancy. Such certificates shall be non-assignable and non-transferable and shall be surrendered immediately to the Treasurer upon the cessation of business at the hotel or motel named or upon its sale or transfer.

Records To Be Maintained: Every operator shall keep records of every occupancy and of all rent paid, charged, or due thereon and of the tax payable thereon, in such form as the Treasurer by regulation requires. Such records shall be available for inspection and examination at any time upon demand by the Treasurer or his duly authorized agent or

employee and shall be preserved for a period of three years, except that the Treasurer may consent to their destruction within that period or may require that they be kept longer.

403. Returns:

Every operator shall file with the Treasurer a return of occupancy and of rents, and of the taxes payable thereon for the quarterly periods ending March 31, June 30, September 30 and December 31 of each year, on and after the first day of the year 2003. Such returns shall be filed within thirty days from the expiration of the period covered thereby. The Treasurer may permit or require returns to be made by other periods and upon such dates as he may specify. If the Treasurer deems it necessary in order to insure the payment of the tax imposed by this Local Law, he may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section and upon such dates as he may specify.

The forms of returns shall be prescribed by the Treasurer and shall contain such information as he may deem for the proper administration of this Local Law. The Treasurer may require amended returns to be filed within twenty days after notice and to contain the information specified in the notice.

If a return required by this Local Law is not filed, or a return filed is incorrect or insufficient on its face, the Treasurer shall take the necessary steps to enforce the filing of such a return or of a corrected return.

Payment of Tax: At the time of filing a return of occupancy and of rents each operator shall pay to the Treasurer the taxes imposed by this Local Law upon the rents required to be included in such return, as well as all other moneys collected by the operator acting or purporting to act under the provisions of this Local Law. Where the Treasurer, in his discretion, deems it necessary to protect revenues to be obtained under this Local Law, the Treasurer may require an operator to file with him a bond, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as the Treasurer may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator. In the event that the Treasurer determines that an operator is to file such bond he shall give notice to such operator to that effect specifying the amount of the bond required. The operator shall file such bond within five days after the giving of such notice unless within such five days the operator shall request in writing a hearing before the Treasurer at which the necessity, propriety and amount of the bond shall be determined by the Treasurer. Such determination shall be final and shall be complied with within fifteen days after the giving of such notice thereof. In lieu of such bond, securities approved by the Treasurer or cash in such amount as he may prescribe, may be deposited which shall be kept in the custody of the Treasurer who may at any time without notice to the depositor apply them to any tax and/or interest or penalties due, and for that purpose the securities may be sold by him at public or private sale without notice to the depositor thereof.

Determination of Tax: If a return required by this Local Law is not filed, or if a return when filed is incorrect or insufficient the amount of tax due shall be determined by the Treasurer from such information as may be obtainable and, if necessary, the tax may be estimated on the basis of external indices, such as number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and/or other factors. Notice of such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty days after giving of notice of such determination, shall apply to the Treasurer for a hearing, or unless the Treasurer of his own motion shall re-determine the same. After such hearing, the treasurer shall give notice of his determination to the person against whom the tax is assessed. The determination of the Treasurer shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by proceeding under article seventy-eight of the Civil Practice Law and Rules if application therefor is made to the Supreme Court within thirty days after the giving of the notice of such determination. A proceeding under article seventy-eight of the Civil Practice Law and Rules shall not be instituted unless:

The amount of any tax sought to be reviewed, with penalties and interest thereof, if any, shall be first deposited with the Treasurer and there shall be filed with the Treasurer an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of the proceeding, or

At the option of the applicant such undertaking filed with the Treasurer may be in a sum sufficient to cover the taxes, penalties and interest thereon stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the applicant shall not be required to deposit such taxes, penalties and interest as a condition precedent to the application.

406. Refunds:

In the manner provided in this section the Treasurer shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid if application to the Treasurer for such refund shall be made within one year from the payment thereof. Whenever a refund is made by the Treasurer, he shall state his reason therefor in writing. Such application may be made by the occupant, operator or other person who has actually paid the tax. Such application may also be made by an operator who has collected and paid over such tax to the Treasurer provided the application is made within one year of the payment by the occupant to the operator, but no actual refund of money, shall be to such operator until he shall first establish to the satisfaction of the Treasurer, under such regulations as the Treasurer may prescribe, that he has repaid to the occupant the amount for which the application for refund is made. The Treasurer may in lieu of any refund required to be made, allow credit therefor on payments due from the applicant.

An application for a refund or credit made as herein provided shall be deemed an application for a revision of any tax, penalty or interest complained of and the Treasurer may receive evidence with respect thereto. After making his determination the Treasurer shall give notice thereof to the applicant, who shall be entitled to review said determination by a proceeding pursuant to Article 78 of the Civil Practice Law and Rules, provided the proceeding is instituted within 30 days after the giving of the notice of determination and provided a final determination of tax due was not previously made. Such a proceeding shall not be instituted unless an undertaking is filed with the County Treasurer in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceedings be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

A person shall not be entitled to a revision, refund or credit under this section of a tax, interest or penalty which had been determined to be due pursuant to the provisions of section 405 of this Local Law where he has had a hearing or an opportunity for a hearing, as provided in said section or has failed to avail himself of the remedies therein provided. No refund or credit shall be made of the tax, interest or penalty paid after a determination by the Treasurer made pursuant to section 405 of this Local Law unless it is found that such determination was erroneous, illegal or unconstitutional or otherwise improper by the Treasurer after a hearing on the petition of a person liable for payment of the tax brought within thirty days after the filing of a determination of the Treasurer after a hearing pursuant to section 405 of this Local Law, or upon his own motion, or in a proceeding under article seventy-eight of the Civil Practice Law and Rules, pursuant to the provisions of said section. In that event a refund or credit without interest shall be made of the tax, credit or penalty found to have been overpaid.

Reserves: In cases where the occupant or operator has applied for a refund and has instituted a proceeding under article seventy-eight of the Civil Practice Law and Rules to review a determination adverse to him on his application for refund, the Treasurer shall set up appropriate reserves to meet any decision adverse to the County.

Remedies Exclusive: The remedies provided by section 405 and 406 of this Local Law shall be exclusive remedies available to any person for the review of tax liability imposed by this Local Law, and no determination or proposed determination on any application for refund shall be enjoined or reviewed by an action for declaratory judgment, an action for money had and received or by an action or proceeding in a nature of a certiorari proceeding under article seventy-eight of the Civil Practice Law and Rules; provided, however, that a taxpayer may proceed by declaratory judgment if he institutes suit within thirty days after a deficiency assessment is made and pays the amount of the deficiency assessment to the Treasurer prior to the institution of such suit and posts a bond for costs as provided in section 405 of this Local Law.

TITLE 500 - ENFORCEMENT OF COLLECTION OF TAX, PENALTIES AND INTERESTProceedings to Recover Tax:

Whenever any operator or any officer of a corporate operator or any occupant or other person shall fail to collect and pay over any tax and/or to pay any tax, penalty or interest imposed by this Local Law as therein provided, the County Attorney shall, upon the request of the Treasurer bring or cause to be brought an action to enforce the payment of the same on behalf of the County of Livingston in any court of the State of New York or of any other state of the United States. If, however, the Treasurer in his discretion believes that any such operator, officer, occupant or other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, he may declare such tax or penalty to be immediately due and payable and may issue a warrant immediately.

As an additional or alternate remedy, the Treasurer may issue a warrant, directed to the Sheriff commanding him to levy upon and sell the real and personal property of the operator or officer of a corporate operator or other person liable for the tax, which may be found within the County for the payment of the amount thereof, with any penalties and interest and the cost of executing the warrant, and to return such warrant to the Treasurer and to pay to him the money collected by virtue thereof within sixty days after the receipt of such warrant. The Sheriff shall, within five days after the receipt of the warrant, file with the County Clerk a copy thereof, and thereupon such Clerk shall enter in the judgment docket the name of the person mentioned in the warrant and the amount of the tax, penalties and interest for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the person against whom the warrant is issued. The Sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by law in respect to executions issued against property judgments of a court of record and for services in executing the warrant he shall be entitled to the same fees, which he may collect in the same manner. In the discretion of the Treasurer, a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Treasurer and in the execution thereof such officer or employee shall have all the powers conferred by law upon sheriffs, but shall be paid in the performance of such duty. If a warrant is returned not satisfied in full, the Treasurer may from time to time issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County has recovered judgment therefor and execution thereon has been returned unsatisfied.

Whenever an operator shall make a sale, transfer, or assignment in bulk of any part or the whole of his hotel or motel or his lease, license or other agreement or right to possess or operate such hotel or motel or of the equipment, furnishings, fixtures, supplies or stock of merchandise, or the said premises or lease, license or other agreement or right to possess or operate such hotel or motel and the equipment, furnishings, fixtures, supplies and stock of merchandise pertaining to the conduct or operation of said hotel or motel, otherwise than in the ordinary and regular prosecution of business, the purchaser, transferee or assignee shall at least ten days before taking possession of the subject of the sale, transfer or assignment, or paying therefor, notify the Treasurer by registered or certified mail, return receipt requested, of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferrer or assignor, has represented to or informed the purchaser, transferee or assignee that it owes any tax pursuant to this Local Law, and whether or not the purchaser, transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

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

Penalties and Interest:

Any person failing to file a return or to pay over any tax to the Treasurer within the time required by this Local Law shall be subject to a penalty of five percent of the amount of tax due for each month or portion thereof during which such tax due shall remain unpaid but in no event shall such penalty exceed twenty-five percent of the tax due; plus interest computed at the rate and in the manner provided in section 924-a of the Real Property Tax Law, but in no event shall such interest be less than one percent of such tax for each month of delay; but the Treasurer, if satisfied that the delay was excusable, may remit all or part of the penalty, but not interest computed at the rate of six percent per year. Such penalties and interest shall be paid and disposed of in the same manner as other revenues of such tax. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this Local Law.

Any operator or occupant and any officer of a corporate operator or occupant failing to file a return required by this Local Law, or filing or causing to be filed, or making or causing to be made or giving a causing to be given any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this Local Law,

which is willfully false, and any operator and any officer of a corporate operator willfully failing to file a bond required to be filed pursuant to section 405 of this Local Law, or failing to file a registration certificate and such date in connection therewith as the Treasurer may by regulation or otherwise require or to display or surrender the certificate of authority as required by this Local Law or assigning or transferring such certificate of authority and any operator and any officer of a corporate operator willfully failing to charge separately from the rent the tax herein imposed, or willfully failing to state such tax separately on any evidence or occupancy and on any bill or statement or receipt or rent issued or employed by the operator, or willfully failing or refusing to collect such tax from the occupant, and any operator and any officer of a corporate operator who shall refer or cause reference to be made to this tax in a form or manner other than that required by this Local Law, and any operator failing to keep the records required by section 402 of this Local Law, shall, in addition to the penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars, or imprisonment for not more than one year, or both such fine and imprisonment. Officers of a corporate operator shall be personally liable for the tax collected or required to be collected by such corporation under this Local Law, and subject to the penalties herein above imposed.

Returns to be Secret:

Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the Treasurer or any officer or employee of the Treasurer to divulge or make known in any manner the rents or other information relating to the business of a taxpayer contained in any return required to be filed pursuant to this Local Law. The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding under the provisions of this Local Law, or on behalf of any party to the action or proceeding under the provisions of this Local Law when the proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of said returns or of the fact shown thereby, as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return filed in connection with his tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the County Attorney or other legal representatives of the County of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three years and thereafter until the Treasurer permits them to be destroyed.

Any violation of section 503(a) shall be punishable by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year or both, in the discretion of the court, and if the offender be an officer or employee of the County he shall be dismissed from office and be incapable of holding any public office for a period of five years thereafter.

Notices and Limitations of Time:

Any notice authorized or required under the provisions of this Local Law may be given by mailing the same to the person for whom it is intended in a postpaid envelope addressed to such person at the address given in the last return filed by him pursuant to the provisions of this Local Law, or in any application made by him, or if no return has been filed or application made, then to such address as may be obtainable. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed. Any period of time which is determined according to the provisions of this Local Law by giving the notice shall commence to run from the date of mailing of such notice.

The provisions of the Civil Practice Law and Rules or any other law relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the County to levy, appraise, assess, determine or enforce the collection of any tax or penalty provided by this Local Law. Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of filing of a return; provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period be extended, the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period.

TITLE 600 - DISPOSITION OF REVENUES

Disposition of Revenues: All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of Livingston County and shall be credited to and deposited in the general fund of such county and shall be available thereafter for the promotion of tourism and tourist attractions in Livingston County, as well as the promotion of tourist attractions in Livingston County, as well as the promotion of tourism and tourist attractions of the larger region of which Livingston County is a part provided that funding for regional promotion shall not exceed fifty percent of the revenue received hereunder in any year and that not more than five percent of such revenue shall be used for the cost of administering such tax. Such promotion may be carried out by an appropriate organization or organizations as designated by the Livingston County Board of Supervisors.

TITLE 700 - SEPARABILITY AND EFFECTIVE DATE

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

Effective Date: This Local Law shall take effect on January 1, 2003, and expire on December 31, 2005, except that the provisions of this Local Law relating to registration and the authority of the Treasurer to adopt regulations and take all necessary action to prepare for the implementation and enforcement of this Local Law shall take effect immediately.

Dated at Geneseo, New York

September 11, 2002(Introduced)

LOCAL LAW NO. F – 2002 SUPERSEDING COUNTY LAW 215 (4) AND 216 (6) RELATING TO A LEASE OF COUNTY PROPERTY TO VERIZON WIRELESS

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 space on a water tower at the Livingston County Campus, Mt. Morris, New York to Verizon Wireless for the siting of communication antennae 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 space on a water tower at the Livingston County Campus, Mt. Morris, New York to Verizon Wireless for the siting of communication antennae for a period of 10 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 11, 2002 (Introduced)

Chairman Merrick asked County Attorney David Morris to comment on the local laws.

The County Attorney explained that Local Law No. E authorizes an extension of the County Hotel and Motel Room Tax which has been in effect since January 1994. This is the third extension of this local law. The local law provides a 3% tax on room rates for three more years commencing January 1, 2003 through December 31, 2005.

The County Attorney explained that Local Law No. F supersedes the provisions of County Law §215 (4) and §215 (6), which limit leases of County property to 5-year terms and authorizes a 10-year lease of space on a water tower at the Livingston County Campus, Mt. Morris, New York to Verizon Wireless for site communications. The County Attorney explained that the proposed lease is for a 10-year term, commencing next May at the expiration of the current lease. The rental is \$1,500.00 per month increasing 3% per year after the first year. The rent will increase to \$2,000.00 per month in year six, increasing 3% per year after the sixth year. Once the local law has been filed with the Secretary of State, a resolution will be presented to approve the actual lease.

RESOLUTION NO. 2002-313. APPROVING ABSTRACT OF CLAIMS #9A – SEPTEMBER 11, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #9A dated September 11, 2002 in the total amount of \$1,015,666.37.

Dated at Geneseo, New York

September 11, 2002

Finance & Administration Committee

Mr. Layland explained that this resolution and the three Finance & Administration Committee resolutions have not been presented to the committee.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

PREFERRED AGENDA

RESOLUTION NO. 2002-314. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. F - 2002

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on September 11, 2002, a proposed Local Law entitled Local Law No. F – 2002 Superseding County Law 215 (4) and 216 (6) Relating to a Lease of County Property to Verizon Wireless, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 25th day of September, 2002 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 11, 2002

Central Services Committee

RESOLUTION NO. 2002-315. DECLARING SURPLUS PROPERTY – OFFICE FOR THE AGING

WHEREAS, the County of Livingston owns 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 items as surplus property to be disposed of as determined by the County Administrator.

OFFICE FOR THE AGING

Toshiba Copier

Fax Machine

1996 Ford Aerostar van, Vin #: 1FMCA11U4TZB85201

Dated at Geneseo, New York

September 11, 2002

Finance and Administration Committee

RESOLUTION NO. 2002-316. APPOINTING MEMBER TO THE LIVINGSTON COUNTY COMMUNITY SERVICES BOARD CHEMICAL DEPENDENCY SUBCOMMITTEE - PENDLETON

RESOLVED, that Judy Pendleton of 60 Chestnut Street, Dansville, New York 14437, is hereby appointed to the Livingston County Community Services Chemical Dependency Subcommittee to fill the position formerly held by Laura Elliott-Engel for a term ending December 31, 2005.

Dated at Geneseo, New York

September 11, 2002

Health Committee

RESOLUTION NO. 2002-317. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. E - 2002

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on September 11, 2002, a proposed Local Law entitled Local Law No. E – 2002 Livingston County Hotel & Motel Room Occupancy Tax Law, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 25th day of September, 2002 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 11, 2002

Legislative & Agricultural Affairs Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Layland and seconded by Mr. Martello to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-318. AUTHORIZING TRANSFER OF FUNDS – CONTINGENCY, CENTRAL STOREROOM, CENTRAL SERVICES, INFORMATION & TECHNOLOGY SERVICES, PUBLIC HEALTH, WORKFORCE DEVELOPMENT

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

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

Dated at Geneseo, New York

September 11, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-319. AUTHORIZING REAPPROPRIATION OF FUNDS – SHERIFF

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

WHEREAS, Livingston County has received insurance recovery funds, be it now,

RESOLVED, that the County Treasurer is hereby authorized to make the following transfer:

Sheriff

From: A3110.2680 Sheriff/Insurance Recoveries \$2,801.24

TO: A3110.4127 Sheriff/Outside Repairs \$2,801.24

Dated at Geneseo, New York

September 11, 2002

Finance and Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-320. AMENDING 2002 COUNTY BUDGET – PUBLIC HEALTH

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

WHEREAS, the Livingston County Department of Health has collected fine money to be used on education of youth, it is hereby

RESOLVED, that the 2002 Public Health Budget be amended as follows:

Increase Revenue Account

A4093.2610 Fines \$900.00

Increase Appropriation Account

A4093.4020 Education \$900.00

Dated at Geneseo, New York

September 11, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-321. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT BETWEEN DAVID BELL AND THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR SPEECH THERAPY SERVICES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with David Bell of 62 Edgemere Drive, Rochester, NY 14612 for speech therapy services for CHHA and Hospice for a term commencing August 1, 2002 and expiring July 31, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

September 11, 2002

Health Committee

Vice Chairman Moore questioned whether there is a set rate for speech therapy services. Joan Ellison, Public Health Director, explained the provider is paid per visit.

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-322. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT BETWEEN HOME & HEALTH CARE SERVICES, INC. AND LIVINGSTON COUNTY OFFICE FOR THE AGING

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors sign a contract between Home & Health Care Services, Inc. and Livingston County Office for the Aging to provide aide services for Expanded in Home Services to the Elderly Program (EISEP) and respite services for the Caregiver Support Program, for a term commencing April 1, 2002 and expiring March 31, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

September 11, 2002

Health Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-323. AUTHORIZING THE CHAIRMAN TO SIGN A QUIT CLAIM DEED AND RELATED DOCUMENTS TO TRANSFER A PARCEL ON WEST LAKE ROAD – SPADA & KOESTER, TOWN OF GROVELAND

Mr. Moore 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:

Guy J. Spada & Anne Koester

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Groveland, County of Livingston and State of New York, bounded and described as follows:

Commencing at a concrete monument found in the new easterly highway line of West Lake Road, said highway line being shown on a map filed in the Livingston County Clerk’s Office, titled N.Y.S. Discontinuance Maps, filed as No. B0002135, said concrete monument also being 31.00 feet easterly, measured at right angles from Baseline “C”, Station 36+93, as shown on said Discontinuance Map; thence N20°28’37”W along the easterly line of said new highway line

of West Lake Road, for a distance of 17.69 feet to an iron pipe marking the point of beginning of the parcel to be described; thence

1. N20°28'37"W along the new easterly highway line of West Lake Road as shown on said Discontinuance Map, for a distance of 34.96 feet to a point; thence
2. N73°15'15"E along the northerly line of lands conveyed to Guy J. Spada and Anne Koester and along the southerly line of lands now or formerly belonging to Elizabeth Ann Prince, for a distance of 23.60 feet to a point; thence
3. S24°10'45"E along the former highway line of West Lake Road, for a distance of 35.01 feet to a point; thence
4. S72°42'12"W along the southerly line of said land conveyed to said Spada & Koester, as described in Liber 714 of deeds at page 226 and along the northerly line of lands now or formerly belonging to S. Mark & Cassie Marie Mudrak, for a distance of 26.46 feet to the point of beginning.

Containing 0.0200 acre according to a survey prepared by Craig E. Welch, Land Surveyor dated August 13, 2002 and revised August 22, 2002 Job # L02-5827.

Dated at Geneseo, New York

September 11, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

RESOLUTION NO. 2002-324. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH NEW DIRECTIONS YOUTH & FAMILY SERVICES, INC. FOR NON-SECURE DETENTION SERVICES FOR YOUTH

Mr. Schuster 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 New Directions Youth & Family Services, Inc. providing for the conditions under which the New Directions Youth & Family Services, Inc. located in Lockport, New York, will receive juveniles from Livingston County during the period July 1, 2002 through June 30, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

September 11, 2002

Intergovernmental Affairs Committee

The roll was called as follows: Ayes - 1,743; Noes - 0; Absent – Conesus, 71; Adopted.

OTHER BUSINESS

1. Board of Supervisors' Standing Committee Assignments

Chairman Merrick tentatively assigned the following Supervisors to the Committees previously held by former Supervisor Dennis L. Witte who resigned as Conesus Town Supervisor effective August 25, 2002:

Intergovernmental Affairs, Vice Chairman – Timothy R. Wahl

Public Safety & Criminal Justice, Member – Timothy R. Wahl

Highway & Public Works, Member – J. Peter Yendell

2. Chairman Merrick announced that Congressman Thomas Reynolds came to the County Government Center on Monday, September 9, 2002 to notify the County that we have been awarded a \$600,000 Community Development Block Grant (CDBG) through the Governor's Office for Small Cities 2002 competitive funding for water and sewer hook ups for low to moderate income families. This funding will help build stronger communities and improve the quality of life for the citizens of Livingston County.
3. Chairman Merrick asked the Chairman of Public Safety & Criminal Justice Dennis Mahus to comment on the recent trip to Albany to meet with Commissioner Glenn S. Goord to discuss the unused space at the Groveland/Livingston Correctional Facility and the possibility of using this space to house County inmates

Mr. Mahus stated that Chairman Merrick, County Administrator Nick Mazza, Sheriff York, Assemblyman Errigo and himself traveled to Albany on August 29, 2002 to meet with the Commissioner and his staff. Senators Volker and McGee joined them in Albany. Mr. Mahus stated that the meeting went well and the door remains open to continue further discussions on this matter. The County Administrator indicated that the State Legislators pledged to continue to work with us to get our variances to continue the operations in the County Jail, and the entire team was pleased with the outcome of the meeting. Geneseo Supervisor Kennison asked the County Administrator to provide some background information on this matter for the press. The County Administrator indicated that there is vacant space at the Groveland/Livingston Correctional Facility, and the County is pursuing using some of this space to house some County inmates to avoid spending millions of dollars on building a new County jail. He stated the tax payers already contributed tax dollars to build the State Correctional Facility and this endeavor would avoid the outlay of money.

4. GLOW WIB Appointment – Chairman Merrick announced the appointment of Timothy Anderson of 3277 Clover Street, Caledonia, New York to represent the Business Sector on the GLOW Workforce Development Board for a term to expire December 31, 2004.

ADJOURNMENT

Motion made by Mr. Mahus and seconded by Mr. Walker to adjourn until Wednesday, September 25, 2002 at 1:30 p.m. Carried.

The Board adjourned at 1:53 p.m.

REPORT OF THE SUPERVISORS' PROCEEDINGS
REGULAR BOARD MEETING
WEDNESDAY, SEPTEMBER 25, 2002
1:30 P.M.

The Board met pursuant to adjournment.

The roll was called showing all members present except Mr. Schuster and Mr. Deming.

The Pledge of Allegiance.

WELCOME NEW CONESUS TOWN SUPERVISOR

Chairman Merrick welcomed Supervisor Christine M. Rumble to the Livingston County Board of Supervisors representing the Town of Conesus.

MINUTES

Minutes of 9/11/02 Regular Board Meeting were approved as presented.

PUBLIC HEARINGS – 1:35 P.M.

The Public Hearings to receive comments on Local Law No. E – 2002 Livingston County Hotel & Motel Room Occupancy Tax Law and Local Law No. F – 2002 Superseding County Law 215 (4) and 216 (6) Relating to a Lease of County Property to Verizon Wireless were called in accordance with the notices published in the official newspapers.

Chairman Merrick asked County Attorney David Morris to explain the local laws.

The County Attorney explained that Local Law No. E authorizes an extension of the County Hotel and Motel Room Tax which has been in effect since January 1994. This is the third extension of this local law. The local law provides a 3% tax on room rates for three more years commencing January 1, 2003 through December 31, 2005.

The County Attorney explained that Local Law No. F supersedes the provisions of County Law §215 (4) and §215 (6), which limit leases of County property to 5 year terms and authorizes a 10 year lease of space on a water tower at the Livingston County Campus, Mt. Morris, New York to Verizon Wireless for site communications. The County Attorney explained that the proposed lease is for a ten-year term, commencing next May at the expiration of the current lease.

The Chairman asked if anyone wished to speak regarding Local Law No. E – 2002 to please come forward and sign in at the podium.

Steve Newvine, President of the Livingston County Chamber of Commerce, indicated that the Chamber of Commerce has been contracted by the County since the inception of this local law to provide tourism services, and the Chamber remains supportive of imposing a 3% tax on hotel and motel rooms to provide additional funds for the tourism program. S. Newvine explained that these funds are used to promote an extensive advertising campaign through the I Love New York Matching Grant Program. S. Newvine explained how the funds are distributed through the matching grant program.

Mt. Morris Supervisor Olverd questioned how much revenue this hotel/motel tax creates. The County Administrator responded approximately \$75,000-\$85,000.

The Chairman asked if anyone wished to speak regarding Local Law No. F – 2002 to please come forward and sign in at the podium. No one wished to speak.

The Chairman announced that the public hearing will remain open until the end of the meeting.

COMMUNICATIONS

1. Letter from State of New York Department of Health to Senator Dale M. Volker regarding his letter of support for Certificate of Need Project for the New Nursing Facility in Mt. Morris.
2. Letter from Town of Conesus regarding the appointment of Christine Rumble to the position of Supervisor.
3. Livingston County Industrial Development Agency filed Payment in Lieu of Tax Agreement for Commodity Resource Corporation
4. Invitation to a community reception for new Executive Director of the Livingston County Council on Alcohol & Substance Abuse, October 3, 2002, 3:00 p.m. – 6:00 p.m., Omega Restaurant, Geneseo, New York.
5. Please notify the Clerk of the Board if you plan to attend the Animal Control Facility Dedication Ceremony on October 9, 2002. at 11:0 a.m.

INTRODUCTION OF LOCAL LAW

LOCAL LAW NO. (G) - 2002 - IMPOSING A SURCHARGE UPON WIRELESS COMMUNICATION DEVICES

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

Section 1:

Pursuant to and subject to the provisions Section 308-a of the County Law of the State of New York, the Livingston County Board of Supervisors hereby imposes a surcharge of thirty cents (30¢) per month on each wireless communication device, which surcharge shall be reflected and made payable on bills rendered for wireless communication service provided to customers whose place of primary use is within the County of Livingston.

Section 2:

Wireless Communication Service Suppliers shall begin to add the above mentioned surcharge to the billings of its customers on December 1, 2002.

Section 3:

This local law shall take effect upon its filing with the Secretary of State.

Dated at Geneseo, New York

September 25, 2002 (Introduced)

RESOLUTION NO. 2002-325. APPROVING ABSTRACT OF CLAIMS #9B – SEPTEMBER 25, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #9B dated September 25, 2002 in the total amount of \$1,409,450.60.

Dated at Geneseo, New York

September 25, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

PREFERRED AGENDA

RESOLUTION NO. 2002-326. DECLARING SURPLUS PROPERTY – PLANNING

WHEREAS, the County of Livingston owns an 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 item as surplus property to be disposed of as determined by the County Administrator.

PLANNING

Weatherization Van - 1995 GMC, 219,000 miles, serial # 1GTDG15H5SF515447

Dated at Geneseo, New York

September 25, 2002

Finance and Administration Committee

RESOLUTION NO. 2002-327. PROVIDING FOR PUBLIC HEARING FOR THE PROPOSED ESTABLISHMENT OF RATES FOR CONESUS LAKE COUNTY SEWER DISTRICT (CLCSD) –

LIVONIA CENTER SEWER DISTRICT EXTENSION # 8

WHEREAS, the project funding for the Livonia Center project is in place and a grant from NYS Community Development Block Grant is approved and a long term loan is anticipated from Clean Water State Revolving loan fund for the facilities for CLCSD Livonia Center extension #8 and,

WHEREAS, the Highway and Public Works Committee has adopted the following rate structure for the Livonia Center Sewer District Extension # 8:

Land Classification	Livonia Center
Improved	<u>\$ 204</u>
Vacant improved	<u>\$ 20</u>
Unimproved	<u>\$ 5</u>

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 Conesus Lake County Sewer District (CLCSD) - Livonia Center Sewer District extension # 8, on October 9, 2002 at 1:35 p.m. in the Board of Supervisors Assembly Room, Livingston County Government Center, Geneseo, New York

Dated at Geneseo, New York

September 25, 2002

Highway & Public Works Committee

RESOLUTION NO. 2002-328. PROVIDING FOR PUBLIC HEARING FOR THE PROPOSED ESTABLISHMENT OF RATES FOR LIVINGSTON COUNTY WATER DISTRICT NO. 1, ZONE 5, EXTENSION 1 SCOTTSBURG

WHEREAS, County Water District #1, Zone 5, Scottsburg extension, will have water mains, tank and system installed and functioning in 2002, and

WHEREAS, the Highway and Public Works Committee has adopted the following rate structure for Zone 5, Extension 1 - Scottsburg;

Land Classification	Zone 5 Scottsburg
Improved	<u>\$ 395</u>
Vacant improved	<u>\$ 10</u>
Unimproved	<u>\$ 5</u>

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, Zone 5, on October 9, 2002 at 1:35 p.m. in the Board of Supervisors Assembly Room, Livingston County Government Center, Geneseo, New York.

Dated at Geneseo, New York

September 25, 2002

Highway & Public Works Committee

RESOLUTION NO. 2002-329. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. G - 2002 - IMPOSING A SURCHARGE UPON WIRELESS COMMUNICATION DEVICES

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on September 25, 2002, a proposed Local Law entitled Local Law No. G – 2002 Imposing a Surcharge Upon Wireless Communication Devices, 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 October, 2002 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 shall be given by posting thereof on the bulletin board of the Government Center in this County and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

September 25, 2002

Public Safety & Criminal Justice Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Layland and seconded by Mr. Olverd to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

RESOLUTION NO. 2002-330. AUTHORIZING TRANSFER OF FUNDS – HIGHWAY, OFFICE FOR THE AGING, DEPARTMENT OF HEALTH, SHERIFF

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

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

Dated at Geneseo, New York

September 25, 2002

Finance & Administration Committee

Mr. Layland, Chairman of Finance and Administration Committee, announced that this resolution did not go through the Committee, however, the Committee has had a chance to review and sign the resolution. He indicated that there is not a request to transfer any money from contingency and that they are all internal transfers.

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

RESOLUTION NO. 2002-331. AMENDING 2002 COUNTY BUDGET – OFFICE FOR THE AGING

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

WHEREAS, the Livingston County Office for the Aging has increased Federal Revenue, it is hereby

RESOLVED, that the 2002 Office for the Aging Budget be amended as follows:

Increase Revenue Account

Department	Revenue	Description	Amount
A6781	4772	Federal Revenue	\$10,224.00

Increase Appropriation Account

Department	Revenue	Description	Amount
A6781	8100	FICA	\$ 83.00
A6781	4025	Long Distance Travel	\$1,500.00
A6781	2050	Office Equipment	\$2,600.00
A6781	4251	Volunteer Stipend	\$2,139.00
A6781	4040	Rent	\$ 525.00
A6781	4020	Travel	<u>\$3,377.00</u>
			\$10,224.00

Dated at Geneseo, New York

September 25, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

RESOLUTION NO. 2002-332. AUTHORIZING ACCEPTANCE OF STEP GRANT AND AMENDING 2002 COUNTY BUDGET – LIVINGSTON COUNTY SHERIFF’S DEPARTMENT

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

WHEREAS, the Livingston County Sheriff Department has been granted revenue from Governor's Traffic Safety Committee – STEP Grant, it is hereby

RESOLVED, that the County Treasurer is hereby authorized to accept said grant from the Governor's Traffic Safety Committee, and, be it further

RESOLVED, that the 2002 Sheriff Department Budget be amended as follows:

Increase Revenue Account

Department	Revenue	Description	Amount
A3112.3393	STOP/DWI	STEP Enforcement	\$31,212.00

Increase Appropriation Account

Department	Revenue	Description	Amount
A3112.1951		STOP/DWI/Overtime	\$31,212.00

Dated at Geneseo, New York

September 25, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

RESOLUTION NO. 2002-333. AUTHORIZING ACCEPTANCE OF CHILD PASSENGER SAFETY GRANT AND AMENDING 2002 COUNTY BUDGET – LIVINGSTON COUNTY SHERIFF'S DEPARTMENT

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

WHEREAS, the Livingston County Sheriff Department has been granted revenue from Governor's Traffic Safety Committee – Child Passenger Safety, it is hereby

RESOLVED, that the County Treasurer is hereby authorized to accept said grant from the Governor's Traffic Safety Committee, and, be it further

RESOLVED, that the 2002 Sheriff Department Budget be amended as follows:

Increase Revenue Account

Department	Revenue	Description	Amount
A3111/4389		Child Passenger Safety	\$3,500.00

Increase Appropriation Account

Department	Revenue	Description	Amount
A-3111/2400		COPS/Law Enforcement Fire & Safety	\$3,500.00

Dated at Geneseo, New York

September 25, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

RESOLUTION NO. 2002-334. AMENDING RESOLUTION 99-243 ESTABLISHING CAPITAL PROJECT – HAMLET OF CONESUS

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

WHEREAS, Resolution 99-243 established a capital project for the Hamlet of Conesus with a grant of \$417,700.00 and Loan of \$582,300.00 totaling \$1,000,000.00 from United States Department of Agriculture, New York Rural Development, and

WHEREAS, the final grant and loan combination for the project for the Hamlet of Conesus was a grant of \$457,875.00 and loan of \$642,125.00 totaling \$1,100,000.00 from United States Department of Agriculture, New York Rural Development

NOW, therefore, be it

RESOLVED, that the County Treasurer is authorized and hereby directed to increase capital project account H8311.2900 County Water Zone 2 in the amount of \$100,000.00 to be funded from anticipated revenues H4991 Federal grant from United States Department of Agriculture, New York Rural Development in the amount of \$457,875.00 grant and from federal loan from Rural Development in an amount of \$642,125.00.

Dated at Geneseo, New York

September 25, 2002

Finance & Administration Committee

Cathy Muscarella, Director of Public Works, explained that the County was provided additional grant funds, and this resolution amends the budget to accept said funds.

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

Chairman Merrick explained that the majority of the resolutions have been presented to the Standing Committee and the issues have been discussed at length among the Committee members.

RESOLUTION NO. 2002-335. AUTHORIZING MODIFICATION TO LEASE OF COUNTY WATER DISTRICT #1 AGREEMENT

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

WHEREAS, the County Water District #1 has extended the transmission water main as part of the NYSDOT 20A road reconstruction project in the Village of Livonia, and

WHEREAS, the County wishes to lease the new transmission facilities to the Livingston County Water and Sewer Authority, now, therefore be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors, is authorized and directed to sign the modification to the lease agreement, subject to review by the County Attorney and the County Administrator.

Dated at Geneseo, New York

September 25, 2002

Highway and Public Works Committee

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

RESOLUTION NO. 2002-336. AUTHORIZING CONTRACTS WITH THE NEW YORK STATE HOUSING TRUST FUND CORPORATION AND THE GENESEE VALLEY RURAL PRESERVATION COUNCIL, INC., FOR THE 2002 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT – PRIVATE WATER/WASTEWATER CONNECTION PROGRAM

Mr.s. Cansdale presented the following resolution and moved its adoption:

WHEREAS, the Governor’s Office of Small Cities has awarded Livingston County a Small Cities Community Development Block Grant of \$600,000 for the Private Water/Wastewater Connection Program, Project Number 658HR112-02; now, therefore be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign necessary contract documents with the New York Housing Trust Fund Corporation, subject to review by the County Attorney and County Administrator; and be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with the Genesee Valley Rural Preservation Council, Inc., for administration of the Private Water/Wastewater Connection Program, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

September 25, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

RESOLUTION NO. 2002-337. AUTHORIZING CONTRACT WITH NICHOLS GRAPHIC DESIGN – CONESUS LAKE WATERSHED MANAGEMENT PLAN

Mrs. Cansdale 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 Nichols Graphic Design for professional design services for the Conesus Lake Watershed Management Plan, at a cost not-to-exceed Twelve Thousand Dollars (\$12,000.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

September 25, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

RESOLUTION NO. 2002-338. AUTHORIZING A SUB-RECIPIENT AGREEMENT WITH THE LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY – COMMODITY RESOURCES CORPORATION SMALL CITIES PROJECT

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, the Governor's Office for Small Cities has invited the County to apply for a Small Cities grant to assist the Commodity Resources Corporation to carry out an agri-business economic development project; and

WHEREAS, the Livingston County Board of Supervisors has previously authorized the Chairman of the Board to submit the application for said Small Cities grant; and

WHEREAS, the Small Cities grant was filed with the Governor's Office for Small Cities on September 13, 2002; and

WHEREAS, the approval of the application will require the County to establish an administrative mechanism to implement the project and to ensure compliance with Small Cities regulations; and

WHEREAS, the Livingston County Industrial Development Agency has worked closely with the Commodity Resources Corporation and has coordinated the preparation of the Small Cities application and is most familiar with the negotiations and understandings relating to all of the sources of funding for the project, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute a Sub-Recipient Agreement with the Livingston County Industrial Development Agency to administer the implementation of the Small Cities grant, subject to review by the County Attorney and the County Administrator; and, be it further

RESOLVED, that the cost associated with the administration of said Small Cities grant shall be paid for with Small Cities grant funds.

Dated at Geneseo, New York

September 25, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

RESOLUTION NO. 2002-339. AMENDING 2002 DEPARTMENT HEAD SALARY SCHEDULE: GENESEO SKILLED NURSING FACILITY

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

RESOLVED, that the 2002 Department Head Salary Schedule be amended as follows:

Geneseo Skilled Nursing Facility

Delete the Nursing Home Administrator position.

Dated at Geneseo, New York

September 25, 2002

Personnel and Employee Relations Committee

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

RESOLUTION NO. 2002-340. APPOINTING ASSISTANT NURSING HOME ADMINISTRATOR FOR THE GENESEO SKILLED NURSING FACILITY – KENYON

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

RESOLVED, that Lauree Kenyon of 18 Melbar Drive, Farmington, NY 14425 is hereby appointed to the position of Assistant Nursing Home Administrator for the Geneseo Skilled Nursing Facility effective September 30, 2002 at an annual salary of \$42,000.00.

Dated at Geneseo, New York

September 25, 2002

Personnel and Employee Relations Committee

N. Mazza stated that he has met Ms. Kenyon and reported she had other obligations today, however, she will meet the Board here at a future meeting.

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

CLOSE PUBLIC HEARINGS

The Chairman asked if anyone else wished to speak at this time regarding the Public Hearings. No one wished to speak.

The Chairman declared the public hearing closed.

MOTION TO VOTE ON LOCAL LAW NO. E – 2002 FOR A ROLL CALL VOTE

Mr. Wahl moved Mr. Mahus seconded to call Local Law No. E - 2002 to the table. Carried.

VOTE ON LOCAL LAW NO. E - 2002**LOCAL LAW NO. 4 – 2002 A LOCAL LAW ENTITLED THE LIVINGSTON COUNTY HOTEL AND MOTEL ROOM OCCUPANCY TAX LAW.**

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

TITLE 100 - GENERAL PROVISIONS:

Short Title: This Local Law shall be known as the Livingston County Hotel and Motel Room Occupancy Tax Law.

Intent: This Local Law is adopted to implement the provisions of Chapter 290 of the Laws of 1993, effective July 21, 1993, enacting section 1202-M of the Tax Law of the State of New York.

Definitions: Unless the context requires a different meaning, when used in this Local Law, the following terms shall mean:

"County" shall mean the County of Livingston.

"Person" shall mean an individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.

"Operator" shall mean any person operating a hotel or motel in the County of Livingston, including but not limited to the owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such hotel or motel.

"Hotel or Motel" or either term singly shall mean any facility or portion thereof providing lodging on an overnight basis. The term "hotel" or "motel" includes an apartment, hotel, motor court or inn, boarding house, cabin, cottage or club, or similar hotel or motel type of accommodations by whatever name designated, whether or not meals are served and shall include those facilities commonly known as "bed and breakfast" and "tourist" facilities.

"Occupancy" shall mean the use or possession, or the right to use or possession of any room in a hotel or motel.

"Occupant" shall mean a person who, for a consideration, uses, possesses, or has the right to use or possess, any room in a hotel or motel under any lease, concession, permit, right of access, license to use or other agreement, or otherwise.

"Permanent Resident" shall mean any occupant of any room or rooms in a hotel or motel for a period in excess of fourteen consecutive days.

"Rent" shall mean the consideration received for occupancy valued in money, whether received in money or otherwise.

"Room" shall mean any room of any kind in any part or portion of a hotel or motel, which is available for or let out for any purpose other than a place of assembly.

"Return" shall mean any return filed or required to be filed as herein provided.

"Tax" shall mean the tax imposed pursuant to this Local Law and any increase, reduction or modification hereafter authorized.

"Treasurer" shall mean the Treasurer of Livingston County or the Treasurer's designee.

"Board or other charge" shall mean the charge or charges which an operator shall impose for food and meals or for other services and facilities at a hotel or motel which charge is included in the cost of occupancy of a room as a common charge, or, if such charges are separately stated, is a charge which is not optional and is required to be paid by the occupant as part of the cost of occupancy of a room.

Territorial Limitations: A tax imposed by this Local Law shall apply only within the territorial limits of the County of Livingston.

Reference to Tax: Wherever reference is made in placards, advertisements or other publications to the tax imposed by this Local Law, such reference shall be substantially in the following form: "Tax on occupancy of hotel or motel rooms", except that in any bill, receipt, statement or other agreement or memorandum of occupancy or rent charge issued or employed by an operator, the words "occupancy tax" shall suffice.

TITLE 200 - ADMINISTRATION OF TAX LAW

Administration: The tax imposed by this Local Law shall be administered and collected by the Treasurer or other fiscal officers of the County as he may designate by such means and in such manner as are other taxes which are now collected and administered by such officers or as otherwise provided by this Local Law.

General Powers of the Treasurer: In addition to the powers granted to the Treasurer in this Local Law, the Treasurer is hereby authorized and empowered to:

make, adopt and amend rules and regulations appropriate to the carrying out of this Local Law and the purposes thereof, provided, however, that no rule or regulation shall become effective until 30 days after such rule or regulation shall have been filed with the Clerk of the Board of Supervisors;

extend for cause shown, the time of filing any return for a period not exceeding three months, provided not less than 90 percent of the estimated tax for the period for which the return is required to be filed shall be paid together with the request for such extension on or before the due date; and for cause shown to remit penalties but not interest computed at the rate and in the manner provided in section 924-a of the Real Property Tax Law on taxes not paid; and to compromise disputed claims in connection with the tax imposed by this Local Law;

request information from the Department of Taxation and Finance of the State of New York or the Treasury Department of the United States relative to any person; and to afford information to such taxation department or treasury department relative to any person, any other provision of this Local Law to the contrary notwithstanding;

delegate his functions hereunder to a deputy treasurer or any employee or employees of the Treasurer,

prescribe methods for determining the rents for occupancy and to determine the taxable and non-taxable rents;

require any operator within the County to keep detailed records of the nature and type of hotel maintained, nature and type of service rendered, rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any occupancy is claimed to be subject to the tax and to furnish such information upon request to the Treasurer;

assess, determine, revise and readjust the taxes imposed under this Local Law, and require the filing of estimated tax returns and payment of estimated tax where necessary;

direct the County Attorney to take such action as may be required to enforce this Local Law, including but not limited to providing representation in any administrative proceeding conducted by the Treasurer for enforcement of this Local Law brought in the name of the County in any court of appropriate jurisdiction without any further authorization of the Board of Supervisors.

Administration of Oaths and Compelling Testimony:

The Treasurer or his employees or agents duly designated and authorized by him shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this Local Law. The Treasurer shall have power to subpoena and require the attendance of witnesses and the production of books, papers, and documents to secure information pertinent to the performance of his duties hereunder and of the enforcement of this Local Law and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of the state or unable to attend before him or excused from attendance.

A justice of the supreme court either in court or at chambers shall have power summarily to enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Treasurer under this Local Law.

Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Treasurer under this Local Law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars or imprisonment for not more than one year, or both such fine and imprisonment.

The officers who serve the summons or subpoena of the Treasurer and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as herein otherwise provided. Such officers shall be the County Sheriff and his duly appointed deputies or any officers or employees of the Treasurer, designated to serve such process.

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

Imposition of Tax: On and after the 1st day of January, 2003, there is hereby imposed and there shall be paid a tax of three percent (3%) upon the rent for every occupancy of a room or rooms in a hotel or motel in this County except that the tax shall not be imposed upon

permanent residents for the period of occupancy in excess of fourteen days, or

exempt organizations as hereinafter set forth.

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

The tax to be collected shall be stated and charged separately from the rent and shown separately on any record thereof, at the time when the occupancy is arranged or contracted for and charged for, and upon every evidence of occupancy or any bill or statement or charge made for said occupancy issued or delivered by the operator, and the tax shall be paid by the occupant to the operator as trustee for and on account of the County, and the operator shall be liable for the collection thereof and for the tax. The operator and any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this Local Law, and the operator shall have the same right in respect to collecting the tax from the occupant, or in respect to nonpayment of the tax by the occupant as if the tax were a part of the rent for the occupancy payable at the time such tax shall become due and owing, including all rights of eviction, dispossession, repossession and enforcement of any innkeeper's lien that he may have in the event of non-payment of rent by the occupant; provided, however, that the Treasurer or other fiscal officer or officers, employees or agents duly designated by him shall be joined as a party in any action or proceeding brought by the operator to collect or enforce collection of the tax.

Where the occupant has failed to pay and the operator has failed to collect a tax as imposed by this Local Law, then in addition to all other rights, obligations and remedies provided, such tax shall be payable by the occupant directly to the Treasurer, and it shall be the duty of the occupant to file a return thereof with the Treasurer and to pay the tax imposed thereon to the County Treasurer within 15 days after such tax was due.

The Treasurer may, whenever he deems it necessary for the proper enforcement of this Local Law, provide by regulation that the occupant shall file returns and pay directly to the Treasurer the tax herein imposed, at such times as returns are required to be filed and payment made over by the operator.

The tax imposed by this Local Law shall be paid upon any occupancy on and after January 1, 2003, although such occupancy is had pursuant to a contract, lease or other arrangement made prior to such date. Where rent is paid or charged or billed, or falls due on either a weekly, monthly or other term basis, the rent so paid charged, billed or falling due shall be subject to the tax herein imposed to the extent that it covers any portion of the period on and after January 1, 2003. Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Treasurer may by regulation provide for credit and/or refund of the amount of such tax upon application therefor as provided in section 406 of this Local Law.

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

303. Determination of Taxable Rent:

If the cost of occupancy of a room includes only the cost of occupancy of the room and board and other charges are separately stated and are incurred at the option of the occupant, rent subject to the tax shall be the charge made by the operator for occupancy of a room and the tax shall be based on that amount.

If the cost of occupancy of a room shall include only board as a common charge, or where board is separately stated and board is not optional and is required to be paid by the occupant as part of the cost of occupancy of a room, the operator shall use the schedule shown below to determine the percentage of the total charge to be apportioned to rent subject to the tax, and collect the tax based on that amount.

Total charge includes	Room	Board
Room, breakfast, lunch, dinner	55%	45%
Room, lunch, dinner	65%	35%

Room, breakfast, dinner	65%	35%
Room, breakfast, lunch	75%	25%
Room, dinner	80%	20%
Room, lunch	90%	10%
Room, breakfast	90%	10%

If the cost of occupancy of a room shall include only charges, as defined herein, as a common charge, or where other charges are separately stated and such other charges are not optional and are required to be paid by the occupant as part of the cost of occupancy of a room, the operator shall use the schedule shown below to determine the percentage of the total charge to be apportioned to rent subject to the tax, and collect the tax based on that amount.

Total charge includes	Room	Other charge
Room, other charge	95%	5%

If the cost of occupancy of a room shall include charges defined in subparagraphs (b) and (c) of this section as a common charge or, where such charges are separately stated and such charges are not optional and are required to be paid by an occupant as part of the cost of occupancy of a room, the operator shall use the schedule shown below to determine the percentage of the total charge to be apportioned to rent subject to the tax, and collect the tax based on that amount.

Total charge includes	Room	Board other charge
Room, breakfast, lunch, dinner, other charge	50%	50%
Room, lunch, dinner, other charge	60%	40%
Room, breakfast, dinner, other charge	60%	40%
Room, breakfast, lunch, other charge	70%	30%
Room, dinner, other charge	75%	25%
Room, lunch, other charge	85%	15%
Room, breakfast, other charge	85%	15%

When the occupant becomes a permanent resident, the operator shall discontinue collection of the tax

If the operator neither separately states the charge for board, other charges or both nor uses the above schedules, the entire charge is taxable until the occupant becomes a permanent resident.

304. Exempt Organizations:

Except as otherwise provided in this section, any use or occupancy by any of the following shall not be subject to the tax imposed by this Local Law:

The State of New York or any public corporation (including a public corporation created pursuant to agreement or compact with another state or Canada), improvement district or political subdivision of the state;

The United States of America, insofar as it is immune for taxation;

Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or education purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this section shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this section.

Where any organization described in section 304(a)(iii) carries on its activities in furtherance of the purposes for which it was organized, in premises in which, as part of said activities, it operates a hotel or motel, occupancy of rooms in the premises and rents therefrom received by such corporation or association shall not be subject to tax hereunder.

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

Registration: Within ten days after the effective date of this Local Law, or in the case of operators commencing business after such effective date of this Local Law, within three days after such commencement or opening, every operator shall file with the Treasurer an application for a certificate of authority empowering such operator to collect

the tax from the occupant. Upon receipt of such application, the Treasurer shall issue a certificate of authority to such operator which when authenticated shall constitute the authority for the purposes of this Local Law. Each application for a certificate of authority shall state the hotel or motel to which it is applicable; the name of the operator of such hotel or motel, the address of such operator, the taxpayer identification number assigned to such operator, the state of incorporation and the date upon which such corporation obtained authority to do business in this state, if not organized in this state, the names of each partner, if a partnership, and such other information as the Treasurer may by rule require. Such certificates of authority shall be prominently displayed by the operator in such manner that it may be seen and come to the notice of all occupants and persons seeking occupancy. Such certificates shall be non-assignable and non-transferable and shall be surrendered immediately to the Treasurer upon the cessation of business at the hotel or motel named or upon its sale or transfer.

Records To Be Maintained: Every operator shall keep records of every occupancy and of all rent paid, charged, or due thereon and of the tax payable thereon, in such form as the Treasurer by regulation requires. Such records shall be available for inspection and examination at any time upon demand by the Treasurer or his duly authorized agent or employee and shall be preserved for a period of three years, except that the Treasurer may consent to their destruction within that period or may require that they be kept longer.

403. Returns:

Every operator shall file with the Treasurer a return of occupancy and of rents, and of the taxes payable thereon for the quarterly periods ending March 31, June 30, September 30 and December 31 of each year, on and after the first day of the year 2003. Such returns shall be filed within thirty days from the expiration of the period covered thereby. The Treasurer may permit or require returns to be made by other periods and upon such dates as he may specify. If the Treasurer deems it necessary in order to insure the payment of the tax imposed by this Local Law, he may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section and upon such dates as he may specify.

The forms of returns shall be prescribed by the Treasurer and shall contain such information as he may deem for the proper administration of this Local Law. The Treasurer may require amended returns to be filed within twenty days after notice and to contain the information specified in the notice.

If a return required by this Local Law is not filed, or a return filed is incorrect or insufficient on its face, the Treasurer shall take the necessary steps to enforce the filing of such a return or of a corrected return.

Payment of Tax: At the time of filing a return of occupancy and of rents each operator shall pay to the Treasurer the taxes imposed by this Local Law upon the rents required to be included in such return, as well as all other moneys collected by the operator acting or purporting to act under the provisions of this Local Law. Where the Treasurer, in his discretion, deems it necessary to protect revenues to be obtained under this Local Law, the Treasurer may require an operator to file with him a bond, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as the Treasurer may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator. In the event that the Treasurer determines that an operator is to file such bond he shall give notice to such operator to that effect specifying the amount of the bond required. The operator shall file such bond within five days after the giving of such notice unless within such five days the operator shall request in writing a hearing before the Treasurer at which the necessity, propriety and amount of the bond shall be determined by the Treasurer. Such determination shall be final and shall be complied with within fifteen days after the giving of such notice thereof. In lieu of such bond, securities approved by the Treasurer or cash in such amount as he may prescribe, may be deposited which shall be kept in the custody of the Treasurer who may at any time without notice to the depositor apply them to any tax and/or interest or penalties due, and for that purpose the securities may be sold by him at public or private sale without notice to the depositor thereof.

Determination of Tax: If a return required by this Local Law is not filed, or if a return when filed is incorrect or insufficient the amount of tax due shall be determined by the Treasurer from such information as may be obtainable and, if necessary, the tax may be estimated on the basis of external indices, such as number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and/or other factors. Notice of such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty days after giving of notice of such determination, shall apply to the Treasurer for a hearing, or unless the Treasurer of his own motion shall re-determine the same. After such hearing, the treasurer shall give notice of his determination to the person against whom the tax is assessed. The determination of the Treasurer shall be reviewable for error, illegality

or unconstitutionality or any other reason whatsoever by proceeding under article seventy-eight of the Civil Practice Law and Rules if application therefor is made to the Supreme Court within thirty days after the giving of the notice of such determination. A proceeding under article seventy-eight of the Civil Practice Law and Rules shall not be instituted unless:

The amount of any tax sought to be reviewed, with penalties and interest thereof, if any, shall be first deposited with the Treasurer and there shall be filed with the Treasurer an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of the proceeding, or

At the option of the applicant such undertaking filed with the Treasurer may be in a sum sufficient to cover the taxes, penalties and interest thereon stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the applicant shall not be required to deposit such taxes, penalties and interest as a condition precedent to the application.

406. Refunds:

In the manner provided in this section the Treasurer shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid if application to the Treasurer for such refund shall be made within one year from the payment thereof. Whenever a refund is made by the Treasurer, he shall state his reason therefor in writing. Such application may be made by the occupant, operator or other person who has actually paid the tax. Such application may also be made by an operator who has collected and paid over such tax to the Treasurer provided the application is made within one year of the payment by the occupant to the operator, but no actual refund of money, shall be to such operator until he shall first establish to the satisfaction of the Treasurer, under such regulations as the Treasurer may prescribe, that he has repaid to the occupant the amount for which the application for refund is made. The Treasurer may in lieu of any refund required to be made, allow credit therefor on payments due from the applicant.

An application for a refund or credit made as herein provided shall be deemed an application for a revision of any tax, penalty or interest complained of and the Treasurer may receive evidence with respect thereto. After making his determination the Treasurer shall give notice thereof to the applicant, who shall be entitled to review said determination by a proceeding pursuant to Article 78 of the Civil Practice Law and Rules, provided the proceeding is instituted within 30 days after the giving of the notice of determination and provided a final determination of tax due was not previously made. Such a proceeding shall not be instituted unless an undertaking is filed with the County Treasurer in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceedings be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

A person shall not be entitled to a revision, refund or credit under this section of a tax, interest or penalty which had been determined to be due pursuant to the provisions of section 405 of this Local Law where he has had a hearing or an opportunity for a hearing, as provided in said section or has failed to avail himself of the remedies therein provided. No refund or credit shall be made of the tax, interest or penalty paid after a determination by the Treasurer made pursuant to section 405 of this Local Law unless it is found that such determination was erroneous, illegal or unconstitutional or otherwise improper by the Treasurer after a hearing on the petition of a person liable for payment of the tax brought within thirty days after the filing of a determination of the Treasurer after a hearing pursuant to section 405 of this Local Law, or upon his own motion, or in a proceeding under article seventy-eight of the Civil Practice Law and Rules, pursuant to the provisions of said section. In that event a refund or credit without interest shall be made of the tax, credit or penalty found to have been overpaid.

Reserves: In cases where the occupant or operator has applied for a refund and has instituted a proceeding under article seventy-eight of the Civil Practice Law and Rules to review a determination adverse to him on his application for refund, the Treasurer shall set up appropriate reserves to meet any decision adverse to the County.

Remedies Exclusive: The remedies provided by section 405 and 406 of this Local Law shall be exclusive remedies available to any person for the review of tax liability imposed by this Local Law, and no determination or proposed determination on any application for refund shall be enjoined or reviewed by an action for declaratory judgment, an action for money had and received or by an action or proceeding in a nature of a certiorari proceeding under article seventy-eight of the Civil Practice Law and Rules; provided, however, that a taxpayer may proceed by declaratory judgment if he institutes suit within thirty days after a deficiency assessment is made and pays the amount of the

deficiency assessment to the Treasurer prior to the institution of such suit and posts a bond for costs as provided in section 405 of this Local Law.

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

Proceedings to Recover Tax:

Whenever any operator or any officer of a corporate operator or any occupant or other person shall fail to collect and pay over any tax and/or to pay any tax, penalty or interest imposed by this Local Law as therein provided, the County Attorney shall, upon the request of the Treasurer bring or cause to be brought an action to enforce the payment of the same on behalf of the County of Livingston in any court of the State of New York or of any other state of the United States. If, however, the Treasurer in his discretion believes that any such operator, officer, occupant or other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, he may declare such tax or penalty to be immediately due and payable and may issue a warrant immediately.

As an additional or alternate remedy, the Treasurer may issue a warrant, directed to the Sheriff commanding him to levy upon and sell the real and personal property of the operator or officer of a corporate operator or other person liable for the tax, which may be found within the County for the payment of the amount thereof, with any penalties and interest and the cost of executing the warrant, and to return such warrant to the Treasurer and to pay to him the money collected by virtue thereof within sixty days after the receipt of such warrant. The Sheriff shall, within five days after the receipt of the warrant, file with the County Clerk a copy thereof, and thereupon such Clerk shall enter in the judgment docket the name of the person mentioned in the warrant and the amount of the tax, penalties and interest for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the person against whom the warrant is issued. The Sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by law in respect to executions issued against property judgments of a court of record and for services in executing the warrant he shall be entitled to the same fees, which he may collect in the same manner. In the discretion of the Treasurer, a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Treasurer and in the execution thereof such officer or employee shall have all the powers conferred by law upon sheriffs, but shall be paid in the performance of such duty. If a warrant is returned not satisfied in full, the Treasurer may from time to time issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County has recovered judgment therefor and execution thereon has been returned unsatisfied.

Whenever an operator shall make a sale, transfer, or assignment in bulk of any part or the whole of his hotel or motel or his lease, license or other agreement or right to possess or operate such hotel or motel or of the equipment, furnishings, fixtures, supplies or stock of merchandise, or the said premises or lease, license or other agreement or right to possess or operate such hotel or motel and the equipment, furnishings, fixtures, supplies and stock of merchandise pertaining to the conduct or operation of said hotel or motel, otherwise than in the ordinary and regular prosecution of business, the purchaser, transferee or assignee shall at least ten days before taking possession of the subject of the sale, transfer or assignment, or paying therefor, notify the Treasurer by registered or certified mail, return receipt requested, of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to or informed the purchaser, transferee or assignee that it owes any tax pursuant to this Local Law, and whether or not the purchaser, transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

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

Penalties and Interest:

Any person failing to file a return or to pay over any tax to the Treasurer within the time required by this Local Law shall be subject to a penalty of five percent of the amount of tax due for each month or portion thereof during which such tax due shall remain unpaid but in no event shall such penalty exceed twenty-five percent of the tax due; plus interest computed at the rate and in the manner provided in section 924-a of the Real Property Tax Law, but in no event shall such interest be less than one percent of such tax for each month of delay; but the Treasurer, if satisfied that the delay was excusable, may remit all or part of the penalty, but not interest computed at the rate of six percent per year. Such penalties and interest shall be paid and disposed of in the same manner as other revenues of such tax. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this Local Law.

Any operator or occupant and any officer of a corporate operator or occupant failing to file a return required by this Local Law, or filing or causing to be filed, or making or causing to be made or giving a causing to be given any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this Local Law, which is willfully false, and any operator and any officer of a corporate operator willfully failing to file a bond required to be filed pursuant to section 405 of this Local Law, or failing to file a registration certificate and such date in connection therewith as the Treasurer may by regulation or otherwise require or to display or surrender the certificate of authority as required by this Local Law or assigning or transferring such certificate of authority and any operator and any officer of a corporate operator willfully failing to charge separately from the rent the tax herein imposed, or willfully failing to state such tax separately on any evidence or occupancy and on any bill or statement or receipt or rent issued or employed by the operator, or willfully failing or refusing to collect such tax from the occupant, and any operator and any officer of a corporate operator who shall refer or cause reference to be made to this tax in a form or manner other than that required by this Local Law, and any operator failing to keep the records required by section 402 of this Local Law, shall, in addition to the penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars, or imprisonment for not more than one year, or both such fine and imprisonment. Officers of a corporate operator shall be personally liable for the tax collected or required to be collected by such corporation under this Local Law, and subject to the penalties herein above imposed.

Returns to be Secret:

Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the Treasurer or any officer or employee of the Treasurer to divulge or make known in any manner the rents or other information relating to the business of a taxpayer contained in any return required to be filed pursuant to this Local Law. The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding under the provisions of this Local Law, or on behalf of any party to the action or proceeding under the provisions of this Local Law when the proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of said returns or of the fact shown thereby, as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return filed in connection with his tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the County Attorney or other legal representatives of the County of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three years and thereafter until the Treasurer permits them to be destroyed.

Any violation of section 503(a) shall be punishable by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year or both, in the discretion of the court, and if the offender be an officer or employee of the County he shall be dismissed from office and be incapable of holding any public office for a period of five years thereafter.

Notices and Limitations of Time:

Any notice authorized or required under the provisions of this Local Law may be given by mailing the same to the person for whom it is intended in a postpaid envelope addressed to such person at the address given in the last return filed by him pursuant to the provisions of this Local Law, or in any application made by him, or if no return has been filed or application made, then to such address as may be obtainable. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed. Any period of time which is determined

according to the provisions of this Local Law by giving the notice shall commence to run from the date of mailing of such notice.

The provisions of the Civil Practice Law and Rules or any other law relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the County to levy, appraise, assess, determine or enforce the collection of any tax or penalty provided by this Local Law. Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of filing of a return; provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period be extended, the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period.

TITLE 600 - DISPOSITION OF REVENUES

Disposition of Revenues: All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of Livingston County and shall be credited to and deposited in the general fund of such county and shall be available thereafter for the promotion of tourism and tourist attractions in Livingston County, as well as the promotion of tourist attractions in Livingston County, as well as the promotion of tourism and tourist attractions of the larger region of which Livingston County is a part provided that funding for regional promotion shall not exceed fifty percent of the revenue received hereunder in any year and that not more than five percent of such revenue shall be used for the cost of administering such tax. Such promotion may be carried out by an appropriate organization or organizations as designated by the Livingston County Board of Supervisors.

TITLE 700 - SEPARABILITY AND EFFECTIVE DATE

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

Effective Date: This Local Law shall take effect on January 1, 2003, and expire on December 31, 2005, except that the provisions of this Local Law relating to registration and the authority of the Treasurer to adopt regulations and take all necessary action to prepare for the implementation and enforcement of this Local Law shall take effect immediately.

Dated at Geneseo, New York

September 11, 2002(Introduced)

September 25, 2002

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

MOTION TO VOTE ON LOCAL LAW NO. F – 2002 FOR A ROLL CALL VOTE

Mr. Layland moved Mr. Walker seconded to call Local Law No. F - 2002 to the table. Carried.

VOTE ON LOCAL LAW NO. F - 2002

LOCAL LAW NO. 5 – 2002 SUPERSEDING COUNTY LAW 215 (4) AND 216 (6) RELATING TO A LEASE OF COUNTY PROPERTY TO VERIZON WIRELESS

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 space on a water tower at the Livingston County Campus, Mt. Morris, New York to Verizon Wireless for the siting of communication antennae 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 space on a water tower at the Livingston County Campus, Mt. Morris, New York to Verizon Wireless for the siting

of communication antennae for a period of 10 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 11, 2002 (Introduced)

September 25, 2002

The roll was called as follows: Ayes - 1,651; Noes - 0; Absent – Schuster, 51; Deming, 112, Total 163; Adopted.

EXECUTIVE SESSION

Motion made by Mr. Brooks 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 James C. Merrick act as Chairman and Virginia O. Amico act as Secretary of the Committee of the Whole and County Administrator Dominic F. Mazza and County Attorney David Morris remain present. Carried.

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

REPORT OF EXECUTIVE SESSION

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:

No action taken.

Dated September 25, 2001

James C. Merrick, Chairman

Virginia O. Amico, Secretary

Motion made by Mr. Moore and seconded by Mr. Wahl that the Report of the Executive Session be accepted. Carried.

OTHER BUSINESS

County Administrator Dominic Mazza reported on the nursing home project, stating last Thursday, September 19, 2002, we received approval of our plan from NYSDOH and are moving on to New York City for final approval, which should be next Thursday, October 3, 2002. We are on target for the October goal.

The County Administrator stated last Friday he traveled to the SHPO office with F. Bassett and Jon Norris to discuss historical preservation concerns. The summary of this meeting is we may have to move the building parallel to the old building, preserving the trees, continue to use Building 1, and not make significant changes to the exterior of Building 1. We will agree to allow SHPO to review any future plans and to design the new building to fit. We will continue discussions toward completing SEQR.

The Central Services Committee held interviews on September 23, 2002, to seek additional qualifications from the firms for pricing information. The County Administrator as a result of discussions in Albany, urged the Board of Supervisors to move forward on construction related activities as soon as possible in order to avoid any potential impact a future State moratorium on construction of new facilities would have on the Livingston County New Nursing Home Project.

Chairman Merrick thanked Mr. Wahl and Mr. Yendell for filling in on the Committees in the absence of Conesus Supervisor D. Witte.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Walker to adjourn until Wednesday, October 9, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:39 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, OCTOBER 9, 2002
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 9/25/02 Regular Board Meeting were approved as presented.

PUBLIC HEARING – 1:35 P.M.

The Public Hearings to receive comments on the following issues were called in accordance with the notices published in the official newspapers:

- Local Law No. G – 2002 Imposing a Surcharge on Wireless Communication Devices was called in accordance with the notices published in the official newspapers.
- Proposed Establishment of Rates for Conesus Lake County Sewer District (CLCSD) - Livonia Center Sewer District Extension #8
- Proposed Establishment of Rates for County Water District No. 1 Zone 5, Extension 1 Scottsburg

The Chairman asked if anyone wished to speak regarding the public hearings to please come forward and sign in at the podium.

1. Mr. Jim Kemp, 25 Commercial Street, Livonia, stated he is a concerned landowner, and he would like some answers to some questions on Livonia Center Sewer Extension #8.

Chairman Merrick indicated that Mr. Kemp could state his remarks and that the public hearing is for public comment only.

Mr. Kemp indicated he believes there is a discrepancy in the total cost of the project and believes that the advertisement in the official paper of \$204 for the total cost of the project is very misleading. He questioned the figure of \$204 .00 per year and how the \$42.00 per quarter is now being considered in the cost; increasing the cost to \$372.00. He stated that he has a lot of questions pertaining to the possibility of a capacity overload, the current capacity, and the projected capacity regarding the extension in Hemlock. He also was wondering how the mobile home parks and apartments will be charged and if there is a different rate for each. He mentioned that the interest rate is not the same interest rate that was given back in November 2001 and he is concerned that some units will be overcharged.

He suggested that the Board have their legal representatives investigate some of these issues.

Chairman Merrick asked Cathy Muscarella, Director of Public Works, to comment.

C. Muscarella invited Jim Kemp to visit the Sewer District. C. Muscarella provided an explanation on the Scottsburg project. She indicated that both projects have been sent to Audit and Control for approval. C. Muscarella explained that the per unit costs can only go down once the determination has been made for the final cost of the project. Both projects have been presented and approved by the Highway & Public Works Committee. A public hearing is required for both projects and at the end of the meeting a resolution will be presented to confirm the rates for both projects.

C. Muscarella responded to some of Mr. Kemp's concerns regarding the Livonia Center sewer project. She indicated that the County set a partial rate last year and this year should set the full rate; the amount to be collected on the Town and County tax bill is for debt only, not operation and maintenance. The final financing will probably not be determined until next year, and if interest rates are down, the rate can be changed. She promised that the rate cannot go

any higher. She recommended that the Board confirm the rates as proposed. C. Muscarella stated that each mobile home and each apartment are considered one unit.

Lima Supervisor Yendell stated that the anticipated rate of \$204 annual payment per unit was for debt, was the expected Operation and Maintenance fee for usage of \$42, based on a flat fee not water consumption. C. Muscarella stated that is a flat fee per unit.

Sparta Supervisor Schuster stated he is satisfied with the proposed rates for the Scottsburg Water project, and he is grateful for the work C. Muscarella and LCWSA and the Highway & Public Works Committee has done on these projects.

Vice Chairman Moore indicated the proposed rates for each project has been through Committee and recommended their approval. He mentioned that it would cost a home owner approximately \$5,000-\$15,000 for installation of a sanitary sewer system.

Livonia Supervisor Wahl stated he is in support of the proposed rates.

The Chairman announced that the public hearings will remain open until the end of the meeting.

COMMUNICATIONS

1. Letters from Assemblyman Joseph A. Errigo and Assemblyman Daniel J. Burling acknowledging receipt of Res. No. 2002-284 and 285.

RESOLUTION NO. 2002-341. APPROVING ABSTRACT OF CLAIMS #10A – OCTOBER 9, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #10A dated October 9, 2002 in the total amount of \$1,605,889.35.

Dated at Geneseo, New York

October 9, 2002

Finance & Administration Committee

Layland not through committee but signed off

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

PRIVILEGE OF THE FLOOR

1. David Woods, Planning Director, distributed a brochure (on file) promoting the Genesee/Finger Lakes Regional Planning Council Fall 2002 Regional Government Workshops to be held on Friday, November 15, 2002 at the Genesee River Hotel & Conference Center. This workshop is cosponsored by the NYS Department of State and several county agencies. The workshop fee is \$40.00. He indicated that the Supervisors should encourage Town Board members, Planning Board members, Zoning Officers, Town Clerks, Town Attorneys to attend the workshop. D. Woods commented that his office will be mailing brochures to the towns and targeting this audience.

David Woods also updated the Board of Supervisors on the SEQR process for the new nursing home in Mt. Morris. He indicated that Clark Patterson Associates prepared the environmental assessment form and this form is ready for the Board to review. He indicated that the form is placed on each Supervisor's desk for their review and a resolution to declare a negative declaration for this project will be presented at the 10/23/02 Board meeting.

Geneseo Supervisor Kennison indicated that Geneseo Town Officials have attended the Genesee/Finger Lakes Regional Planning Council Regional Workshop in the past and it has greatly limited the overnight travel that would have had to take place if this workshop was not offered.

2. Barbara Schirmer, Executive Director of Livingston County Cornell Cooperative Extension, announced this is Cornell Cooperative Extension Week and National 4-H Week and 4-H is celebrating 100 years (1902-2002). B. Schirmer introduced Josh Hunn from York and John Rossiter and Sara Ciufio from Livonia. These young adults

presented a power-point presentation on what 4-H has done for them and what it can do for others. B. Schirmer thanked the Board for their time and asked if anyone had any questions.

Geneseo Supervisor Kennison asked the young adults to clarify what they meant by having their voice heard. The students explained that they want the opportunity in their local community to be involved in the decision making process.

Conesus Supervisor Rumble commented that her first public speaking engagement was at a fair, and she indicated that the students are on the path to something better by participating in 4-H.

PREFERRED AGENDA

RESOLUTION NO. 2002-342. PROCLAIMING THE WEEK OF OCTOBER 6-12, 2002 AS CORNELL COOPERATIVE EXTENSION AND NATIONAL 4-H WEEK IN LIVINGSTON COUNTY

WHEREAS, The Cornell Cooperative Extension of Livingston County enables people to improve their lives and communities through partnerships that put experience and research knowledge to work; and

WHEREAS, The Cornell Cooperative Extension system is a viable partnership among federal, state, and county governments; the educational outreach of Cornell University knowledge and research; and youth volunteers, and staff; and

WHEREAS, over four hundred Extension Educators partner with over fifty thousand volunteers to assist six million individuals, families, communities, and business people in New York State and over twenty thousand in Livingston County every year; and

WHEREAS, The 4-H Youth Development program serves one of every eight youth, ages 5-19, in New York State and continue to provide meaningful youth development experience for one thousand two hundred youth of Livingston County; and

WHEREAS, 4-H has been helping youth and adults learn, grow, and work together for one hundred years; and

WHEREAS, The Cornell Cooperative Extension of Livingston County's "4-H Youth Development" educational programs enable young people to develop their personal leadership skill, cultivate a strong sense of belonging, connect with their communities, and gain life skills to more fully equip them for positive career and life choices; and

WHEREAS, Cornell Cooperative Extension will continue to provide high quality, innovative educational programs and products that help New Yorkers build strong and vibrant communities; and

WHEREAS, The Livingston County Association is active in programs such as: Agriculture, Parenting Education, Nutrition and Consumer Education; now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors hereby designates the week of October 6-12, 2002, as Cornell Cooperative Extension Week and National 4-H Week in Livingston County.

Dated at Geneseo, New York

October 9, 2002

Legislative & Agricultural Affairs Committee

The Clerk of the Board read this resolution.

RESOLUTION NO. 2002-343. PROVIDING FOR PUBLIC HEARING AUTHORIZING SUBMISSION OF A REVISED APPLICATION FOR DISASTER RECOVERY INITIATIVE PROGRAM

WHEREAS, the New York State Housing Trust Fund Corporation has awarded \$91,099 in Federal Disaster Recovery Initiative Program funds to Livingston County; and

WHEREAS, the Livingston County Board of Supervisors on July 26, 2000 authorized the Chairman of the Board to submit an application to the New York State Housing Trust Fund Corporation for the Disaster Recovery Initiative Program for storm water management improvements to alleviate flooding and flood damage in the Jay Cox Creek Watershed; and

WHEREAS, the County of Livingston has been unable to obtain the approval of the landowner to implement the proposed storm water management improvements to alleviate flooding and flood damage in the Jay Cox Creek Watershed; now, therefore be it

RESOLVED, that the Livingston County Chairman of the Board of Supervisors is hereby authorized to submit a revised application to the New York State Housing Trust Fund Corporation for the Disaster Recovery Initiative for storm water management improvements to alleviate flooding and flood damage in the Keshequa Creek Watershed.

Dated at Geneseo, New York

October 9, 2002

Legislative & Agricultural Affairs Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Schuster and seconded by Mr. Olverd to move the Preferred Agenda. Carried.

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

RESOLUTION NO. 2002-344. APPROVING LEASE WITH VERIZON WIRELESS

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

RESOLVED, that the Livingston County Board of Supervisors approves the attached lease with Verizon Wireless for the period July 1, 2002 to June 30, 2003 which lease authorizes Verizon Wireless to place communication antennae on the water tower of the County Campus, Mt. Morris, New York, and be it further

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

Dated at Geneseo, New York

October 9, 2002

Central Services Committee

MOTION TO AMEND: Mr. Wahl moved and Mr. Moore seconded to amend the resolution to read July 1, 2003 to June 30, 2013. Carried.

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

RESOLUTION NO. 2002-345. AUTHORIZING TRANSFER OF FUNDS – HIGHWAY, OFFICE FOR THE AGING, DEPARTMENT OF HEALTH

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

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

Dated at Geneseo, New York

October 9, 2002

Finance & Administration Committee

Mr. Layland indicated that all transfers are within their departmental budget.

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

RESOLUTION NO. 2002-346. AMENDING 2002 COUNTY BUDGET – LIVINGSTON COUNTY DEPARTMENT OF HEALTH

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

WHEREAS, the Livingston County Department of Health has increased Federal Revenue, it is hereby

RESOLVED, that the 2002 Department of Health Budget be amended as follows:

Increase Revenue Account

Department	Revenue	Description	Amount
A.4010	1601	Dept of Health Revenue	\$14,039

Increase Appropriation Account

Department	Revenue	Description	Amount
A.4010	2050	Office Equipment	\$14,039

Dated at Geneseo, New York

October 9, 2002

Finance & Administration Committee

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

RESOLUTION NO. 2002-347. CORRECTING TAX ROLL – TOWN OF AVON

Mr. Layland 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 parcels) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Town of Avon 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 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 charge backs as hereinafter set forth for each application.

Year, Town & Premises	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refunds	Charge backs to Taxing Jurisdictions
1. 2001 Avon	Livingston County	\$652.01	\$554.21	\$97.80	\$97.80
HYNES, Lloyd C. & Rosemarie	Avon Town Tax	336.18	285.75	50.43	50.43
Tax Map Number 44.-1-54	Avon Fire 1	<u>138.99</u>	<u>138.99</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$1127.18	\$978.95	\$148.23	\$148.23
2. 2002 Avon	Livingston County	\$715.06	\$607.80	\$107.26	\$107.26
HYNES, Lloyd C. & Rosemarie	Avon Town Tax	361.55	307.32	54.23	54.23
Tax Map Number 44.-1-54	Avon Fire 1	<u>138.67</u>	<u>138.67</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$1215.28	\$1053.79	\$161.49	\$161.49
3. 2002 Avon	Livingston County	\$2431.20	\$2398.45	\$32.75	\$32.75
COMBS, Laurel B.	Avon Town Tax	1229.27	1212.72	16.55	16.55
Tax Map Number 53-1-4.142	Avon Fire 1	<u>471.48</u>	<u>471.48</u>	<u>0.00</u>	<u>0.00</u>
	Total	\$4131.95	\$4082.65	\$49.30	\$49.30

Dated at Geneseo, New York

October 9, 2002

Finance & Administration Committee

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

RESOLUTION NO. 2002-348. AMENDING 2002 COUNTY BUDGET – COUNTY CLERK

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

WHEREAS, the Office of the County Clerk has received additional revenue from fees charged for services rendered, it is hereby

RESOLVED, that the 2002 County Clerk Budget be amended as follows:

Increase Revenue Account

Department	Revenue	Description	Amount
A1410	1255	County Clerk	\$9,632.06

Increase Appropriation Account

Department	Revenue	Description	Amount
1410	2200	Data Processing Equipment	\$5,362.06
1410	4390	Microfilm	<u>\$4,000.00</u>
			\$9,632.06

Dated at Geneseo, New York

October 9, 2002

Finance & Administration Committee

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

RESOLUTION NO. 2002-349. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR LIVINGSTON COUNTY DEPARTMENT OF HEALTH – ROBERTS WESLEYAN COLLEGE FOR CLINICAL EXPERIENCE FOR NURSING STUDENTS, PREFERRED CARE FOR FLU AND PNEUMOCOCCAL VACCINE CAMPAIGN, MSC-MEDICAL SERVICES COMPANY FOR HEALTH CARE SERVICES, WELCO HEALTH EDUCATION SERVICES FOR “BABY AND ME TOBACCO FREE” AND “SMOKE-FREE HOME & CARS KITS” CAMPAIGNS, UNIVERSITY OF ROCHESTER FOR BEHAVIOR COUNSELING PROGRAM, AND EPIDEMIOLOGY

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

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

ROBERTS WESLEYAN COLLEGE

2301 Westside Drive, Rochester, NY 14624

For Nursing Students Clinical Experience

PREFERRED CARE

259 Monroe Ave., Rochester, NY 14607

For Flu and Pneumococcal Vaccine Campaign

MSC-MEDICAL SERVICES COMPANY

11764 Marco Beach Drive, Suite 1, Jacksonville, Florida 32224

For Health Care Services

WELCO HEALTH EDUCATION SERVICES

1869 Camp St., Ext., Jamestown, NY 14701

For “Baby and Me Tobacco Free” and “Smoke-Free Home & Cars Kits” Campaigns

UNIVERSITY OF ROCHESTER

601 Elmwood Ave., Rochester, NY 14642

For Behavior Counseling Program

UNIVERSITY OF ROCHESTER

601 Elmwood Ave., Rochester, NY 14642

For Epidemiology

Dated at Geneseo, New York

October 9, 2002

Health Committee

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

RESOLUTION NO. 2002-350. AWARDING BIDS AND AUTHORIZING PURCHASE OF UNTREATED AND PRETREATED BULK SODIUM CHLORIDE (CRUSHED ROCK SALT) FOR LIVINGSTON COUNTY AGENCIES

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

WHEREAS, after legal advertisement, bids for Crushed Rock Salt were received and opened on October 8, 2002 in Room 302 of the Livingston County Government Center, and

WHEREAS, submittals received were from three (3) companies, and the following four (4) bids are the lowest

CONTRACT TERM

7/1/02 to 7/30/03

9/1/02 to 12/31/02 and
will renew automatically
each September on an annual basis
5/10/02 – 5/9/03

9/1/02 – 5/31/03

December 3,4,6, 2002

9/1/02 – 8/31/03

bids which meet all specifications dated September 26, 2002:

UNTREATED -

BID#1 - \$22.84 per ton

Stockpile at Hampton Corners

DELIVERED TO ANY POINT IN LIVINGSTON COUNTY

American Rock Salt Company LLC, PO Box 190, Mt. Morris, NY 14510

BID#2 - \$19.80 per ton

F.O.B.

American Rock Salt Company LLC, PO Box 190, Mt. Morris, NY 14510

PRETREATED -

BID#3 - \$32.97 per ton

Stockpile at Hampton Corners

DELIVERED TO ANY POINT IN LIVINGSTON COUNTY

I.M.U.S., 11512 Ramshaw Road, Lyndonville, NY 14098

BID#4 - \$30.97 per ton

F.O.B.

I.M.U.S., 11512 Ramshaw Road, Lyndonville, NY 14098

Now, therefore, be it

RESOLVED, that said bids be accepted, and authorization be given to purchase said material for said prices, contingent upon American Rock Salt Company and I.M.U.S. signing contracts with the County of Livingston, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

October 9, 2002

Highway and Public Works Committee

Donald Higgins, County Highway Superintendent, explained the bid results.

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

CLOSE PUBLIC HEARINGS

The Chairman asked if anyone else wished to speak at this time regarding the Public Hearings. No one wished to speak.

Ossian Supervisor Martello asked for an explanation in the hook up costs and C. Muscarella provided an explanation.

Livonia Supervisor Wahl encouraged any town that is considering a water and/or sewer project to transfer the project to the Livingston County Water & Sewer Authority. Mr. Wahl commended C. Muscarella on the fine job she is doing.

The Chairman asked if anyone else wished to speak at this time regarding the Public Hearings. No one wished to speak.

The Chairman declared the public hearings closed.

RESOLUTION NO. 2002-351. CONFIRMING RATE SCHEDULE FOR THE CONESUS LAKE COUNTY SEWER DISTRICT (CLCSD) – LIVONIA CENTER SEWER DISTRICT EXTENSION # 8

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

WHEREAS, a public hearing was held by the Livingston County Board of Supervisors on October 9, 2002 regarding the proposed sewer rates for the Conesus Lake County Sewer District (CLCSD) – Livonia Center Sewer District Extension # 8; and

WHEREAS, on September 18, 2002 the Highway and Public Works Committee and the Administrative Head of the Conesus Lake County Sewer District (CLCSD) established the following rate schedule for the Conesus Lake County Sewer District (CLCSD) – Livonia Center Sewer District Extension # 8;

Land Classification	Livonia Center
Improved	<u>\$ 204</u>
Vacant improved	<u>\$ 20</u>

Unimproved	\$ 5
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NOW, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors confirms the rate schedule established by the Highway and Public Works Committee and the Administrative Head of the Conesus Lake County Sewer District (CLCSD).

Dated at Geneseo, New York

October 9, 2002

Highway and Public Works Committee

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

RESOLUTION NO. 2002-352. CONFIRMING RATE SCHEDULE FOR LIVINGSTON COUNTY WATER DISTRICT – ZONE 5 EXTENSION 1 SCOTTSBURG

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

WHEREAS, a public hearing was held by the Livingston County Board of Supervisors on October 9, 2002 regarding the proposed water rates for the Livingston County Water District – Zone 5, Extension 1, Scottsburg, and

WHEREAS, on September 18, 2002 the Highway and Public Works Committee and the Administrative Head of the Livingston County Water District, established the following rate schedule for the Livingston County Water District – Zone 5, Extension 1, Scottsburg;

Land Classification	Zone 5 Scottsburg
Improved	\$ 395
Vacant improved	\$ 10
Unimproved	\$ 5

NOW, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors confirms the rate schedule established by the Highway and Public Works Committee and the Administrative Head of the Livingston County Water District.

Dated at Geneseo, New York

October 9, 2002

Highway and Public Works Committee

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

MOTION TO AMEND RES. NO. 2002-344

Mr. Layland moved and Mr. Olverd seconded to amend Res. No. 2002-344 to read as follows:

RESOLUTION NO. 2002-344. APPROVING LEASE WITH VERIZON WIRELESS

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

RESOLVED, that the Livingston County Board of Supervisors approves the attached lease with Verizon Wireless for the period July 1, 2003 to June 30, 2013 which lease authorizes Verizon Wireless to place communication antennae on the water tower of the County Campus, Mt. Morris, New York, and be it further

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

Dated at Geneseo, New York

October 9, 2002

Central Services Committee

The roll was called as follows: Ayes – 1,798; Noes – 0; Absent – Martello, 26; Adopted.

MOTION TO VOTE ON LOCAL LAW NO. G – 2002 FOR A ROLL CALL VOTE

Mr. Kennison moved Mr. Mahus seconded to call Local Law No. G - 2002 to the table. Carried.

VOTE ON LOCAL LAW NO. G - 2002

LOCAL LAW NO. 6 - 2002 - IMPOSING A SURCHARGE UPON WIRELESS COMMUNICATION DEVICES

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

Section 1:

Pursuant to and subject to the provisions Section 308-a of the County Law of the State of New York, the Livingston County Board of Supervisors hereby imposes a surcharge of thirty cents (30¢) per month on each wireless communication device, which surcharge shall be reflected and made payable on bills rendered for wireless communication service provided to customers whose place of primary use is within the County of Livingston.

Section 2:

Wireless Communication Service Suppliers shall begin to add the above mentioned surcharge to the billings of its customers on December 1, 2002.

Section 3:

This local law shall take effect upon its filing with the Secretary of State.

Dated at Geneseo, New York

September 25, 2002 (Introduced)

October 9, 2002 (Adopted)

The roll was called as follows: Ayes – 1,798; Noes – 0; Absent – Martello, 26; Adopted.

OTHER BUSINESS

1. Chairman of the Board appointed the following members to serve on the GLOW Workforce Development Board representing the Business Sector for a term commencing 1/1/03 and expiring 12/31/05:
Sarah Noble-Moag
Francis Argentieri
2. The County Administrator reported the NYSDOH gave its final approval with minor contingencies expected for the new nursing home in Mt. Morris. The project is on schedule and moving forward.
3. Mr. Layland, Chairman of the Finance and Administration Committee, announced the next committee meeting will be held Thursday, 10/10/02 at 10:00 a.m. in Room 303B of the Government Center.

ADJOURNMENT

Motion made by Mr. Mahus and seconded by Mr. Layland to adjourn until Wednesday, October 23, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:43 p.m.

**REPORT OF THE SUPERVISORS' PROCEEDINGS
REGULAR BOARD MEETING
WEDNESDAY, OCTOBER 23, 2002
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 10/9/02 Regular Board Meeting were approved as presented.

COMMUNICATIONS

1. Livingston County will host the Inter-County Association of Western New York meeting on November 15, 2002 at 9:30 a.m. at the Sweet Briar Conference & Spa Center, Geneseo, NY. Please notify the Clerk of the Board if you are interested in attending this meeting. PROGRAM: Livingston County Sheriff's Department – School Resource Officer Program Tour: American Rock Salt, 1:00 p.m.
2. Letter from Commissioner Glenn S. Goord, Department of Correctional Services regarding the meeting to discuss the possible future use by Livingston County of bed space at Groveland Correctional Facility and the overcrowding of the County Jail.
3. On file is the Dormitory Authority's State Environmental Quality Review Negative Declaration for State University of New York College at Geneseo.
4. Town Bonded Indebtedness reports for 2002 are due November 13, 2002. The form was included in the last board packet.
5. The 2003 Proposed Livingston County Budget was filed with the Clerk of the Board on October 18, 2002.
6. Notice of Claim in the matter of Karen Loos and David Loos versus the County of Livingston and the Livingston County Agricultural Society

INTRODUCTION OF RESOLUTION

RESOLUTION NO. 2002-353. INCREASING MAXIMUM INCOME ELIGIBILITY FOR TAX EXEMPTION PURSUANT TO SECTION 467 OF THE REAL PROPERTY TAX LAW

WHEREAS, the County of Livingston, by Res. No. 2001-384 set \$14,400.00 as the maximum income eligibility for tax exemption under section 467 of the Real Property Tax Law and by Res. No. 94-339 adopted the income eligibility sliding scale set forth under section 467(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 \$15,000.00 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 \$15,000.00 income eligibility level, and it is further

RESOLVED, that this increase shall be effective with the 2003 assessment roll.

Dated at Geneseo, New York

October 23, 2002 (Introduced)

Finance & Administration Committee

The County Attorney explained the income eligibility was increased by \$600 for both the senior citizen exemption as well as for persons with disabilities. The annual income cannot exceed \$23,400.00.

INTRODUCTION OF LOCAL LAW

LOCAL LAW NO. H – 2002 – 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 “A 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 \$15,000.00. 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 VALUATION EXEMPT FROM TAXATION</u>
More than \$15,000.00 but less than \$16,000.00	45 per centum
\$16,000.00 or more but less than \$17,000.00	40 per centum
\$17,000.00 or more but less than \$18,000.00	35 per centum
\$18,000.00 or more but less than \$18,900.00	30 per centum
\$18,900.00 or more but less than \$19,800.00	25 per centum
\$19,800.00 or more but less than \$20,700.00	20 per centum
\$20,700.00 or more but less than \$21,600.00	15 per centum
\$21,600.00 or more but less than \$22,500.00	10 per centum
\$22,500.00 or more but less than \$23,400.00	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

October 23, 2002 (Introduced)

RESOLUTION NO. 2002-354. APPROVING ABSTRACT OF CLAIMS #10B – OCTOBER 23, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #10B dated October 23, 2002 in the total amount of \$1,350,602.69.

Dated at Geneseo, New York

October 23, 2002

Finance & Administration Committee

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

PRIVILEGE OF THE FLOOR

1. Clark Patterson Associates – New Nursing Home Update

Todd Liebert, Senior Vice President of Clark Patterson Associates, introduced Senior Architect Jon Norris and Architect Michele Trott.

Todd Liebert provided a Power-Point presentation on the new nursing facility showing a mock walk-through of the facility and objectives to maintain costs and quality control.

He indicated that the nursing home will consist of four 48 bed units for a total of 175,000 sq. ft. The building will have two stories and all having ground or roof access. The site construction is expected to begin in the spring 2003.

T. Liebert indicated that Clark Patterson Associates would be preparing walk-through films as the project progresses. He stated he looks forward to working the construction managers. He thanked the Board for the opportunity to be a part of the team, and he stated he looks forward to working with the County over the next several years.

2. County Administrator Dominic F. Mazza – 2003 County Budget Update

The County Administrator acknowledged Pat Rogers of The Pike Company, Inc., the construction managers for the new nursing home project, and stated he looks forward to working with the company and welcomed them to Livingston County. The County Administrator recognized the efforts of Frank Bassett, Director of Long-Term Care for all his work on the nursing home project and David Woods, Planning Director, for preparing the correspondence for the SEQR negative declaration.

The County Administrator thanked all the department heads for working everyday to keep the current budget in control, and he stated he is not going to compare Livingston County with the surrounding counties that are having fiscal difficulties. He indicated that our main goal is to serve and protect the public, and he stated that the 2003 County Budget continues to do that. At this time, we have not had to eliminate services and he stated he is proud of the services we provide. We have done an excellent job maintaining costs without any fat in our organization.

The County Administrator read the following budget message:

"I am pleased to submit the 2003 budget for Livingston County. The \$94.9 million plan contains a property tax rate of \$7.95 per thousand of assessed value, a 6.0% increase over the 2002 rate of \$7.50. Livingston County's sales tax rate will remain at 3%, the lowest in the region. Current service levels will be maintained and there will be no significant changes in staffing.

Livingston County and all other New York State counties continue to deal with the issue of increasing unfunded mandates from Albany. The Medicaid program, which funds a variety of health care costs for State residents, is once again the largest contributor, causing double digit tax rate increases statewide. Livingston County's Medicaid mandate alone has increased local spending by \$3.7 million since 1998. 60% of the proposed increase is the result of local increases in Medicaid costs. \$12.9 million of Livingston County's 2003 \$17.9 million tax levy is the direct result of unfunded mandates. This means that 72¢ of every property tax dollar raised through property taxes will go towards the funding of these programs.

The County Nursing Homes' loss of state and federal IGT revenue will mean another year of increased deficits for the facilities. The new nursing home project slated for completion in 2005 should stabilize further losses, while providing greatly improved care well into the future. 36% of the proposed rate increase is attributable to increased subsidies for the SNF's.

Other factors causing a negative impact on the budget include:

- *Loss of potential interest income due to low interest rates*
- *An increase of \$745,000 from \$536,000 to \$1,278,000 in New York State retirement contributions*
- *Health insurance rates once again increasing 12-14%.*
- *General liability and property insurance is up 20%.*
- *Loss of New York State revenue sharing of \$128,000*

On the positive side, Livingston County maintains a very solid surplus and strong cash flow, eliminating the need for any borrowing. Our credit rating remains excellent. Sales tax revenue remains stable. The first two quarters of 2002 saw modest sales tax growth while several counties statewide have seen reductions.

County Departments have successfully maintained sound financial practices with realistic budgeting, focusing on revenue maximization efforts, while continuing to provide quality services. This budget will provide full funding of all agreed upon and anticipated employee wages and benefits.

Livingston County will continue to face an unfriendly financial environment as long as unfunded mandates spiral out of control. State and county officials must begin working together in the hopes of providing some relief to local property tax rates

I look forward to a constructive and productive budget process."

The County Administrator announced the Budget Workshop will be held Wednesday, November 6, 2002 at 1:00 p.m. in the Board Assembly Room.

The County Administrator read a letter from a citizen he received in June 2002 regarding the excellent care that a family member had received from the County nursing home staff.

The County Administrator again indicated the County has budgetary challenge, however, he is pleased that he is not recommending a reduction in services or staffing at this time. He thanked the Board for their time and stated he looks forward to working with them as the budget unfolds, and he asked if they had any questions.

Chairman Merrick thanked the County Administrator for his dedicated work on the 2003 County Budget. He also stated that a gentleman attended a Town of Groveland Board meeting to express the wonderful care a family member was given at the County Nursing Home.

PREFERRED AGENDA

RESOLUTION NO. 2002-355. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. H 2002 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

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on October 23, 2002, a proposed Local Law entitled Local Law No. H - 2002 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 13th day of November, 2002 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 23, 2002

Finance & Administration Committee

RESOLUTION NO. 2002-356. PROVIDING FOR PUBLIC HEARING ON PROPOSED LIVINGSTON COUNTY BUDGET FOR 2003 PURSUANT TO SECTION 359 OF THE COUNTY LAW

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 2003 at 1:35 p.m. in the afternoon and also at 7:00 p.m. in the evening on Wednesday, November 13, 2002 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 23, 2002

Finance & Administration Committee

RESOLUTION NO. 2002-357. CALLING FOR THE GOVERNOR AND STATE LEGISLATURE TO CAP MEDICAID NOW

WHEREAS, since the enactment of the Medicaid Program, counties in New York State have been required to share in the costs of services by contributing a 25 percent matching share except for certain long-term care and mental health services; and

WHEREAS, counties have minimal authority to manage, control or reduce their Medicaid costs and serve primarily as a means to transfer a portion of the State's share of Medicaid from the statewide tax base to local property tax bases; and

WHEREAS, in 2001 local taxpayers paid over \$4.3 billion in net Medicaid costs through their local budgets, and it is estimated that the net Medicaid local share will increase to \$4.8 billion in 2002 and exceed \$5.4 billion in 2003; and

WHEREAS, for counties outside New York City, the Medicaid local share doubled between 1990-2001, making Medicaid the largest and most volatile single expense in county budgets; and

WHEREAS, recent actions by the state, including shifting of Medicaid managed care costs to counties, the shifting of state mental health costs to counties, the expansion of various Medicaid payment rates, the creation of the Family Health Plus Program and expanded funding for healthcare worker recruitment and retention, has compounded the local Medicaid problem and added to the fiscal crisis currently facing counties; and

WHEREAS, this resurgence of Medicaid growth reflects the underlying problems and funding inequities of the Medicaid program which place unique burdens on counties, jeopardize the long-term fiscal stability of county governments, and add to the burden of regressive local property taxes; and

WHEREAS, it is imperative that the Governor and State Legislature take responsibility for the growth of New York State's program by capping the Medicaid local share at 2001 base levels; and

WHEREAS, this cap would provide local governments significant budgetary relief; and

WHEREAS, this cap would provide county taxpayers with real property tax relief in 2003; now, therefore, be it

RESOLVED, the Livingston County Board of Supervisors calls upon the Governor and the State Legislature to make fundamental structural reform to the Medicaid program and provide real property taxpayers with relief by CAPPING MEDICAID NOW; and be it further

RESOLVED, that the Clerk of the Board shall forward copies of this resolution to Governor George E. Pataki; Joseph Bruno, Speaker Pro Tem and Majority Leader of the New York State Senate; Sheldon Silver, Speaker of the New York State Assembly; Senators Dale M. Volker and Patricia K. McGee; Assemblymen Joseph A. Errigo, Brian M. Kolb and Daniel J. Burling; the New York State Association of Counties, Inter-County Association of Western New York and all others deemed necessary and proper.

Dated at Geneseo, New York

October 23, 2002

Intergovernmental Affairs Committee

RESOLUTION NO. 2002-358. CALLING ON THE PRESIDENT AND THE UNITED STATE HOUSE OF REPRESENTATIVES TO SUPPORT AN INCREASE IN THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP) TO PROVIDE NEW YORK COUNTIES WITH MEDICAID RELIEF

WHEREAS, under Federal Law, local governments are not responsible for any portion of Medicaid funding; however, Congress has given states the authority to require local governments to share in financing the non-federal share of Medicaid costs; and

WHEREAS, Medicaid has become the largest single appropriation in every county budget and, with the reemergence of double-digit annual growth rates, is siphoning away the limited resources needed to fund other critical budgetary needs at the county level; and

WHEREAS, the National Governor's Association (NGA), including Governor Pataki, has supported a proposal for a temporary increase in the Federal Medical Assistance Percentage (FMAP) as an economic stimulus option that would provide more federal funding for state Medicaid programs; and

WHEREAS, the NGA has indicated that such an increase would help stimulate the nation's economy and shore up the safety net for low-income families; and

WHEREAS, on January 16, 2002 the Governor and New York State Legislature enacted legislation that provides for a multi-billion, three-year plan to address New York's shortage of health care workers, to financially strengthen New York's hospitals, nursing homes and other health care facilities and to increase funding for other important health care programs; and

WHEREAS, this new plan will increase the local Medicaid burden, currently over \$4.3 billion annually, by approximately \$300 million over the next three years as a result of increased reimbursement to hospitals, nursing homes, and home care facilities; and

WHEREAS, this legislation also integrates the funding from an increase in the FMAP of 3% for the next three state fiscal years and relies on this increased federal funding as a major offset to the new local costs; and

WHEREAS, without the increased FMAP, property taxpayers across the state that fund county budgets, will be forced to absorb the resulting increased Medicaid burden in their local tax bill; and

WHEREAS, the United States Senate has supported a temporary FMAP increase via the Rockefeller-Collins-Nelson-Smith amendment to the Greater Access to Affordable Pharmaceuticals Act of 2001, which would provide counties and New York City with one-time Medicaid relief of approximately \$100 million and \$200 million respectively; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors calls upon the President and the United States House of Representatives to support an increase in the Federal Medical Assistance Percentage (FMAP) to provide New York's local taxpayers with relief from the crushing financial burden of the Medicaid program; and be it further

RESOLVED, that the Clerk of the Board shall forward copies of this resolution to President George W. Bush, Senators Charles E. Schumer and Hillary Clinton; Congressman Thomas M. Reynolds; Governor George E. Pataki; Joseph Bruno, Speaker Pro Tem and Majority Leader of the New York State Senate; Sheldon Silver, Speaker of the New York State Assembly; Senators Dale M. Volker and Patricia K. McGee; Assemblymen Joseph A. Errigo, Brian M. Kolb and Daniel J. Burling; the New York State Association of Counties, the Inter-County Association of Western New York and all others deemed necessary and proper.

Dated at Geneseo, New York

October 23, 2002

Intergovernmental Affairs Committee

RESOLUTION NO. 2002-359. PROCLAIMING OCTOBER 23 THROUGH OCTOBER 31, 2002 AS RED RIBBON CAMPAIGN WEEK

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, 2002, as Red Ribbon Campaign Week.

Dated at Geneseo, New York

October 23, 2002

Intergovernmental Affairs Committee

RESOLUTION NO. 2002-360. PROCLAIMING OCTOBER 30th AS WEATHERIZATION DAY 2002

WHEREAS, Livingston County recognizes the plight of low-income families and individuals in meeting their home energy bills; and

WHEREAS, low-income households spend a disproportionate percentage of their annual incomes on home energy bills; and

WHEREAS, the United State Department of Energy developed the Weatherization Assistance Program as the federal government's cost-effective permanent solution for reducing the heavy energy burden on low-income Americans; and

WHEREAS, the Livingston County Planning Department's Weatherization Assistance Program not only saves energy through advance technologies to improve the affordability of energy for low-income families, but also saves lives and improves the health and safety of families by identifying carbon monoxide hazards, poor indoor air quality, mold, and other health threats; now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors does hereby proclaim October 30th as Weatherization Day 2002.

Dated at Geneseo, New York

October 23, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-361. RESCINDING RES. NO. 2002-343 AND PROVIDING FOR PUBLIC HEARING FOR DISASTER RECOVERY INITIATIVE PROGRAM

WHEREAS, a public hearing notice was not included in Res. No. 2002-343, it is hereby

RESOLVED, that Res. No. 2002-343 is hereby rescinded, and it is further

RESOLVED, that the Livingston County Board of Supervisors will conduct a public hearing on a revised Action Plan for Disaster Recovery and a proposed application for the Disaster Recovery Initiative Program, and it is further

RESOLVED, that the public hearing will be held on Wednesday, November 13, 2002 at 1:35 p.m. in the Livingston County Government Center, Board of Supervisors Assembly Room, Third Floor, Geneseo, New York at which time all persons interested will be heard.

Dated at Geneseo, New York

October 23, 2002

Legislative & Agricultural Affairs Committee

DISCUSSION OF PREFERRED AGENDA

Geneseo Supervisor Kennison thanked the Intergovernmental Affairs Committee for presenting Res. No. 2002-357 and 2002-358. He indicated he believes the resolutions are necessary.

PREFERRED AGENDA VOTE

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

Motion made by Mr. Wahl and seconded by Mr. Olverd to move the Preferred Agenda. Carried.

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

RESOLUTION NO. 2002-362. ADOPTING SEQR NEGATIVE DECLARATION FOR PROPOSED LIVINGSTON COUNTY REPLACEMENT NURSING FACILITY

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

WHEREAS, Livingston County is proposing to construct a replacement nursing facility; and

WHEREAS, by Board of Supervisors Resolution No. 2002-68, the Livingston County Board of Supervisors declared its intent to be lead agency pursuant to the State Environmental Quality Review Act (SEQR); 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 is a Type I Action and 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

October 23, 2002

Central Services Committee

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

RESOLUTION NO. 2002-363. AWARDING BID FOR THE LIVINGSTON COUNTY CAMPUS BUILDING #1 ROOF REPLACEMENT

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

WHEREAS, after proper legal advertisement for the Livingston County Campus Building #1 Roof Replacement, seven (7) bids were received, then opened on October 2, 2002, now, therefore, be it

RESOLVED, that the bid of All-Weather Contractors, Inc. of 510 Ellicott Road, Cheektowaga, NY 14227, in an amount not to exceed Eighty Four Thousand Five Hundred Forty Eight Dollars (\$84,548.00), be and hereby is accepted as the lowest responsible bid for the Livingston County Campus Building #1 Roof Replacement, and it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign a contract with All-Weather Contractors, Inc., subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

October 23, 2002

Central Services Committee

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

RESOLUTION NO. 2002-364. AUTHORIZING CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE NEW SKILLED NURSING FACILITY IN MT. MORRIS, NEW YORK

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

WHEREAS, the County Administrator solicited a Request for Proposal for construction management services for the new Skilled Nursing Facility in Mt. Morris, New York, and

WHEREAS, seven proposals were received, and

WHEREAS, The Pike Company, Inc. of One Circle Street, Rochester, New York 14607 was determined to be the most qualified to provide construction management services for the new Skilled Nursing Facility in Mt. Morris, New York, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with The Pike Company, Inc. for construction management services at a cost not to exceed Nine Hundred Ninety Nine Thousand Eight Hundred Fifty Four Dollars (\$999,854.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

October 23, 2002

Central Services Committee

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

RESOLUTION NO. 2002-365. AUTHORIZING CONTRACT FOR ARCHITECTURAL/ENGINEERING SERVICES FOR THE NEW SKILLED NURSING FACILITY IN MT. MORRIS, NEW YORK

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

WHEREAS, the County Administrator solicited a Request for Proposal for architectural/engineering services for the new Skilled Nursing Facility in Mt. Morris, New York, and

WHEREAS, four proposals were received, and

WHEREAS, Clark Patterson Associates of 186 North Water Street, Rochester, New York 14604 was determined to be the most qualified to provide architectural/engineering services for the new Skilled Nursing Facility in Mt. Morris, New York, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Clark Patterson Associates for architectural/engineering services at a cost not to exceed One Million Eight Hundred Fifty Thousand Dollars (\$1,850,000.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

October 23, 2002

Central Services Committee

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

RESOLUTION NO. 2002-366. AUTHORIZING TRANSFER OF FUNDS – CENTRAL SERVICES, CONTINGENCY, DISTRICT ATTORNEY, INFORMATION & TECHNOLOGY SERVICES, SHERIFF, SOCIAL SERVICES

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

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

Dated at Geneseo, New York

October 23, 2002

Finance & Administration Committee

Mr. Layland, Chairman of Finance & Administration Committee, indicated that this resolution was not presented at a committee meeting; however, the majority of the Committee has reviewed and signed the resolution. He also indicated that money is being transferred from Contingency to the ATI/Automotive account for the purchase of a 15 passenger van.

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

RESOLUTION NO. 2002-367. CORRECTING TAX ROLL – TOWN OF PORTAGE

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

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to one (1 parcel) application for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Town of Portage 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	Chargebacks To Taxing Jurisdictions
1. 2002 Portage	Livingston County	\$389.63	\$0.00	\$0.00	\$389.63
THE PEOPLE OF THE	Livingston Co. Penalties	95.21	0.00	0.00	95.21
STATE OF NEW YORK	Liv. Co. Advertising	8.50	0.00	0.00	8.50
Tax Map Number	Portage Town Tax	520.98	0.00	0.00	520.98
205.-1-4	Portage Fire	<u>41.45</u>	<u>0.00</u>	<u>0.00</u>	<u>41.45</u>
	Total	\$1055.77	\$0.00	\$0.00	\$1055.77

Dated at Geneseo, New York

October 23, 2002

Finance & Administration Committee

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

RESOLUTION NO. 2002-368. AUTHORIZING DIRECTOR TO ADD TAXES ON 2003 VARIOUS TOWN TAX ROLLS

Mr. Layland 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 2003 various town tax rolls, the following taxes as provided by the town assessors as listed on this report following hereto:

OWNER & PARCEL	TOWN ROLL	AMOUNT TO BE LEVIED	TOTAL PER TOWN
DRISCOLL, Daniel C., Jr. 45 Dooer Avenue, Avon, NY 14414 Tax Map Number 34.5-1-34 SWIS Code 242001 (prior owner: Estate of Marion Redmond)	Avon	Town \$ 20.52 County \$ 70.70 Total \$ <u>91.22</u>	
SLOAN, Joseph & Sandra 87 Reed Street, Avon, NY 14414 Tax Map Number 34.6-2-36.2, SWIS 242001	Avon	Town \$ 52.98 County \$ 178.44 Total \$ <u>231.42</u>	

OWNER & PARCEL	TOWN ROLL	AMOUNT TO BE LEVIED		TOTAL PER TOWN
(prior owner: Gary F. & Patricia E. Baker)				
ORMAN, Frank 135 Versailles Road, Rochester, NY 14621 Tax Map Number 34.5-1-38 SWIS Code 242001 (prior owner: Bella Emmi)	Avon	Town	\$ 70.59	
		County	\$ 236.11	
		Total	\$ 306.70	
THIELE, Keith S. & BRANTNER, Alice E. 34 Rochester Street, Avon, NY 14414 Tax Map Number 34.6-2-16 SWIS Code 242001 (prior owner: Isabelle Panepinto)	Avon	Town	\$ 63.18	
		County	\$ 217.72	
		Total	\$ 280.90	
WOLK, Gary 114 High Street, Avon, NY 14414 Tax Map Number 34.7-1-10 SWIS Code 242001 (prior owner: Estate of Rosemary Saeva)	Avon	Town	\$ 177.06	
		County	\$ 598.53	
		Total	\$ 775.59	
GERACE, James S. & Kathryn L. 96 High Street, Avon, NY 14414 Tax Map Number 34.7-1-12 SWIS Code 242001 (prior owner: Virginia M. Shaver)	Avon	Town	\$ 64.55	
		County	\$ 217.45	
		Total	\$ 282.00	
KLEMMER, Jason P. 220 Spring Street, Avon, NY 14414 Tax Map Number 34.9-1-7 SWIS Code 242001 (prior owner: Estate of Theresa Hall)	Avon	Town	\$ 49.70	
		County	\$ 171.26	
		Total	\$ 220.96	
MCFADDEN, Adam C. 228 Wadsworth Avenue, Avon, NY 14414 Tax Map Number 34.9-1-81 SWIS Code 242001 (prior owner: Susan E. McFadden [Charles McFadden, Jr. now deceased])	Avon	Town	\$ 40.61	
		County	\$ 137.39	
		Total	\$ 178.00	
MEADOWS, Robert M. 275 Wadsworth Avenue, Avon, NY 14414 Tax Map Number 34.9-1-10.2 SWIS Code 242001 (prior owner: Estate of G. Robert Schwartz)	Avon	Town	\$ 35.54	
		County	\$ 119.69	
		Total	\$ 155.23	
KRASINSKI, Brian & Rebekah 95 East main Street, Avon, NY 14414 Tax Map Number 34.10-3-10.1 SWIS Code 242001	Avon	Town	\$ 14.13	
		County	\$ 48.70	
		Total	\$ 62.83	

OWNER & PARCEL	TOWN ROLL	AMOUNT TO BE LEVIED		TOTAL PER TOWN
(prior owner: Robert M. & Lindalee C. Meadows)				
THE SECRETARY OF VETERANS AFFAIRS 475 Sentry Parkway, Blue Bell, PA 19422 Tax Map Number 34.19-1-9.8 SWIS Code 242001 (prior owner: Walter L. Russell, Jr.)	Avon	Town	\$ 36.77	
		County	\$ 123.56	
		Total	\$ 160.33	
BALDWIN, Tammi J. 4912 Lake Road, Avon, NY 14414 Tax Map Number 34.17-1-42 SWIS Code 242089 (prior owner: Virginia M. Kime)	Avon	Town	\$ 1.61	
		County	\$ 3.11	
		Total	\$ 4.72	
RICHMOND, Robert W. & Lynn M. 4980 Lake Road, Avon, NY 14414 Tax Map Number 34.18-1-23 SWIS Code 242089 (prior owner: Saint Timothy Lutheran Church)	Avon	Town	\$ 700.97	
		County	\$ 1375.23	
		Total	\$ 2076.20	
MCMANUS, George Arthur & Laurel A. 127 Bennington Hills Court West Henrietta, NY 14586 Tax Map Number 44.-1-50.1 SWIS Code 242089 (prior owner: Ralph & Elizabeth Savard)	Avon	Town	\$ 413.33	
		County	\$ 814.51	
		Total	\$ 1227.84	
REITZ, Joseph D. & Deborah L. 4747 Darby Road, Avon, NY 14414 Tax Map Number 44.5-1-21 SWIS Code 242089 (prior owner: Ernest R. & Mary Jo Lawton)	Avon	Town	\$ 9.56	
		County	\$ 18.77	
		Total	\$ 28.33	
NORRY, Gregory & DEJONG, Peggy 5641 Sutton Road, Avon, NY 14414 Tax Map Number 45.-1-18 SWIS Code 242089 (prior owner: John Scherer, Ronald Scherer, Robert Scherer) [Former exemption holder: Elise Kaiser]	Avon	Town	\$ 93.62	
		County	\$ 181.58	
		Total	\$ 275.20	
SHAW, Thomas J. & Kathleen J. 2227 Tappan Street, Baldwinsville, NY 13027 Tax Map Number 45.-1-42.21 SWIS Code 242089 (prior owner: Estate of Charles F. Conine)	Avon	Town	\$ 6.72	
		County	\$ 13.04	
		Total	\$ 19.76	
BROGAN, Timothy A.	Avon	Town	\$ 113.41	\$ 1964.85

OWNER & PARCEL	TOWN ROLL	AMOUNT TO BE LEVIED		TOTAL PER TOWN
1221 Peppertree Drive, Derby, NY 14047 Tax Map Number 45.-1-50.911 SWIS Code 242089 (prior owner: Estate of Edith Brogan)		County	\$ 219.96	\$ 4745.75
		Total	\$ 333.37	\$ 6710.60
LAYLAND, James E. & Grace H. 3196 Church Street, Caledonia, NY 14423 Tax Map Number 2.20-1-11 SWIS Code 242201 (prior owner: Mary Jane Leibeck)	Caledonia	Town	\$ 29.29	
		County	\$ 120.16	
		Total	\$ 149.45	
MOUSSA, Kimberly A. 2993 West Main Street, Caledonia, NY 14423 Tax Map Number 7.7-1-23 SWIS Code 242201 (prior owner: Victor J. Cappotelli, Jr., Et Al c/o Caroline Cappotelli {deceased})	Caledonia	Town	\$ 12.77	
		County	\$ 52.40	
		Total	\$ 65.17	
LADUKE, Karen J. 2974 Main Street, Caledonia, NY 14423 Tax Map Number 7.7-1-69 SWIS Code 242201 (prior owner: Estate of Eleanor M. Parnell)	Caledonia	Town	\$ 14.76	
		County	\$ 60.57	
		Total	\$ 75.33	
WOLINSKY, James A. 3273 Clover Street, Caledonia, NY 14423 Tax Map Number 8.9-2-19 SWIS Code 242201 (prior owner: Daniel & Ruby Pangrazio)	Caledonia	Town	\$ 57.26	
		County	\$ 242.51	
		Total	\$ 299.77	
GWYNN, Edward J. & MCFEE, Genevieve 2069 Westside Drive, Rochester, NY 14624 Tax Map Number 8.9-2-48 SWIS Code 242201 (prior owner: Estate of James W. Gwynn) <i>(Note: February 7, 2002 property transferred to Harold and Mary Sickles, 471 Barks Rd., Caledonia)</i>	Caledonia	Town	\$ 84.86	
		County	\$ 362.71	
		Total	\$ 447.57	
WOODGATE, Beverly 3268 State Street, Caledonia, NY 14423 Tax Map Number 8.9-3-20 SWIS Code 242201 (prior owner: Estate of Ruth K. Balmer)	Caledonia	Town	\$ 83.79	
		County	\$ 355.73	
		Total	\$ 439.52	
BARNHARDT, William C. 352 Maple Street, Caledonia, NY 14423 Tax Map Number 8.9-3-89 SWIS Code 242201 (prior owner: Olive Stewart)	Caledonia	Town	\$ 47.78	
		County	\$ 202.44	
		Total	\$ 250.22	

OWNER & PARCEL	TOWN ROLL	AMOUNT		TOTAL PER TOWN
		TO BE LEVIED		
NETH, Adam J. 524 Middle Road, Caledonia, NY 14423 Tax Map Number 13.-1-15 SWIS Code 242289 (prior owner: Constance Donaghue)	Caledonia	Town	\$ 54.04	
		County	\$ 100.20	
		Total	\$ 154.24	
RICHTER, Robin E. 3049 McCorkindale Road Caledonia, NY 14423 Tax Map Number 21.-1-21 SWIS Code 242289 (prior owner: Jane M. (Vindigni) Brown)	Caledonia	Town	\$ 26.69	
		County	\$ 47.62	
		Total	\$ 74.31	
IRVING, Melvin J. 3363 Averill Road, Caledonia, NY 14423 Tax Map Number 22.-1-25 SWIS Code 242289 (prior owner: Eloise A. (Irving) Stevens {owner by will} Estate of Dorothy E. Irving)	Caledonia	Town	\$ 72.48	\$ 483.72
		County	\$ 129.31	\$ 1673.65
		Total	\$ 201.79	\$ 2157.37
THOMPSON, Donald R. 6275 Rowland Road, Conesus, NY 14435 Tax Map Number 101.-1-99.114 SWIS Code 242400 (prior owner: Erma S. Hopper)	Conesus	Town	\$ 307.18	
		County	\$ 262.20	
		Total	\$ 569.38	
QUAMO, James A. & Pamela A. 133 Coolidge Avenue, Spencerport, NY 14559 Tax Map Number 101.46-1-34 SWIS Code 242400 (prior owner: Peggy A. & Sandy W. Sr. Young)	Conesus	Town	\$ 88.60	
		County	\$ 95.52	
		Total	\$ 184.12	
TIPTON, Dawn M. 6159 McGinty Road, Conesus, NY 14435 Tax Map Number 110.-1-9.113 SWIS Code 242400 (prior owner: Irene Zaskoda)	Conesus	Town	\$ 146.40	
		County	\$ 161.01	
		Total	\$ 307.41	
ARRANT, Daniel L. & Maria L. 6193 N. Railroad Ave., Conesus, NY 14435 Tax Map Number 111.-1-36.112 SWIS Code 242400 (prior owner: Estate of Marie M. Thomas)	Conesus	Town	\$ 4.39	
		County	\$ 4.50	
		Total	\$ 8.89	
DERIDER, David 6845 Conesus-Dansville Road Conesus, NY 14435 Tax Map Number 128.-1-55.22 SWIS Code 242400 (prior owner: Estate of Charles J. DeRider, Jr.)	Conesus	Town	\$ 163.48	
		County	\$ 176.05	
		Total	\$ 339.53	

OWNER & PARCEL	TOWN ROLL	AMOUNT TO BE LEVIED		TOTAL PER TOWN
CONESUS DEVELOPMENT ENTERPRISES, INC. PO Box 113, Lakeville, NY 14480 Tax Map Number 128.-1-71 SWIS Code 242400 (prior owner: R. Bernice Thompson)	Conesus	Town	\$ 142.31	
		County	\$ 27.90	
		Total	\$ 170.21	
SLOCUM, James R. 27 Pennsylvania Avenue, Avon, NY 14414 Tax Map Number 129.-1-23.2 SWIS Code 242400 (prior owner: Donald Struble)	Conesus	Town	\$ 75.49	\$ 927.85
		County	\$ 82.98	\$ 810.16
		Total	\$ 158.47	\$ 1738.01
ABBOTT, Edward K. Sr. & Diane K. 14 Main Street, Geneseo, NY 14454 Tax Map Number 80.12-3-29 SWIS Code 242601 (prior owner: Stephen M. & Susan Kelley)	Geneseo	Town	\$ 31.47	
		County	\$ 102.50	
		Total	\$ 133.97	
MCCAUSLAND, George H. & Jacqueline J. 2235 Dunkley Road, Leicester, NY 14481 Tax Map Number 80.12-4-7 SWIS Code 242601 (prior owner: C. Richard & Diane A. McCausland)	Geneseo	Town	\$ 33.20	
		County	\$ 105.02	
		Total	\$ 138.22	
BUSHNELL, Thomas C. & Eileen F. 14 Second Street, Geneseo, NY 14454 Tax Map Number 80.12-4-25 SWIS Code 242601 (prior owner: Estate of Doris Passage)	Geneseo	Town	\$ 35.51	
		County	\$ 28.91	
		Total	\$ 64.42	
ROCHELLE, Neil & CRAW, Sharon 15 Elm Street, Geneseo, NY 14454 Tax Map Number 80.16-2-58 SWIS Code 242601 (prior owner: Eugene Howard & Anne M. Warren)	Geneseo	Town	\$ 95.63	
		County	\$ 298.94	
		Total	\$ 394.57	
CANALE, Aimee K. 3 Melody Lane, Geneseo, NY 14454 Tax Map Number 81.5-1-14 SWIS Code 242601 (prior owner: Sarah Teresa & Sylvia DeWald former exemption holder: Angela Pilato)	Geneseo	Town	\$ 15.72	
		County	\$ 27.87	
		Total	\$ 43.59	
CONKLIN, John M. & Judith A. 26 Westview Crescent, Geneseo, NY 14454 Tax Map Number 81.5-1-40	Geneseo	Town	\$ 62.03	
		County	\$ 200.88	
		Total	\$ 262.91	

OWNER & PARCEL	TOWN ROLL		AMOUNT TO BE LEVIED	TOTAL PER TOWN
SWIS Code 242601 (prior owner: Estate of Mary Elizabeth Eager)				
FEOR, Elizabeth 624 Klem Road, Webster, NY 14580 Tax Map Number 81.9-2-11	Geneseo	Town	\$ 122.66	
		County	\$ 393.84	
		Total	\$ 516.50	
SWIS Code 242601 (prior owner: Gladys Simms)				
BOWNE, Laura L. 15 Stuyvesant Manor, Geneseo, NY 14454 Tax Map Number 81.13-1-42	Geneseo	Town	\$ 105.30	
		County	\$ 229.84	
		Total	\$ 335.14	
SWIS Code 242601 (prior owner: Marion L. Stephany)				
WALTON, Richard L. 17 Seneca Avenue, Geneseo, NY 14454 Tax Map Number 81.17-2-50	Geneseo	Town	\$ 62.51	
		County	\$ 202.30	
		Total	\$ 264.81	
SWIS Code 242601 (prior owner: John C. & Roxanne Johnston)				
GILBERT, Francis G. 89 Center Street, Geneseo, NY 14454 Tax Map Number 81.17-3-28	Geneseo	Town	\$ 113.57	
		County	\$ 256.51	
		Total	\$ 370.08	
SWIS Code 242601 (prior owner: Samuel & Joyce Battaglia)				
GARDNER, James L. & Shawn T. 4380 Reservoir Road, Geneseo, NY 14454 Tax Map Number 81.-2-39.2	Geneseo	Town	\$ 98.06	
		County	\$ 180.13	
		Total	\$ 278.19	
SWIS Code 242689 (prior owner: Douglas L. Houghton)				
MESSERSCHMIDT, Duane HAMULA, Diane 5369 Reservoir Road, Geneseo, NY 14454 Tax Map Number 82.-1-48	Geneseo	Town	\$ 148.25	
		County	\$ 284.73	
		Total	\$ 432.98	
SWIS Code 242689 (prior owner: David Richard Stolper, Jared Sweet Stolper and Helen S. Stolper)				
DAVIS, Walter H. & Ruth Webb 5000 Reservoir Rd., Geneseo, NY 14454 Tax Map Number 82.-2-25	Geneseo	Town	\$ 312.02	
		County	\$ 587.50	
		Total	\$ 899.52	
SWIS Code 242689 (prior owner: John R. & Anne M. Williams)				
PRIOR, Linda 4681 West Lake Road, Geneseo, NY 14454 Tax Map Number 82.84-1-21	Geneseo	Town	\$ 397.92	
		County	\$ 612.54	
		Total	\$ 1010.46	
SWIS Code 242689				

OWNER & PARCEL	TOWN ROLL	AMOUNT TO BE LEVIED		TOTAL PER TOWN
(prior owner: Edythe Gutowski)				
KINGSTON FARMS 5109 Groveland Road, Geneseo, NY 14454 Tax Map Number 90.-1-28 SWIS Code 242689	Geneseo	Town	\$ 61.03	
		County	\$ 1.56	
		Total	\$ 62.59	
(prior owner: Estate of Elizabeth H. Turner)				
BROWN, Leo H. & Corrine K. 4925 West Lake Road, Geneseo, NY 14454 Tax Map Number 91.44-1-16 SWIS Code 242689	Geneseo	Town	\$ 443.16	
		County	\$ 809.98	
		Total	\$ 1253.14	
(prior owner: Katherine Conlon)				
MAHONEY, Janet A. 5409 West Lake Road, Geneseo, NY 14454 Tax Map Number 100.51-1-5 SWIS Code 242689	Geneseo	Town	\$ 400.19	\$ 2538.23
		County	\$ 691.16	\$ 5014.21
		Total	\$ 1091.35	\$ 7552.44
(prior owner: Florence M. Stern)				
MAY, Dwayne N. 6349 Barber Hill Road, Geneseo, NY 14454 Tax Map Number 118.-1-14.212 SWIS Code 242800	Groveland	Town	\$ 92.00	
		County	\$ 146.04	
		Total	\$ 238.04	
(prior owner: Marilyn Skuse)				
SHEA, Francis B. & Linda J. 6854 Geneseo-Groveland Road Mt. Morris, NY 14510 Tax Map Number 126.-1-4 SWIS Code 242800	Groveland	Town	\$ 249.66	
		County	\$ 396.51	
		Total	\$ 646.17	
(prior owner: Victor M. Ogden)				
MACALUSO, David M. & Bonnie D. 4632 Church Street, Groveland, NY 14462 Tax Map Number 135.12-1-55.1 SWIS Code 242800	Groveland	Town	\$ 12.96	\$ 354.62
		County	\$ 19.62	\$ 562.17
		Total	\$ 32.58	\$ 916.79
(prior owner: Estate of Harry E. Leathers)				
JOHNSON, Stephen 45 North Street, Leicester, NY 14481 Tax Map Number 87.16-1-29 SWIS Code 243001	Leicester	Town	\$ 60.57	
		County	\$ 108.14	
		Total	\$ 168.71	
(prior owner: Estate of Mary E. Secker a/k/a Valentino)				
ENGLERT, Andrew & Michelle 1809 Dunkley Road, Leicester, NY 14481 Tax Map Number 87.-1-9, SWIS Code 243089	Leicester	Town	\$ 159.68	
		County	\$ 190.24	
		Total	\$ 349.92	
(prior owner: Violet Englert)				

OWNER & PARCEL	TOWN ROLL	AMOUNT		TOTAL
		TO BE LEVIED		PER TOWN
WISNER, Jane K. 2819 Cuylerville Road, Leicester, NY 14481 Tax Map Number 88.-1-34.112 SWIS Code 243089 (prior owner: Paula S. Knickerbocker)	Leicester	Town	\$ 154.31	
		County	\$ 183.48	
		Total	\$ 337.79	
LOUNSBURY, Fred A. & Diane E. 2821 Cuylerville Road, Leicester, NY 14481 Tax Map Number 88.-1-35 SWIS Code 243089 (prior owner: John J. & Mary K. Andolina)	Leicester	Town	\$ 43.28	\$ 417.84
		County	\$ 954.75	\$ 1436.61
		Total	\$ 998.03	\$ 1854.45
HARPER, John 7241 West Main Street, Lima, NY 14485 Tax Map Number 37.9-1-28 SWIS Code 243201 (prior owner: Thomas & Judy A. Brazell)	Lima	Town	\$ 7.18	
		County	\$ 16.93	
		Total	\$ 24.11	
BENIAMIN, Samuel A. 7155 Eastwood Circle, Lima, NY 14485 Tax Map Number 37.9-2-56 SWIS Code 243201 (prior owner: Robert C. & Joan B. Reilly)	Lima	Town	\$ 49.05	
		County	\$ 117.92	
		Total	\$ 166.97	
LIVINGSTON, Debra Lynn 1772 Rochester Street, Lima, NY 14485 Tax Map Number 37.10-1-12 SWIS Code 243201 (prior owner: William R. Cavalier)	Lima	Town	\$ 5.35	
		County	\$ 0.00	
		Total	\$ 5.35	
MOORE, Stephen D. & Barbara A. 12 Locust Street, Honeoye Falls, NY 14472 Tax Map Number 37.10-2-22 SWIS Code 243201 (prior owner: Ethel Deller)	Lima	Town	\$ 51.51	
		County	\$ 115.84	
		Total	\$ 167.35	
VANCASSELE, Craig R. & Cheryl M. 2010 Rainbow Lane, Lima, NY 14485 Tax Map Number 37.17-1-4.48 SWIS Code 243201 (prior owner: Glenn P. & Kathryn M. Wood)	Lima	Town	\$ 62.25	
		County	\$ 147.87	
		Total	\$ 210.12	
CRAIG, Kelly B. 218 Ontario Street, Honeoye Falls, NY 14472 Tax Map Number 27.-1-11 SWIS Code 243289 (prior owner: Estate of Kenneth L. Evans)	Lima	Town	\$ 55.97	
		County	\$ 78.08	
		Total	\$ 134.05	
SHEPLAND, Dawn M. 7660 Martin Road, Lima, NY 14485 Tax Map Number 27.-1-63	Lima	Town	\$ 156.74	
		County	\$ 232.45	
		Total	\$ 389.19	

OWNER & PARCEL	TOWN ROLL	AMOUNT TO BE LEVIED		TOTAL PER TOWN
SWIS Code 243289 (prior owner: Warren & Dolores Haskins)				
WEIGERT, Thomas A. & Eileen M. 1046 Rochester Road, Lima, NY 14485 Tax Map Number 27.-3-3, SWIS Code 243289 (prior owner: Twilla L. Fuller & Duane E. Fuller, Trustees of the Twilla L. Fuller Living Trust)	Lima	Town	\$ 46.42	
		County	\$ 58.68	
		Total	\$ 105.10	
MYERS, Matthew D. 6377 South Lima Road, So. Lima, NY 14558 Tax Map Number 55.20-1-21 SWIS Code 243289 (prior owner: Mildred B. Sackett)				
BOGGIO, Christopher L. & Tara H. 2838 Livonia Center Road, Lima, NY 14485 Tax Map Number 56.-1-14.1 SWIS Code 243289 (prior owner: Bujnowski Family Trust)	Lima	Town	\$ 9.15	\$ 473.94
		County	\$ 330.40	\$ 1121.17
		Total	\$ 339.55	\$ 1595.11
LAROSE, Larry A. & Lisa A. 33 North Street, Livonia, NY 14487 Tax Map Number 75.5-1-57.1 SWIS Code 243401 (prior owner: Sandra Woods)				
WEST, Richard T. 24 Washington Street, Livonia, NY 14487 Tax Map Number 75.5-2-21 SWIS Code 243401 (prior owner: Estate of Marion C. Rumfelt)	Livonia	Town	\$ 104.99	
		County	\$ 223.18	
		Total	\$ 328.17	
LEAST CHEVROLET, INC. 32 Commercial Street, Livonia, NY 14487 Tax Map Number 75.9-1-43.11 SWIS Code 243401 (prior owner: Village of Livonia)				
JONES, William E. & OLIVER, Darla M. PO Box 366, Livonia, NY 14487 Tax Map Number 75.9-2-26 SWIS Code 243401 (prior owner: Robert W. & Cheryl J. Pletcher)	Livonia	Town	\$ 98.31	
		County	\$ 234.20	
		Total	\$ 332.51	
DONIVAN, Michael P. & Michelle L. 38 Main Street, Livonia, NY 14487 Tax Map Number 75.9-3-1 SWIS Code 243401 (prior owner: Neil F. & Betty L. Miles)				
	Livonia	Town	\$ 103.70	
		County	\$ 246.86	
		Total	\$ 350.56	

OWNER & PARCEL	TOWN ROLL	AMOUNT		TOTAL PER TOWN
		TO BE LEVIED		
RIAL, Holly M. 64 Main Street, Livonia, NY 14487 Tax Map Number 75.9-3-23 SWIS Code 243401 (prior owner: Robert & Patricia Kellogg)	Livonia	Town	\$ 56.75	
		County	\$ 140.71	
		Total	\$ 197.46	
STEKL, William 43 West Avenue, Livonia, NY 14487 Tax Map Number 75.13-1-6 SWIS Code 243401 (prior owner: Inez Stekl)	Livonia	Town	\$ 24.63	
		County	\$ 55.04	
		Total	\$ 79.67	
HOOPER, Barry R. & Theresa J. 14 Pennsylvania Avenue, Avon, NY 14414 Tax Map Number 65.-1-12.37 SWIS Code 243489 (prior owner: Michael L. & Patricia A. Hart)	Livonia	Town	\$ 76.30	
		County	\$ 114.70	
		Total	\$ 191.00	
PARKS, Timothy T. & Rebecca S. 6150 South Lima Road, Avon, NY 14414 Tax Map Number 65.-1-25.11 SWIS Code 243489 (prior owner: Estate of Clarence Brown)	Livonia	Town	\$ 46.60	
		County	\$ 31.97	
		Total	\$ 78.57	
EMERSON, Todd M. & EMERSON, Louis E. 3394 Rochester Road, Lakeville, NY 14480 Tax Map Number 65.55-1-9 SWIS Code 243489 (prior owner: Gerald M. Lewis)	Livonia	Town	\$ 18.55	
		County	\$ 0.00	
		Total	\$ 18.55	
SCHWARZ, Steven J. 3083 Livonia Center Road, Lima, NY 14485 Tax Map Number 67.-1-2.14 SWIS Code 243489 (prior owner: Peter E. & Madeline N. Heid)	Livonia	Town	\$ 115.41	
		County	\$ 168.36	
		Total	\$ 283.77	
PALMER, Dorene R. 5 Old Meadow Court, Livonia, NY 14487 Tax Map Number 74.8-2-11 SWIS Code 243489 (prior owner: Livingston County Habitat for Humanity, Inc.)	Livonia	Town	\$ 45.20	
		County	\$ 62.02	
		Total	\$ 107.22	
MCGRAIN, Albert 3603 Shoreline Drive, Livonia, NY 14487 Tax Map Number 74.25-1-57 SWIS Code 243489 (prior owner: Joseph Jr. & Nancy J. Donofrio)	Livonia	Town	\$ 85.63	
		County	\$ 126.05	
		Total	\$ 211.68	
HENDERSON, Robert A. 4274 East Lake Road, Livonia, NY 14487	Livonia	Town	\$ 381.76	
		County	\$ 555.44	

OWNER & PARCEL	TOWN ROLL	AMOUNT TO BE LEVIED		TOTAL PER TOWN
Tax Map Number 74.72-1-15 SWIS Code 243489 (prior owner: Robert L. Henderson former exemption holder: RC Henderson)		Total	\$ 937.20	
JOHNSON, James J. & Jammie L. 6155 Wilkins Tract, Livonia, NY 14487	Livonia	Town	\$ 137.79	
		County	\$ 96.30	
		Total	\$ 234.09	
Tax Map Number 74.40-1-3 SWIS Code 243489 (prior owner: Richard A. & Winifred P. Feathers)				
VAUGHAN, Robert J. & Laurie 6861 Richmond Mills Road Livonia, NY 14487	Livonia	Town	\$ 216.93	
		County	\$ 233.75	
		Total	\$ 450.68	
Tax Map Number 75.12-1-7 SWIS Code 243489 (prior owner: Donna L. Cunningham & Becky Turybury former exemption holder: Reta E. Whiteman)				
BRUNI, Seth P. 7276 Coy Road, Livonia, NY 14487	Livonia	Town	\$ 167.44	
		County	\$ 245.72	
		Total	\$ 413.16	
Tax Map Number 76.-1-14 SWIS Code 243489 (prior owner: Jean B. McTarnaghan)				
HARVEY, Michael J. & SPENCER, Patricia Ann 4839 Pennemite Road, Livonia, NY 14487	Livonia	Town	\$ 62.88	
		County	\$ 94.46	
		Total	\$ 157.34	
Tax Map Number 83.-1-7.21 SWIS Code 243489 (prior owner: William J. Hubbard)				
NARSISIAN, Thomas D. & Pamela J. 59 Lincoln Mills Road, Rochester, NY 14445	Livonia	Town	\$ 247.32	
		County	\$ 374.82	
		Total	\$ 622.14	
Tax Map Number 83.31-2-9 SWIS Code 243489 (prior owner: Margaret L. Narsisian)				
JOHNSON, Patricia Hunt 35 Castaway Court, Harbor Isles North Port, FL 34287	Livonia	Town	\$ 140.51	
		County	\$ 133.97	
		Total	\$ 274.48	
Tax Map Number 83.54-1-2 SWIS Code 243489 (prior owner: Estate of Nancy W. Rogers)				
GALLUCCI, Michael J. & Cobie C. 4599 Shelly Road, Livonia, NY 14487	Livonia	Town	\$ 205.58	
		County	\$ 304.76	
		Total	\$ 510.34	
Tax Map Number 84.-1-21.13 SWIS Code 243489				

OWNER & PARCEL	TOWN ROLL		AMOUNT TO BE LEVIED	TOTAL PER TOWN
(prior owner: Carlton J. & Lois M. Rice)				
ABREY, Michael W. 4521 Main Street, Hemlock, NY 14466 Tax Map Number 85.10-1-20 SWIS Code 243489	Livonia	Town	\$ 58.94	
		County	\$ 86.27	
		Total	\$ 145.21	
(prior owner: Daryl G. & Juanita A. Hoppough)				
LEDFOURD, Julie A. 5019 South Livonia Road, Apt. 4 Livonia, NY 14487 Tax Map Number 93.-1-3.31 SWIS Code 243489	Livonia	Town	\$ 14.04	\$ 2462.45
		County	\$ 21.28	\$ 3678.38
		Total	\$ 35.32	\$ 6140.83
(prior owner: Aaron Wayne & Tonya J. Hoffa)				
REGAL, Ryan J. 54 Stanley Street, Mt. Morris, NY 14510 Tax Map Number 106.18-4-23 SWIS Code 243601	Mt. Morris	Town	\$ 78.18	
		County	\$ 171.24	
		Total	\$ 249.42	
(prior owner: Linda W. Cannon)				
ASCIOTI, Marguerite 6096 River Road, Mt. Morris, NY 14510 Tax Map Number 123.-1-2.2 SWIS Code 243689	Mt. Morris	Town	\$ 69.89	
		County	\$ 73.49	
		Total	\$ 143.38	
(prior owner: Thomas James)				
BYRON, Marvin B. PO Box 247, Mt. Morris, NY 14510 Tax Map Number 123.-1-21 SWIS Code 243689	Mt. Morris	Town	\$ 50.74	
		County	\$ 54.72	
		Total	\$ 105.46	
(prior owner: Estate of Burdette H. Byron)				
SEMMELE, Laurie M. 7156 Begole Road, Mt. Morris, NY 14510 Tax Map Number 124-1-34.1 SWIS Code 243689	Mt. Morris	Town	\$ 58.24	
		County	\$ 61.40	
		Total	\$ 119.64	
(prior owner: Dianne Jane Brock)				
DREWERY-BROWN, Edith 7996 Dutch Street Road Mt. Morris, NY 14510 Tax Map Number 145.-1-17 SWIS Code 243689	Mt. Morris	Town	\$ 187.76	
		County	\$ 199.57	
		Total	\$ 387.33	
(prior owner: Frank Brown)				
JANSEN, Jason 8500 Picket Line Road, Mt. Morris, NY 14510 Tax Map Number 156.-1-18.12 SWIS Code 243689	Mt. Morris	Town	\$ 37.27	\$ 482.08
		County	\$ 40.18	\$ 600.60
		Total	\$ 77.45	\$ 1082.68

OWNER & PARCEL	TOWN ROLL	AMOUNT TO BE LEVIED		TOTAL PER TOWN
(prior owner: Estate of Fern Wambold)				
DEWEY, Scott B. 5 Livingston Boulevard, Dansville, NY 14437 Tax Map Number 189.18-1-20 SWIS Code 243801 (prior owner: Daniel & Colleen Chizuk)	North Dansville	Town	\$ 77.25	
		County	\$ 189.34	
		Total	\$ 266.59	
GIBSON, Roberta 4476 Miller Road, Dansville, NY 14437 Tax Map Number 189.18-2-3.122 SWIS Code 243801 (prior owner: Robert L. Wolfanger former exemption holder: Wayland Congregation of Jehovah's Witnesses)	North Dansville	Town	\$ 39.98	
		County	\$ 97.48	
		Total	\$ 137.46	
TEMPERATO, Andrew J. 1 Hessler Court, Dansville, NY 14437 Tax Map Number 203.6-1-68 SWIS Code 243801 (prior owner: Virginia Chesbro)	North Dansville	Town	\$ 6.16	
		County	\$ 15.26	
		Total	\$ 21.42	
RUDNEY, Sean M. & Robin M. 30 Franklin Street, Dansville, NY 14437 Tax Map Number 203.6-2-13 SWIS Code 243801 (prior owner: William Potter)	North Dansville	Town	\$ 42.33	
		County	\$ 103.44	
		Total	\$ 145.77	
BEARDSLEY, Michael James & Lisa Marie 60 Ossian Street, Dansville, NY 14437 Tax Map Number 203.6-3-18.1 SWIS Code 243801 (prior owner: James L. & Rose Beardsley)	North Dansville	Town	\$ 37.36	
		County	\$ 91.47	
		Total	\$ 128.83	
DIDAS, Donna L. 128 Ossian Street, Dansville, NY 14437 Tax Map Number 203.6-3-66 SWIS Code 243801 (prior owner: John P. Didas)	North Dansville	Town	\$ 67.86	
		County	\$ 166.31	
		Total	\$ 234.17	
SHARP, Casey B. 50 Seward Street, Dansville, NY 14437 Tax Map Number 203.8-2-1 SWIS Code 243801 (prior owner: Irene Wilson)	North Dansville	Town	\$ 34.79	
		County	\$ 85.08	
		Total	\$ 119.87	
LEVEE, James 10192 Main Street, Dansville, NY 14437 Tax Map Number 203.10-2-79 SWIS Code 243801 (prior owner: Estate of Gladys Zaffke)	North Dansville	Town	\$ 44.78	
		County	\$ 110.94	
		Total	\$ 155.72	

OWNER & PARCEL	TOWN ROLL	AMOUNT		TOTAL PER TOWN
		TO BE LEVIED		
PEARSON, Erik C. PO Box 367, Dansville, NY 14437 Tax Map Number 203.11-3-2 SWIS Code 243801 (prior owner: Bruce Huston & Nancy Doubleday)	North Dansville	Town	\$ 224.41	
		County	\$ 548.86	
		Total	\$ 773.27	
BURDICK, Dawn M. 15 Cottage Street, Dansville, NY 14437 Tax Map Number 203.11-3-20, SWIS 243801 (prior owner: James & Marjorie Fuller)	North Dansville	Town	\$ 10.61	
		County	\$ 25.95	
		Total	\$ 36.56	
SAWDEY, Pamela M. 49 Leonard Street, Dansville, NY 14437 Tax Map Number 203.11-3-24 SWIS Code 243801 (prior owner: Suzanne Peterson)	North Dansville	Town	\$ 5.44	
		County	\$ 13.29	
		Total	\$ 18.73	
FUHRMAN, Andrew & Mary Beth 40 Leonard Street, Dansville, NY 14437 Tax Map Number 203.11-4-17 SWIS Code 243801 (prior owner: Barbara D. & Robert L. Fuhrman and Charlene & Paul Cornell)	North Dansville	Town	\$ 121.57	
		County	\$ 298.26	
		Total	\$ 419.83	
SAHRLE, David R. & Patricia A. 111 Crestwood Circle, Dansville, NY 14437 Tax Map Number 203.15-2-21.1 SWIS Code 243801 (prior owner: Estate of Dorothy B. Nichol)	North Dansville	Town	\$ 106.91	
		County	\$ 261.46	
		Total	\$ 368.37	
WARREN, Diane M. 79 Crestwood Circle, Dansville, NY 14437 Tax Map Number 203.15-2-34 SWIS Code 243801 (prior owner: Douglas K. Warren)	North Dansville	Town	\$ 87.29	
		County	\$ 213.88	
		Total	\$ 301.17	
VOGT, Steven D. & Jennifer R. 6202 Dugway Road, Dansville, NY 14437 Tax Map Number 204.-1-1 SWIS Code 243889 (prior owner: Conrad Mehlenbacher & Dorothy June & Ruth Mehlenbacher – c/o Beatrice Mehlenbacher)	North Dansville	Town	\$ 130.26	
		County	\$ 218.26	
		Total	\$ 348.52	
BENNETT, Michael J. & Kristal M. 10259 Geiger Road, Dansville, NY 14437 Tax Map Number 213.-1-17.2 SWIS Code 243889 (prior owner: Elizabeth Bennett –conveyance of life use)	North Dansville	Town	\$ 116.61	
		County	\$ 194.85	
		Total	\$ 311.46	

OWNER & PARCEL	TOWN ROLL	AMOUNT TO BE LEVIED		TOTAL PER TOWN
ANDERSON, H. Bonnie & Steven R. 10188 Stones Falls Road, Dansville, NY 14437 Tax Map Number 214.-1-35.11 SWIS Code 243889 (prior owner: Estate of Robert A. Anderson)	North Dansville	Town	\$ 36.65	\$ 1190.26
		County	\$ 60.88	\$ 2695.01
		Total	\$ 97.53	\$ 3885.27
SNYDER, Raymond G. & Deborah J. 12 Sanford Dr., PO Box 120 Nunda, NY 14517 Tax Map Number 184.9-2-39.16 SWIS Code 244001 (prior owner: Arnold & Eileen Blanchard)	Nunda	Town	\$ 87.01	
		County	\$ 143.77	
		Total	\$ 230.78	
REDDY-DOLLIVER, Karen B. PO Box 167, Nunda, NY 14517 Tax Map Number 184.9-2-50 SWIS Code 244001 (prior owner: Robert L. & Bessie Templeton)	Nunda	Town	\$ 34.33	
		County	\$ 57.51	
		Total	\$ 91.84	
SIMPSON, Howard 4280 Miller Road, Silver Springs, NY 14550 Tax Map Number 207.8-1-23.1 SWIS Code 244089 (prior owner: Estate of Ethel Masters)	Nunda	Town	\$ 3.19	
		County	\$ 2.82	
		Total	\$ 6.01	
MCTARNAGHAN, William D., Jr. & Krista J. 1730 Main Street, Dalton, NY 14836 Tax Map Number 207.12-1-5 SWIS Code 244089 (prior owner: Helen E. Montgomery)	Nunda	Town	\$ 201.45	
		County	\$ 187.78	
		Total	\$ 389.23	
FARRELL, Patrick E. & Nancy J. 8852 Scipio Road, Nunda, NY 14517 Tax Map Number 171.-1-16.11 SWIS Code 244089 (prior owner: Philip C. O'Sullivan)	Nunda	Town	\$ 161.62	
		County	\$ 148.41	
		Total	\$ 310.03	
WILKINS, Ray W. PO Box 383, Nunda, NY 14517 Tax Map Number 171.-1-25.12 SWIS Code 244089 (prior owner: James F. Wilkins)	Nunda	Town	\$ 63.92	
		County	\$ 58.99	
		Total	\$ 122.91	
FAVO, Daniel P. 9287 Meyers Road, Nunda, NY 14517 Tax Map Number 185.-1-44.1 SWIS Code 244089 (prior owner: Joyce Favo)	Nunda	Town	\$ 82.43	
		County	\$ 75.15	
		Total	\$ 157.58	
SAVASTANO, Douglas	Nunda	Town	\$ 184.84	\$ 818.79

OWNER & PARCEL	TOWN ROLL	AMOUNT		TOTAL
		TO BE LEVIED		PER TOWN
9950 Route 408, Dalton, NY 14836		County	\$ 171.07	\$ 845.50
Tax Map Number 197.20-1-10		Total	\$ 355.91	\$ 1664.29
SWIS Code 244089 (prior owner: George W. Deaton)				
LEE, Kyle	Ossian	Town	\$ 83.05	
5380 State Route 436, Dansville, NY 14437		County	\$ 73.87	
Tax Map Number 202.-1-11.52		Total	\$ 156.92	
SWIS Code 244200 (prior owner: County of Livingston)				
TOTTEN, Joe M. & Tammy J.	Ossian	Town	\$ 117.22	\$ 200.27
4718 Ossian Hill Road, Dansville, NY 14437		County	\$ 97.54	\$ 171.41
Tax Map Number 221.-1-36		Total	\$ 214.76	\$ 371.68
SWIS Code 244200 (prior owner: Estate of Vivian Slawson)				
COVERT, Archie D. & Shirley I.	Portage	Town	\$ 130.70	
PO Box 263, Hunt, NY 14846		County	\$ 98.12	
Tax Map Number 197.-1-56		Total	\$ 228.82	
SWIS Code 244400 (prior owner: Phyllis Bogardus)				
ROGERS, Sheila	Portage	Town	\$ 195.86	\$ 326.56
PO Box 225, Nunda, NY 14517		County	\$ 145.19	\$ 243.31
Tax Map Number 183.-1-58		Total	\$ 341.05	\$ 569.87
SWIS Code 244400 (prior owner: Richard C. & Betty L. Beardsley)				
MARK, Roger F. & Marleen M.	Sparta	Town	\$ 4.89	
9241 Mark Road, Dansville, NY 14437		County	\$ 4.85	
Tax Map Number 175.-1-14		Total	\$ 9.74	
SWIS Code 244689 (prior owner: Estate of Elmont Allen)				
ALBERT, Barry & DISALVO, Linda E.	Sparta	Town	\$ 245.98	
8828 State Route 256, Dansville, NY 14437		County	\$ 247.49	
Tax Map Number 175.-1-35		Total	\$ 493.47	
SWIS Code 244689 (prior owner: Joseph G. & Marilyn J. Rauber)				
MACDONALD, Ralph	Sparta	Town	\$ 102.07	
8699 Reeds Corners Road, Dansville, NY 14437		County	\$ 103.69	
Tax Map Number 176.-1-4		Total	\$ 205.76	
SWIS Code 244689 (prior owner: Estate of Velma MacDonald)				
WICKS, Michael & Cheryl T.	Sparta	Town	\$ 453.67	\$ 806.61
6425 Vista Hill Road, Dansville, NY 14437		County	\$ 457.58	\$ 813.61

OWNER & PARCEL	TOWN ROLL	AMOUNT TO BE LEVIED		TOTAL PER TOWN
Tax Map Number 176.-1-55.2 SWIS Code 244689 (prior owner: George A. Branigan)		Total	\$ 911.25	\$ 1620.22
TEED, Pamela M. 7270 Rt. 15, Springwater, NY 14560 Tax Map Number 138.-2-22 SWIS Code 244800 (prior owner: John L. & Ruth M. Holbrook)	Springwater	Town	\$ 89.30	
		County	\$ 98.62	
		Total	\$ 187.92	
CASKEY, Lewis H. 7581 Marvin Hill Road Springwater, NY 14560 Tax Map Number 152.-1-46 SWIS Code 244800 (prior owner: Roger C. Caskey former exemption holder: Helen W. Caskey)	Springwater	Town	\$ 0.00	
		County	\$ 53.60	
		Total	\$ 53.60	
FITZPATRICK, Daniel B. & Lynn A. 8408 Carney Hollow Road, Wayland, NY 14572 Tax Map Number 163.-2-21 SWIS Code 244800 (prior owner: William B. & Leona G. Fitzpatrick)	Springwater	Town	\$ 110.92	
		County	\$ 102.89	
		Total	\$ 213.81	
LUSK, Barbara 8287 Strutt Street, Wayland, NY 14572 Tax Map Number 165.-1-14 SWIS Code 244800 (prior owner: John Pragle)	Springwater	Town	\$ 76.43	
		County	\$ 113.04	
		Total	\$ 189.47	
LATHROP, Allen J., Jr. 8147 Tabors Corners Road Wayland, NY 14572 Tax Map Number 166.-1-3.3 SWIS Code 244800 (prior owner: Leroy Kolupski)	Springwater	Town	\$ 109.25	
		County	\$ 257.59	
		Total	\$ 366.84	
ABRAHAM, William J. & Paula M. 8913 Strutt Street, Wayland, NY 14572 Tax Map Number 178.-1-39.12 SWIS Code 244800 (prior owner: Harold A. Plain)	Springwater	Town	\$ 17.40	
		County	\$ 16.13	
		Total	\$ 33.53	
HAMMERS, Brad E. & Dorothy M. 8963 Strutt Street, Wayland, NY 14572 Tax Map Number 178.-1-39.112 SWIS Code 244800 (prior owner: Harold A. Plain)	Springwater	Town	\$ 166.83	
		County	\$ 154.95	
		Total	\$ 321.78	

OWNER & PARCEL	TOWN ROLL	AMOUNT		TOTAL
		TO BE LEVIED		PER TOWN
WALKER, Donald L. & WALKER, Douglas J. 7570 Walker Road, Wayland, NY 14572 Tax Map Number 178.-1-39.113 SWIS Code 244800 (prior owner: Harold A. Plain)	Springwater	Town	\$ 20.98	\$ 591.11
		County	\$ 19.62	\$ 816.44
		Total	\$ 40.60	\$ 1407.55
WALLACE, Richard N. & Jean M. 8930 Kysorville-Byersville Road Nunda, NY 14517 Tax Map Number 187.-1-11.3 SWIS Code 245000 (prior owner: Ora Mae L. Pike)	West Sparta	Town	\$ 252.41	\$ 252.41
		County	\$ 209.19	\$ 209.19
		Total	\$ 461.60	\$ 461.60
GUCK, Timmy & Barbara J. 2617 Telephone Road, LeRoy, NY 14582 Tax Map Number 31.-1-2 SWIS Code 245200 (prior owner: Connie J. & Ellen E. Snyder)	York	Town	\$ 147.94	
		County	\$ 240.90	
		Total	\$ 388.84	
CULBRETH, Patrick 2861 York Road East, York, NY 14592 Tax Map Number 41.-1-47.2 SWIS Code 245200 (prior owner: Neil L. & Bruce S. Nardi)	York	Town	\$ 64.74	
		County	\$ 106.61	
		Total	\$ 171.35	
DUNN, Tammi L. & Jamie L. 2567 York Road West, York, NY 14592 Tax Map Number 51.05-1-4 SWIS Code 245200 (prior owner: Barbara J. Dunn)	York	Town	\$ 101.87	
		County	\$ 166.86	
		Total	\$ 268.73	
GREEN, Christopher D. & GREEN, Yvette Chancellor 657 Claybourne Road, Rochester, NY 14618 Tax Map Number 60.20-1-3 SWIS Code 245200 (prior owner: Harry Jr. & Catherine Forrest)	York	Town	\$ 90.74	
		County	\$ 149.09	
		Total	\$ 239.83	
CUOZZO, Stephen & Joanne 2483 Virginia Avenue, Piffard, NY 14533 Tax Map Number 60.20-1-4 SWIS Code 245200 (prior owner: Thomas Washington)	York	Town	\$ 129.39	
		County	\$ 210.56	
		Total	\$ 339.95	
GRANT, Marlene D. 2468 Genesee Street, Piffard, NY 14533 Tax Map Number 60.20-1-29 SWIS Code 245200 (prior owner: Willard & Florence Green)	York	Town	\$ 130.16	
		County	\$ 211.69	
		Total	\$ 341.85	

OWNER & PARCEL	TOWN ROLL	AMOUNT TO BE LEVIED		TOTAL PER TOWN
BOLSEI, Dorothy 2797 Genesee Street, Piffard, NY 14533 Tax Map Number 61.-1-45 SWIS Code 245200 (prior owner: Richard P. Morrow)	York	Town	\$ 53.80	
		County	\$ 88.04	
		Total	\$ 141.84	
CORNELL, Roger A. & Deborah 2773 Retsof Avenue, Retsof, NY 14539 Tax Map Number 61.18-1-16 SWIS Code 245200 (prior owner: Ronald & Deborah Stowe)	York	Town	\$ 73.40	
		County	\$ 119.48	
		Total	\$ 192.88	
AURORA LOAN SERVICES, INC. 601 Fifth Avenue, Scottsbluff, NE 69361 Tax Map Number 61.18-1-24 SWIS Code 245200 (prior owner: William & Donna Jean McLean)	York	Town	\$ 36.70	
		County	\$ 60.27	
		Total	\$ 96.97	
MARTIN, Veronica R. 3547 Tenth Street, Retsof, NY 14539 Tax Map Number 61.18-1-42 SWIS Code 245200 (prior owner: Jack E. & Emma R. Martin)	York	Town	\$ 100.89	
		County	\$ 164.17	
		Total	\$ 265.06	
LESLIE, Robert T. & Jennifer L. 3815 Tuttle Road, Piffard, NY 14533 Tax Map Number 69.-1-55.2 SWIS Code 245200 (prior owner: Marjorie F. Parnell)	York	Town	\$ 4.43	
		County	\$ 7.07	
		Total	\$ 11.50	
CICHELLI, Leo J., Jr. 5167 River Road, Leicester, NY 14481 Tax Map Number 69.12-1-34 SWIS Code 245200 (prior owner: Leo & Josephine Mary Cichelli)	York	Town	\$ 16.23	
		County	\$ 26.73	
		Total	\$ 42.96	
RICHARDS, Devin N. & Linda T. 3855 Main Street, Piffard, NY 14533 Tax Map Number 69.12-1-39.2 SWIS Code 245200 (prior owner: Steven A. & Barbara A. Weronski)	York	Town	\$ 103.17	\$ 1053.46
		County	\$ 168.06	\$ 1719.53
		Total	\$ 271.23	\$ 2772.99

Dated at Geneseo, New York
October 23, 2002

Finance & Administration Committee

Mr. Layland explained these are prorated tax amounts for individuals that have purchased property within from exemption holders within a tax year.

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

RESOLUTION NO. 2002-369. AUTHORIZING UNDERTAKING WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR HIGHWAY WORK PERMITS

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 an undertaking, a copy of which is attached hereto, with the New York State Department of Transportation for the issuance of work permits on State highways, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

October 23, 2002

Highway & Public Works Committee

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

RESOLUTION NO. 2002-370. APPROVING THE 2003 RESOURCE ALLOCATION PACKAGE AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE 2003 RESOURCE ALLOCATION PACKAGE

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

WHEREAS, the Livingston County Youth Board recommended the 2003 Resource Allocation Package based on the needs and interest of local youth, and

WHEREAS, this package includes programs to be operated by private not-for-profit agencies and 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 and Account No. 7314.4 for the Special Delinquency Prevention Program funds, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors approves the 2003 Livingston County Resource Allocation Package, and, it is further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors and appropriate Youth Bureau/Board officials are authorized to execute the agreement with the State and any other Youth Development and Delinquency Prevention Program documents and Special Delinquency Prevention Program documents, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

October 23, 2002

Intergovernmental Affairs Committee

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

RESOLUTION NO. 2002-371. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH GENESEE COUNTY ON BEHALF OF THE GLOW WORKFORCE INVESTMENT BOARD FOR THE WORKFORCE INVESTMENT ACT YEAR-ROUND YOUTH FUNDS

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

WHEREAS, there is a provision in the Workforce Investment Act that provides for a Year-Round program, and

WHEREAS, each county is allocated money by formula, but youth providers must compete for the funding through a Request for Proposal process, and

WHEREAS, the GLOW Youth Council made funding recommendations to the GLOW Workforce Investment Board who approved these recommendations at the April 16, 2002 Board meeting, and

WHEREAS, the Livingston County Workforce Development was the successful applicant in Livingston County for the Youth Program funding and will be receiving \$157,047.22, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Genesee County on behalf of the GLOW Workforce Investment Board for the Workforce Investment Act Year-Round Youth Funds for a term commencing April 17, 2002 and terminating June 30, 2003, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

October 23, 2002

Intergovernmental Affairs Committee

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

RESOLUTION NO. 2002-372. AMENDING 2002 SALARY SCHEDULE - PROBATION

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

RESOLVED, that the 2002 Salary Schedule be amended as follows:

Probation Department

Create one Probation Supervisor position.

Dated at Geneseo, New York

October 23, 2002

Personnel and Employee Relations Committee

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

RESOLUTION NO. 2002-373. AMENDING THE DEFERRED COMPENSATION PLAN FOR EMPLOYEES OF LIVINGSTON COUNTY EFFECTIVE OCTOBER 23, 2002, BY ADOPTING THE AMENDED AND RESTATED MODEL PLAN EFFECTIVE JANUARY 1, 2002

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

WHEREAS, the New York State Deferred Compensation Board (the “Board”), pursuant to Section 5 of the New York State Finance Law (“Section 5”) and the Regulations of the New York State Deferred Compensation Board (the “Regulations”), has promulgated the Model Deferred Compensation Plan for Employees of Livingston County (the “Model Plan”) and offers the Model Plan for adoption by local employers;

WHEREAS, Livingston County, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of Livingston County;

WHEREAS, effective January 1, 2002, the Board amended the Model Plan to adopt provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 (“EGTRRA”) as they apply to the Model Plan and to adopt modifications that update certain administrative provisions to accommodate prospective state-of-the-art methods and procedures;

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, Livingston County has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Livingston County by adopting the amended and restated Model Plan.

NOW, THEREFORE, BE IT

RESOLVED, that Livingston County hereby amends the Deferred Compensation Plan for Employees of Livingston County effective October 23, 2002, by adopting the amended and restated Model Plan effective January 1, 2002, in the form attached hereto as Exhibit A (on file in Clerk’s office).

IN WITNESS WHEREOF, the undersigned have executed this Resolution in Livingston County, New York this 23rd day of October, 2002 and directed that it be filed as appropriate.

Dated at Geneseo, New York

October 23, 2002

Personnel & Employee Relations Committee

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

RESOLUTION NO. 2002-374. AWARDING BID FOR THE PURCHASE OF A BOAT FOR THE LIVINGSTON COUNTY SHERIFFS DEPARTMENT

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

WHEREAS, after proper legal advertisement for the purchase of a boat for the Livingston County Sheriffs Department, one (1) bid was received, then opened on October 7, 2002, now, therefore, be it

RESOLVED, that the bid of Jansen Marina of 5750 East Lake Road, Conesus, New York 14435, be accepted and the Livingston County Sheriffs Department is hereby authorized to purchase a 2003 Seaswirl 2101WA with interior courtesy lights and cover, a 2003 Loadrite Trailer and a 2003 Evinrude 225FPXST motor with trade in of a 1990 Bayliner boat, motor and trailer, in an amount not to exceed Twenty Four Thousand Six Hundred Five Dollars (\$24,605.00).

Dated at Geneseo, New York

October 23, 2002

Public Safety & Criminal Justice Committee

Mr. Mahus, Chairman of Public Safety & Criminal Justice, stated that seven bid packages were sent out and only one bid was received. He also indicated that a 53-75% reimbursement is possible for this purchase.

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

RESOLUTION NO. 2002-375. AWARDING BID FOR THE PURCHASE OF A 15-PASSENGER VAN FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT

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

WHEREAS, after proper legal advertisement for the purchase of a 15 passenger van for the Livingston County Sheriff's Department, six (6) bids were received, then opened on October 15, 2002, now, therefore, be it

RESOLVED, that the bid of VanBortel Ford of 7325 Route 96, Victor, New York 14564, be accepted and the Livingston County Sheriff's Department is hereby authorized to purchase a 2003 Ford E-350 with trade in of a 1992 Ford Club wagon, in an amount not to exceed Eighteen Thousand Four Hundred Twenty Five Dollars (\$18,425.00).

Dated at Geneseo, New York

October 23, 2002

Public Safety & Criminal Justice Committee

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

OTHER BUSINESS

1. Chairman Merrick asked Mr. Layland to comment on the public auction of County property held 10/22/02. Mr. Layland indicated that the County took in approximately \$98,000 and profited approximately \$35,000. Vice Chairman Moore stated there was a good crowd in attendance and all parcels were sold. Chairman Merrick was also in attendance and he indicated he was very satisfied with the procedure conducted by Thomas P. Wamp Real Estate, the new firm hired to auction county property.

2. Geneseo Supervisor Kennison recognized District Attorney Thomas Moran for his recent appropriate action regarding the Trevor Dalton case. He also reported that Chairman Merrick and the County Administrator requested he attend a meeting set up by Senator Schumer in Syracuse with other government leaders on 10/21/02 to discuss various topics. He mentioned that the CEO of US Airways was in attendance and indicated that it is a challenging time for the air industry.

Mr. Kennison also thanked the County Administrator and the Director of Economic Development, Patrick Rountree, for highlighting the importance of seeking an Empire Zone in the official newspapers, and he indicated that it was important to express our dissatisfaction with the State officials.

3. The County Administrator stated that The Pike Company, Inc., the construction managers selected for the new nursing facility, is in attendance, and he asked permission to give Patrick Rogers, Vice President and/or Mike Flannery, Project Director, the opportunity to say a few words. Patrick Rogers thanked the Board of Supervisors for selecting their firm and stated the company has had the pleasure of working with Clark Patterson Associates in the past. He indicated there is a kick-off meeting scheduled for 10/31/02, and he looks forward to working on this outstanding project.

ADJOURNMENT

Motion made by Mr. Mahus and seconded by Mr. Schuster to adjourn until Wednesday, November 13, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:32 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, NOVEMBER 13, 2002
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 10/23/02 Regular Board Meeting were approved as presented.

PUBLIC HEARINGS – 1:35 P.M.

The Chairman opened the Public Hearings to receive comments on the following in accordance with the notices published in the official newspapers:

1. Increasing Maximum Income Eligibility for Tax Exemption Pursuant to Section 467 of the Real Property Tax Law
2. Local Law No. H – 2002 Amending Local Law No. 2 – 1998 Increasing the Maximum Income Eligibility for Tax Exemption from Real Property Taxes to Persons Who Have Limited Income
3. Revised Action Plan for Disaster Recovery Initiative Program
4. Proposed Livingston County Budget for 2003 Pursuant to Section 359 of the County Law

Chairman Merrick asked the County Attorney to comment on Public Hearing #1 and #2. The County Attorney explained that this is a formality to raise the maximum income eligibility for tax exemption for seniors and persons with disabilities.

Chairman Merrick asked Kevin Niedermaier, Director of Environmental Management Services, to comment on Public Hearing #3. Kevin Niedermaier stated that two years ago the County requested funding for Jaycox Creek, Town of Geneseo, and that project did not come to fruition. Consequently, the County requested that the funding be transferred to the Town of Nunda for stream maintenance and repair to prevent flooding of Keshequa Creek. A public hearing is required prior to the transfer of funding.

Chairman Merrick requested County Administrator Dominic F. Mazza to come forward to make a presentation on the 2003 Proposed County Budget.

The County Administrator stated this is the most difficult budget he has done in his 13 years with the County and thanked the Board of Supervisors and particularly the Finance & Administration Committee, the department heads, outside agencies and immediate staff for assisting him. He continued by reviewing the following budget message:

“I am pleased to submit the 2003 budget for Livingston County. The \$94.9 million plan contains a property tax rate of \$7.95 per thousand of assessed value, a 6.0% increase over the 2002 rate of \$7.50. Livingston County’s sales tax rate will remain at 3%, the lowest in the region. Current service levels will be maintained and there will be no significant changes in staffing.

Livingston County and all other New York State counties continue to deal with the issue of increasing unfunded mandates from Albany. The Medicaid program, which funds a variety of health care costs for State residents, is once again the largest contributor, causing double digit tax rate increases statewide. Livingston County’s Medicaid mandate alone has increased local spending by \$3.7 million since 1998. 60% of the proposed increase is the result of local increases in Medicaid costs. \$12.9 million of Livingston County’s 2003 \$17.9 million tax levy is the direct result of unfunded mandates. This means that 72¢ of every property tax dollar raised through property taxes will go towards the funding of these programs.

The County Nursing Homes' loss of state and federal IGT revenue will mean another year of increased deficits for the facilities. The new nursing home project slated for completion in 2005 should stabilize further losses, while providing greatly improved care well into the future. 36% of the proposed rate increase is attributable to increased subsidies for the SNF's.

Other factors causing a negative impact on the budget include:

- *Loss of potential interest income due to low interest rates*
- *An increase of \$745,000 from \$536,000 to \$1,278,000 in New York State retirement contributions*
- *Health insurance rates once again increasing 12-14%*
- *General liability and property insurance is up 20%*
- *Loss of New York State revenue sharing in the amount of \$128,000*

On the positive side, Livingston County maintains a very solid surplus and strong cash flow, eliminating the need for any borrowing. Our credit rating remains excellent. Sales tax revenue remains stable. The first two quarters of 2002 saw modest sales tax growth while several counties statewide have seen reductions.

County Departments have successfully maintained sound financial practices with realistic budgeting, focusing on revenue maximization efforts, while continuing to provide quality services. This budget will provide full funding of all agreed upon and anticipated employee wages and benefits.

Livingston County will continue to face an unfriendly financial environment as long as unfunded mandates spiral out of control. State and county officials must begin working together in the hopes of providing some relief to local property tax rates

I look forward to a constructive and productive budget process."

The County Administrator stated that Monroe County and other surrounding counties are experiencing the same problems. Sixty percent of the local increase is due to the Medicaid costs. He indicated that our credit rating remains excellent along with a modest sales tax growth. He stated that he hopes the State Officials will begin to provide some relief to the local property tax. He proceeded to review his slide show presentation (on file).

He stated he believed that we have national health care at the state level and the counties are collecting taxes for the State of New York. The programs that have been instituted by the State provide health care insurance to the poor and anyone who doesn't have insurance and this New York State Real Property Tax is very costly to the counties.

In closing, he stated he would be remiss if he did not mention the economic situation regarding the Kodak layoffs and jobs going overseas and the Foster Wheeler Energy Corporation plant closing. As we developed this budget, we did not anticipate the services that may be needed now by these dislocated workers which would be an added cost. The global issues could impact us very negatively. He indicated he is very disappointed and concerned that Livingston County has not been designated an Empire Zone. He explained the Dansville area has been the cornerstone of the Empire Zone application. He stated that it is always good that new jobs are being announced, however, it is important to keep the jobs and the manufacturing plants that currently exist in the County and maybe put some of those other possibilities on the back burner.

The Chairman asked if anyone was wishing to speak to please come forward and sign in at the podium.

NAME	REPRESENT	TOWN	COMMENT
Kaaren Smith	Director of Liv. Cty. Office for the Aging	Mt. Morris	thanked the BOS for their past support and encouraged continued support

Bill Bross	Mercy Flight Central		thanked the BOS for their past support encouraged continued support
Sally Hopkins	citizen		encouraged continued support for the Office for the Aging
Doris Whitney	citizen	Groveland	encouraged continued support for the Office for the Aging
Cynthia Oswald	Business Education Alliance		thanked the BOS for their past support and encouraged continued support
Anna Grace	Wadsworth Library & Library System	Geneseo	thanked the BOS for their past support and encouraged continued support
Dave Noble	Cornell Cooperative Extension	Mt. Morris	thanked the BOS for their past support and encouraged continued support
Undersheriff Martin Herkimer	Liv. Cty. Sheriff's Office	Geneseo	commended BOS for their devotion to promote public safety and encouraged continued support
Frank Bassett	Director of Long-Term Care, Liv. Cty. Skilled Nursing Facilities	Geneseo/Mt. Morris	commended BOS for their vision to build a new nursing facility and for their continued support
Geneseo Supervisor Weston Kennison	Livingston County	Geneseo	thanked everyone who worked on the 2003 budget, concurred that the County should continue to support the public safety and commended the County Administrator for his comments regarding the State mandates and the need for an Empire Zone

Chairman Merrick thanked the County Administrator and Department Heads for their diligent work on the 2003 County Budget.

The Chairman stated that the Public Hearings will remain open until the end of the meeting.

COMMUNICATIONS

1. The Flu Clinic is open Wednesday, November 13, 2002 from 1:00 p.m. to 4:00 p.m. in Room 205/208 in the Government Center.
2. Inter-County Association of Western New York meeting to be held in Livingston County on November 15, 2002 at the Sweet Briar Conference & Spa Center. Registration is at 9:30 a.m., \$15.00 per person.

PROGRAM: School Resource Officer Program and Tour of the American Rock Salt Company, LLC. Please notify the Clerk of the Board if you plan to attend this meeting.

3. NYSAC Adopted Resolutions from the 2002 Fall Seminar.
4. Letters from Senator Patricia K. McGee, Assemblymen Joseph A. Errigo, Daniel J. Burling and Brian M. Kolb acknowledging receipt of Res. No. 2002-357 and 358.
5. Letter from Raymond P. Martinez, Commissioner of Governor's Traffic Safety Committee approving the 2003 STOP-DWI Plan.
6. Letter from Senator Dale M. Volker regarding his strong support for Livingston County's Empire Zone application.
7. Reminder that the Fall 2002 Regional Local Government Workshop, sponsored by the Genesee/Finger Lakes Regional Planning Council, will be held November 15, 2002 at the Genesee River Hotel & Conference Center, Mt. Morris, New York , 8:00 a.m. – 4:00 p.m.
8. Copy of a letter from Alexa F. Gifford, President of the Finger Lakes Association, to Steve Newvine, Executive Director of the Livingston County Chamber of Commerce, notifying him that the 2002-2003 application for NYS Matching Grants has been approved.
9. Acknowledgement from the family of Springwater Supervisor Mark Walker for the floral arrangement in memory of Burl B. Walker.
10. The 2003 Livingston County Industrial Development Agency Adopted Budget has been filed with the Clerk of the Board.
11. A Report of County Inmate Health Care Costs prepared by the Office of the State Comptroller.
12. The Government Center Social Club Holiday Party is scheduled for December 7, 2002 at Leisures's Restaurant in Lakeville. Mark your calendars.
13. Town Bonded Indebtedness Reports are due today, November 13, 2002.

RESOLUTION NO. 2002-376. APPROVING ABSTRACT OF CLAIMS #11A – NOVEMBER 13, 2002

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #11A dated November 13, 2002 in the total amount of \$2,048,131.66.

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

PREFERRED AGENDA

RESOLUTION NO. 2002-377. DECLARING SURPLUS PROPERTY – MENTAL HEALTH

WHEREAS, the County of Livingston owns an 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 item as surplus property to be disposed of as determined by the County Administrator.

MENTAL HEALTH

Quill OHP 412 Overhead Projector, Liv. Cty. ID#01362

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

RESOLUTION NO. 2002-378. PROCLAIMING THE MONTH OF NOVEMBER AS ALZHEIMER'S DISEASE AWARENESS MONTH

WHEREAS, the effects of Alzheimer's Disease can be devastating, and

WHEREAS, the Alzheimer's Association is dedicated to helping people afflicted with Alzheimer's Disease and their families, and has provided education, encouragement, and moral support to those coping with Alzheimer's Disease for more than twenty years, and

WHEREAS, during the month of November, the Rochester Chapter of the Alzheimer's Association is promoting its mission to increase public awareness about Alzheimer's Disease throughout the Finger Lakes Region, now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors hereby proclaim the month of November 2002 to be Alzheimer's Disease Awareness Month and encourage all to support those individuals affected and commend the Alzheimer's Association for its efforts to raise public awareness about this disease.

Dated at Geneseo, New York

November 13, 2002

Health Committee

RESOLUTION NO. 2002-379. APPOINTING MEMBER TO THE LIVINGSTON COUNTY COMMUNITY SERVICES BOARD - MATLIN

RESOLVED, that the following member is hereby appointed to the Livingston County Community Services Board to fill the unexpired term of Lucien Potenza, M.D., expiring December 31, 2003:

Arnold Matlin, M.D., 3889 North Road, Geneseo, New York

Dated at Geneseo, New York

November 13, 2002

Health Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Schuster and seconded by Mr. Davis to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

Chairman Merrick stated that he wanted the public to be made aware that many supervisors have discussed these resolutions through the Committee process.

RESOLUTION NO. 2002-380. AUTHORIZING TRANSFER OF FUNDS - CENTRAL SERVICES, COUNTY CLERK, HIGHWAY, OFFICE FOR THE AGING, PROBATION, PUBLIC HEALTH, SHERIFF MARINE DIVISION

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

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

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted

RESOLUTION NO. 2002-381. AMENDING 2002 COUNTY BUDGET - DEPARTMENT OF HEALTH

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

WHEREAS, the Livingston County Department of Health has increased Federal Revenue, it is hereby

RESOLVED, that the 2002 Department of Health Budget be amended as follows:

Increase Revenue Account

Department	Revenue	Description	Amount
A4090	4489	Other Federal Health	\$11,000

Increase Appropriation Account

Department	Revenue	Description	Amount
A4090	1000	Personal Services	\$2,600
	2359	Rec. Equipment	\$5,000
	4020	Training/Development	\$200
	4080	Professional Services	<u>\$3,200</u>
			\$11,000

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 2002-382. AMENDING 2002 COUNTY BUDGET – DEPARTMENT OF HEALTH

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

WHEREAS, the Livingston County Department of Health has increased State and Federal Revenue, it is hereby

RESOLVED, that the 2002 Department of Health Budget be amended as follows:

Increase Revenue Account

Department	Revenue	Description	Amount
A4035	3435	Family Planning	\$3,000
	3472	State Aid Special	\$13,680
	4489	Other Federal Health	<u>\$4,320</u>
			\$21,000

Increase Appropriation Account

Department	Revenue	Description	Amount
A4035	1950	Temporary Services	\$15,000
	4200	Print/Ads	<u>\$6,000</u>
			\$21,000

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

Mr. Layland announced this resolution had not been through the Committee, however, the Committee has signed off on it.

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 2002-383. AMENDING 2002 COUNTY BUDGET – SHERIFF

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

WHEREAS, the Livingston County Sheriff's Department has increased Federal Revenue, it is hereby

RESOLVED, that the 2002 Livingston County Sheriff's Department Budget be amended as follows:

Increase Revenue Account

Department	Revenue	Description	Amount
A3111	4389	COPS/Federal Other	\$30,759.00

Increase Appropriation Account

Department	Revenue	Description	Amount
A3111	1000	COPS/Personal Services	\$23,500.00
	1951	COPS/Overtime	\$6,000.00
	8100	COPS/FICA	<u>\$1,259.00</u>
			\$30,759.00

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

RESOLUTION NO. 2002-384. AUTHORIZING REAPPROPRIATION OF FUNDS – SHERIFF

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

WHEREAS, Livingston County has received insurance recovery funds, be it now,
RESOLVED, that the County Treasurer is hereby authorized to make the following transfer:

Sheriff

From: A3110.2680 Sheriff/Insurance Recoveries	\$1,000.00
TO: A3110.4127 Sheriff/Outside Repairs	\$1,000.00

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

RESOLUTION NO. 2002-385. AUTHORIZING CONVEYANCE OF COUNTY PROPERTIES ACQUIRED BY TAX DEEDS

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

WHEREAS, the County of Livingston acquired title by tax deed to the following parcels of land, and
WHEREAS, the Livingston County Board of Supervisors' Finance & Administration Committee auctioned said parcels on October 22, 2002, it is hereby

RESOLVED, that the following conveyances be approved:

Tax Map No. 141.-1-61	Town of Springwater
Formerly owned by and/or assessed to:	Bates, Ralph S.
Conveyed to: Mark, Kevin T.	Amt. \$12,700.00
Tax Map No. 111.-1-29.1	Town of Conesus
Formerly owned by and/or assessed to:	Beecher, Robert C.
Conveyed to: Comer, Charles & Elaine	Amt. \$2,900.00
Tax Map No. 111.-1-41.120	Town of Conesus
Formerly owned by and/or assessed to:	Beecher, Robert C.
Conveyed to: Booher, William W.	Amt. \$6,200.00
Tax Map No. 51.6-1-12	Town of York
Formerly owned by and/or assessed to:	Crane, Mrs. Elbert
Conveyed to: Dragani, Mario G.	Amt. \$23,400.00
Tax Map No. 186.-2-19	Town of West Sparta
Formerly owned by and/or assessed to:	Dale, Harold & Carol J.
Conveyed to: Wilkinson, John T.	Amt. \$8,400.00
Tax Map No. 186.-1-14	Town of West Sparta
Formerly owned by and/or assessed to:	Foley, William J. & Martha C.
Conveyed to: Barnhardt, Deborah June	Amt. \$1,500.00
Tax Map No. 119.8-1-4.1	Town of Conesus
Formerly owned by and/or assessed to:	Freeman, Terry R.
Conveyed to: Wixum, Robert E. Jr.	Amt. \$7,000.00
Tax Map No. 1.-1-16	Town of Caledonia
Formerly owned by and/or assessed to:	Robinson, Gerald D.
Conveyed to: Bird, Robert A.	Amt. \$6,100.00

Tax Map No. 70.-1-38

Formerly owned by and/or assessed to:

Conveyed to: Smith, Richard L.

Town of York

Speicher, Milton Jr. & Wife

Amt. \$19,000.00

Tax Map No. 7.-1-40.131

Formerly owned by and/or assessed to:

Conveyed to: Crosman, Bruce A. & Joanne S.

and be it further

Town of Caledonia

Sampson, Bobby L. & Rosa

Amt. \$5,200.00

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute the quit-claim deeds of conveyance and any and all related documents prepared by the County Attorney to complete the aforesaid conveyances.

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 2002-386. APPROVING APPORTIONMENT OF MORTGAGE TAX RECEIPTS FOR PERIOD OF 4/1/02 - 9/30/02

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

WHEREAS, the Finance & Administration Committee submits the following report on Apportionment of the Mortgage Tax receipts for the period April 1, 2002 through September 30, 2002, among the several Towns and Villages of the County, it is hereby

RESOLVED, that the County Treasurer is hereby directed to pay to the various municipalities the amount set forth herein:

TAX DISTRICT	AMOUNT	DISTRIBUTED TO TOWNS	DISTRIBUTED TO VILLAGES
AVON	\$53,890.79	\$41,918.62	\$11,972.17
CALEDONIA	\$42,367.07	\$33,186.08	\$9,180.99
CONESUS	\$36,662.68	\$36,662.68	0
GENESE0	\$77,442.47	\$59,833.07	\$17,609.40
GROVELAND	\$29,594.97	\$29,594.97	0
LEICESTER	\$17,507.01	\$15,965.06	\$1,541.95
LIMA	\$43,754.93	\$35,583.92	\$8,171.01
LIVONIA	\$81,999.37	\$76,307.02	\$5,692.35
MT. MORRIS	\$20,156.17	\$14,335.68	\$5,820.49
NORTH DANSVILLE	\$66,747.52	\$40,746.61	\$26,000.91
NUNDA	\$21,965.91	\$18,233.68	\$3,732.23
OSSIAN	\$8,091.39	\$8,091.39	0
PORTAGE	\$6,863.03	\$6,863.03	0
SPARTA	\$16,979.36	\$16,979.36	0
SPRINGWATER	\$17,623.83	\$17,623.83	0
WEST SPARTA	\$10,962.74	\$10,962.74	0
YORK	\$22,481.69	\$22,481.69	0
	\$575,090.93	\$485,369.43	\$89,721.50

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 2002-387. AUTHORIZING ASSESSMENT ROLL FOOTINGS FOR 2002

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

WHEREAS, the Finance and Administration Committee has verified and corrected the footings of the Assessment Rolls referred to it, as made by the Assessors for each tax district:

2002				
ASSESSMENT ROLL FOOTINGS – TOWN PURPOSES				
Towns	Town Totals Real Property Exc. Exemptions	Town Special Franchises	Town Totals Real Property & Special Franchise	Grand Totals Village & Town Real Property & Special Franchise
Avon	137,677,532	3,954,383	141,631,915	262,794,720
Caledonia	94,899,271	2,235,723	97,134,994	177,861,030
Conesus	112,709,859	2,461,878	115,171,737	115,171,737
Geneseo	160,233,405	4,111,544	164,344,949	314,263,956
Groveland	78,064,872	2,707,524	80,772,396	80,772,396
Leicester	64,981,994	1,760,127	66,742,121	82,635,312
Lima	97,347,048	2,264,559	99,611,607	161,403,443
Livonia	284,579,488	6,270,008	290,849,496	338,402,741
Mount Morris	44,669,694	1,568,257	46,237,951	117,489,659
North Dansville	32,628,957	840,706	33,469,663	147,805,645
Nunda	52,083,597	1,303,201	53,386,798	82,164,378
Ossian	33,788,940	541,227	34,330,167	34,330,167
Portage	24,576,521	796,334	25,372,855	25,372,855
Sparta	51,166,677	1,127,157	52,293,834	52,293,834
Springwater	81,256,674	1,242,055	82,498,729	82,498,729
West Sparta	40,626,717	1,712,054	42,338,771	42,338,771
York	133,926,547	2,864,329	136,790,876	136,790,876
TOTALS	\$1,525,217,793	\$37,761,066	\$1,562,978,859	\$2,254,390,249
Villages	Village Totals Real Property Exc. Exemptions	Village Special Franchises	Village Totals Real Property & Special Franchise	
Avon	118,753,660	2,409,145	121,162,805	
Caledonia	78,319,476	2,406,560	80,726,036	
Dansville (N.Dansville)	109,713,628	4,622,354	114,335,982	
Dansville (Sparta)	0	0	0	
Geneseo	147,677,167	2,241,840	149,919,007	
Leicester	15,614,995	278,196	15,893,191	
Lima	60,426,957	1,364,879	61,791,836	
Livonia	46,116,287	1,436,958	47,553,245	
Mount Morris	69,415,363	1,836,345	71,251,708	
Nunda	28,132,937	644,643	28,777,580	
TOTALS	\$674,170,470	\$17,240,920	\$691,411,390	

2002

ASSESSMENT ROLL FOOTINGS – COUNTY PURPOSES

Towns	Town Totals Real Property Exc. Exemptions	Town Special Franchises	Town Totals Real Property & Special Franchise	Grand Totals Village & Town Real Property & Special Franchise
Avon	139,971,614	3,954,383	143,925,997	265,088,802
Caledonia	94,899,271	2,235,723	97,134,994	177,861,030
Conesus	112,768,375	2,461,878	115,230,253	115,230,253
Geneseo	160,461,374	4,111,544	164,572,918	314,715,101
Groveland	77,835,025	2,707,524	80,542,549	80,542,549
Leicester	64,892,954	1,760,127	66,653,081	82,338,170
Lima	97,108,478	2,264,559	99,373,037	160,821,571
Livonia	284,900,731	6,270,008	291,170,739	338,766,403
Mount Morris	44,567,587	1,568,257	46,135,844	116,627,292
North Dansville	32,628,957	840,706	33,469,663	147,805,645
Nunda	52,185,404	1,303,201	53,488,605	82,266,185
Ossian	30,930,740	541,227	31,471,967	31,471,967
Portage	24,576,521	796,334	25,372,855	25,372,855
Sparta	51,166,677	1,127,157	52,293,834	52,293,834
Springwater	80,777,941	1,242,055	82,019,996	82,019,996
West Sparta	40,626,717	1,712,054	42,338,771	42,338,771
York	133,926,547	2,864,329	136,790,876	136,790,876
TOTALS	\$1,524,224,913	\$37,761,066	\$1,561,985,979	\$2,252,351,300
Villages	Village Totals Real Property Exc. Exemptions	Village Special Franchises	Village Totals Real Property & Special Franchise	
Avon	118,753,660	2,409,145	121,162,805	
Caledonia	78,319,476	2,406,560	80,726,036	
Dansville (N.Dansville)	109,713,628	4,622,354	114,335,982	
Dansville (Sparta)	0	0	0	
Geneseo	147,900,343	2,241,840	150,142,183	
Leicester	15,406,893	278,196	15,685,089	
Lima	60,083,655	1,364,879	61,448,534	
Livonia	46,158,706	1,436,958	47,595,664	
Mount Morris	68,655,103	1,836,345	70,491,448	
Nunda	28,132,937	644,643	28,777,580	
TOTALS	\$673,124,401	\$17,240,920	\$690,365,321	

2002

EXEMPTIONS - TOWN

EXEMPTIONS: Veteran, Agricultural, Clergy, Business, etc.

Towns	Town Exemptions	Village Exemptions	Total Exemptions
Avon	18,088,191	5,806,162	23,894,353
Caledonia	13,154,187	3,048,996	16,203,183
Conesus	3,406,053		3,406,053
Geneseo	21,629,789	5,123,508	26,753,297
Groveland	11,916,097		11,916,097
Leicester	9,730,744	349,025	10,079,769
Lima	7,968,535	2,469,433	10,437,968
Livonia	12,168,190	1,113,795	13,281,985
Mount Morris	9,292,478	3,555,826	12,848,304
North Dansville	956,698	6,370,147	7,326,845
Nunda	5,532,774	1,516,272	7,049,046
Ossian	4,703,299		4,703,299
Portage	4,119,739		4,119,739
Sparta	4,177,754	0	4,177,754
Springwater	5,203,914		5,203,914
West Sparta	6,266,621		6,266,621
York	21,895,867		21,895,867
TOTALS	\$160,210,930	\$29,353,164	\$189,564,094

EXEMPTIONS: Senior Citizen

Towns	Town Senior Citizen Exemptions	Village Senior Citizen Exemptions	Total Senior Citizen Exemptions
Avon	1,057,435	1,584,266	2,641,701
Caledonia	764,063	1,171,808	1,935,871
Conesus	1,660,912		1,660,912
Geneseo	788,763	737,030	1,525,793
Groveland	559,469		559,469
Leicester	758,631	271,183	1,029,814
Lima	1,201,444	588,126	1,789,570
Livonia	4,200,460	863,536	5,063,996
Mount Morris	295,443	1,511,037	1,806,480
North Dansville	275,576	1,672,961	1,948,537
Nunda	640,016	363,835	1,003,851
Ossian	677,066		677,066
Portage	378,208		378,208
Sparta	395,127	0	395,127
Springwater	495,648		495,648
West Sparta	551,109		551,109
York	1,738,108		1,738,108
TOTALS	\$16,437,478	\$8,763,782	\$25,201,260

2002

EXEMPTIONS - COUNTY

EXEMPTIONS: Veteran, Agricultural, Clergy, Business, etc.

Towns	Town Exemptions	Village Exemptions	Total Exemptions
Avon	15,794,109	5,806,162	21,600,271
Caledonia	13,154,187	3,048,996	16,203,183
Conesus	3,799,581		3,799,581
Geneseo	21,590,109	5,123,508	26,713,617
Groveland	12,152,661		12,152,661
Leicester	9,819,784	581,547	10,401,331
Lima	8,287,755	2,844,133	11,131,888
Livonia	12,550,171	1,255,172	13,805,343
Mount Morris	9,394,585	4,396,390	13,790,975
North Dansville	956,698	6,370,147	7,326,845
Nunda	5,430,967	1,516,272	6,947,239
Ossian	4,665,299		4,665,299
Portage	4,119,739		4,119,739
Sparta	4,177,754	0	4,177,754
Springwater	5,329,291		5,329,291
West Sparta	6,266,621		6,266,621
York	21,895,867		21,895,867
TOTALS	\$159,385,178	\$30,942,327	\$190,327,505

EXEMPTIONS: Senior Citizen

Towns	Town Senior Citizen Exemptions	Village Senior Citizen Exemptions	Total Senior Citizen Exemptions
Avon	1,057,435	1,584,266	2,641,701
Caledonia	764,063	1,171,808	1,935,871
Conesus	1,208,868		1,208,868
Geneseo	600,474	513,854	1,114,328
Groveland	552,752		552,752
Leicester	758,631	246,763	1,005,394
Lima	1,120,794	556,728	1,677,522
Livonia	3,497,236	679,740	4,176,976
Mount Morris	295,443	1,430,733	1,726,176
North Dansville	275,576	1,672,961	1,948,537
Nunda	640,016	363,835	1,003,851
Ossian	677,066		677,066
Portage	378,208		378,208
Sparta	395,127	0	395,127
Springwater	849,004		849,004
West Sparta	551,109		551,109
York	1,738,108		1,738,108
TOTALS	\$15,359,910	\$8,220,688	\$23,580,598

and,

WHEREAS, the Finance Administration Committee recommends to adopt the Assessment Roll Footings for 2002, 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 of this Board.

Dated at Geneseo, New York

November 13, 2002

Finance and Administration Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 2002-388. AUTHORIZING DIRECTOR TO APPLY CORRECTIONS FOR TAXES ON 2003 VARIOUS TOWN TAX ROLLS

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

WHEREAS, the Director of Real Property Tax Services has attached thirty-eight (38) applications and recommendations to correct the various 2002-2003 School Tax Rolls (Real Property Tax Law Sections 554, 556, and 733). The following corrections are hereby recommended for the 2003 Tax Rolls for the various towns in Livingston County, it is hereby

RESOLVED, that the Director of Real Property Tax Services is authorized to apply these corrections to the 2003 Tax Rolls.

1. Town of Avon

Lloyd C. & Rosemarie Hynes Tax Map Number 44.-1-54

Reason for correction: Due to a clerical error, this parcel did not receive a valid \$15,000 veteran's exemption. This exemption should be applied, which will correct the taxable assessed value from \$105,500 to \$90,500 for town and county purposes.

2. Town of Avon

Laurel B. Combs Tax Map Number 53.-1-4.142

Reason for correction: Due to a clerical error, this parcel did not receive a valid \$4,580 agricultural ceiling exemption. This exemption should be applied, which will correct the taxable assessed value from \$308,600 to \$304,020 for town and county purposes.

3. Town of Avon

South Lima Management Corporation Tax Map Number 55.-1-59.12

Reason for correction: Due to a clerical error, this parcel did not receive a valid agricultural ceiling exemption. This exemption should be applied, which will correct the taxable assessed value from \$164,900 to \$82,609 for town and county purposes.

4. Town of Avon

Ruth Browne Tax Map Number 34.6-3-76

Reason for correction: Due to a clerical error, this parcel did not receive a valid \$25,000 veteran's exemption. This exemption should be applied, which will correct the taxable assessed value from \$142,200 to \$117,200.

5. Town of Avon

Erin Rowe & William Schmerbeck Tax Map Number 34.14-1-55.202

Reason for correction: Due to a small claims assessment review decision, the taxable assessed value of this parcel was lowered from \$141,200 to \$135,000.

6. Town of Avon

Joseph P. & Marlene A. Browne Tax Map Number 34.15-1-3.11

Reason for correction: Due to a clerical error, this parcel did not receive a valid \$15,000 veteran's exemption. This exemption should be applied, which will correct the taxable assessed value from \$129,500 to \$114,500.

7. Town of Avon

George Arthur & Laurel A. McManus Tax Map Number 44.-1-50.1

Reason for correction: Due to a clerical error, this parcel did not receive a valid \$14,400 veteran's exemption. This exemption should be applied, which will correct the taxable assessed value from \$96,000 to \$81,600 for town and county purposes.

8. Town of Caledonia

- Michael H. & Kristen A. Murphy
Tax Map Number 8.9-3-60
Reason for correction: Due to a small claims assessment review decision, the taxable assessed value of this parcel was lowered from \$179,600 to \$168,000.
9. Town of Caledonia
Kip C. Grant
Tax Map Number 13.-1-42.6
Reason for correction: Due to a clerical error, this parcel was omitted. This parcel should be added with a taxable assessed value of \$133,500.
10. Town of Caledonia
Thomas M. Siefert
Tax Map Number 21.-1-25.11
Reason for correction: Due to a clerical error, this parcel did not receive a valid agricultural ceiling exemption. This exemption should be applied which will correct the taxable assessed value from \$60,100 to \$26,213 for town and county purposes.
11. Town of Conesus
New York State Electric & Gas Corp.
Tax Map Number 599.-4-1
Reason for correction: Due to a clerical error, the special franchise assessment for this parcel was erroneously applied. The taxable assessed value of this parcel should be corrected from \$883,703 to \$833,703.
12. Town of Geneseo
Barber Farms Agriculture LP
Tax Map Number 100.-1-4.1
Reason for correction: Due to a clerical error, this parcel did not receive a valid agricultural ceiling exemption. This exemption should be applied, which will correct the taxable assessed value from \$86,800 to \$28,065 for town and county purposes.
13. Town of Geneseo
Jane Ottley & David H. Smith
Tax Map Number 100.43-1-4
Reason for correction: Due to a small claims hearing decision, the taxable assessed value of this parcel was lowered from \$275,500 to \$270,000.
14. Town of Leicester
Lori A. Farley
Tax Map Number 87.16-2-18
Reason for correction: Due to a small claims hearing decision, the taxable assessed value of this parcel was lowered from \$63,800 to \$58,000.
15. Town of Livonia
William & Barbara Kurtz
Tax Map Number 75.6-1-1.311
Reason for correction: Due to a clerical error, this parcel did not receive a valid agricultural ceiling exemption. This exemption should be applied, which will correct the taxable assessed value from \$113,400 to \$97,500 for town and county purposes.
16. Town of Livonia
Michael C. & Mary A. Sharman
Tax Map Number 75.9-2-27
Reason for correction: Due to a small claims hearing decision, the taxable assessed value of this parcel was lowered from \$125,100 to \$116,100.
17. Town of Livonia
Brian & Diane Lusk
Tax Map Number 65.-1-58.1
Reason for correction: Due to a small claims hearing decision, the taxable assessed value of this parcel was lowered from \$121,200 to \$117,600.
18. Town of Livonia
Bruce E. & Mark W. Beardsley
Tax Map Number 66.-1-41.61
Reason for correction: Due to an excessive amount of acreage, this parcel was erroneously assessed. The taxable assessed value should be corrected from \$96,000 to \$60,000.
19. Town of Livonia
Keith Stanley
Tax Map Number 66.-1-47.29
Reason for correction: Due to a small claims hearing decision, the taxable assessed value of this parcel was lowered from \$172,000 to \$165,000.
20. Town of Livonia
Richard & Donna LeBriton
Tax Map Number 74.25-1-26

Reason for correction: Due to a clerical error, this parcel did not receive a valid disability exemption. This exemption should be applied, which will correct the taxable assessed value from \$74,400 to \$48,360 for county purposes and from \$74,400 to \$37,200 for town purposes.

21. Town of Livonia

Brian & Susan Mineti

Tax Map Number 84.-1-55.262

Reason for correction: Due to a clerical error, this parcel is erroneously assessed. The taxable assessed value should be corrected from \$14,100 to \$2,100.

22. Town of Livonia

Richard J. & Connie S. Uzee

Tax Map Number 92.-1-1.130

Reason for correction: Due to a small claims hearing decision, the taxable assessed value of this parcel was lowered from \$150,000 to \$149,500.

23. Town of Livonia

Walter & Brenda Walus

Tax Map Number 92.-1-1.131

Reason for correction: Due to a clerical error, this parcel did not receive a valid senior citizen exemption. This exemption should be applied, which will correct the taxable assessed value from \$149,000 to \$111,750 for county purposes and from \$149,000 to \$96,850 for town purposes.

24. Town of Livonia

Hubert Nerwin, Jr.

Tax Map Number 92.78-1-10

Reason for correction: Due to a clerical error, the taxable assessed value was erroneously listed at \$60,200. The taxable assessed value should be corrected from \$60,200 to \$24,500.

25. Town of Livonia

Lucille Kress

Tax Map Number 93.-1-3.32

Reason for correction: Due to a clerical error, the taxable assessed value was erroneously listed at \$77,500. The taxable assessed value should be corrected from \$77,500 to \$16,300.

26. Town of North Dansville

Robert B. Frame

Tax Map Number 189.18-2-30

Reason for correction: Due to a clerical error, this parcel was erroneously listed as exempt. The exemption should be removed, which will give this parcel a taxable assessed value of \$795,300.

27. Town of North Dansville

Bette Smith

Tax Map Number 203.11-2-30

Reason for correction: Due to a clerical error, this parcel did not receive a valid senior citizen exemption. This exemption should be applied, which will correct the taxable assessed value from \$68,100 to \$44,265.

28. Town of North Dansville

Ruby Gropp

Tax Map Number 203.16-1-12.1

Reason for correction: Due to an error in essential fact, this parcel was assessed on excessive acreage. The taxable assessed value should be corrected from \$104,000 to \$73,100 .

29. Town of North Dansville

Robert & Mildred Warner

Tax Map Number 190.-1-22.1

Reason for correction: Due to an error in essential fact, this parcel was assessed for an improvement that does not exist. The taxable assessed value should be corrected from \$59,000 to \$36,600.

30. Town of West Sparta

Neil F. & Debra S. Fisher

Tax Map Number 161.-2-27.2

Reason for correction: Due to a small claims hearing decision, the taxable assessed value of this parcel was lowered from \$107,600 to \$95,000.

31. Town of West Sparta

Robert L. Predmore

Tax Map Number 173.-1-33.22

Reason for correction: Due to a small claims hearing decision, the taxable assessed value of this parcel was lowered from \$83,300 to \$75,800.

32. Town of West Sparta

Walter M. & Heidi Keller

Tax Map Number 174.-1-12.111

Reason for correction: Due to a small claims hearing decision, the taxable assessed value was lowered from \$178,800 to 134,100.

33. Town of West Sparta

Howard P. & Dorothy DeGrave

Tax Map Number 186.-1-7

Reason for correction: Due to a small claims hearing decision, the assessment of this parcel was lowered from \$115,800 to \$95,000 and the taxable value was correspondingly lowered from \$100,153 to \$79,353 for town and county purposes.

34. Town of West Sparta

Gerald Elmout Allen Trust

Tax Map Number 188.-1-57.1

Reason for correction: Due to a small claims hearing decision, the assessment of this parcel was lowered from \$94,600 to \$80,000 and the taxable value was correspondingly lowered from \$82,255 to \$69,560 for town and county purposes.

35. Town of York

Connie S. Cannon

Tax Map Number 30.-1-36.115

Reason for correction: Due to a small claims hearing decision, the taxable assessed value of this parcel was lowered from \$70,000 to \$58,000.

36. Town of York

Wade & Cynthia Dougal

Tax Map Number 40.-1-29.4

Reason for correction: Due to a clerical error, this parcel was erroneously listed. This parcel should be deleted.

37. Town of York

Robert McClurg

Tax Map Number 60.-1-30.1

Reason for correction: Due to a clerical error, this parcel did not receive a valid agricultural ceiling exemption. This exemption should be applied, which will correct the taxable value from \$204,200 to \$138,612 for town and county purposes.

38. Town of York

Jeffrey J. & Linda J. Farruggia

Tax Map Number 61.-1-10.2

Reason for correction: Due to a small claims hearing decision, the taxable assessed value was lowered from \$114,900 to \$105,000.

Dated at Geneseo, New York

November 13, 2002

Finance and Administration Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 2002-389. ESTABLISHING RATIOS FOR THE YEAR 2002

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

The Committee on Finance and Administration presents the following equalization ratios for each township of the County for the apportionment of the 2002 County Tax Levy.

Avon	100.00	North Dansville	94.40
Caledonia	100.00	Nunda	100.00
Conesus	100.00	Ossian	100.00
Geneseo	100.00	Portage	100.00
Groveland	100.00	Sparta	100.00
Leicester	100.00	Springwater	100.00
Lima	95.00	West Sparta	100.00
Livonia	100.00	York	100.00
Mt. Morris	100.00		

Dated at Geneseo, New York

November 13, 2002

Finance and Administration Committee

MOTION: Mr. Moore moved and Mr. Layland seconded to amend the resolution to read "2003". Carried.

NOTE: The Clerk of the Board spoke with the Real Property Tax Director and the County Administrator and the title was changed to the following which explains the purpose of this resolution:

APPROVING FINAL STATE EQUALIZATION RATES FOR THE 2002 ASSESSMENT ROLLS TO BE USED FOR THE 2003 COUNTY TAX APPORTIONMENT

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 2002-390. AUTHORIZING ASSISTANCE TO THE TOWN OF NUNDA FOR REAL PROPERTY TAX ASSESSMENT DEFENSE COSTS – HILLSIDE BURNHAM

Mr. Layland 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 Nunda has requested assistance in regard to proceedings brought by Hillside Burnham, M.H.P. Inc., and

WHEREAS, the Finance & Administration 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 Nunda in regard to the real property tax assessment proceedings brought by Hillside Burnham M.H.P. Inc., such assistance to be coordinated through the Finance & Administration Committee, the Director of Real Property Tax Services and the County Attorney.

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

The County Attorney explained that the County has authorized 50% assistance to towns in the past. Mr. Layland indicated that the County assists the Towns when the matter is of interest to the entire County.

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

RESOLUTION NO. 2002-391. CHANGING DECEMBER 2002 BOARD MEETING

Mr. Layland 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 majority vote, now, therefore, be it

RESOLVED, there will be only one Board of Supervisors' meeting during the month of December 2002 to be held on December 18, 2002 at 1:30 p.m., and the Highway & Public Works and Personnel & Employee Relations Committee meetings scheduled for December 18th will be held on December 11, 2002 at their regular scheduled time.

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

The roll was called as follows (2/3 vote): Ayes - 1,831; Noes - 0; Absent – 0; Adopted.

RESOLUTION NO. 2002-392. AUTHORIZING THE CONSTRUCTION OF A SKILLED NURSING FACILITY IN AND FOR THE COUNTY OF LIVINGSTON, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$38,000,000 AND AUTHORIZING THE ISSUANCE OF \$38,000,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF

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

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Livingston, New York, as follows:

Section 1. The construction of a skilled nursing facility on a County-owned parcel of land at the Murray Hill Campus in Mt. Morris, New York, including original furnishings, equipment, machinery, appurtenances and apparatus, and site and other improvements and expenses in connection therewith, is hereby authorized in and for said County of Livingston at a maximum estimate cost of \$38,000,000.

Section 2. The plan for the financing of such maximum estimated cost shall be by the issuance of \$38,000,000 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivisions 11(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Such project constitutes a Type I Action under the State Environmental Quality Review Act which the County, as lead agency, has determined will not have any adverse environmental impacts.

Section 5. 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. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

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 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 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 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 specific 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 Lake and Valley Clarion* and *The Livingston County News*, the official newspapers, 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

November 13, 2002

Finance and Administration Committee

Mr. Layland announced the new nursing home project continues to be on schedule.

The roll was called as follows (2/3 vote): Ayes - 1,831; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 2002-393. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR LIVINGSTON COUNTY DEPARTMENT OF HEALTH – INNOVATIVE SERVICES, INC. FOR INFUSION THERAPY SERVICES, GENESEE REGION HOME CARE AMENDMENT OF RATES FOR PROFESSIONAL HOME CARE SERVICES, NEW YORK STATE DEPARTMENT OF HEALTH AMENDING FAMILY PLANNING CONTRACT

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

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

INNOVATIVE SERVICES, INC.
 % UPSTATE HOME CARE
 7506 State Route #5
 Clinton, NY 13323
 for infusion therapy services

CONTRACT TERM

9/9/02 – 9/30/04
 Automatically renews
 annually

GENESEE REGION HOME CARE
 70 Metro Park
 Rochester, New York 14623-2608
 for professional home care services

Amendment
 of Rates Effective
 10/1/02

NEW YORK STATE DEPARTMENT OF HEALTH
 Empire State Plaza, Corning Tower, Room 878
 Albany, NY 12237-0657
 for amendment of family planning contract
 Dated at Geneseo, New York
 November 13, 2002
 Health Committee

4/1/02-3/31/03
 Amendment

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

RESOLUTION NO. 2002-394. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A SUPPLEMENTAL STAFFING AGREEMENT WITH MAXIM HEALTHCARE SERVICES FOR LIVINGSTON COUNTY SKILLED NURSING FACILITIES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign a Supplemental Staffing Agreement with Maxim Healthcare Services of 1360 Mt. Hope Avenue, Rochester, New York 14620 according to rates on file and commencing the date of signature for a term of one year with a one year renewal term at the County’s sole option, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York
 November 13, 2002
 Health Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

RESOLUTION NO. 2002-395. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A PROFESSIONAL SERVICES CONTRACT WITH HEALTH CARE SOLUTIONS FOR THE PURPOSE OF CONDUCTING A MEDICARE/MEDICAID COMPLIANCE AUDIT

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign a professional services contract with Health Care Solutions, Inc. of 6459 West Quaker Street, Orchard Park, NY 14127 for the purpose of conducting a Medicare/Medicaid Compliance Audit of the Livingston County Skilled Nursing Facilities at a fee not to exceed Ten Thousand Dollars (\$10,000.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York
 November 13, 2002
 Health Committee

The roll was called as follows: Ayes - 1,728; Noes – Davis (Portage) 24; Absent – 0; Adopted.

RESOLUTION NO. 2002-396. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH ROTENBERG & COMPANY, LLP FOR AN ANALYSIS OF AN ACCELERATED DECERTIFICATION OF BEDS AT THE LIVINGSTON COUNTY SKILLED NURSING FACILITIES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a professional services agreement with Rotenberg & Company, LLP for an analysis of an accelerated decertification of beds at the Livingston County Skilled Nursing Facilities in an amount not to exceed One Thousand Eight Hundred Fifty Dollars (\$1,850.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

November 13, 2002

Health Committee

Leicester Supervisor Moore questioned why we are considering decertifying beds in the nursing home. F. Bassett, Director of Long-Term Care, responded that we must determine whether the decertification of beds will have any value and the cost of these services is not significant. Mr. Moore stated he thought the County had already gone through the process to change beds from singles to doubles. F. Bassett explained that we are trying to achieve further savings beyond that, and he is hopeful to have a recommendation from this study by December 2002 or January 2003. Mr. Moore questioned whether F. Bassett expects that the study will recommend to occupy Geneseo facility at 100%. F. Bassett stated that consumer preference has to be a consideration and Rotenberg will hopefully give us guidance on how we might want to proceed. Avon Supervisor LeFeber questioned the cost of the contract and F. Bassett responded \$1,850.

The roll was called as follows: Ayes - 1,664; Noes – Moore (Leicester) 64, Davis (Portage) 24, Total 88; Absent – 0; Adopted.

RESOLUTION NO. 2002-397. ESTABLISHING DAILY ROOM AND BOARD RATES FOR PRIVATE PAY NURSING FACILITY RESIDENTS FOR 2003

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

RESOLVED, that the Livingston County Board of Supervisors hereby establishes room and board rates for private pay nursing facility residents of the Livingston County Skilled Nursing Facilities for the year 2003 to a private daily room rate of \$200.00 plus 6% cash receipts assessment, imposed by New York State, of \$12.00 for a final rate of \$212.00 and a semi-private daily room rate of \$190.00 plus 6% cash receipts assessment, imposed by New York State, of \$11.40 for a final rate of \$201.40, effective January 1, 2003, until a subsequent rate change is authorized by the Livingston County Board of Supervisors, collection of Cash Receipts Assessment Tax to remain in effect until such time as it is modified or repealed by the State of New York.

Dated at Geneseo, New York

November 13, 2002

Health Committee

The roll was called as follows: Ayes - 1,688; Noes – Moore (Leicester) 64; Absent – 0; Adopted.

RESOLUTION NO. 2002-398. AUTHORIZING THE CHAIRMAN TO SIGN A QUIT CLAIM DEED AND RELATED DOCUMENTS TO TRANSFER A PARCEL ON RTE. 70 & RTE. 408 – RIJA PROPERTY MANAGEMENT, LLC, TOWN OF NUNDA

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

WHEREAS, the State of New York has previously discontinued maintenance of certain portions of the NYS Route 70 and NYS Route 408 intersection, 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:

RIJA Property Management, LLC

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Nunda, County of Livingston and State of New York, bounded and described as follows:

Commencing at the right of way intersection of NYS Route 408 and NYS Route 70, said point being the true POINT OF BEGINNING; thence

S 89° 52' 08" W, along the northerly right of way of NYS Route 70 a distance of 91.65'; thence

N 40° 48' 41" E, a distance of 120.06'; thence

S 8° 24' 52" E, along the westerly right of way of NYS Route 408 a distance of 91.88' to the POINT OF BEGINNING; said described tract containing 0.1 acres, more or less.

Dated at Geneseo, New York

November 13, 2002

Highway & Public Works Committee

Mr. Moore announced that this resolution and the next resolution did not go before the Committee, however, the Committee has signed off on both resolutions.

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

RESOLUTION NO. 2002-399. AUTHORIZING THE CHAIRMAN TO SIGN QUIT CLAIM DEEDS AND RELATED DOCUMENTS TO TRANSFER PARCELS ON WEST LAKE ROAD – BOOK (2) AND HUNT, TOWN OF GENESEO

Mr. Moore 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 parcels 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 parcels 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 parcels to the party listed upon payment to the County of Livingston of \$100.00:

Kenneth M. Book & Terrel D. Book – Parcel 1

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Geneseo, County of Livingston, State of New York, and being part of Lot No. 153 of Saxton's Survey, bounded and described as follows:

The following is set out to describe the true point of beginning:

Commencing at a point near a concrete monument on the retention line and new highway boundary line on the easterly side of West Lake Road, Scottsburg-Upper Lakeville, Part 2, S.H. No. 8397, NYS Route 256, as shown on NYS Discontinuance Maps dated April 11, 1990 and approved April 13, 1990 and designated as Sheet 5 of 10, Parcel 5G and filed in the Livingston County Clerk's Office as microfilm No. BO2135, said point being 49.00 feet easterly measured at right angles, from baseline Station 181 + 98.00; thence

A) South 16° 37' 52" West and along said retention line and new highway boundary line for a distance of 33.76 feet to a point marked by an iron pipe on the extension of the division line between lands now or formerly of Kenneth M. Book and Terrel D. Book (Liber 859 of Deeds at page 305) to the north and lands now or formerly of Kenneth M. Book and Terrel D. Book (Liber 747 of Deeds at page 282) to the south, said line having been established by a Boundary Line Agreement (Ref. Liber 32 of Miscellaneous Records at page 456), said point being the true point of beginning of the parcel to be described; thence

1) South 76° 40' 20" East and along said extension and said division line for a distance of 50.64 feet to a point; thence

2) South 15° 49' 55" West and along the discontinuance line (being the approximate former easterly highway boundary line of Old West Lake Road) for a distance of 198.54 feet to a point on the division line of lands of said Book (Liber 747 of Deeds at page 282) to the north and lands now or formerly of Donna L. Dewar (Ref. Liber 408 of Deeds at page 197) to the south, said line having been established by a Boundary Line Agreement (Ref. Liber 32 of Miscellaneous Records at page 453); thence

3) North 76° 40' 40" West and along said division line between Book and Dewar and said line extended for a distance of 53.40 feet to a point marked by a masonry nail on the aforementioned retention line and new highway boundary line, said point being 44.76 feet easterly, measured at right angles, from baseline Station 179+65.60; thence

- 4) North 16° 37' 52" East and along the retention line and new highway boundary line for a distance of 198.68 feet to the point of beginning.

Containing: 0.237 acres.

Kenneth M. Book & Terrel D. Book – Parcel 2

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Geneseo, County of Livingston, State of New York, and being part of Lot No. 153 of Saxton's Survey, bounded and described as follows:

Commencing at a point marked by an iron pipe on the retention line and new highway boundary line of West Lake Road, Scottsburg- Upper Lakeville, Part 2, S.H. No. 8397, NYS Route 256, as shown on NYS Discontinuance Maps dated April 11, 1990 and approved April 13, 1990 and designated as Sheet 5 of 10, Parcel 5G and filed in the Livingston County Clerk's Office as microfilm No. BO2135, said point being 66.29 feet easterly measured at right angles, from baseline Station 182 + 92.64; thence

- 1) South 74° 55' 00" East and along the division line between lands now or formerly of Samuel J. Culbertson and Ruth R. Culbertson (Liber 265 of Deeds at page 25) to the north and lands now or formerly of Kenneth M. Book and Terrel D. Book (Liber 859 of Deeds at page 305) for a distance of 33.24 feet to a point; thence
- 2) South 15° 49' 55" West and along the discontinuance line (being the approximate former easterly highway boundary line of Old West Lake Road) for a distance of 126.69 feet to a point on the division line between lands of said Book (Liber 859 of Deeds at page 305) to the north and lands now or formerly of Kenneth M. Book and Terrel D. Book (Liber 747 of Deeds at page 282) to the south, said line having been established per Boundary Line Agreement (Ref. Liber 32 of Miscellaneous Records at page 456); thence
- 3) North 76° 40' 20" West and along said division line between lands of said Book (Liber 859 of Deeds at page 305) and other lands of said Book (Liber 747 of Deeds at page 282) for a distance of 50.64 feet to a point marked by an iron pipe on the retention line and new highway boundary line; thence
- 4) North 16° 37' 52" East and along said retention line and new highway boundary line for a distance of 33.76 feet to an angle point near a concrete monument, said point being 49.00 feet easterly, measured at right angles, from baseline Station 181+98.00; thence
- 5) North 37° 40' 04" East and continuing along said retention line and new highway boundary line for a distance of 45.32 feet to an angle point, said point being 66.04 feet easterly, measured at right angles from baseline Station 182+40.00; thence
- 6) North 15° 50' 24" East and continuing along said retention line and new highway boundary line for a distance of 52.64 feet to a point on the aforementioned division line between lands of the aforementioned Culbertson to the north and lands of the aforementioned Book to the south and the point of beginning.

Containing: 0.118 acres

Terry C. Hunt and Jayne Burmaster Hunt

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Geneseo, County of Livingston, State of New York, and being part of Lot No. 153 of Saxton's Survey, bounded and described as follows:

Commencing at a point near a concrete monument on the retention line and new highway boundary line on the easterly side of West Lake Road, Scottsburg Upper Lakeville, Part 2, S.H. No. 8397, NYS Route 256, as shown on NYS Discontinuance Maps dated April 11, 1990 and approved April 13, 1990 and designated as Sheet 6 of 10, Parcel 6C and filed in the Livingston County Clerk's Office as microfilm No. BO2135, said point being 47.00 feet easterly measured at right angles, from baseline Station 191 + 05.00; thence

- 1) North 20° 08' 23" East and along said retention line and new highway boundary line for a distance of 143.63 feet to a point marked by an iron pipe on the division line between lands now or formerly of Daniel J. Allan and Daphne D. Allan (Liber 1026 of Deeds at page 395) and (Liber 1033 of Deeds at page 310) to the north and lands now or formerly of Terry C. Hunt and Jayne Burmaster Hunt (Liber 849 of Deeds at page 256) to the south, as established per a Boundary Line Agreement (Liber 849 of Deeds at page 277); thence
- 2) South 70° 22' 43" East and along said division line for a distance of 54.25 feet to a point; thence
- 3) South 18° 38' 27" West and along the discontinuance line (being the approximate former easterly highway boundary line of Old West Lake Road) for a distance of 195.93 feet to a point near the division line of lands of said Hunt to the north and lands now or formerly of Sam Santoriello and Germaine Santoriello (Liber 1070 of Deeds at page 395); thence
- 4) North 28° 47' 26" West for a distance of 78.76 feet to a point on the aforementioned retention line and new highway boundary line and the point of beginning.

Containing: 0.220 acres
 Dated at Geneseo, New York
 November 13, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes - 1,687; Noes - 0; Absent – Walker (Springwater) 65; Adopted.

RESOLUTION NO. 2002-400. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT WITH NEW YORK HOUSING TRUST FUND CORPORATION - COMMODITY RESOURCES CORPORATION PROJECT

Mrs. Cansdale 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 Community Development Block Grant Agreement with New York Housing Trust Fund Corporation for the Commodity Resources Corporation Project, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York
 November 13, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,687; Noes - 0; Absent – Walker (Springwater) 65; Adopted.

PUBLIC HEARING

The Chairman asked if any person or Supervisor wished to speak on Public Hearing #1,2,3,4.

NAME	REPRESENT	TOWN	COMMENT
Nunda Supervisor Philip S. Brooks		Nunda	spoke on PH#3; thanked the County for getting involved in the Keshequa Creek project
Geneseo Supervisor Weston Kennison		Geneseo	spoke on PH#3; explained that Geneseo could not get the Jaycox Creek project underway and stated that it is encouraging to know the County is ready to assist towns with similar problems.
Portage Supervisor Ivan C. Davis		Portage	spoke on PH#3; thanked the County for their support to assist with the Keshequa Creek Project

The Chairman stated that Public Hearing #4 will remain open and the Board of Supervisors will convene again at 7:00 p.m. for the evening public hearing.

Chairman Merrick closed public hearings #1,2, and 3.

RESOLUTION NO. 2002-353. INCREASING MAXIMUM INCOME ELIGIBILITY FOR TAX EXEMPTION PURSUANT TO SECTION 467 OF THE REAL PROPERTY TAX LAW

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

WHEREAS, the County of Livingston, by Res. No. 2001-384 set \$14,400.00 as the maximum income eligibility for tax exemption under section 467 of the Real Property Tax Law and by Res. No. 94-339 adopted the

income eligibility sliding scale set forth under section 467(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 \$15,000.00 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 \$15,000.00 income eligibility level, and it is further

RESOLVED, that this increase shall be effective with the 2003 assessment roll.

Dated at Geneseo, New York

October 23, 2002 (Introduced)

November 13, 2002 (Adopted)

Finance & Administration Committee

The roll was called as follows: Ayes - 1,687; Noes - 0; Absent – Walker (Springwater) 65; Adopted.

RESOLUTION NO. 2002-401. AUTHORIZING SUBMISSION OF A REVISED APPLICATION FOR DISASTER RECOVERY INITIATIVE PROGRAM

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, the New York State Housing Trust Fund Corporation has awarded \$91,099 in Federal Disaster Recovery Initiative Program funds to Livingston County; and

WHEREAS, the Livingston County Board of Supervisors on July 26, 2000 authorized the Chairman of the Board to submit an application to the New York State Housing Trust Fund Corporation for the Disaster Recovery Initiative Program for storm water management improvements to alleviate flooding and flood damage in the Jaycox Creek Watershed; and

WHEREAS, the County of Livingston has been unable to obtain the approval of the landowner to implement the proposed storm water management improvements to alleviate flooding and flood damage in the Jaycox Creek Watershed; now, therefore be it

RESOLVED, that the Livingston County Chairman of the Board of Supervisors is hereby authorized to submit a revised application to the New York State Housing Trust Fund Corporation for the Disaster Recovery Initiative for storm water management improvements to alleviate flooding and flood damage in the Keshequa Creek Watershed.

Dated at Geneseo, New York

November 13, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,687; Noes - 0; Absent – Walker (Springwater) 65; Adopted.

MOTION TO VOTE ON LOCAL LAW NO. H – 2002 FOR A ROLL CALL VOTE

Mr. Wahl moved Mr. Mahus seconded to call Local Law No. H - 2002 to the table. Carried.

VOTE ON LOCAL LAW NO. H - 2002

LOCAL LAW NO. 8 - 2002 - 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 “A 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 \$15,000.00. Any such person having a higher income shall be eligible for an exemption in accordance with the following schedule:

ANNUAL INCOME

**PERCENTAGE ASSESSED
VALUATION EXEMPT FROM TAXATION**

More than \$15,000.00 but less than \$16,000.00	45 per centum
\$16,000.00 or more but less than \$17,000.00	40 per centum
\$17,000.00 or more but less than \$18,000.00	35 per centum
\$18,000.00 or more but less than \$18,900.00	30 per centum
\$18,900.00 or more but less than \$19,800.00	25 per centum
\$19,800.00 or more but less than \$20,700.00	20 per centum
\$20,700.00 or more but less than \$21,600.00	15 per centum
\$21,600.00 or more but less than \$22,500.00	10 per centum
\$22,500.00 or more but less than \$23,400.00	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

October 23, 2002 (Introduced)

November 13, 2002

The roll was called as follows: Ayes - 1,687; Noes - 0; Absent – Walker (Springwater) 65; Adopted.

OTHER BUSINESS

1. North Dansville Supervisor Mahus, Chairman of Public Safety & Criminal Justice Committee, announced that the regular Public Safety & Criminal Justice committee meeting scheduled for 11/18/02 is canceled due to a lack of quorum. In addition, he stated concurred with the County Administrator regarding the desperate need for an Empire Zone. He stated that the Town of North Dansville has not received official notification that Foster Wheeler Energy Corporation is closing; however, he has received informal telephone calls from the Plant Manager and Human Resource Director that the plant is closing by February 1, 2003. He encouraged the Supervisors to send letters to our State Legislators on this matter. The Chairman of the Board stated he will be sending a letter to the Governor's Office regarding the Empire Zone designation, and the Board will be provided a copy of this letter.
2. The County Administrator stated that he is not sure if it would make a difference to the Foster Wheeler Energy Corporation situation if the County has been given an Empire Zone, but an Empire Zone is still a critical piece for future economic development and growth.

ADJOURNMENT UNTIL 7:00 P.M.

Motion made by Mr. Deming and seconded by Mr. Yendell to adjourn until 7:00 p.m. Carried.

The Board adjourned at 3:32 p.m.

**PUBLIC HEARING FOR THE PROPOSED 2003 COUNTY BUDGET
WEDNESDAY, NOVEMBER 13, 2002
7:00 P.M.**

The Board met pursuant to adjournment.

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

PUBLIC HEARING – 7:00 P.M.

The Chairman opened the Public Hearing to receive comments on the 2003 Proposed Livingston County Budget in accordance with the notices published in the official newspapers.

Chairman Merrick requested County Administrator Dominic F. Mazza to come forward to make a presentation on the 2002 Proposed County Budget.

The County Administrator stated he is pleased to see such a large crowd tonight and hopefully everyone understands what is happening with County budgets statewide is not a pleasant situation. The County Administrator stated this is the most difficult budget he has done in his 13 years with the County, and thanked the Board of Supervisors and particularly the Finance & Administration Committee, the department heads, outside agencies and immediate staff for assisting him. He stated the overall mission of the County is *"to protect and serve the public."* There are no new initiatives in this budget as it remains status quo. He reviewed his budget message, presented the same slide presentation and made similar remarks as he did in the afternoon session.

The Chairman asked if anyone wished to speak at this time regarding the Public Hearing including the Supervisors.

NAME	REPRESENT	TOWN	COMMENT
Mark Brown	Director of Liv. Cty. Community Services	Geneseo	explained some of the new programs under contract, and encouraged the BOS for their continued support
Steve Newvine	President, Liv. Cty. Chamber of Commerce	Geneseo	thanked the BOS for their past support and encouraged continued support
Sharon Stanley	Director of Mt. Morris Library, Library System	Mt. Morris	explained the new automation program and encouraged continued support
William MacGregor	taxpayer	Nunda	opposed to skyrocketing tax increases
Margaret Duff	taxpayer	Mt. Morris	thanked the BOS for continued support of Cornell Cooperative Extension and encouraged continued support
Kat Nichols	taxpayer	York	appreciates and is proud that services are available in the County
Dr. Arnold Matlin	Mental Health	Geneseo	praised the Mental Health and Department of Health professionals and encouraged continued support for those programs
Frank Rose, Sr.		York	taxpayers cannot continue to absorb the increases and he encouraged the BOS to raise the sales tax
? did not sign in			opposed to the cost of the Animal Control Facility
Kathy VanWagnen	Office for the Aging	Mt. Morris	thanked the BOS for their continued support and explained that another route was added to the meals on wheels program and there is not a waiting list in Liv. Cty and it is to the credit of the BOS
Charles Comer	taxpayer	West Sparta	opposed to the tax increase

Geneseo Supervisor Weston Kennison	Livingston County	Geneseo	thanked everyone in attendance for coming to the public hearing, concurred with the County Administrator that something must be done regarding the State mandates, the importance of an Empire Zone and the impact of the loss of jobs in our surrounding area, possibly looking to raise the sales tax in the near future, must continue to be responsible while facing these challenges
Lima Supervisor J. Peter Yendell	Livingston County	Lima	thanked the County Administrator and Dept. Heads for submitting a budget that is palatable to provide the same level of services
William MacGregor	taxpayer	Nunda	stated it is important to get all this information to the taxpayers so they can write their legislators to prevent the continued burdensome of these mandates

CLOSE PUBLIC HEARING

The Chairman declared the public hearing closed.

Chairman Merrick thanked the Board of Supervisors, all Department Heads, the Finance and Administration Committee and the County Administrator for working together to develop this budget.

RESOLUTIONS cont.**RESOLUTION NO. 2002-402. ADOPTING BUDGET FOR FISCAL YEAR 2003**

RESOLVED, that the Proposed Budget for the County of Livingston for the year 2003, is hereby approved and adopted as the final budget for the County of Livingston for the year 2003.

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis (Portage) 24; Adopted.

RESOLUTION NO. 2002-403. AUTHORIZING APPROPRIATIONS OF 2003 ADOPTED BUDGET

RESOLVED, that the adopted Livingston County Budget for the year 2003, be appropriated by the County Treasurer.

Dated at Geneseo, New York

November 13, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis (Portage) 24; Adopted.

Mr. Layland commended the County Administrator for not spending our reserves in order to balance the 2003 budget. He mentioned that Monroe County has spent closely \$50-\$60 million in reserves, and if we did this, we would not have any money for cash flow and would be borrowing.

Chairman Merrick commended the Board of Supervisors, the Finance & Administration Committee, the County Administrator and the department heads for developing this budget.

The County Administrator indicated to the public that they can be of assistance to us by lobbying their local legislators regarding the State mandates and shifting the burden to the local taxpayers. He stated it is disheartening that new initiatives such as the Fast Ferry and soccer stadiums are being considered when we cannot retain our existing jobs. If the residents of the County do not have a job, they are not going to be able to buy tickets for the ferry and to a soccer game. The County Administrator again thanked everyone for coming to the Public Hearing.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Brooks to adjourn until Wednesday, November 27, 2002 at 1:30 p.m. Carried.

The Board adjourned at 8:22 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, NOVEMBER 27, 2002
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Brooks (Nunda) and Davis (Portage).

The Pledge of Allegiance.

MINUTES

Minutes of 11/13/02 Regular Board Meeting were approved as presented.

COMMUNICATIONS

1. Notification from the Villages of Avon, Caledonia, Dansville, Geneseo, Leicester, Lima, Livonia, Mt. Morris, and Nunda to authorize the County Treasurer to collect and relevy delinquent Village taxes.
2. Government Center Social Club Holiday Party at Leisure's Restaurant, December 7, 6:00 p.m. Tickets are \$10.00 per person and must be purchased by December 2.
3. Notification from the Director of Criminal Justice that Livingston County has been selected to receive \$48,000 in STOP Violence Against Women grant funding.
4. The New York State Public Service Commission will hold hearings on the Rochester Gas and Electric Corporation's Application for a Rate Increase on December, 4 at 1:00 p.m. and 7:00 p.m. Details are on file.
5. The regular meeting of the Central Services Committee will now be held the second Friday of the month. The next meeting is scheduled for 12/13/02 at 10:00 a.m. In conjunction with this meeting, the new nursing home project team will be providing an update. The project team will also be conducting a meeting the fourth Friday of the month. All Supervisors are encouraged to attend.

RESOLUTION NO. 2002-404. APPROVING ABSTRACT OF CLAIMS #11B – NOVEMBER 27, 2002

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 27, 2002 in the total amount of \$1,022,140.83.

Dated at Geneseo, New York

November 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

PREFERRED AGENDA

RESOLUTION NO. 2002-405. RECOGNIZING THE LIVINGSTON COUNTY SOIL & WATER CONSERVATION DISTRICT FOR 60 YEARS OF SERVICE

WHEREAS, on February 9, 1942, the Livingston County Board of Supervisors established the Livingston County Soil & Water Conservation District, and

WHEREAS, it is the mission of the Soil & Water Conservation District to assist land users, groups and units of government in the conservation and wise use of soil, water and other natural resources, and

WHEREAS, the Livingston County Soil & Water Conservation District has devoted 60 years of continuing deep commitment to the protection of the County's soil, water and natural resources, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors acknowledge and recognize the contributions made by the Livingston County Soil & Water Conservation District during their 60th year of service.

Dated at Geneseo, New York

November 27, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-406. APPOINTING MEMBER TO THE LIVINGSTON COUNTY BOARD OF ETHICS – KINGSTON

WHEREAS, Walter M. Kingston, Jr. was appointed as a member of the Livingston County Board of Ethics for a term expiring December 31, 2002, and

WHEREAS, Walter M. Kingston, Jr. desires to be reappointed to another three-year term, it is hereby

RESOLVED, that Walker M. Kingston, Jr. of 5246 Groveland Road, Geneseo, New York 14454 is hereby appointed to the Livingston County Board of Ethics for a three-year term to commence January 1, 2003 and expire December 31, 2005.

Dated at Geneseo, New York

November 27, 2002

Legislative & Agricultural Affairs Committee

PREFERRED AGENDA VOTE

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

Motion made by Mr. Mahus and seconded by Mr. Wahl to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-407. AUTHORIZING PARTICIPATION AGREEMENT WITH NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

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

WHEREAS, Livingston County is proposing to construct a new 266-bed Skilled Nursing Facility; and

WHEREAS, the New York State Energy Research and Development Administration has programs available which would provide funding for studying the energy needs of the proposed Skilled Nursing Facility and the other buildings on the Livingston County Campus in Mt. Morris, and designing the most cost-efficient energy systems; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a Participation Agreement with the New York State Energy Research and Development Administration, after review by the County Attorney and County Administrator.

Dated at Geneseo, New York

November 27, 2002

Central Services Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent –108; Adopted.

RESOLUTION NO. 2002-408. AUTHORIZING TRANSFER OF FUNDS – DEPARTMENT OF HEALTH, HIGHWAY

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

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

Dated at Geneseo, New York

November 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-409. AMENDING 2002 COUNTY BUDGET – MENTAL HEALTH

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

WHEREAS, the Livingston County Mental Health Department has received additional State revenue, it is hereby

RESOLVED, that the 2002 Mental Health Budget be amended as follows:

Increase Revenue Account

Department	Revenue	Description	Amount
A4322	3490	Mental Health	\$10,550.00

Increase Appropriation Account

Department	Revenue	Description	Amount
A4322	4190	Agency Contracts	\$10,550.00

Dated at Geneseo, New York
November 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-410. AMENDING 2002 COUNTY BUDGET – DEPARTMENT OF HEALTH

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

WHEREAS, the Livingston County Department of Health has received additional revenue from fees collected, it is hereby

RESOLVED, that the 2002 Department of Health Budget be amended as follows:

Increase Revenue Account

Department	Revenue	Description	Amount
A4083	1605	Third Party Reimbursement	\$12,508.89

Increase Appropriation Account

Department	Revenue	Description	Amount
A4083	2200	D.P. Equipment	\$12,508.89

Dated at Geneseo, New York
November 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-411. AMENDING 2002 COUNTY BUDGET – DEPARTMENT OF HEALTH

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

WHEREAS, the Livingston County Department of Health has received additional Third Party Revenues, it is hereby

RESOLVED, that the 2002 Department of Health Budget be amended as follows:

Increase Revenue Account

Department	Revenue	Description	Amount
A4010	1601	Public Health Revenue	\$49,446.25

Increase Appropriation Account

Department	Revenue	Description	Amount
A4010	2200	D.P. Equipment	\$49,446.25

Dated at Geneseo, New York
November 27, 2002

Finance & Administration Committee

Mr. Layland indicated this money will be used to upgrade the Department of Health computer systems.

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-412. AMENDING 2002 COUNTY BUDGET – COUNTY TREASURER

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

WHEREAS, the County Treasurer has received additional revenue from the tax sale auction, it is hereby

RESOLVED, that the 2002 County Treasurer Budget be amended as follows:

Increase Revenue Account

Department	Revenue	Description	Amount
A1362	1236	Buyer’s Premium	\$9,240.00

Increase Appropriation Account

Department	Revenue	Description	Amount
A1362	4200	Advertising Fees	\$9,240.00

Dated at Geneseo, New York
November 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-413. APPROVING ESTIMATED 2003 SALES TAX DISTRIBUTION

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

RESOLVED, that the list below of 2003 Sales Tax Distribution be, and the same hereby is, approved;

2003 SALES TAX ESTIMATE CREDITS

<u>TOWN</u>	<u>SALES TAX CREDIT</u>
AVON	\$55,000.00
CALEDONIA	\$35,000.00
CONESUS	\$40,000.00
GENESEO	\$70,000.00
GROVELAND	\$40,000.00
LEICESTER	\$25,000.00
LIMA	\$40,000.00
LIVONIA	\$100,000.00
MT. MORRIS	\$0.00
NORTH DANSVILLE	\$18,000.00
NUNDA	\$0.00
OSSIAN	\$10,000.00
PORTAGE	\$10,000.00
SPARTA	\$0.00
SPRINGWATER	\$34,000.00
WEST SPARTA	\$15,000.00
YORK	\$50,000.00
TOTAL	\$542,000.00

Dated at Geneseo, New York

November 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-414. PROVIDING FOR LEVY OF ERRONEOUS TAXES TO BE CHARGED TO TOWNS

Mr. Layland 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:

<u>TOWN</u>	<u>CHARGEBACK</u>
AVON	\$1,047.47
CALEDONIA	\$919.08
CONESUS	\$1,245.37
GENESEO	\$911.65
GROVELAND	\$121.22
LEICESTER	\$769.11
LIMA	\$1,295.31
LIVONIA	\$2,144.29
MT. MORRIS	\$272.02
NORTH DANSVILLE	\$2.96
NUNDA	\$400.64
OSSIAN	(\$0.11)
PORTAGE	\$1,161.49
SPARTA	(\$0.06)
SPRINGWATER	\$222.70
WEST SPARTA	\$0.09

YORK
TOTAL

\$411.53
\$ 10,924.76

Dated at Geneseo, New York
November 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-415. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH TWO BROTHERS PRINTING, INC. FOR PRINTING THE 2001 SUPERVISORS' PROCEEDINGS

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign a contract with Two Brothers Printing, Inc. of 6 Central Street, P.O. Box 591, Moravia, New York 13118-0591, in an amount not to exceed Two Thousand Three Hundred Eighty Eight Dollars and Twenty-Four Cents (\$2,388.24) for Printing the 2001 Supervisors' Proceedings, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York
November 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-416. AUTHORIZING RELEASE OF COUNTY OF LIVINGSTON'S FIRST RIGHT TO PURCHASE THE FORMER COUNTY HIGHWAY BUILDING

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

WHEREAS, the County of Livingston by Resolution No. 2001-138 transferred the former County Highway building to the Town of Conesus, but retained a first right to purchase the property if the Town were to sell it in the future, and

WHEREAS, the Town of Conesus has requested that the County release this right, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign any document necessary to release the County's first right to purchase the former County Highway building at 6207 Main Street, Conesus, New York, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York
November 27, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-417. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH ROTENBERG & COMPANY LLP TO PROVIDE AUDIT SERVICES FOR THE LIVINGSTON COUNTY SKILLED NURSING FACILITIES

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign a contract with Rotenberg & Company LLP of 1870 Winton Road South, Rochester, New York 14618 to provide audit services for the Livingston County Skilled Nursing Facilities for a five year period beginning January 1, 2002 and ending December 31, 2006 according to the following fees, subject to review by the County Attorney and County Administrator:

Year Ending	Amount
12/31/02	\$22,000
12/31/03	\$22,400
12/31/04	\$22,800
12/31/05	\$23,200
12/31/06	\$23,600

Dated at Geneseo, New York
November 27, 2002

Finance & Administration Committee

Mr. Layland indicated this is the firm that conducted the financials for the Certificate of Need process for the new nursing facility. Overall, the increase is less than 2% for the five year period.

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-418. AUTHORIZING CONTRACTS (2) WITH FRASER-WILLEY ASSOCIATES, P.C. FOR PRELIMINARY WORK AND POST-DISTRICT FORMATION DESIGN/ENGINEERING WORK FOR THE GROVELAND STATION SANITARY SEWER PROJECT

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

WHEREAS, there is a need for a sanitary sewer system in the Groveland Station area encompassing lands in the Towns of Groveland and Sparta, and

WHEREAS, three proposals were received for preliminary work and post-district formation design work, and

WHEREAS, the proposals were reviewed by the Highway & Public Works Committee and the proposal of Fraser-Willey Associates, P.C. in an amount not to exceed Twenty Four Thousand Nine Hundred Dollars (\$24,900.00) for preliminary work and Two Hundred Thirty Four Thousand Seven Hundred Fifty Dollars (\$234,750.00) for post-district formation design/engineering work was deemed the lowest responsible proposal, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign a contract with Fraser-Willey Associates, P.C. in an amount not to exceed Twenty Four Thousand Nine Hundred Dollars (\$24,900.00) for preliminary work for the Groveland Station Sanitary Sewer Project and a separate contract with Fraser-Willey Associates, P.C. in an amount not to exceed Two Hundred Thirty Four Thousand Seven Hundred Fifty Dollars (\$234,750.00) for post-district formation design and engineering work for the Groveland Station Sanitary Sewer Project, subject to review by the County Attorney and County Administrator, and be it further

RESOLVED, that the contract with Fraser-Willey Associates P.C. for post-district formation design and engineering work is subject to and contingent upon formation of the Groveland Station County Sewer District and receipt of adequate grants and financing.

Dated at Geneseo, New York

November 27, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

Chairman Merrick, Supervisor of the Town of Groveland, thanked the Board for approving this contract. He stated that this area is in desperate need of a sewer system and that a Small Cities Grant has award to assist with the cost.

Mr. Schuster, Supervisor of the Town of Sparta, echoed the Chairman's remarks and stated he is happy to see the project moving forward.

RESOLUTION NO. 2002-419. APPROVING CHANGE ORDER NO. ONE FOR EASTERN SUMMIT DEVELOPMENT, INC. CONTRACT NO. 2 WATER TANK – LIVINGSTON COUNTY WATER DISTRICT NO. 1 ZONE 5 – SCOTTSBURG

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

WHEREAS, the water tank originally was designed to utilize the same piping for the inlet and the outlet, and

WHEREAS, during the course of the final review process the Livingston County Department of Health requested a separate inlet and outlet piping to improve mixing of the water in the tank, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors authorizes Change Order No. One for Eastern Summit Development Inc. in an amount not to exceed Sixteen Thousand Six Hundred Ninety Nine Dollars (\$16,699.00), and, be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized and directed to sign the appropriate change order, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

November 27, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-420. APPROVING CHANGE ORDER NO. ONE FOR R. MYERS CONTRACTING, INC. CONTRACT NO. 1 WATER MAIN – LIVINGSTON COUNTY WATER DISTRICT NO. 1, ZONE 5 – SCOTTSBURG

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

WHEREAS, the water main at the end of the district was originally designed to provide only domestic water supply to a residence at 5546 Scottsburg Road, and

WHEREAS, during the course of the water supply project, it was decided to increase the size of the pipe from a 2” diameter to 8” to provide fire protection and to facilitate any future extension, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors authorizes Change Order No. One for R. Myers Contracting, Inc. in an amount not to exceed Nine Thousand Five Hundred Forty Three Dollars (\$9,543.00), and, be it further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized and directed to sign the appropriate change order, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

November 27, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-421. AUTHORIZING CHAIRMAN TO SIGN AN AMENDED WEATHERIZATION CONTRACT WITH THE NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, the New York State Division of Housing and Community Renewal has awarded Livingston County additional Weatherization Assistance Program grant funds, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign an amended Weatherization contract with the New York State Division of Housing and Community Renewal, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

November 27, 2002

Legislative and Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-422. AUTHORIZING YEAR 2003 SECTION 8 CONTRACT EXTENSION AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL

Mrs. Cansdale 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 the Section 8 Contract Extension Agreement with the NYS Housing and Finance Agency and the NYS Division of Housing and Community Renewal, after review by the County Attorney and County Administrator.

Dated at Geneseo, New York

November 27, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-423. MAKING SEQR AND NEPA FINDINGS FOR SMALL CITIES CDBG PRIVATE WATER/WASTEWATER CONNECTION PROGRAM

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, Livingston County has been awarded a Small Cities grant from the Governor’s Office of Small Cities (GOSC) for the Private Water/Wastewater Connection Program; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby determine that this project is an Exempt action pursuant to the National Environmental Policy Act (NEPA); and, be it further

RESOLVED, that the Livingston County Board of Supervisors does hereby determine that this project is a Type II action pursuant to the State Environmental Quality Review Act (SEQR).

Dated at Geneseo, New York

November 27, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-424. AUTHORIZING 2002 AGREEMENT WITH LIVINGSTON COUNTY CHAMBER OF COMMERCE, INC. FOR THE PROMOTION OF TOURISM

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, the Livingston County Chamber of Commerce functions as the County's local tourism promotion agency, and

WHEREAS, the Livingston County Chamber of Commerce has agreed to promote tourism for Livingston County, and

WHEREAS, the funds in the amount of \$75,000.00 have been budgeted in the 2002 County budget, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract commencing January 1, 2002 and expiring December 31, 2002, in an amount not to exceed Seventy Five Thousand Dollars (\$75,000.00), payable quarterly, with the Livingston County Chamber of Commerce, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

November 27, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-425. AUTHORIZING 2003 AGREEMENT WITH LIVINGSTON COUNTY CHAMBER OF COMMERCE, INC. FOR THE PROMOTION OF TOURISM

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, the Livingston County Chamber of Commerce functions as the County's local tourism promotion agency, and

WHEREAS, the Livingston County Chamber of Commerce has agreed to promote tourism for Livingston County, and

WHEREAS, the funds in the amount of \$80,750.00 have been budgeted in the 2003 County budget, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract commencing January 1, 2003 and expiring on December 31, 2003, in an amount not to exceed Eighty Thousand Seven Hundred Fifty Dollars (\$80,750.00), payable quarterly, with the Livingston County Chamber of Commerce, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

November 27, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-426. AUTHORIZING 2003 AGREEMENT WITH THE SOCIETY FOR THE GENESEE AND THE LAKES FOR TOURIST PROMOTION AT THE SCOTTSVILLE THRUWAY TOURIST INFORMATION CENTER

Mrs. Cansdale 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 the 2003 Agreement with the Society for the Genesee and the Lakes for tourist promotion at the Scottsville Thruway Tourist Information Center, in the amount of One Thousand Dollars (\$1,000.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

November 27, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

RESOLUTION NO. 2002-427. ACKNOWLEDGING RECEIPT OF THE ENVIRONMENTAL REVIEW RECORD AND ACCEPTING ITS FINDING OF NO SIGNIFICANT ENVIRONMENTAL IMPACT FOR THE COMMODITY RESOURCES CORPORATION AGRICULTURAL FEED AND FERTILIZER TRANSLOAD FACILITY

Mrs. Cansdale presented the following resolution and moved its adoption:

WHEREAS, Livingston County has been awarded a Small Cities grant from the Governor's Office of Small Cities (GOSC) to assist the Commodity Resources Corporation (CRC) to carry out an agri-business economic development project; and

WHEREAS, an Environmental Review Record has been prepared for the CRC project, as required by GOSC, to comply with federal environmental review regulations, and

WHEREAS, the Town of Caledonia, as lead agency, prepared a full environmental assessment form under the New York State Environmental Quality Review Act, and issued a negative declaration on June 10, 1999, and

WHEREAS, the Environmental Review Record concludes that the CRC project will have no significant impacts on the environment, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors acknowledges receipt of the Environmental Review Record which will be maintained and available for public inspection at the Department of Economic Development, and be it further

RESOLVED, that the Livingston County Board of Supervisors accepts the finding of no significant environmental impact and authorizes Patrick Rountree, as Certifying Officer, to sign the Environmental Review Record.

Dated at Geneseo, New York

November 27, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,644; Noes - 0; Absent – Brooks, 84; Davis, 24, Total 108; Adopted.

OTHER BUSINESS

- Chairman Merrick asked the Clerk of the Board to read a newspaper article entitled "Rensselaer Lands 2nd State Zone" (on file). The State Legislature was holding off on granting one Empire Zone and Rensselaer County was granted its second zone. Livingston County was one of eleven counties waiting for the decision of the State Legislature.

Geneseo Supervisor Kennison stated that this announcement of Rensselaer County getting another Empire Zone reminds him of an Italian word "schifezza" defined as disgusting, foul, repugnant and objectionable. He stated he was afraid this was going to happen, and he would like to ask that a letter be sent to the Governor requesting why we did not get an Empire Zone.

Chairman Merrick indicated that he will continue to put pressure on the State Legislators that represent the County of Livingston.

EXECUTIVE SESSION

Motion made by Mr. Wahl 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 James C. Merrick act as Chairman and Virginia O. Amico act as Secretary of the Committee of the Whole and County Administrator Dominic F. Mazza and Personnel Director Tish Lynn remain present. Carried.

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

REPORT OF EXECUTIVE SESSION

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:

No action taken.

Dated November 27, 2002

James C. Merrick, Chairman

Virginia O. Amico, Secretary

Motion made by Mr. Moore and seconded by Mr. Schuster that the Report of the Executive Session be accepted. Carried.

ADJOURNMENT

Motion made by Mr. Layland and seconded by Mr. Kennison to adjourn until Wednesday, December 18, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:49 p.m.

**REGULAR BOARD MEETING
WEDNESDAY, DECEMBER 18, 2002
1:30 P.M.**

The Board met pursuant to adjournment.

The roll was called showing all members present except Messrs. Wahl (Livonia) and Olverd (Mt. Morris).

The Pledge of Allegiance.

MINUTES

Minutes of 11/27/02 Regular Board Meeting were approved as presented.

COMMUNICATIONS

1. Draft Conesus Lake Watershed Management Plan.
2. Resignation of Thomas P. Wamp from the Livingston County Industrial Development Agency.
3. New York State Festival of Balloons Profit and Loss Statement for Fiscal Year Ending October 31, 2002.
4. Map of New York State Counties and County Seats prepared by the Livingston County Planning Department (ON DESKS).

INTRODUCTION OF LOCAL LAW

LOCAL LAW NO. I - 2002 - COUNTY OF LIVINGSTON PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2003

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 \$1,200.00.

Section 2. Effective as hereinafter provided, the annual salary of the Commissioner of Social Services shall be increased by \$2,675.00.

Section 3. Effective as hereinafter provided, the annual salary of the Director of Real Property Tax Services shall be increased by \$1,675.00.

Section 4. Effective as hereinafter provided, the annual salary of the County Highway Superintendent shall be increased by \$1,950.00.

Section 5. Effective as hereinafter provided, the annual salary of the County Treasurer shall be increased by \$1,750.00.

Section 6. Effective as hereinafter provided, the annual salary of the Personnel Officer shall be increased by \$1,950.00.

Section 7. Effective as hereinafter provided, the annual salary of the County Attorney shall be increased by \$1,675.00.

Section 8. Effective as hereinafter provided, the annual salary of the County Auditor shall be increased by \$1,475.00.

Section 9. Effective as hereinafter provided, the annual salary of the Public Defender shall be increased by \$2,025.00.

Section 10. All salaries set forth herein shall be effective as of January 1, 2003.

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

December 18, 2002 (introduced)

RESOLUTION NO. 2002-428. APPROVING ABSTRACT OF CLAIMS #12A – DECEMBER 11, 2002

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 11, 2002 in the total amount of \$1,360,229.39.

Dated at Geneseo, New York

December 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,431; Noes - 0; Absent – Wahl, 195; Olverd, 126; Total 321; Adopted.

PREFERRED AGENDA

RESOLUTION NO. 2002-429. ADOPTING TOWN BONDED INDEBTEDNESS REPORTS

RESOLVED, that the report 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 2002 Proceedings.

2002 REPORT OF TOWN BONDED INDEBTEDNESS INCLUDING SPECIAL DISTRICTS

TOWN	PURPOSE OR TITLE OF OBLIGATIONS	METHOD OF PAYMENT	RATE OF INTEREST	UNPAID BALANCE As of 12/31/02	DUE IN NEXT FISCAL YEAR 2003
AVON	Water Tank	Serial Bond	5.0%	\$84,000.00	\$12,000.00
	Town Highway Facility	Serial Bond	5.3%	\$450,000.00	\$35,000.00
TOTAL				\$534,000.00	\$47,000.00
CALEDONIA	Water Dist. #1 Water Line	Serial Bond	4.9 %	\$75,000.00	\$8,552.50
	TOTAL				\$75,000.00
CONESUS	Caterpillar Loader	BAN	2.75%	\$64,099.00	\$32,050.00
	Grader	BAN	2.39%	\$109,068.00	\$27,267.00
	Flowboy	BAN	3.00%	\$127,600.00	\$25,520.00
TOTAL				\$300,767.00	\$84,837.00
GENESEO	Long Point Park	Serial Bond	6.45%	\$150,000.00	\$50,000.00
	Water District #2	Serial Bond	4.4%	\$1,040,000.00	\$60,000.00
	Water District #1	Serial Bond	4.4%	\$600,000.00	\$40,000.00
	Gateway Road Project	BAN	1.97%	\$900,000.00	\$300,000.00
	Water District #4	BAN	2.05%	\$143,900.00	\$10,645.00
TOTAL				\$2,833,900.00	\$460,645.00
GROVELAND	Water District	BAN	3.45%	\$923,500.00	\$36,940.00
	Truck	BAN	2.19%	\$70,000.00	\$35,000.00
TOTAL				\$993,500.00	\$71,940.00
LEICESTER	J.C. Loader	BAN	3.68%	\$70,000.00	\$35,000.00
TOTAL				\$70,000.00	\$35,000.00
LIMA	Water District #2	Serial Bond	7.00%	\$106,000.00	\$6,000.00
	Water District #1	Serial Bond	7.20%	\$2,000.00	\$2,000.00
	Town Hall Bldg. & Recon.	Serial Bond	7.20%	\$23,000.00	\$23,000.00
TOTAL				\$131,000.00	\$31,000.00
LIVONIA	S. Livonia Water Dist.	Serial Bond	5.00%	\$21,000.00	\$1,000.00
	Livonia Center Water Dist.	Serial Bond	5.00%	\$40,000.00	\$4,000.00

	S. Livonia Dist Improvements	Serial Bond	5.125%	\$152,000.00	\$6,300.00
	Lakeville Dist Improvements	Serial Bond	4.875%	\$1,293,000.00	\$43,500.00
	East Lake Road Water Dist.	Serial Bond	4.40%	\$1,820,000.00	\$95,000.00
	Hemlock Sewer District	BAN	2.04%	\$500,000.00	\$0.00
	Truck	BAN	N/A	\$19,600.00	\$19,600.00
TOTAL				\$3,845,600.00	\$169,400.00

MT. MORRIS	Water District #1	BAN	2.29%	\$41,000.00	\$4,000.00
TOTAL				\$41,000.00	\$4,000.00

NORTH

DANSVILLE	Town Hall Renovation /Addition	Serial Bond	5.25%	\$1,320,000.00	\$60,000.00
	1999 Ford Truck	BAN	2.10%	\$40,000.00	\$20,000.00
	2001 Excavator	BAN	1.98%	\$30,000.00	\$20,000.00
	Airport Hanger Roof	BAN	2.03%	\$30,000.00	\$15,000.00
TOTAL				\$1,420,000.00	\$115,000.00

NUNDA	2002 Truck	BAN	2.72%	\$30,000.00	\$10,000.00
TOTAL				\$30,000.00	\$10,000.00

OSSIAN **NONE**

PORTAGE	2000 Truck	BAN	4.30%	\$68,400.00	\$22,800.00
TOTAL				\$68,400.00	\$22,800.00

SPARTA	JD Loader	BAN	2.26%	\$30,000.00	\$30,000.00
TOTAL				\$30,000.00	\$30,000.00

SPRINGWATER **NONE**

WEST SPARTA	Salt Shed	BAN	3.74%	\$30,000.00	\$30,000.00
TOTAL				\$30,000.00	\$30,000.00

YORK	Pay Loader	BAN	2.02%	\$30,000.00	\$30,000.00
	Water Dist. #1 (Retsof Ave.)	BAN	2.02%	\$190,430.00	\$10,000.00
	Water Dist. #1 (Rt. 36/63)	BAN	2.02%	\$217,195.00	\$10,000.00
	Water Tower Paint	BAN	2.02%	\$39,960.00	\$39,960.00
	Water Dist. #2, Ext. 1	BAN	2.02%	\$13,935.00	\$125.00
	Water Dist. #2, Ext. 3	BAN	1.95%	\$33,470.00	\$765.00
	Water Dist. #2, Ext. 4	BAN	1.95%	\$86,000.00	\$450.00
	Water Dist. #3	BAN	2.02%	\$80,000.00	\$1,000.00
	York Sewer #1	BAN	2.00%	\$500,000.00	\$500,000.00
	Water Dist. #1	Serial Bond	5.00%	\$59,000.00	\$6,000.00
	Water Dist. #1	Serial Bond	7.125%	\$181,000.00	\$6,000.00
	Water Dist. #2	Serial Bond	4.375%	\$98,000.00	\$2,800.00
	Water Dist. #2	Serial Bond	4.375%	\$262,000.00	\$7,500.00
TOTAL				\$1,791,490.00	\$614,600.00

Dated at Geneseo, New York
 December 18, 2002
 Finance & Administration Committee

WHEREAS, the Finance & Administration 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:

TOWN LEVY AMOUNTS FOR 2003						
	Avon	Caledonia	Conesus	Geneseo	Groveland	Leicester
Town General Fund	\$324,569	\$256,420	\$206,770	\$395,000	\$44,942	\$155,520
General Outside Village	60,180	49,495		2,700		
Highway-Townwide	185,301		494,383	196,239	269,100	129,550
Highway-Outside Village	157,432	145,446		225,211		112,200
Public Library						
Capital Reserve						
SPECIAL DISTRICTS						
Light District				3,000	7,700	5,600
Water District				232,266	74,431	15,400
Sewer District						
Fire District	315,905	184,200	107,000	50,000	75,315	
Fire Protection						66,600
Total Levy-Town Purposes	1,043,387	635,561	808,153	1,104,416	471,488	484,870
Chargebacks/Credits	1,047.47	919.08	1,245.37	911.65	121.22	769.11
Compensation	68,629	46,862	28,832	79,304	20,875	19,943
TOTAL TOWN LEVY - 2003	\$1,113,063.47	\$683,342.08	\$838,230.37	\$1,184,631.65	\$492,484.22	\$505,582.11
	Lima	Livonia	Mount Morris	N. Dansville	Nunda	Ossian
Town General Fund	\$186,118	\$338,260	\$147,025	\$324,328	\$125,780	\$101,914
General Outside Village	5,810	154,750	27,300	7,141	37,651	
Highway-Townwide	162,400	415,000	230,900	71,555	207,892	170,747
Highway-Outside Village	160,750	330,525	143,500	33,106	149,400	
Public Library	125,451	168,495				
Capital Reserve						
SPECIAL DISTRICTS						
Light District		26,000			5,100	
Water District		246,565				
Sewer District						
Fire District	100,977	548,147			44,931	13,465
Fire Protection		2,227,742	30,000	9,411		
Total Levy-Town Purposes	741,506		578,725	445,541	570,754	286,126
Chargebacks/Credits	1,295.31	2,144.29	272.02	2.96	400.64	-0.11
Compensation	43,203	84,829	30,119	38,346	20,008	8,243
TOTAL TOWN LEVY - 2003	\$786,004.31	\$2,314,715.29	\$609,116.02	\$483,889.96	\$591,162.64	\$294,368.89

	Portage	Sparta	Springwater	West Sparta	York	
Town General Fund	\$82,312	\$97,400	\$179,200	\$178,944	\$180,052	
General Outside Village						
Highway-Townwide	151,361	255,400	392,700	190,300	369,458	
Highway-Outside Village						
Public Library						
Capital Reserve						
SPECIAL DISTRICTS						
Light District	2,950	1,600			20,000	
Water District					160,324	
Sewer District					16,000	
Fire District	22,897	55,280	86,738	43,055	129,140	
Fire Protection						
Total Levy-Town Purposes	259,520	409,680	658,638	412,299	874,974	
Chargebacks/Credits	1,161.49	-0.06	222.70	0.09	411.53	
Compensation	6,465	12,298	20,950	10,382	35,367	
TOTAL TOWN LEVY - 2003	\$267,146.49	\$421,977.94	\$679,810.70	\$422,681.09	\$910,752.53	

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 18, 2002

Finance & Administration Committee

RESOLUTION NO. 2002-431. DECLARING SURPLUS PROPERTY – GENESEO SKILLED NURSING FACILITY

WHEREAS, the County of Livingston owns 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 items as surplus property to be disposed of as determined by the County Administrator.

GENESEO SKILLED NURSING FACILITY

Quantity	Item/Mfr.	Model Number	Serial Number
2	Suction Machine	130	0000298
	Schuco-Vac (Inoperable)		0184716
1	CPM Machine	91H66747	CM270667
	Invacare (Inoperable)		
1	Geri Chair/ Lumex	574G427	
1	Geri Chair / Lumex	SSC621J	
1	Geri Chair / Invacare	6900722	87125239
1	Geri Chair	--- 651	2379
	WINCO		
1	Geri Chair		
	AD Interior Systems		

1	Low Bed (fixed frame) NOA Medical Industries		021050
1	Low Bed (fixed frame) NOA Medical Industries		021062
1	Electric Bed (inoperable) 40088L50162 Mobilite by Invacare		5409
4	Medication Carts Lionville	400	9238 9231 9235 9237
4	Ted Hoyer & Co., Inc. (Manual)	H15279R	
5	Plate-warmer Carts Seco	4731166	
1	Electric Muscle Stimulator	150	1180

Dated at Geneseo, New York

December 18, 2002

Finance & Administration Committee

RESOLUTION NO. 2002-432. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY WATER & SEWER AUTHORITY – STEWART, WITTE

RESOLVED, that the following individuals be appointed to the board of the Livingston County Water and Sewer Authority for a term to expire on December 31, 2005:

W. Harold Stewart, 3911 Jones Bridge Road, Geneseo, NY 14454

Dennis L. Witte, 5305 East Lake Road, Conesus, NY 14435

Dated at Geneseo, New York

December 18, 2002

Highway & Public Works Committee

RESOLUTION NO. 2002-433. ADOPTING 2003 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

WHEREAS, the Ethics Board of Livingston County has recommended to the Chairman of the Board of Supervisors the 2003 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 list which constitutes the 2003 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

2003 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

David L. LeFeber

James Layland

Christine M. Rumble

Weston L. Kennison

James C. Merrick

Gary D. Moore
Peter Yendell
Timothy R. Wahl
James F. Olverd
Dennis P. Mahus
Philip S. Brooks
Domenick J. Martello
Ivan C. Davis
Mark J. Schuster
Mark E. Walker
Marjorie Cansdale
Gerald L. Deming
Virginia Amico, Clerk of the Board
Theresa M. Schettine, Confidential Secretary to the Clerk

CENTRAL SERVICES

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

COMMUNITY SERVICES

Mark Brown, Community Services Director, Counseling Services Director
, Chairperson of Community Services Board

COUNTY ADMINISTRATOR

Dominic F. Mazza, County Administrator
Lisa M. Grosse, Administrative Assistant
Michele Rees, Confidential Secretary

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
Diana Moffat, Second Deputy County Clerk

COUNTY TREASURER

Carolyn Taylor, County Treasurer
Amy Mann, Deputy County Treasurer Trainee

DISTRICT ATTORNEY

Thomas E. Moran, District Attorney
Jennifer M. Sommers, Assistant
Robert Wiggins, Assistant
Victor D. Rowcliffe, Assistant
Kyle MacKay, Assistant
Eric Schiener, Assistant

ECONOMIC DEVELOPMENT

Patrick Rountree, Administrative Director
Julie Marshall, Deputy Director of Economic Development

INDUSTRIAL DEVELOPMENT AGENCY MEMBERS

Philip Brooks
George Traber
Susan Doerflinger
Anthony Morrow
Walt Isaac
James Layland

Vacancy

EMERGENCY MANAGEMENT SERVICES

Kevin Niedermaier, Emergency Management Services Director

William Sheahan, EMS Coordinator

HIGHWAY

Donald N. Higgins, Superintendent of Highways

Dennis J. Barefoot, Deputy Superintendent of Highways

Elaine D. Szoczei, Administrative Highway Manager

HISTORIAN

Mary P. Schaap, County Historian

Amie Alden, Deputy County Historian

INFORMATION & TECHNOLOGY SERVICES

Dale Nieswiadomy, Director

Elaine VanSon, Deputy Director

LIVINGSTON COUNTY WATER & SEWER AUTHORITY

Catherine Muscarella, Director of Public Works

Vance Puffer, Director of Operations

MEMBERS:

Frank Riedman

Dennis L. Witte

Timothy R. Wahl

W. Harold Stewart

Gary D. Moore

Philip S. Brooks

John Sawyer

LOCAL CONDITIONAL RELEASE COMMISSION

Mark Brown

David Bovard

Raymond Goll

Frank Reeder

John Sylvester

OFFICE FOR THE AGING

Kaaren Smith, Director

Kathy VanWagnen, Director, Senior Nutrition Program

Brigid Cotton, Director, Foster Grandparent Program

Eddie Philipson, Finance Manager

PERSONNEL

Tish E. Lynn, Personnel Officer

Lauraine M. Beach, Personnel Assistant

PLANNING

David Woods, Planning Director

Heather Hogarty, Planner

Donald Huff, Energy Programs Supervisor

Ruth Swift, Housing Programs Coordinator

COUNTY PLANNING BOARD

, Chairman

, Vice Chairman

AGRICULTURE & FARMLAND PROTECTION BOARD

, Chairperson

, Vice Chairman

ENVIRONMENTAL MANAGEMENT COUNCIL

, Chairman

, Vice Chairman

COMMUNITY INITIATIVES COUNCIL

, Chairperson
, Vice Chairperson

PROBATION

Barbara Campbell, Probation Director II

PUBLIC DEFENDER

Marcea Clark, Public Defender
James McCann, Assistant
Kelly Donohue, Assistant
John Lockhart III, Assistant
Mary Kay Yanik, Assistant
Christopher Laragy, Assistant

PUBLIC HEALTH

Joan H. Ellison, Public Health Director
Bethany Wadsworth, Director of Patient Services
James Mazurowski, Director, Environmental Health
Nadene Hunter, MD, Medical Consultant
James Peraino, Fiscal Manager
Roxanne Clark, Dog Control Officer
Nadene D. Hunter, M.D., Medical Director
Michael Cloonan, Director of Weights and Measures

BOARD OF HEALTH

Jeffery Hansen, M.D.
Anne McCarthy,
Carol Carey,
Gregory Liptak, M.D.
David Breen, M.D.
Dr. Bruce Godsave
Mark E. Walker

REAL PROPERTY TAX

Richard J. Sheflin, Director

RECORDS MANAGEMENT

Katherine Montemarano, Records Inventory Supervisor

SHERIFF

John M. York, Sheriff
Martin Herkimer, Undersheriff
James Szczesniak, Major
James Rose, Major
Raymond Ellis, Major

SKILLED NURSING FACILITY - CAMPUS

Paul Kesselring, Administrator
Peter Carter, Senior Fiscal Manager
Lizabeth DeWispelaere, Director of Nursing Services
Cheryl Beach, Housekeeper
Debra Sanford, Leisure Time Activities Director
Mary Kaye Meehan, Senior Social Work Assistant
Gail A. Sparling, R.N. Coordinator Adult Day Health Care
Anthony Jarzyna, Occupational Therapist
Marc Negrotto, Physical Therapist
Diane Dembik, Assistant Director of Nursing
Wanda Schillinger, Admissions Coordinator

SKILLED NURSING FACILITY - GENESEO

Franklin Bassett, Director of Long-Term Care

Lauree Kenyon, Assistant Administrator
 Bonnie King, Director of Nursing Services
 Rhonda Walker, Assistant Director of Nursing
 Tom Helles, Building & Grounds Working Foreperson
 Katherine Baumgardner, Leisure Time Activities Director
 Richard Baumgardner, Physical Therapist
 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
 Evelyn Vacca, Secretary to the Commissioner
 Dennis Meissel, Employment Coordinator

WORKFORCE DEVELOPMENT & YOUTH BUREAU

C. Keith Mitchell, Workforce Development Services Director/Youth Bureau Director

Signed By: James C. Merrick, Chairman of the Board

Dated at Geneseo, New York

December 18, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-434. APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

WHEREAS, the County of Livingston has appropriated the sum of \$9,970.00 as its share of the 2003 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

WHEREAS, pursuant to Section 119-00 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 119-00 of the General Municipal Law.

Dated at Geneseo, New York

December 18, 2002

Legislative & Agricultural Affairs Committee

RESOLUTION NO. 2002-435. APPOINTING LIVINGSTON COUNTY YOUTH BOARD MEMBERS – AYERS, INGERSOL, MCCLENNEY, SAUNDERS, HORTON, TAYLOR

RESOLVED, that the Livingston County Board of Supervisors hereby approves the following appointments to the Livingston County Youth Board for a term commencing September 1, 2002 and terminating August 31, 2004:

Marcia Ayers, representing Town of Nunda, 2050A Paine Road, Dalton, NY 14417

Tina Ingersoll, representing Town of Avon, 24 Pine View Heights, Avon, NY 14414

Betty McClenney, representing Town of Caledonia, 331 Leicester Street, Caledonia, NY 14423

Ted Saunders, representing Town of Groveland, 7208 Groveland Hill Road, Groveland, NY 14462

Donna Horton, representing Cornell Cooperative Ext. of Liv. Cty., 158 Main Street, Mt. Morris, NY 14510

Tom Taylor, representing LCCASA, P.O. Box 186, Livonia, NY 14487

Dated at Geneseo, New York

December 18, 2002

Intergovernmental Affairs Committee

RESOLUTION NO. 2002-436. PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. I - 2002 - COUNTY OF LIVINGSTON PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2003

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on December 18, 2002, a proposed Local Law entitled Local Law No. I – 2002 County Of Livingston Providing Salaries For Certain County Officers For The Year 2003, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 8th day of January, 2003 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 shall be given by posting thereof on the bulletin board of the Government Center in this County and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

December 18, 2002

Personnel & Employee Relations Committee

RESOLUTION NO. 2002-437. APPOINTING MEMBERS TO THE LIVINGSTON COUNTY FIRE ADVISORY BOARD – HAUBERT, OFFEN, ROBERTS, YORK

RESOLVED, that the following persons are hereby appointed to the Livingston County Fire Advisory Board for a three-year term commencing January 1, 2003 and expiring December 31, 2005:

Harry Haubert, 7382 Evergreen Road, Lima, NY 14485

Carl Offen, 3443 Brown Road, Caledonia, NY 14423

George Roberts, 20 Main Street, Dansville, NY 14437

John York, Livingston County Sheriff, 4 Court Street, Geneseo, NY 14454

Dated at Geneseo, New York

December 18, 2002

Public Safety & Criminal Justice Committee

PREFERRED AGENDA VOTE

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

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

The roll was called as follows: Ayes - 1,431; Noes - 0; Absent – Wahl, 195; Olverd, 126; Total 321; Adopted.

RESOLUTION NO. 2002-438. AWARDING BID FOR CUSTODIAL SERVICES - GOVERNMENT CENTER, COURTHOUSE, CAMPUS, HIGHWAY FACILITY, EMS TRAINING FACILITY

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

WHEREAS, after proper legal advertisement for bids for custodial services for the Livingston County Government Center, Livingston County Courthouse, Livingston County Campus, Highway Facility and EMS Training Facility, five bids were received, then opened on November 20, 2002, now, therefore, be it

RESOLVED, that the bid of Service Master of 38 Chapel Street, Mt. Morris, NY 14510, in an amount not to exceed Thirteen Thousand Sixty Dollars (\$13,060.00) per month, be and hereby is accepted as the lowest responsible bid commencing January 1, 2003 and terminating December 31, 2004 with a one-year renewal option to end December 31, 2005, 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.

Dated at Geneseo, New York

December 18, 2002

Central Services Committee

The roll was called as follows: Ayes - 1,431; Noes - 0; Absent – Wahl, 195; Olverd, 126; Total 321; Adopted.

RESOLUTION NO. 2002-439. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH FOUNDATION DESIGN, P.C. TO PROVIDE GEOTECHNICAL SERVICES FOR THE NEW NURSING FACILITY

Mr. Kennison 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 Foundation Design, P.C. of 335 Colfax Street, Rochester, New York 14606, to provide geotechnical services for the new nursing facility at a cost not to exceed Six Thousand Four Hundred Fifty Dollars (\$6,450.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

December 18, 2002

Central Services Committee

The roll was called as follows: Ayes - 1,431; Noes - 0; Absent – Wahl, 195; Olverd, 126; Total 321; Adopted.

RESOLUTION NO. 2002-440. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH ERDMAN ANTHONY & ASSOCIATES FOR NYSERDA STUDY

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

WHEREAS, Livingston County is planning to construct a new 266 bed skilled nursing facility in Mt. Morris, New York, and

WHEREAS, Res. No. 2002-407 authorized a contract with the New York State Energy Research and Development Authority (NYSERDA) for a FlexTech Energy Study for the proposed skilled nursing facility and the County Campus, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with Erdman Anthony & Associates of Rochester, New York, at a cost not to exceed Twenty Seven Thousand Ninety Six Dollars and Fifty Cents (\$27,096.50), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

December 18, 2002

Central Services Committee

The roll was called as follows: Ayes - 1,431; Noes - 0; Absent – Wahl, 195; Olverd, 126; Total 321; Adopted.

RESOLUTION NO. 2002-441. AUTHORIZING TRANSFER OF FUNDS – ADMINISTRATION, CAMPUS SNF, GENESEO SNF, CENTRAL SERVICES, DISTRICT ATTORNEY, HIGHWAY, PLANNING, PUBLIC HEALTH, SHERIFF, SOCIAL SERVICES, WORKFORCE DEVELOPMENT

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

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

Dated at Geneseo, New York

December 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-442. AMENDING 2003 COUNTY BUDGET – SHERIFF

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

WHEREAS, the Livingston County Sheriff's Department has received additional revenue from the State of New York Division of Criminal Justice Services for mobile computer terminals, it is hereby

RESOLVED, that the 2003 Livingston County Sheriff's Department Budget be amended as follows:

Increase Revenue Account

<u>Department</u>	<u>Revenue</u>	<u>Description</u>	<u>Amount</u>
A3110	3389	State Aid Other Pub. Saf.	\$10,000.00

Increase Appropriation Account

<u>Department</u>	<u>Revenue</u>	<u>Description</u>	<u>Amount</u>
A3110	2200	D.P. Equipment	\$10,000.00

Dated at Geneseo, New York
December 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-443. AUTHORIZING RELEVY OF UNPAID VILLAGE TAXES

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

RESOLVED, that the Director of Real Property Tax Service Agency be directed to add to the tax rolls of the several towns, the total amount indicated to be relieved against the properties which such taxes were originally levied upon and include the proper total in the 2003 warrants for the respective towns:

<u>TOWNS</u>	<u>VILLAGES</u>	<u>AMOUNT</u>
Avon	Avon	\$34,168.18
Caledonia	Caledonia	\$23,222.76
Geneseo	Geneseo	\$30,897.08
Leicester	Leicester	\$7,317.14
Lima	Lima	\$10,933.33
Livonia	Livonia	\$47,948.29
Mt. Morris	Mt. Morris	\$65,764.28
North Dansville	Dansville	\$140,894.68
Nunda	Nunda	\$14,401.22
TOTAL		\$375,546.96

Dated at Geneseo, New York
December 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-444. 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 2002 - 2003 school taxes amount to \$3,547,358.89. Since the receipt of such returns, the County Treasurer has collected the sum of \$724,590.73, leaving a balance of \$2,822,768.16 as of November 30, 2002 which is the last day of school tax collection by the County, a relevy figure including the seven percentum required to be added of \$3,020,362.08 will be added to the 2003 Town and County tax rolls.

<u>TOWN</u>	<u>DISTRICT</u>	<u>AMOUNT</u>	<u>TOTAL</u>
AVON	AVON CENTRAL	423,998.05	
	LIVONIA CENTRAL	8,504.45	
	HONEOYE FALLS/LIMA	4,445.24	
	TOWN TOTAL		436,947.74
CALEDONIA	LEROY CENTRAL	2,222.90	
	AVON CENTRAL	8,517.75	
	CALEDONIA CENTRAL	171,103.05	
	TOWN TOTAL		181,843.70
CONESUS	LIVONIA CENTRAL	180,142.41	
	DANSVILLE CENTRAL	12,559.26	
	WAYLAND CENTRAL	2,397.48	
	TOWN TOTAL		195,099.15
GENESEO	GENESEO CENTRAL	249,764.21	

	LIVONIA CENTRAL	40,674.18		
			TOWN TOTAL	290,438.39
GROVELAND	GENESE0 CENTRAL	72,389.80		
	MT. MORRIS CENTRAL	8,592.11		
	DANSVILLE CENTRAL	13.58		
			TOWN TOTAL	80,995.49
LEICESTER	YORK CENTRAL	86,031.82		
	PERRY CENTRAL	10,026.89		
			TOWN TOTAL	96,058.71
LIMA	LIVONIA CENTRAL	25,538.15		
	HONEOYE FALLS/LIMA	176,230.55		
			TOWN TOTAL	201,768.70
LIVONIA	LIVONIA CENTRAL	413,591.26		
	HONEOYE FALLS/LIMA	7,618.42		
	HONEOYE CENTRAL	1,120.57		
			TOWN TOTAL	422,330.25
MT. MORRIS	MT. MORRIS CENTRAL	177,494.18		
	KESHEQUA CENTRAL	53,218.55		
			TOWN TOTAL	230,712.73
NORTH DANSVILLE	DANSVILLE CENTRAL	210,634.45		
			TOWN TOTAL	210,634.45
NUNDA	KESHEQUA CENTRAL	171,764.68		
			TOWN TOTAL	171,764.68
OSSIAN	CANASERAGA CENTRAL	3,459.67		
	DANSVILLE CENTRAL	37,765.72		
			TOWN TOTAL	41,225.39
PORTAGE	KESHEQUA CENTRAL	86,519.03		
			TOWN TOTAL	86,519.03
SPARTA	GENESE0 CENTRAL	1,731.03		
	DANSVILLE CENTRAL	67,243.30		
	WAYLAND	40.62		
			TOWN TOTAL	69,014.95
SPRINGWATER	LIVONIA CENTRAL	3,564.76		
	DANSVILLE CENTRAL	2,449.89		
	NAPLES CENTRAL	2,805.93		
	WAYLAND CENTRAL	90,402.04		
			TOWN TOTAL	99,222.62
WEST SPARTA	DANSVILLE CENTRAL	77,942.35		
	KESHEQUA CENTRAL	5,337.61		

			TOWN TOTAL	83,279.96
YORK	PAVILION CENTRAL	7,330.16		
	YORK CENTRAL	115,175.97		
			TOWN TOTAL	122,506.13
			TOTAL	\$3,021,362.07

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 2002 warrants for the respective towns.

Dated at Geneseo, New York
December 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-445. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH RAYMOND F. WAGER & ASSOCIATES TO PROVIDE AUDIT SERVICES FOR THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION COMPLIANCE AUDIT

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 Raymond F. Wager & Associates to provide audit services for the New York State Department of Transportation Compliance Audit at a cost not to exceed One Thousand Seven Hundred Dollars (\$1,700.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York
December 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-446. 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, 2002

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

RESOLVED, that warrants for the collection of taxes levied on the 2003 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, 2002, 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, 2003.

Dated at Geneseo, New York
December 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-447. DIRECTING THE REAL PROPERTY TAX DIRECTOR TO SPREAD UNPAID WATER CHARGES AND UNPAID SEWER CHARGES ON 2003 TOWNS OF GENESEO AND YORK TAX ROLLS

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

WHEREAS, the Town Supervisors of Geneseo and York, pursuant to Section 198 of the Town Law, have reported to this Board a statement of unpaid water and sewer charges in Geneseo Water Districts #1, #2 and #3 and Sewer District #1 and York Water Districts # 1 and #2 and Retsof Sewer District, 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 is hereby 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 2003 Towns of Geneseo and York tax roll under the name of "Water Rents" and "Sewer Rents".

Dated at Geneseo, New York

December 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-448. DIRECTING THE REAL PROPERTY TAX DIRECTOR TO SPREAD UNPAID WATER CHARGES ON 2003 TOWNS OF AVON, CALEDONIA, GROVELAND, LEICESTER, LIMA, LIVONIA, MT. MORRIS AND SPRINGWATER TAX ROLLS

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

WHEREAS, the Town Supervisors of Avon, Caledonia, 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, 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 is hereby 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 2003 Towns of Avon, Caledonia, Groveland, Leicester, Lima, Livonia, Mt. Morris and Springwater tax roll under the name of "Water Rents".

Dated at Geneseo, New York

December 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-449. DIRECTING THE REAL PROPERTY TAX DIRECTOR TO SPREAD UNPAID ACCOUNTS RECEIVABLE ON 2003 TOWN OF AVON TAX ROLLS

Mr. Layland 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 is hereby authorized and directed to levy the sum stated in said statement against property liable, and state the amounts of the tax in a separate column in the 2003 Town of Avon tax roll under the name of unpaid accounts receivable.

Dated at Geneseo, New York

December 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-450. PROVIDING FOR 2003 APPORTIONMENT OF COUNTY TAXES

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

WHEREAS, the Finance and Administration Committee submits the following table, based on assessed full valuation for the various towns of the County:

2003 EQUALIZATION AND APPORTIONMENT				
Towns	Total Assessed Valuation (Res.#85-210)	Ratios	Full Values Real Property Equalized	Taxable Assessed Value Real Property Franchise
Avon	289,330,774	100.00	289,330,774	265,088,802
Caledonia	196,000,084	100.00	196,000,084	177,861,030
Conesus	120,238,702	100.00	120,238,702	115,230,253
Geneseo	342,543,046	100.00	342,543,046	314,715,101
Groveland	93,247,962	100.00	93,247,962	80,542,549
Leicester	93,744,895	100.00	93,744,895	82,338,170

Lima	173,630,981	95.00	182,769,454	160,821,571
Livonia	356,748,722	100.00	356,748,722	338,766,403
Mount Morris	132,144,443	100.00	132,144,443	116,627,292
North Dansville	157,081,027	94.40	166,399,393	147,805,645
Nunda	90,217,275	100.00	90,217,275	82,266,185
Ossian	36,814,332	100.00	36,814,332	31,471,967
Portage	29,870,802	100.00	29,870,802	25,372,855
Sparta	56,866,715	100.00	56,866,715	52,293,834
Springwater	88,198,291	100.00	88,198,291	82,019,996
West Sparta	49,156,501	100.00	49,156,501	42,338,771
York	160,424,851	100.00	160,424,851	136,790,876
TOTALS	\$2,466,259,403		\$2,484,716,242	\$2,252,351,300

Towns	Amount of Levy	Tax Rate Per \$M of Assessed Values	% of County Tax Based on Equalized Values
Avon	2,086,282.26	.007 870 126	11.644419
Caledonia	1,413,301.09	.007 946 098	7.888228
Conesus	867,007.22	.007 524 128	4.839132
Geneseo	2,469,980.88	.007 848 307	13.786003
Groveland	672,384.64	.008 348 192	3.752862
Leicester	675,967.88	.008 209 654	3.772861
Lima	1,317,898.76	.008 194 788	7.355748
Livonia	2,572,413.98	.007 593 474	14.357725
Mount Morris	952,856.15	.008 170 096	5.318291
North Dansville	1,199,858.89	.008 117 815	6.696917
Nunda	650,531.22	.007 907 638	3.630888
Ossian	265,457.72	.008 434 736	1.481631
Portage	215,389.89	.008 488 989	1.202182
Sparta	410,049.77	.007 841 264	2.288660
Springwater	635,972.89	.007 753 876	3.549632
West Sparta	354,453.60	.008 371 844	1.978355
York	1,156,778.16	.008 456 545	6.456466
TOTALS	\$17,916,585.00		
COUNTY TAX RATE		.007 954 614	100.000000
AVERAGE RATIO		.992 571 852	

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 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-451. CORRECTING TAX ROLL – TOWNS OF LIVONIA AND NORTH DANSVILLE

Mr. Layland 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 parcels) applications for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Town of Livonia 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	Chargebacks To Taxing Jurisdictions
1. 2002 Livonia CINQUINO, Michael Tax Map Number 75.12-1-16	Livingston County	\$603.19	\$603.19	\$0.00	\$0.00
	Livonia Town Tax	398.00	398.00	0.00	0.00
	Livonia Fire 3	169.65	169.65	0.00	0.00
	Livonia Water 3	97.92	97.92	0.00	0.00
	County Water #1 Zone 4	94.00	94.00	0.00	0.00
	Livonia Center Sewer	<u>238.00</u>	<u>10.00</u>	<u>228.00</u>	<u>228.00</u>
	Total	\$1600.76	\$1372.76	\$228.00	\$228.00
2. 2003 Livonia CINQUINO, Michael Tax Map Number 75.12-1-16	Livingston County	\$673.53	\$673.53	\$0.00	\$0.00
	Livonia Town Tax	431.92	431.92	0.00	0.00
	Livonia Fire 3	148.54	148.54	0.00	0.00
	Livonia Water 3	106.14	106.14	0.00	0.00
	County Water #1 Zone 4	94.00	94.00	0.00	0.00
	Livonia Center Sewer	<u>408.00</u>	<u>10.00</u>	<u>0.00</u>	<u>398.00</u>
	Total	\$1862.13	\$1464.13	\$0.00	\$398.00
3. 2003 North Dansville QUINLAN, Michael J. c/o Elizabeth Quinlan Tax Map Number 203.11-7-31	Livingston County	\$280.06	\$140.03	\$0.00	\$140.03
	N. Dansville Town Tax	<u>101.36</u>	<u>50.68</u>	<u>0.00</u>	<u>50.68</u>
	Total	\$381.42	\$190.71	\$0.00	\$190.71

Dated at Geneseo, New York

December 18, 2002

Finance and Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-452. DECREASING MILEAGE RATE TO 364 EFFECTIVE JANUARY 1, 2003

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

RESOLVED, that the standard mileage rate for Livingston County is hereby 364 per mile effective January 1, 2003.

Dated at Geneseo, New York

December 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-453. ESTABLISHING ORGANIZATIONAL MEETING FOR THE YEAR 2003

Mr. Layland 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 Thursday, January 2, 2003, for the purpose of organizing the Board for the year 2003 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 18, 2002

Finance & Administration Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-454. AUTHORIZING THE CHAIRMAN TO SIGN THE OFFICE FOR THE AGING ANNUAL IMPLEMENTATION PLAN FOR FISCAL YEAR APRIL 1, 2003 THROUGH MARCH 31, 2004

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the Office for the Aging Implementation Plan for the fiscal year April 1, 2003 through March 31, 2004, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

December 18, 2002

Health Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-455. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH MCCLURE DENTAL SERVICES, PC FOR DENTAL SERVICES FOR RESIDENTS OF THE LIVINGSTON COUNTY SKILLED NURSING FACILITIES

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

WHEREAS, a Request for Proposal was issued and proposals were received and reviewed by the Health Committee of the Livingston County Board of Supervisors for dental services for the residents of the Livingston County Skilled Nursing Facilities, and

WHEREAS, McClure Dental Services, PC of 8950 Gowanda State Road, Eden, NY 14057-9537 was determined to be the most qualified to provide the required dental services to the residents of the Livingston County Skilled Nursing Facilities, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a contract with McClure Dental Services, PC to provide dental services to the residents of the Livingston County Skilled Nursing Facilities for a one-year term commencing January 1, 2003 and terminating December 31, 2003, with the option to renew the contract for two (2) additional one-year periods ending December 31, 2004 and December 31, 2005 respectively at a cost not to exceed Forty Five Thousand Two Hundred Sixteen Dollars (\$45,216.00) for 2003 and increases of 3.5% for both 2004 and 2005, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

December 18, 2002

Health Committee

Mr. Davis questioned whether we have to transport the residents to McClure Dental Services or will they come to the resident. F. Bassett responded that this is one reason why this proposal was so attractive is because they will provide services on site and bedside if necessary. F. Bassett reported that this proposal is \$10,000 less than what we have been paying for dental services.

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-456. AUTHORIZING THE CHAIRMAN TO SIGN VARIOUS CONTRACTS FOR LIVINGSTON COUNTY DEPARTMENT OF HEALTH – KAREN HANGLOW FOR SOCIAL WORK FOR HOSPICE AND CHHA, SIBLEY NURSING SERVICE FOR HOME HEALTH CARE SERVICES, NEW YORK STATE DEPARTMENT OF HEALTH FOR TOBACCO CONTROL AND INSURANCE INITIATIVES CONTRACT RENEWAL, NEW YORK STATE DEPARTMENT OF HEALTH FOR HEALTHY HEART WORKSITE PROGRAM RENEWAL

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

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

Karen Hanglow of 7610 Logan Rd., Dansville, NY 14437
For Social Work for Hospice and CHHA

CONTRACT TERM

1/1/03-1/1/04

Remaining in effect

For two years thereafter

1/1/03 – 12/31/04

May be renewed for

Additional one-year terms

6/1/03 – 5/31/04

Sibley Nursing Service of 1100 University Ave., Suite 140
Rochester, NY 14607
for Home Health Aide Services
New York State Department of Health, located at
ESP Corning Tower Bldg, Room 515, Albany, NY 12237-0675
For Tobacco Control and Insurance Initiatives Contract Renewal

4/1/03 – 3/31/04

New York State Department of Health, located at
ESP, Corning Tower, Room 515, Albany, NY 12237-0675
For Healthy Heart Worksite Program Renewal

Dated at Geneseo, New York

December 18, 2002

Health Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-457. AUTHORIZING THE CHAIRMAN TO SIGN CONTRACTS FOR LIVINGSTON COUNTY DEPARTMENT OF HEALTH FOR DOG CONTROL SERVICES WITH THE TOWN OF LIVONIA, TOWN OF CONESUS, TOWN OF SPRINGWATER AND VILLAGE OF LIVONIA

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

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

CONTRACT TERM

Town of Livonia located at
35 Commercial St., Livonia, NY 14487

1/1/03 to 12/31/03

Town of Conesus located at
6210 South Livonia Rd., Conesus, NY 14435

1/1/03 to 12/31/03

Town of Springwater located at
8002 S. Main St., Springwater, NY 14560

1/1/03 to 12/31/03

Village of Livonia located at
36 Commercial St., Livonia, NY 14487

1/1/03 to 12/31/03

Dated at Geneseo, New York

December 18, 2002

Health Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-458. AUTHORIZING THE CHAIRMAN TO SIGN AN AGREEMENT WITH THE TOWN OF GROVELAND THAT SETS FORTH RESPONSIBILITIES REGARDING THE CONSTRUCTION OF PUBLIC SANITARY SEWER FACILITIES

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

WHEREAS, the Towns of Sparta and Groveland have been awarded a \$600,000 Grant to pay for a portion of the costs of constructing the Sanitary Sewer System in County Sewer District – Groveland Station and

WHEREAS, Livingston County has applied to the USDA Rural Development and Clean Water State Revolving fund for the balance of the funds and will be the lead in the construction of the project, and

WHEREAS, an agreement containing understandings and responsibilities of each party for the Groveland Station Sewer Project has been drawn up, now, therefore be it,

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

Dated at Geneseo, New York

December 18, 2002

Highway & Public Works Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-459. AUTHORIZING THE CHAIRMAN TO SIGN AN AGREEMENT WITH THE TOWN OF GROVELAND FOR PRELIMINARY ENGINEERING WORK FOR THE GROVELAND STATION SEWER PROJECT

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

WHEREAS, Livingston County accepted the proposal from Fraser Willey Associates PC for Preliminary and final engineering services for the Groveland Station Sewer project, and

WHEREAS, it is the policy of the County to have the preliminary engineering work paid for by the Town requesting the project, and

WHEREAS, when the District is created and the project goes forward the County reimburses the preliminary engineering costs, now, therefore be it,

RESOLVED, that the Livingston County authorizes an agreement with the Town of Groveland which outlines the role of the County and Town of Groveland in regards to the payment of the preliminary engineering and the eventual reimbursement of those costs, and be it further,

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

Dated at Geneseo, New York

December 18, 2002

Highway & Public Works Committee

Chairman Merrick, Supervisor for the Town of Groveland, thanked the Livingston County Water & Sewer Authority, the Highway & Public Works Committee, and the Town of Sparta for moving forward on this project.

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-460. AUTHORIZING PURCHASE OF PARCEL FROM R.G. & E. ON CR26 (ROCHESTER STREET, AVON, NEW YORK) FOR DRAINAGE MAINTENANCE PURPOSES

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

WHEREAS, Rochester Gas & Electric Corporation desires to sell a parcel of land on Rochester Street, Avon, New York, through which the County of Livingston currently maintains a highway drainage pipe, and

WHEREAS, Rochester Gas & Electric Corporation has offered to convey the parcel to the County of Livingston for minimal consideration, it is hereby

RESOLVED, that the County of Livingston is authorized to purchase a 50 foot by 112 foot parcel of property located on Rochester Street, Avon, New York, Tax Map No. 34.06-1-79, from Rochester Gas & Electric Corporation for the sum of Six Hundred Dollars (\$600.00).

Dated at Geneseo, New York

December 18, 2002

Highway & Public Works Committee

The County Attorney explained when redoing Rochester Street over the last five years a new County drainage line put in that runs west along property owned by RG&E. RG&E is going to sell that property and they offered to buy an easement for \$500 or purchase the property for \$600.

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-461. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH THE STATE OF NEW YORK DIVISION OF VETERAN'S AFFAIRS FOR THE LIVINGSTON COUNTY VETERANS' SERVICE AGENCY TO PROVIDE COUNSELING SERVICES

Mrs. Cansdale 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 Division of Veteran's Affairs for the Livingston County Veterans' Service Agency to provide counseling services at a cost not to exceed One Thousand Eight Hundred Sixty Dollars (\$1,860.00), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

December 18, 2002

Legislative & Agricultural Affairs Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-462. AUTHORIZING A CONTRACT BETWEEN THE COUNTY OF LIVINGSTON AND THE NEW YORK STATE NURSES' ASSOCIATION

Mr. Brooks 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 Livingston County Board of Supervisors, the Chairman of the Personnel & Employee Relations 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, 2003 through December 31, 2004 and that the finalized contract becomes a part of this resolution.

Dated at Geneseo, New York

December 18, 2002

Personnel & Employee Relations Committee

The County Administrator recognized the negotiating team who worked hard to resolve this agreement that represents 45 Public Health Nurses: Geneseo Supervisor Kennison, Livonia Supervisor Wahl, Lima Supervisor Yendell, Personnel Officer Tish Lynn and himself. He stated he was delighted to present this Agreement, and he reviewed a handout outlining the details. He reported that the Association ratified the contract yesterday. He again thanked the Committee and welcomed comments from them. Mr. Kennison urged the Board of Supervisors to approve this contract, and he thanked the County Administrator and Tish Lynn, Personnel Officer, for the skill and determination they offered throughout this process. Mr. Yendell also thanked the County Administrator and Tish Lynn and commented that they definitely understand the business conducted by the Public Health Nurses. Chairman Merrick also thanked the County Administrator and everyone who participated in these negotiations, and commented that he is thankful that the negotiations went smoothly and quickly.

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-463. ADOPTING SALARIES OF THE EMPLOYEES OF THE COUNTY COVERED BY THE CIVIL SERVICE EMPLOYEES ASSOCIATION FULL-TIME EMPLOYEE UNIT CONTRACT, THE CIVIL SERVICE EMPLOYEES ASSOCIATION PART-TIME/SEASONAL EMPLOYEE UNIT CONTRACT, THE LIVINGSTON COUNTY DEPUTY SHERIFFS' ASSOCIATION CONTRACT, THE LIVINGSTON COUNTY COALITION OF PATROL SERVICES CONTRACT, AND THE NEW YORK STATE NURSES ASSOCIATION CONTRACT FOR THE YEAR 2003, AND ESTABLISHING CERTAIN COMPENSATION AND BENEFITS FOR OTHER EMPLOYEES

Mr. Brooks 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 Full-time Employee Unit Contract, the Civil Service Employees Association Part-Time/Seasonal Employee Unit Contract, the Livingston County Deputy Sheriffs' Association Contract, the Livingston County Coalition of Patrol Services 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, plus any applicable longevities for the CSEA Part-time/Seasonal employees. Such salaries shall be effective January 1, 2003, and, be it further

2. RESOLVED, that the contract between the County of Livingston and the Livingston County Civil Service Employees Association Full-time Employee Unit for the period January 1, 2002 through December 31, 2002, and the contract between the County of Livingston and the Civil Service Employees Association Part-Time/Seasonal Employee Unit for the period January 1, 2001 through December 31, 2003, and the contract between the County of Livingston and the Livingston County Deputy Sheriffs' Association for the period January 1, 2000 through December 31, 2003, and the contract between the County of Livingston and the Livingston County Coalition of Patrol Services for the period January 1, 2000 through December 31, 2004, and the contract between the County of Livingston and the New York State Nurses Association for the period January 1, 2001 through December 31, 2002, be and they hereby are, made a part hereof to the effect that all of the provisions of the five contracts shall become a part of the 2003 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 Full-time Employee Unit shall inure to the benefit of all Livingston County positions which are included in the Civil Service Employees Association Full-time Employee Unit, and, be it further
4. RESOLVED, that the provisions of said contract between the County of Livingston and the Livingston County Civil Service Employees Association Part-time/Seasonal Employee Unit shall inure to the benefit of all Livingston County positions which are included in that unit, and, be it further
5. 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 positions in the Sheriffs' Department which are included in the that unit, and, be it further
6. RESOLVED, that the provisions of said contract between the County of Livingston and the Livingston County Coalition of Patrol Services shall inure to the benefit of all positions in the Sheriff's Department which are included in that unit, and, be it further
7. 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 unit, and, be it further
8. RESOLVED, that the mileage rate of 364 per mile as authorized by Section 203 of the County Law shall be effective for the year 2003 and the mileage rate adjustments for the year 2003 will be governed by Resolution No. 2002-452 and, be it further
9. 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 2003 plus allowable mileage, upon audit of their claims by the County Auditor, and, be it further
10. RESOLVED, that the members of the Community Services Board, who are not receiving County salaries, shall be reimbursed for mileage at 36.4 per mile and expenses are paid for meals according to the rates established in the Travel Policy effective June 26, 2002, upon audit of their claims by the County Auditor, and, be it further
11. 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
12. RESOLVED, that effective November 24, 1999, the compensation for services of the four County coroners be fixed at \$100.00 per call, plus allowable mileage, and, be it further
13. RESOLVED, that physical examinations for all Geneseo Skilled Nursing employees, Campus Skilled Nursing employees and Public Health Nurses, where required by law to have same, be provided at County expense, and, be it further
- 14 a. RESOLVED, that employee benefits, as granted in the Civil Service Employees Association full-time employee unit contract to wit: retirement, sick leave, bereavement leave, holiday and personal leave, shall be granted to all the department heads set forth in the department head list except for the Traffic Safety Board Executive Secretary, the Public Health Director, the Directors of Patient Services, the WIC Program Coordinator, and the Deputy Sheriff/Majors. The Public Health Director, Directors 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. The Deputy Sheriff/Majors in road patrol, investigations and corrections shall receive the same health insurance and vacation benefits as provided to other department heads, but shall receive other benefits pursuant to the Livingston County Deputy Sheriff's Association contract. Department heads will be granted one-week vacation after six months employment with the county; 15 working

days on the first 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, First Assistant Public Defender, Assistant Public Defender's and the Traffic Safety Board Executive Secretary, and any other part-time positions on the list, and be a further

- 14 b. RESOLVED, the Blue Cross/Blue Shield Blue Million health insurance plan (“Blue Million”) will be available to any department head named on the department head list who qualifies for paid health insurance at the time of retirement and subsequently establishes permanent residency outside of the HMO service area. Any department head who is entitled to Blue Million coverage and elects such coverage shall contribute to the cost of said plan in accordance with the contribution rates set forth in the following table:

Date of Hire	Employee Contribution Rate
On or before April 26, 1975	0% of the cost of the plan.
After April 26, 1975, but before April 27, 1980	50% of the difference between the cost of the Blue Million plan and the plan provided to the employee immediately preceding the change in coverage.
On April 27, 1980 or thereafter	100% of the difference between the cost of the Blue Million plan and the plan provided to the employee immediately preceding the change in coverage.

The County will pay the remaining cost of such coverage.

- 15. 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 be it further
- 16. RESOLVED, that effective January 1, 2003, 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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CSEA RATE SCHEDULE 2002

Grade	New Hire	Base	Step 1	Step 2	Step 3	Step 4	Step 5	Increment	Longevity
1	8.88	9.87	10.23	10.62	11.03	11.39	11.75	.36	.32
2	8.95	9.95	10.40	10.79	11.27	11.71	12.14	.39	.35
3	9.28	10.30	10.74	11.13	11.60	12.02	12.46	.39	.35
4	9.41	10.46	11.00	11.42	11.89	12.30	12.77	.40	.36
5	9.86	10.95	11.38	11.82	12.27	12.71	13.15	.40	.36
6	10.01	11.12	11.71	12.17	12.64	13.11	13.58	.43	.37
7	10.48	11.64	12.14	12.62	13.09	13.55	14.02	.43	.37
8	10.74	11.93	12.44	12.97	13.47	14.00	14.48	.47	.39
9	11.34	12.60	13.09	13.59	14.08	14.65	15.13	.47	.39
10	11.71	13.01	13.55	14.09	14.69	15.23	15.77	.54	.40
11	12.48	13.87	14.45	15.03	15.61	16.20	16.78	.58	.41
12	13.25	14.72	15.37	16.01	16.65	17.30	17.96	.64	.46
13	14.18	15.76	16.47	17.15	17.86	18.54	19.26	.68	.49
14	15.15	16.83	17.56	18.31	19.07	19.82	20.58	.72	.52
15	16.30	18.11	18.88	19.64	20.39	21.17	21.92	.74	.53
16	17.35	19.28	20.07	20.90	21.69	22.48	23.32	.78	.55

17	18.63	20.70	21.64	22.46	23.35	24.19	25.07	.82	.58
18	20.00	22.22	23.22	24.20	25.18	26.16	27.14	.98	.65
19	21.31	23.68	24.78	25.86	26.94	28.03	29.15	1.08	.71

CSEA PART-TIME 2003 RATE SCHEDULE

Grade	Rate
1	7.07
2	9.16
2A	9.45
3	9.48
4	9.62
5	10.08
6	10.24
7	10.72
9	11.60
11	12.76
13	14.50
14	15.49
14A	15.50
17	19.05
18	21.17
18A	26.52
19	31.83-39.79 ¹

2003 RATE SCHEDULE – NURSING ASSISTANTS

Grade	New Hire	Base	1	2	3	4	5
4A	9.62	10.69	11.25	11.68	12.16	12.58	13.06

LCCOPS 2003 RATE SCHEDULE

	Base	1	2	3	4	5	Increment
12	15.42	16.19	16.93	17.68	18.45	19.19	.72
13	15.80	16.60	17.49	18.24	19.00	19.75	.75
14	16.90	17.73	18.53	19.33	20.14	20.96	.80
15	17.98	18.88	19.74	20.60	21.45	22.35	.85

LCDSA 2003

Grade	New Hire	Base	1	2	3	4	5	Increment
1		\$10.41	\$10.80	\$11.21	\$11.63	\$12.01	\$12.42	\$0.36
2	\$9.24	\$10.27	\$10.73	\$11.14	\$11.63	\$12.09	\$12.53	\$0.41
3		\$10.87	\$11.34	\$11.77	\$12.25	\$12.69	\$13.13	\$0.39
4		\$11.07	\$11.60	\$12.07	\$12.51	\$13.01	\$13.50	\$0.40
5		\$11.55	\$12.01	\$12.46	\$12.96	\$13.42	\$13.89	\$0.41

¹ May hire at any rate within this range.

6		\$12.30	\$12.80	\$13.27	\$13.71	\$14.19	\$14.61	\$0.42
7		\$12.82	\$13.34	\$13.84	\$14.31	\$14.80	\$15.28	\$0.46
9	\$11.71	\$13.00	\$13.52	\$14.03	\$14.54	\$15.13	\$15.62	\$0.48
10	\$12.09	\$13.43	\$13.99	\$14.44	\$15.17	\$15.73	\$16.28	\$0.56
11		\$14.23	\$14.90	\$15.58	\$16.26	\$16.94	\$17.62	\$0.68
12A		\$14.85	\$15.61	\$16.31	\$17.02	\$17.75	\$18.46	\$0.70
12B		\$15.50	\$16.28	\$17.16	\$17.90	\$18.64	\$19.37	\$0.74
13		\$15.80	\$16.61	\$17.50	\$18.25	\$19.00	\$19.75	\$0.75
14		\$16.89	\$17.74	\$18.54	\$19.34	\$20.16	\$20.96	\$0.80
15		\$18.00	\$18.88	\$19.75	\$20.61	\$21.47	\$22.34	\$0.84
16		\$19.21	\$20.11	\$21.00	\$21.96	\$22.88	\$23.75	\$0.87
17		\$20.69	\$21.69	\$22.73	\$23.74	\$24.77	\$25.80	\$0.99

PUBLIC HEALTH NURSING RATE SCHEDULE

SCHEDULE A

Base Compensation Rates

A-1.01 Effective January 1, 2002, a regular employee's base compensation rate (hourly) will be:

	Step 1	Step 2	Step 3	Step 4	Step 5
Registered Professional Nurse	16.62	16.72	17.19	17.62	18.04
Public Health Nurse	17.59	17.97	18.38	18.77	19.19
Supv. Pub. Health Nurse	18.24	18.87	19.50	20.15	20.80
Nurse Practitioner	25.19	25.75	26.30	26.87	27.43

AGING, OFFICE FOR THE

Registered Dietician (345) – 1 position – GRADE 16

Vacant

CAMPUS SKILLED NURSING FACILITY (R6120)

Account Clerk (600) - 1 position - GRADE 6

Linda Anderson 4/9/84 5 14.69***

Account Clerk/Typist (601) - 1 position - GRADE 7

Wendy Detmer 4/9/90 5 14.76**

Activities Aide (500) - 4 positions - GRADE 4

Sarah E. Hopkins 7/27/81 5 14.21****

Dawn Lubanski 5/11/86 5 13.85***

Pearl Runfolo 7/14/80 5 14.21****

Sharon Tusso 10/21/74 5 14.21****

Administrative Secretary (602) - 1 position - GRADE 10

Patricia L. Murray <u>Admissions Coordinator (337) - 1 position-GRADE 14</u>	5/15/72	5	17.37****
Wanda Schillinger <u>Charge Nurse (208) - 6 positions - GRADE 15</u>	2/22/99	5	20.58
Kathy J. Baehr3/5/84		5	23.51***
Terri Lynn Brockington	4/24/2000	4	21.17
Colleen DeBuyser	6/30/2002	2	19.64
Kathleen Mehlenbacher	10/11/88	5	22.98**
	10/19/2003		23.51****
Diane M. Nelson	4/19/98	5	21.92
	4/20/2003		22.45*
Phyllis Stevens	9/24/93	5	22.45*
	10/5/2003		22.98**
<u>Cleaner (804) - 9 positions - GRADE 2</u>			
Michelle Bonadonna	11/29/93	5	12.49*
	11/30/2003		12.84**
Sharon Cobb	12/27/83	5	13.19****
	1/11/2004		13.54****
Dorothy A. Cramer	2/11/84	5	13.19****
Kimberly Ebert	8/5/74	5	13.54****
Rhonda Provino	7/25/82	5	13.54****
Susan Reid	4/19/82	5	13.54****
Crystal Rudgers	5/28/93	5	12.49*
	6/1/2003		12.84**
Bonnie Stamp	6/29/81	5	13.54****
Vacant		NH	8.95
<u>Clerk/Typist (604) - 2 positions - GRADE 2</u>			
Donna Huff	11/9/98	4	11.71
	11/16/2003		12.06*
Renee Westfall	11/15/99	3	11.27
<u>Custodial Worker (805) - 1 position - GRADE 3</u>			
Brenda Stevens	7/2/79	5	13.86****
<u>Hairdresser (704) - 1 position - GRADE 4</u>			
Jane E. Clute	3/15/71	5	14.21****
<u>Housekeeper (509) - 1 position - GRADE 11</u>			
Cheryl Beach	9/2/74	5	18.42****
<u>Leisure Time Activities Director (504) - 1 position - GRADE 6</u>			
Debra Sanford	12/8/69	5	15.06****
<u>Licensed Practical Nurse (302) - 25 positions - GRADE 9</u>			
Vincenne Acito	12/16/2002	1	13.09
Donna Albanese	2/12/2002	2	13.59
Karen Bennett	10/13/2002	1	13.09
Cheryl R. Bentley	9/20/98	5	15.13
	9/21/2003		15.52*
Theresa Cartwright	1/15/90	5	15.91**
Margaret DioGuardi	7/19/87	5	16.30****
Sheila Duryee	1/1/94	5	15.52*
Susan Edwards	1/27/92	5	15.91**
Jill R. Fry	1/27/92	5	15.91**
L. Gillmer 7/14/2000		3	14.08
Bonnie Goodwin	12/27/99	4	14.65
Virginia A. Graham	1/26/89	5	15.91**
Donna L. James	2/3/85	5	16.30****
Terre J. Krauss	4/25/93	5	15.52*
	5/4/2003		15.91**
Rebecca Levey	7/27/2001	2	13.59
Mary E. Liberti	5/10/74	5	16.69****
Theresa Owens	9/14/87	5	16.30****

Tonya C. Palmer	4/18/98	5	15.13
	4/20/2003		15.52*
Valerie Powers	9/11/92	5	15.91**
Donald H. Simpson	11/24/84	5	16.30***
Vacant		1	13.09
<u>Nursing Assistant (505) - 66 positions - GRADE 4</u>			
Karen Alexander	4/16/2001	2	11.42
Julie Arena	1/1/94	5	13.13*
Linda Barnhardt	8/23/93	5	13.13*
	8/24/2003		13.49**
Lois Beardsley	12/5/82	5	14.21*****
Judith Bentley	6/30/2002	1	11.00
Brandie L. Buck	4/7/2002	1	11.00
Lindsay Carey	11/30/2002	NH	9.41
Shawn Conge	5/5/2002	1	11.00
Linda Conway	6/22/97	5	13.13*
Kelly Craft	10/13/96	5	13.13*
Munire Derti	9/30/2002	B	9.41
Shirete Derti	4/25/99	4	12.30
Marjorie Dickinson	8/25/96	5	13.13*
Joyce M. Fisher	2/17/85	5	13.85***
Michelle Force	5/26/2000	3	11.89
Laura Genova	8/29/99	3	11.89
Nathan Genova	10/22/2001	1	11.00
Lori Gibson	8/25/96	5	13.13*
Michelle Guck	11/30/2002	NH	9.41
Jennifer Hoehn	4/25/99	4	12.30
Justina Hoffman	2/22/99	4	12.30
Pamela Hordatt	12/9/2002	NH	9.41
Ethel Houghtaling	8/10/97	5	13.13*
Erin Illerbrun	10/14/2001	2	11.42
Dawn Kern	6/10/2001	2	11.42
Patricia Kerr	2/20/2000	3	11.89
Kathleen Kinney	6/30/2002	1	11.00
Janis Leach	6/22/97	5	13.13*
Cindy Lewis	6/22/86	5	13.85***
Sandra J. Luther	3/31/2002	1	11.00
Katrina Marble	2/13/2000	3	11.89
Shannin L. Newland	11/3/2002	NH	9.41
Kelly Perrine	9/9/2001	2	11.42
Shirley Pifer	3/31/2002	1	11.00
Donna M. Pike	7/27/98	4	12.30
	7/27/2003		12.66*
Ronda Pragle	1/2/2000	3	11.89
Elise Prevost	3/1/92	5	13.49**
Valerie Provorse	8/22/93	5	13.13*
	8/24/2003		13.49**
Heather Rodriquez	11/19/2000	2	11.42
Maximino Rodriquez, III	10/11/98	4	12.30
	10/19/2003		12.66*
Danielle E. Savoy	3/31/2002	1	11.00
Shirley A. Schledorn	6/1/91	5	13.49**
Brenda Shaw	8/17/97	5	13.13*
Susan Sylvester	10/15/95	5	13.13*

Colleen Thompson	11/3/2002	B	10.46
Deborah J. Tucker	6/4/89	5	13.49**
Heidi Vasquez	6/30/2002	1	11.00
Stella Vazquez	6/1/91	5	13.49**
Steven Vondell	4/8/91	5	13.49**
Karen Webster	10/4/99	3	11.89
Vicki M. Wheeler	10/14/2001	2	11.42
Billie Jo Wilkins	12/24/2000	2	11.42
Eric Wisniewski	5/26/2000	3	11.89
Bambi Witherow	10/24/99	3	11.89
Colleen Wood	12/11/2000	2	11.42
Penny Wood	11/1/98	4	12.30
	11/2/2003		12.66*
Julie Wray	6/22/97	5	13.13*
vacant		NH	9.41
<u>Nursing Assistant-Transport (515) - 2 positions GRADE 4</u>			
Melanie Follett	10/22/89	5	13.49**
Sandra Miller	1/14/79	5	14.21****
<u>Occupational Therapist - (270) - 1 position - GRADE 17</u>			
Anthony Jarzyna	10/20/97	5	25.65*
<u>Physical Therapist (233) - 1 position - GRADE 17</u>			
Marc Negrotto	1/27/97	5	25.65*
<u>Physical Therapy Assistant (333) 1 position - GRADE 11</u>			
Debra Anne McNicholas	10/19/98	5	16.78
	10/19/2003		17.19*
<u>Registered Professional Nurse (242) - 6 positions - GRADE 14</u>			
Robert Huff	1/6/97	5	21.10*
Barbara Jones	3/5/95	5	21.10*
Cindy J. Kuhn	9/6/94	5	21.10*
Lisa Reynolds	8/28/90	3	20.11**
Gail Sparling	3/10/80	5	22.66****
Deborah Stom	8/2/93	5	21.10*
	8/10/2003		21.62**
<u>Senior Account Clerk (619) - 4 positions - GRADE 9</u>			
Linda Goodwin	10/10/79	5	16.69****
Jane Maloney	12/19/88	5	15.91**
	12/28/2003		16.30****
Carol Rittenhouse	5/1/89	5	15.91**
Marie Sobel	2/22/72	5	16.69****
<u>Senior Social Work Assistant (268) - 1 position - GRADE 15</u>			
Mary Kaye Meehan	1/5/87	5	23.51***
<u>Senior Typist (627) - 3 positions - GRADE 7</u>			
Robin Hooker	6/8/87	5	15.13****
Barbara A. Orlando	6/26/86	5	15.13****
Ann Schwenzer	7/17/89	5	14.76**
<u>Social Work Assistant (254) - 2 positions - GRADE 14</u>			
Lynne Heather	5/31/94	5	21.10*
Vicki Putney	4/7/80	5	22.66****
<u>Telephone Operator (633) - 1 position - GRADE 4</u>			

Wendy Smith	5/22/89	5	13.49**
<u>CENTRAL SERVICES (A1610)</u>			
<u>Administrative Secretary (602) - 1 Position - Grade 10</u>			
Sally A. MacIntyre	1/31/83	5	16.97***
	2/9/2003		17.37****
<u>Building Maintenance Mechanic (701) - 7 Positions - Grade 11</u>			
Elaine Ellis	8/11/75	5	18.42****
Randy Gill (R6120)	11/1/79	5	18.42****
Gary Green	11/6/89	5	17.60**
Bruce Hitchcock	7/22/96	5	17.19*
Daniel Horr (A1620)	6/2/75	5	18.42****
John D. Stewart (N6120)	1/23/84	4	17.43***
Aaron D. Weaver	10/23/2000	B	13.87
<u>Building Maintenance Person (801) - 4 positions - GRADE 7</u>			
Richard Emerson	9/16/94	4	13.92*
Brenda Smith	2/22/77	5	15.50****
Todd Valentino (N6120)	6/4/2001	2	12.62
vacant		NH	10.48
<u>Carpenter (702) - 1 position - GRADE 13</u>			
Robert Ellis	3/22/82	5	21.22****
<u>Courier (832) - 1 position - GRADE 5</u>			
Deborah Zintel	7/6/70	5	14.59****
<u>Worker (805) - 2 positions - GRADE 3</u>			
Tammi Minnehan	8/3/90	5	13.16**
Laural Nice	11/2/77	5	13.86****
<u>Electrician (703) - 1 position - GRADE 13</u>			
Gary G. Peffers	4/3/72	5	21.22****
<u>Plumber (709) - 1 position - GRADE 13</u>			
Daniel C. Keenan	12/7/98	5	19.26
	12/14/2003		19.75*
<u>CLERK'S OFFICE (A1410)</u>			
<u>Index Clerk (611) - 3 positions - GRADE 8</u>			
Christie Jopson	9/10/2001	1	12.44
Charles Lyons	5/9/99	4	14.00
Diane Piampiano	1/16/98	5	14.48
	1/26/2003		14.87*
<u>Motor Vehicle Clerk (612) - 7 positions - GRADE 8</u>			
Dawn Johnston	5/9/99	4	14.00
Michelle Levey	11/18/96	5	14.87*
Erica Mike	1/4/99	4	14.00
Pamela Minnehan	4/26/82	5	16.04****
Sally A. Morris	7/7/97	5	14.87*
Kathleen Olson	1/2/96	5	14.87*
Lois Shero	1/31/2000	3	13.47
<u>Motor Vehicle Supervisor (614) - 1 position - GRADE 12</u>			
Vacant		NH	13.25
<u>Senior Index Clerk (644) - 2 positions - GRADE 10</u>			
Diane Fusco	5/2/83	5	16.97***
	5/4/2003		17.37****
Toni Teresa	2/11/81	5	17.37****
<u>Senior Motor Vehicle Clerk - (645) - 2 positions - GRADE 10</u>			
Linda Arndt	10/1/84	5	16.97***
Brenda Peters	5/27/80	5	17.37****
<u>Telephone Operator (633) - 1 position - GRADE 4</u>			
Kathleen Guarino	3/14/94	5	13.13*
		NH	14.18

DISTRICT ATTORNEY (A1165)

<u>Clerk/Typist (604) - 1 position - GRADE 2</u>			
Dorothy Thompson	3/6/2000	3	11.27
<u>Senior Legal Typist (643) - 1 position - GRADE 11</u>			
Barbara VanIngen	1/19/96	5	17.19*
<u>ECONOMIC DEVELOPMENT DEPARTMENT (A6989)</u>			
<u>Administrative Secretary (602) - 1 position - GRADE 10</u>			
Mary Carney	10/4/99	3	14.69
<u>EMERGENCY MANAGEMENT SERVICES (A3640)</u>			
<u>Senior Typist (627) - 1 position - GRADE 7</u>			
Karol Thomas	2/24/94	5	14.39*
<u>EMPLOYMENT AND TRAINING (WIA) (J6292)</u>			
<u>Account Clerk/Typist (601) 1 position - GRADE 7</u>			
Phyllis Lynch	11/6/2000	2	12.62
<u>Employment & Training Counselor (219) - 6 positions - GRADE 13</u>			
Donna M. Bigger	7/11/77	5	21.22****
Jennifer Duby	3/5/2001	2	17.15
Sheryl Hoag	1/2/2001	2	17.15
John Jaeger	11/13/2000	2	17.15
Wesley Kobylak	9/26/94	5	19.75*
Helen P. Terry	12/1/97	5	19.75*
<u>Senior Account Clerk (619) - 1 position - GRADE 9</u>			
Patricia Fagan	4/3/95	5	15.52*
<u>Workforce Development Services/Youth Bureau Coord. (143) - 1 position - GRADE 15 (J6290)</u>			
Nita Rae Hawkins	10/2/2000	2	19.64
<u>HIGHWAY DEPARTMENT</u>			
<u>Automotive Mechanic (700) - 2 positions - GRADE 12 (M5130)</u>			
Carl Guldenschuh	5/24/99	4	17.30
John Kenney, Jr.	5/22/78	5	19.80****
<u>Bridge Construction Foreman (713) - 1 position - GRADE 14 (D5110)</u>			
Richard H. Paul, Jr.	4/18/79	5	22.66****
<u>Engineering Technician (315) - 2 positions - GRADE 13 (D5020)</u>			
Lawrence A. LaRue	1/3/89	5	20.24**
Vacant		NH	14.18
<u>Motor Equipment Operator II (706) - 7 positions - GRADE 10 (D5110)</u>			
Kevin Barnhardt	4/1/96	5	16.17*
Christopher Buckley	6/3/96	5	16.17*
Michael Donovan	5/13/96	5	16.17*
Howard A. Guldenschuh	5/8/89	5	16.57**
Charles Hamsher, Jr.	6/27/94	5	16.17*
William F. Henry	5/15/89	5	16.57**
Vacant		NH	11.71
<u>Motor Equipment Operator III (707) - 7 positions - GRADE 11 (D5110)</u>			
Dean Bourgoine	5/8/89	5	17.60**
Thomas L. Canute, Jr.	8/15/88	5	17.60**
	8/24/2003		18.01***
Raymond L. Clark	12/7/87	5	18.01***
Christopher J. Grosse	4/29/96	5	17.19*
Fred R. Shutt	3/1/93	5	17.19*
	3/9/2003		17.60**
David D. Wilkins	5/18/87	5	18.01***
vacant		NH	12.48
<u>Principal Clerk (615) - 1 position - GRADE 10 (D5010)</u>			
Cynthia Dennison	1/1/71	5	17.80****
			(.43 included)
<u>Road Construction Supervisor (715) - 1 position - GRADE 14 (D5110)</u>			
Stephen M. Cowley	6/24/86	5	22.14***
<u>Road Maintenance Supervisor (710) - 2 positions - GRADE 14 (D5110)</u>			
David Crawford	8/24/87	5	22.14***

David C. Wentworth	11/7/88	5	21.62**
	11/16/2003		22.14***
<u>Senior Account Clerk/Typist (621) - 1 position - GRADE 9 (D5010)</u>			
Michelle Lunn	11/21/88	5	15.91**
	11/30/2003		16.30***
<u>Senior Sign Technician (314) - 1 position - GRADE 11 (D5110)</u>			
Steven P. Widener	6/4/80	5	18.42****
<u>Shop Manager (711) - 1 position - GRADE 14 (M5130)</u>			
Michael J. Gridley	6/2/80	5	22.66****
<u>Sign Shop Technician (714) - 1 position - GRADE 10(D5110)</u>			
Stephen Williams	5/3/99	4	15.23
<u>Welder Fabricator (317) - 1 position - GRADE 13 (D5110)</u>			
Brian Mastin	9/5/89	5	20.24**
<u>Working Foreperson (712) - 1 position - GRADE 12 (D5110)</u>			
Daniel Walkley	1/3/78	5	19.80****
<u>INFORMATION & TECHNOLOGY SERVICES DEPARTMENT (A1680)</u>			
<u>Computer Training Coordinator/Operator (327) - 4 positions - GRADE 17</u>			
Judith Miller	5/8/2000	3	23.35
Catherine A. Potwora	12/13/99	3	23.35
Steven Struble II	1/8/2001	2	22.46
Thomas Q. Taylor	5/4/98	4	24.19
	5/4/2003		24.77*
<u>Programmer (292) - 2 positions - GRADE 17 (Trainee) (GRADE 16)</u>			
Martin R. DeMarte	1/19/87	5	26.81***
Vacant		NH	18.63
<u>Senior Typist (627) - 1 position - GRADE 7</u>			
Susan D. Pratt	10/21/81	5	15.50****
<u>MENTAL HEALTH (A4310)</u>			
<u>Account Clerk/Typist (601) - 2 positions - GRADE 7</u>			
Vacant		NH	10.48
Vacant		NH	10.48
<u>Administrative Officer (321) - 2 positions - GRADE 15</u>			
Vacant		NH	16.30
Vacant		NH	16.30
<u>Case Management Supervisor (194) - 1 position - GRADE 17</u>			
Michael Allen	11/4/96	4	24.77*
<u>Clerk/Typist (604) - 1 position - GRADE 2</u>			
Nichole Gailey	11/5/2001	1	10.40
<u>Community Mental Health Nurse (209) - 2 positions - GRADE 17</u>			
Pamela Boyd	5/21/91	5	26.23**
Laurel Daise	11/6/2000	3	23.35
<u>Intensive Case Manager (296) - 2 positions - GRADE 15</u>			
Andrew Kershner	1/19/2000	3	20.39
Vacant		NH	16.30
<u>Mental Health Clinical Supervisor (283) - 1 position - GRADE 19</u>			
Gail Long	1/11/93	5	29.86*
	1/12/2003		30.57**
<u>Mental Health Clinical Therapist (228) - 6 positions - GRADE 16</u>			
Jennifer Blackmar	12/9/2002	NH	17.35
Cathy Granita	7/14/80	5	25.52****
Jennifer Henderson	9/24/2001	1	20.07
Kevin J. Lewis	8/11/86	5	24.97***
Ann Miller	9/24/2001	2	20.90
Alice Rogstad	5/11/92	5	24.42**
<u>Mental Health Social Work Aide (229) - 1 position - GRADE 13</u>			
Patrick Cayouette	9/25/2000	2	17.15
<u>Principal Typist (640) - 1 position - GRADE 10</u>			
Pamela LaMont	5/24/93	5	16.17*

<u>Psychiatric Social Work Assistant (263) - 2 positions - GRADE 14</u>	6/1/2003		16.57**
Sarah A. Surasky	3/9/98	5	20.58
	3/9/2003		21.10*
Anne Valentino	2/5/96	5	21.10*
<u>Senior Account Clerk/Typist (621) - 2 positions - GRADE 9</u>			
Lee Schneider	1/26/96	5	15.52*
Sandra L. Woodarek	5/16/94	5	15.52*
<u>Senior Clerk (622) - 1 position - GRADE 7</u>			
Vacant		NH	10.48
<u>Senior Typist (627) - 1 position - GRADE 7</u>			
Vacant		NH	10.48
<u>PLANNING (A8020)</u>			
<u>Administrative Secretary (602) - 1 position - GRADE 10</u>			
Darlene Essler	12/6/93	5	16.17*
	12/7/2003		16.57**
<u>Planner (234) - 1 position - GRADE 17</u>			
Heather Hogarty	10/5/98	2	22.46
	10/5/2003		23.04*
<u>Planning Assistant (328) - 1 position - GRADE 13</u>			
Joshua Price	6/18/2001	2	17.15
<u>Senior Account Clerk (619) - 1 position - GRADE 9</u>			
Martha K. Linsner	8/21/78	5	16.69*****
<u>PLANNING - HOUSING (A6311)</u>			
<u>Housing Assistance Representative (610) - 1 position - GRADE 12</u>			
Christina M. Cox	8/22/80	2	17.85*****
<u>Housing Programs Coordinator (222) - 1 position - GRADE 15</u>			
Ruth Swift	9/7/82	5	24.04*****
<u>Senior Typist (627) - 1 position - GRADE 7</u>			
Meredith Lockman	5/6/98	3	13.09
	5/18/2003		13.46*
<u>PLANNING - WEATHERIZATION (A6310)</u>			
<u>Energy Programs Supervisor (220) - 1 position - GRADE 15</u>			
Donald E. Huff	12/15/80	5	24.04*****
<u>Sr. Account Clerk/Typist (621) - 1 position - GRADE 9</u>			
Barbara Dutton	4/18/90	5	15.91**
<u>Winterization Aide (818) - 2 positions - GRADE 9</u>			
Charles Carney	5/24/2002	1	13.09
Vacant		NH	11.34
<u>Winterization Foreperson (819) - 1 position - GRADE 11</u>			
Mark Robinson	8/31/2001	1	14.45
<u>PROBATION (A3140)</u>			
<u>Principal Typist (640) - GRADE 10 - 1 position</u>			
Terri Parsons	4/16/79	4	16.83*****
<u>Probation Officer (238) - 7 positions - GRADE 14 (Trainee (237) - GRADE 13)</u>			
Michelle Cassata (Trainee)	8/27/2002	NH	14.18
Mary Clark	8/11/76	5	22.66*****
Colleen Fronk	12/27/99	3	19.07
Dennis Jasinski	8/12/96	5	21.10*
Debra Johnston	6/30/97	5	21.10*
Lynne C. Mignemi	11/27/87	5	22.14***
William Wuertzer (A3141)	6/25/2002	1	17.56
<u>Probation Supervisor (239) - 2 positions - GRADE 17</u>			
Karen Sue Weidman	2/14/84	5	26.81***
Edward Erhard	2/23/76	3	25.67*****
<u>Senior Probation Officer (248) - 1 position - GRADE 15</u>			
Vacant		NH	16.30
<u>Senior Typist (627) - 2 positions - GRADE 7</u>			

Beverly Bauer	9/19/83	5	15.13***
	9/21/2003		15.50****
Vacant		NH	10.48
<u>PUBLIC DEFENDER'S OFFICE – A1170</u>			
<u>Clerk/Typist – (604) – 1 position – GRADE 2</u>			
Agatha Zittel	11/4/2001	1	10.40
<u>PUBLIC HEALTH DEPARTMENT (A4010)</u>			
<u>Administrative Secretary (602) - 1 position - GRADE 10</u>			
Linda Jordan	6/18/90	5	16.57**
<u>Assistant Dog Control Officer (400) - 1 position - GRADE 1</u>			
Kathleen Tewksbury (A3510)	11/13/95	5	12.07*
<u>Caseworker (206) - GRADE 14 (Trainee (207) - GRADE 13) 1 position</u>			
Serena Kniffin (A4035)	10/12/99	2	18.31
<u>Clerk/Typist - (604) - 7 positions - GRADE 2</u>			
Lois S. Basar	2/4/2002	1	10.40
Maruth Dieter	12/11/2000	2	10.79
Debra Ann Hendershot	2/23/2001	2	10.79
Marcia Lefave	4/6/98	5	12.14
	4/6/2003		12.49*
Connie Ohle (A4010)	9/3/2002	NH	8.95
Tracy Woodarek (A4088)	9/25/2001	1	10.40
Vacant (A4035)		NH	8.95
<u>Clinical Aide (501) - 4 positions - GRADE 4</u>			
Kathleen Magee (A4035)	2/17/81	5	14.21****
Lynne Martindale (A4082)	5/10/82	5	14.21****
Kathleen Smith (A4035)	2/26/96	5	13.13*
Vacant		NH	9.41
<u>Home Health Aide (502) - 5 positions - GRADE 4</u>			
Mary Aronhalt (A4010)	2/2/95	5	13.13*
Linda Broadwell (A4010)	7/18/97	5	13.13*
Jo Buchinger (A4010)	2/9/95	5	13.13*
Patricia Cooper (A4083)	9/12/2000	2	11.42
Karen A. McGee	3/2/98	5	12.77
	3/9/2003		13.13*
<u>Nurse Practitioner (230) - 1 position</u>			
Darlene Taylor (A4035)	1/4/99	5	27.43
<u>Nursing Team Assistant (342) - 1 position - GRADE 9</u>			
Rodney Clements	1/18/2000	3	14.08
<u>Outreach Worker (506) – 1 position – GRADE 7</u>			
Melissa Fowler (A4103)	9/1/99	2	12.62
<u>Public Health Educator (240) - 4 positions - GRADE 13</u>			
Phyllis Durrant	10/18/2002	NH	14.18
Linda Motz (A4093)	3/22/2000	3	17.86
Vacant		NH	14.18
Vacant		NH	14.18
<u>Public Health Nurse (241) - 10 positions (A4010)</u>			
Laurie Calnan	7/7/88	5	20.07**
	7/13/2003		20.57***
Wendy Chapman (A4083)	8/2/2000	5	19.19
Tami Coburn	5/5/98	5	19.19
	5/18/2003		19.59*
Gretchen Coleman	3/29/82	5	20.57***
Judi Ferries (1/2 time) (A4094)	4/9/2001	5	19.19
Peggy D. Hamilton (A4091)	7/1/97	5	19.59*
Phyllis O'Dell	7/31/2000	5	19.19
Kathleen Root (3/5) (A4091)	11/29/2000	5	19.19
Susan Rountree	8/3/92	5	20.07**
James Vitale	3/20/2002	2	17.97

<u>Public Health Nurse Job Sharing - 1 position - (fill with PHN or RN) (A4010)</u>			
Linda Hamilton (RN 243)	9/18/90	5	18.92**
Claire Anne Wood	8/19/2002	2	17.97
<u>Public Health Nurse/Registered Nurse - FT - 3 positions</u>			
Marsha Abe (RN) (A4010)	2/22/2000	4	17.62
vacant			
vacant			
<u>Public Health Sanitarian (305) - 3 positions - GRADE 14</u>			
Joseph Bucci (A4106)	6/1/98	5	20.58
	6/1/2003		21.10*
James Kanouse	6/6/88	5	21.62**
	6/15/2003		22.14***
George Sisak	3/16/2001	2	18.31
<u>Public Health Technician (307) - 3 positions - GRADE 11</u>			
Christopher Cicora	8/27/2001	1	14.45
Cathy MacPherson (A4010)	9/5/95	5	17.19*
Barbara Rogers	9/2/97	3	16.02*
<u>Registered Professional Nurse (243) - 12 positions (A4010)</u>			
Luanne Britton (3/5) (A4083)	2/19/2001	3	17.19
Lynn DeRitter	4/16/2001	5	18.04
Theresa A. Gilliland	2/6/85	5	19.42***
Sheila Hunter	12/31/2001	4	17.62
Gail Johnson (A4082) (3/5)	3/26/2001	5	18.04
Prudence King	12/11/2000	4	17.62
Janet Lewis	4/1/82	5	19.42***
Deborah Ludwig (A4082)	3/30/2001	4	17.62
Judy Meyers	11/12/2002	2	16.72
Christine J. Phelps (A4035)	4/23/85	5	19.42***
Tina Truax	3/9/98	5	18.04
	3/9/2003		18.44*
Vacant			
<u>Senior Account Clerk/Typist (621) - 2 positions - GRADE 9</u>			
Tamara A. Gullo (A4035)	10/26/81	5	16.69****
Patricia Merowsky (A4010)	3/28/2001	2	13.59
<u>Senior Public Health Educator (331) - 1 position - GRADE 15</u>			
Lisa M. Beardsley (A4035)	7/12/93	5	22.45*
	7/13/2003		22.98**
<u>Senior Public Health Sanitarian (330) - 2 positions - GRADE 16</u>			
Richard Davin (A4097)	6/10/87	5	24.97***
Deborah Farberman	6/18/73	5	25.52****
<u>Senior Typist (627) - 4 positions - GRADE 7</u>			
Janice Boss (A4010)	1/10/94	5	14.39*
Mary Gibson (A4035)	7/5/89	5	14.76**
Susan Ladley	1/4/99	2	12.62
Alise E. Rounsville (A4010)	8/13/84	5	15.13***
<u>Supervising Public Health Nurse (256) 6 positions (A4010)</u>			
Sandra Bradt	7/13/92	4	21.03**
Jill Burley	5/7/97	4	20.55*
Karen Hansford	2/14/2001	5	20.80
Cynthia Sheflin	2/13/90	5	21.68**
Carol Thompson (A4083)	9/20/93	5	21.20*
	9/21/2003		21.68**
Colleen Vokes (A4035)	5/14/84	5	22.18***
<u>WIC Program Nutritionist (262) - 1 position - GRADE 16</u>			
Nancy M. Reding (A4082)	9/22/80	5	25.52****
<u>PUBLIC WORKS (A8037)</u>			

<u>Account Clerk/Typist (601) 2 positions - GRADE 7</u>			
Rene Lewis (A8037)	2/14/2000	3	13.09
Carole Rewald3/19/2001		1	12.14
<u>Principal Account Clerk (235) - 1 position - GRADE 15</u>			
Judith Travis (A8037)	7/28/89	5	22.98**
<u>Senior Sewage Treatment Plant Operator (309) - 1 position - GRADE 15</u>			
C. Joseph Kornbau (A8037)	1/21/74	5	24.04****
<u>Sewage Plant Operator Trainee (816) - 1 position - GRADE 12</u>			
Steven Carroll (A8037)	3/11/2002	1	15.37
<u>Sewage Plant Maintenance Person (817) - 2 positions - GRADE 11</u>			
Eric B. Marshall (A8037)	3/1/86	5	18.01***
Richard Stone (A8037)	11/17/83	5	18.01***
	11/30/2003		18.42****
<u>Sewage Treatment Plant Operator (310) - 2 positions - GRADE 13</u>			
Michael K. Shaver (A8037)	4/1/83	5	20.73***
	4/6/2003		21.22****
Vacant			
<u>REAL PROPERTY TAX SERVICES (A1355)</u>			
<u>Real Property Tax Services Aide (618) - 1 position - GRADE 9</u>			
Beverly Covert	1/31/78	5	16.69****
<u>Senior Tax Map Technician (251) - 1 position - GRADE 15</u>			
Joseph Pukos	2/1/82	5	24.04****
<u>Senior Typist (627) - 1 position - GRADE 7</u>			
Sandra Johnson	10/9/85	5	15.13***
<u>SHERIFF'S DEPARTMENT</u>			
<u>Civilian Dispatcher (605) - 11 positions - GRADE 11 (A3151)</u>			
Christine M. Bovee	7/1/88	5	17.98**
	7/13/2003		18.26***
William Boyd	7/14/97	4	17.08*
Andrew Eve	3/26/98	4	16.94
	4/6/2003		17.08*
Heather L. Gross (A3151)	10/24/94	4	17.08*
Wendy Hopkins	6/9/91	4	17.30**
Kelly Hy	5/10/99	4	16.94
Jennifer Paules	12/5/99	3	16.26
Frank Radesi, Jr.	8/9/93	4	17.08*
	8/10/2003		17.30**
Wayne Rose, Jr.	7/10/2001	1	14.90
Leon B. Worden	7/24/89	4	17.30**
Stephen Zabrocki	9/19/2000	3	16.26
<u>Clerk/Typist (604) - 2 positions - GRADE 2</u>			
Joan E. Emery (A3112)	4/12/84	5	13.58***
Janet Lawrence (A3110)	3/18/96	5	12.88*
<u>Cook (808) - 2 positions - GRADE 9 (A3150)</u>			
Craig Howe	4/24/2000	3	14.54
Bradley Shellenbarger	12/27/89	5	16.40**
<u>Corrections Corporal (197) - 4 positions - GRADE 13 (A3150)</u>			
Mark Cole	11/19/96	5	19.91*
Jamie Kelley	9/14/94	5	19.91*
Donald Lubanski	1/27/91	5	20.15**
Rodney Schirmer	9/26/87	5	20.46***
<u>Corrections Officer (199) - 20 positions - GRADE 12A (A3150)</u>			
Veronnica Allen	3/3/2000	3	17.02
Frederick K. Cutcher	7/5/91	5	18.83**
Daniel P. DeLeeuw	3/31/93	5	18.61*
	4/6/2003		18.83**
Andrew Eichhorn	2/2/2001	2	16.31
Peter Fox	3/18/2002	1	15.61

George P. Frisiras	12/21/97	5	18.61*
Aaron C. Galvin	10/13/2000	2	16.31
Jeffrey Hammond	12/1/96	5	18.61*
Michael Hillier	9/1/97	5	18.61*
Lawrence Kennedy	9/30/97	5	18.61*
Boe Langless	9/5/2000	3	17.02
Michael Malone, Jr.	12/10/98	4	17.75
	12/14/2003		17.90*
Randall Newton	5/12/2000	3	17.02
Donald J. Plank	1/8/98	5	18.46
	1/12/2003		18.61*
Matthew Polizzi	4/26/98	5	18.46
	5/4/2003		18.61*
Michael C. Quibell	7/8/2002	B	14.85
Patricia Rose	11/4/99	3	17.02
William Sackett	11/7/84	5	19.13****
Matthew Templeton (412-000)	12/27/89	5	18.83**
Marvin Yamonaco, Jr.	4/1/2001	2	16.31
<u>Corrections Sergeant (195) - 1 position - GRADE 14 (A3150)</u>			
Jack Conklin	11/1/83	5	21.72***
<u>Court Security Officer (196) - 3 positions - GRADE 12B (196) hired before 1/1/2001 GRADE 12A (189) hired on or after 1/1/2001 (A3116)</u>			
Patrick Lynch (12B)	11/23/97	5	19.53*
Linda J. Macaluso (12B)	10/4/99	3	17.90
Brent Mistretta (12B)	12/26/92	5	19.76**
<u>Court Security Sergeant (192) - 1 position - GRADE 14 (A3116)</u>			
David Provo	5/12/84	5	21.72***
<u>Deputy Sheriff/Communications Officer (401) - 1 position - GRADE 12</u>			
Jodi Giglio-Richardson (A3151)	3/21/83	5	19.69***
	3/23/2003		19.91****
<u>Deputy Sheriff/Corporal (Road Patrol) (269) - 1 position - GRADE 14 (RP)</u>			
Laurence Tetamore (A3110)	9/10/78	5	21.68*****
	9/21/2003		21.92*****
<u>Deputy Sheriff/Investigator (224) - 6 positions - GRADE 15 (RP) (A3110)</u>			
Brian Applin (A3147)	6/6/94	4	21.59*
Matthew Burgess	10/14/94	5	22.49*
Ronald Huff, Jr.	12/27/89	5	22.66**
Gerald H. Kane (A3147)	8/31/85	5	22.85***
Kimberly S. Moran	5/10/86	5	22.85***
Douglas E. Morsch	1/26/79	5	23.07****
<u>Deputy Sheriff /Road Patrol (402) - 27 positions - GRADE 13 (RP) (A3110)</u>			
Michael L. Anne	10/13/2000	2	17.49
Phyllis Applin	9/2/96	4	19.14*
Matthew Bean	5/28/98	5	19.75
	6/1/2003		19.89*
Rodrick J. Bennett	1/27/91	5	20.06**
Joseph Breu (A3112)	7/25/2001	1	16.60
Daniel Burk (A3111)	1/27/91	5	20.06**
<u>Deputy Sheriff/Road Patrol (402) - GRADE 13 (RP) (A3110) cont.</u>			
William Cartwright	2/1/90	5	20.06**
Gene E. Chichester	5/26/97	5	19.89*
William Clarke	7/24/95	5	19.89*
John N. Curtiss	1/26/83	5	20.25****
	1/26/2003		20.47*****
Michael Dougherty	2/21/2001	2	17.49
Chad Draper	6/29/99	4	19.00
Michael W. Duby	1/24/77	5	20.71*****
Kevin Geer	7/26/99	4	19.00

Ross Gerace	10/24/2002	B	15.80
Joseph Granita	11/1/82	5	20.47****
Bryan Mann	8/2/99	4	19.00
Casey McLaughlin (A3112)	2/11/2002	1	16.60
A. Gary Miller	6/1/2002	1	16.60
Theodore J. Miskell	1/17/80	5	20.47****
Cory Noto (A3111)	9/30/97	5	19.89*
Menzo Peck (A3112)	2/18/2002	1	16.60
Daniel Rittenhouse	7/3/97	5	19.89*
Bradley Schneider	8/2/99	4	19.00
Jeffrey Wiedrick	9/9/93	5	19.89*
	9/21/2003		20.06**
Michael Yencer	7/3/97	5	19.89*
Joseph Zambito	10/16/2000	2	17.49
<u>Deputy Sheriff/Sergeant (Road Patrol) (252) - 7 positions - GRADE 15 (RP) (A3110)</u>			
Irving J. Barkan	5/8/72	5	23.31*****
Tamara Bingham	3/30/92	5	22.66**
Michael Bradley (A3020)	7/31/88	5	22.66**
	8/10/2003		22.85***
Frederick W. Ingalls	2/28/87	5	22.85***
Robin Maloney	11/26/73	5	23.31*****
Randall Morris	12/19/79	5	23.07****
Christopher L. Smith	8/16/86	5	22.85***
<u>Principal Clerk (615) - 1 position - GRADE 10</u>			
Pamela B. Rychlicki (A3110)	8/23/76	5	17.88*****
<u>Senior Account Clerk (619) - 1 position - GRADE 9</u>			
Ellen K. Smith	4/3/89	5	16.40**
<u>Senior Typist (627) - 1 position - GRADE 7a</u>			
Stephanie Little	8/30/99	2	13.03
<u>SKILLED NURSING FACILITY (N6120)</u>			
<u>Activities Aide (500) - 2 positions - GRADE 4</u>			
Pamela Farruggia	5/31/77	5	14.21****
Saysamone Kettavong	4/28/86	5	13.85***
<u>Administrative Secretary (602) - 1 position - GRADE 10</u>			
Gail Burr Rounsville	2/22/83	5	16.97***
	2/23/2003		17.37*****
<u>Charge Nurse (208) - 5 positions - GRADE 15</u>			
Martha Bill	4/28/2002	2	19.64
Ruby DeRitter 11/19/92		5	22.98**
Christopher Handy	6/8/98	5	21.92
	6/15/2003		22.45*
Carolyn Ozzello	4/27/98	5	21.92
	5/4/2003		22.45*
Cynthia Pender-Canarvis	10/1/90	5	22.98**
<u>Cleaners (804) - 5 positions - GRADE 2</u>			
Carolyn Aldrich	4/28/86	5	13.19***
	6/3/2001		12.75***
Debra Barney	7/10/88	5	12.84**
	7/13/2003		13.19***
Linda Craun	10/2/95	5	12.49*
Nancy Harper	8/9/79	5	13.54*****
Lou Ann Weidman	11/17/77	5	13.54*****
<u>Clerk/Typist (604) - 2 positions - Grade 2</u>			
Margaret Arnold	3/1/79	5	13.54*****
Mary VanHorn	9/13/2001	1	10.40
<u>Hairdresser (704) - 1 position - GRADE 4</u>			
Barbara M. Beardsley	6/2/86	5	13.85***
<u>Laundry Worker (812) - 2 positions - GRADE 3</u>			

Joyce Johnson	8/21/68	5	13.86****
Esther Myers	12/18/67	5	13.86****
<u>Leisure Time Activities Director (504) - 1 position - GRADE 6</u>			
Katherine Baumgardner	6/8/70	5	15.06****
<u>Licensed Practical Nurse (302) - 18 positions - GRADE 9</u>			
William Baierschmitt	11/6/2000	3	14.08
Cheryl Bailey	7/1/91	5	15.91**
Crystal Bowman	9/21/87	5	16.30***
Dorsy Caudill	9/21/87	5	16.30***
Sheila Fox	1/10/81	5	16.69****
Naomi Hess	6/29/2000	4	14.65
Claudia Houtz	3/16/87	5	16.30***
Patricia Macomber	9/20/77	5	16.69****
Krista Mason	7/15/2001	2	13.59
Sharon McGinnis	8/5/93	5	15.52*
	8/10/2003		15.91**
Norma Monroe	10/2/2001	2	13.59
Edith Wester	8/27/79	5	16.69****
Donna Zabrocki	9/5/95	5	15.52*
Vacant		1	13.09
Vacant		1	13.09
Vacant		1	13.09
<u>Licensed Practical Nurse (302) - GRADE 9 Cont.</u>			
vacant		1	13.09
vacant		1	13.09
<u>Medical Typist (613) - 1 position - GRADE 7</u>			
Cheryl A. Rossborough	10/9/85	5	15.13****
<u>Nursing Assistant (505) - 60 positions - GRADE 4</u>			
Lillian Allen	8/4/69	5	14.21****
Jodie Ames	10/24/2001	1	11.00
Bobbi J. Babbitt	5/1/95	5	13.13*
Heather Bailey	8/14/2000	2	11.42
Debra Blair	10/12/2001	1	11.00
Donna Brooks	9/28/1997	5	13.13*
Amy Buckson	1/19/2000	3	11.89
Linda Burns	7/15/73	5	14.21****
Brandy Canfield	5/26/2000	3	11.89
Stacie Chapman	7/21/2000	2	11.42
Pamela Denby	6/26/2000	3	11.89
Patricia Donovan	8/19/81	5	14.21****
Kelly Emerson	1/22/97	5	13.13*
Brenda Faulkner	10/10/95	5	13.13*
Debbie Henry	11/4/96	5	13.13*
Douglas Little	10/18/2001	1	11.00
Carol Loop	7/7/2002	1	11.00
Marcia Manriquez	10/1/2000	2	11.42
Becki Mills	9/15/2002	B	10.46
Kimberly Morey	1/7/2002	3	11.89
Jamie Newton	4/30/2000	3	11.89
Julie Oakden	9/13/2001	1	11.00
Kimberly J. O'Hara	10/1/2000	2	11.42
Laura Ortiz	10/2/2001	1	11.00
Wanda Parsons	11/25/96	5	13.13*
Brandy Provorse	1/14/2002	1	11.00
Mandy Provorse	1/14/2002	1	11.00
Jeff Schmidt	9/15/2002	2	11.42
Jacqueline Schuster	1/8/2002	1	11.00
Eileen Searchfield	10/8/93	5	13.13*

	10/19/2003		13.49**
Amanda Siebert	9/17/2001	1	11.00
Jin States	4/11/88	5	13.49**
	4/20/2003		13.85***
Melissa Tarbell	12/3/2000	2	11.42
Wendy Teeter	10/12/2001	1	11.00
Deborah Thompson	2/11/2002	1	11.00
Lona Tidwell	12/6/2002	1	11.00
Tammy Towner	10/2/2001	1	11.00
Robin Tunningley	10/30/2000	3	11.89
Myra Weeks	4/7/2002	1	11.00
Rachel Williams	9/29/2002	4	12.30
Elana Wilson	6/21/99	4	12.30
Matina Yencer	11/19/2000	3	11.89
Bobbi Jo Young	4/8/2001	2	11.42
Vacant		NH	9.41
<u>Nursing Assistant Transport (515) - 1 position - GRADE 4</u>			
Melody Robinson	6/8/87	5	13.85***
<u>Occupational Therapist (270) - 1 position - GRADE 17</u>			
Tricia A. Ruliffson	9/8/98	5	25.07
	9/21/2003		25.65*
<u>Physical Therapist (233) - 1 position - GRADE 17</u>			
Richard Baumgardner	7/2/73	5	27.39****
<u>Registered Professional Nurse (242) - 4 positions - GRADE 14</u>			
Kathleen Crye	12/20/87	5	22.14***
JoAnn Mantsi	1/1/2002	2	18.31
Christine Mastin	6/17/79	5	22.66****
Linda McCauley	8/24/92	5	21.62**
<u>Social Work Assistant (254) - 2 positions - GRADE 14</u>			
Anne Campfield	3/12/2001	2	18.31
Erin Randall	6/18/2001	2	18.31
<u>Speech Pathologist (344) - 1 position - GRADE 17</u>			
Vacant		NH	18.63
<u>Telephone Operator (633) - 1 position - GRADE 4</u>			
Renee Chichester	5/13/91	5	13.49**
<u>SOCIAL SERVICES DEPARTMENT (A6010)</u>			
<u>Account Clerk/Typist (601) - 3 positions - GRADE 7</u>			
Holley Hillier	10/30/2000	2	12.62
Kristie Jones	12/2/2002	NH	10.48
Tammie Sliker	5/6/2002	1	12.14
<u>Accounting Supervisor (200) - 1 position - GRADE 15</u>			
George Macomber	10/4/84	5	23.51***
<u>Case Management Aide (503) - 5 positions - GRADE 7</u>			

Vivian C. Buchinger	12/7/81	5	15.50****
Linda Haynes	3/9/98	5	14.02
	3/9/2003		14.39*
Lori Scala	2/8/93	5	14.39*
	2/9/2003		14.76**
Maureen Schneider	1/17/82	5	15.50****
Ann Templeton	10/29/2001	1	12.14
<u>Case Supervisor (205) - 5 positions - GRADE 16</u>			
James Cornell	5/10/76	5	25.52****
Michelle Davidson	1/19/81	5	25.52****
Sharon Deming	5/24/93	5	23.87*
	6/1/2003		24.42**
Patricia Schwegler	9/29/80	5	25.52****
Marilyn Simons	6/12/74	5	25.52****
<u>Caseworker (206) - 28 positions - GRADE 14 (Trainee (207) - GRADE 13)</u>			
Marcia Barber	6/5/2000	3	19.07
Kathleen Carr	1/4/82	5	22.66****
Dianne Davis	9/15/99	3	19.07
Barbara DeMay	4/2/90	5	21.62**
A. Kate DeRoberts	4/19/99	4	19.82
Rene Dietz	1/3/2000	2	18.31
Michelle Driscoll-Reed	6/28/93	5	21.10*
	6/29/2003		21.62**
Jean Kidder	2/14/2000	3	19.07
Marchelle Langston (Trainee)	9/3/2002	NH	14.18
Julie Luther	5/3/2001	2	18.31
Donna Mankoff	9/30/85	5	22.14***
Jeanne Matossian	7/2/2001	1	17.56
Heather Mitchell	9/30/96	5	21.10*
Marsha Mitchell-James	6/12/2000	5	21.10*
Mary K. Murphy	4/7/86	5	22.14***
Joni Quackenbush	11/24/99	3	19.07
Stephen Rapp	12/19/94	5	21.10*
Kimberlee S. Schifino	9/15/97	4	20.34*
Christina Schneider	3/8/99	4	19.82
Heidi Swarts	7/10/2001	1	17.56
Debra Terry	6/14/99	4	19.82
Daniel R. Thompson	1/12/87	5	22.14***
Rebecca Torpey	6/5/2000	3	19.07
Susanne Turner	8/8/88	5	21.62**
	8/10/2003		22.14***
Michelle Weaver	9/2/97	5	21.10*
Carol Woodruff	12/3/2001	1	17.56
Vacant		NH	14.18
Vacant		NH	14.18
Vacant		NH	14.18
<u>Clerk/Typist (604) 8 positions - GRADE 2</u>			
Patricia Avery	11/19/2001	1	10.40
Patricia Cassidy	3/17/86	5	13.19***
Ellen Nichols	6/24/87	5	13.19***
Debbie L. Patrick	10/29/2001	1	10.40
Rita Sehl	10/4/2002	NH	8.95
Brianne Stalker	10/21/2002	NH	8.95
Joyce Zambito	5/14/2001	2	10.79
Vacant		NH	8.95
<u>Coordinator - Child Support Unit (285) - 1 position - GRADE 15</u>			
Antoinette Powell	3/17/81	5	24.04****
<u>Coordinator of Volunteer Services (210) - 1 position - GRADE 14</u>			

Maureen Randall	9/17/79	5	22.66****
<u>Courier (832) - 2 positions - GRADE 5</u>			
Colleen Crawford	9/14/84	5	14.23***
Darla Stanley Jones	9/11/78	5	14.59****
<u>Director of Social Services (218) - 1 position - GRADE 19</u>			
Sandra Wright	5/21/70	5	31.99****
<u>Housing Programs Coordinator (222) -1 position - GRADE 15</u>			
Andrew Timm	4/23/2001	2	19.64
<u>Legal Assistant (226) - 1 position - GRADE 13</u>			
Janis Bassett	3/26/84	5	20.73***
<u>Mobile Work Crew Supervisor (326) - 1 position - GRADE 10</u>			
Steven Paddock	7/13/98	4	15.23
	7/13/2003		15.63*
<u>Network Administrator (343) - 1 position - GRADE 17</u>			
Daniel T. Bielaski	5/15/2000	5	25.07
<u>Principal Clerk (615) - 1 position - GRADE 10</u>			
Bambi Nobles	12/1/82	5	17.37****
<u>Principal Social Welfare Examiner (236) - 5 positions - GRADE 15</u>			
Donna Adamson	1/9/85	5	23.51***
Charles Argenna	7/10/78	5	24.04****
Denise Bentley	4/23/79	5	24.04****
Joann Colaizzi	10/7/74	5	24.04****
Howard Mankoff	2/1/82	5	24.04****
<u>Principal Typist (640) - 2 positions - GRADE 10</u>			
Eileen Hynes	12/1/80	5	17.37****
Wendy Preston	8/28/95	5	16.17*
<u>Senior Account Clerk (619) - 7 positions - GRADE 9</u>			
Linda Cole	10/11/94	5	15.52*
Kristine Gulesano	3/19/2001	2	13.59
Brenda Haywood	10/30/95	5	15.52*
Wendy Howell	5/24/99	4	14.65
Francine LoVerde	6/9/80	5	16.69****
Joan Loop	9/16/85	5	16.30***
Barbara Muscato	12/8/80	5	16.69****
<u>Senior Caseworker (245) - 6 positions - GRADE 15</u>			
Jane Bourgoine	9/11/89	5	22.98**
Laird Gelser	1/4/82	5	24.04****
Tracy McCaughey	11/14/94	5	22.45*
Gayla Morris	11/10/80	5	24.04****
Nancy Park	11/6/78	5	24.04****
Audrey Rapp	8/5/85	5	23.51***
<u>Senior Clerk (622) 2 positions - GRADE 7</u>			
Diane Campfield	8/13/80	5	15.50****
Joyce Comfort	11/18/2002	NH	10.48
<u>Senior Social Welfare Examiner (624) - 7 positions - GRADE 12</u>			
Christine Clark	11/2/79	5	19.80****
Linda Gray	5/20/74	5	19.80****
Marilyn Hally	5/21/79	5	19.80****
Marianne Hilderbrant	8/13/84	5	19.34***
Mary Ann Johnson	3/2/81	5	19.80****
Virginia Palone	7/20/89	5	18.88**
Robert Wright	2/1/82	5	19.80****
<u>Senior Support Investigator (626) - 1 position - GRADE 12</u>			
Ginny Rawleigh	5/11/81	5	19.80****
<u>Senior Typist (627) 15 positions - GRADE 7</u>			
Tina Beardsley	4/11/2000	2	12.62
Marguerite Chapman	12/9/85	5	15.13***
Mary Lou Chapman	9/28/87	5	15.13***

Claudia Dieffenbacher	3/14/78	5	15.50****
Debra Fox	1/3/94	5	14.39*
Carolyn Gonyea	7/23/84	5	15.13***
Nancy Gray	9/14/87	5	15.13***
Elaine Harcleroad	11/13/90	5	14.76**
Rebecca A. Hughes	4/3/84	5	15.13***
Bernita Kelley	6/28/99	1	12.14
Barbara Kemnitz	5/26/81	5	15.50****
Patricia Muscato	2/19/75	5	15.50****
Mary Seeley	6/19/2000	1	12.14
Heidi Spaulding	7/22/96	3	13.46*
Becky Turybury	8/20/86	5	15.13***
<u>Social Welfare Examiners (631) - 24 positions - GRADE 11</u>			
Deborah Beardsley	4/15/91	5	17.60**
Donna Chasey	5/31/88	5	17.60**
	6/1/2003		18.01***
Paula Christiano	4/25/95	4	16.61*
Nancy Cimino	11/20/95	5	17.19*
Cathlyn DeMistry	8/31/87	5	18.01***
Kelly Didas	1/11/94	5	17.19*
Janet Evers	8/31/87	5	18.01***
Aleta Hamilton	2/23/87	5	18.01***
Malinda Hilyard	2/4/2002	1	14.45
Donna Least	2/17/76	5	18.42****
Michelle LeFave	2/5/99	B	13.87
Tamara A. Macomber	12/11/85	5	18.01***
Jeanette Patrick	10/30/95	5	17.19*
Anita J. Perovich	11/12/75	5	18.42****
Beverly Rizzo	4/13/78	5	18.42****
Judy Rohrbaugh	10/30/89	5	17.60**
Marian Sisson	4/23/79	5	18.42****
Carol Smith	5/31/79	5	18.42****
Linda Taylor	8/16/76	5	18.42****
Tracy Thompson	11/13/89	5	17.60**
Mary Jo Tubbs	10/27/86	5	18.01***
Marie L. Van Buskirk	5/26/81	5	18.42****
Cara Wilkinson	1/14/2002	B	13.87
Dora M. Williams	6/20/94	5	17.19*
<u>Staff Development Coordinator (255) - 1 position - GRADE 16</u>			
Vacant		NH	17.35
<u>Support Investigator (632) - 3 positions - GRADE 11</u>			
Melody Carlin (8/24/86)	6/28/96	5	18.01***
Jodell Donovan	1/5/98	3	15.61
	1/12/2003		16.02*
Donna Erwin	1/7/80	5	18.42****
<u>Telephone Operator (633) - 2 positions - GRADE 4</u>			
June C. Argenti	10/26/92	5	13.49**
Christine Strobel	9/30/85	5	13.85***
<u>Transportation Broker (346) - 1 position - GRADE 16</u>			
Pamela Fowler	6/18/90	5	24.42**
<u>TREASURER (A1325)</u>			
<u>Senior Account Clerk (619) - 3 positions - GRADE 9</u>			
Evelyn Faulkner	2/7/75	5	16.69****
Patricia A. Gardner	6/6/88	5	15.91**
	6/15/2003		16.30***
Vacant		NH	11.34
<u>Senior Account Clerk/Typist (621) - 2 positions - GRADE 9</u>			
Sharon Mark	4/25/88	5	15.91**

	5/4/2003		16.30***
Beverly Rauber	3/11/2002	1	13.09
<u>Title Searcher (507) - 1 position - GRADE 12</u>			
Diana Pattridge	4/8/85	5	19.34***

**CSEA Part-time/Seasonal Salary Schedule
Index 2003**

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2003 CSEA PART-TIME SALARY SCHEDULE

AGING SERVICES

Account Clerk PT (642) – 2 positions

Denise Kline	3/11/2002	8.50
M. Margaret Lemen	4/1/94	8.15

Aging Services Caseworker PT (289) – 1 position

Deborah Gage	3/29/2000	12.15*(1)
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Cleaner PT (804) – 3 positions

Samuel Gervase (Title V)	10/30/2000	5.15
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Vacant

Vacant

Courier PT (832) – 12 positions

Neil Barager	4/1/94	7.45*(2)
Michael Ludwig	4/1/94	8.84*(2)
Peter Pagano (PT)	4/15/2002	5.30
John J. Pappas, Sr.	3/22/99	5.65
Everette Strain (sub.)	7/9/2001	5.30
Lawrence Valentino (P/T)	7/8/2002	5.30
Howard Welch (sub.)	6/28/99	5.65

Vacant (sub.)

Vacant (sub.)

Vacant (PT)

Vacant (sub.)

Vacant

Food Service Helper PT (809) – 5 positions

Pauline Curry (Title V)	7/23/96	5.15
Helen Peritore (Title V)	4/1/94	5.15
Thelma Shute	4/1/94	6.83*(2)

Vacant

Vacant

Foster Grandparent Assistant PT (295) – 1 position

Margaret Jones	7/25/94	10.15*(1)
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Ombudsman Coordinator PT (831) – 1 position

Katherine Beiter	2/4/2002	15.00
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SNP Site Manager PT (409) – 7 positions

Eleanor Barone (sub.)	4/1/94	6.02
Irene Bowers (sub.)	9/1/98	5.82
Victoria Cook (sub.)	7/6/99	6.87*(2)

Nursing Assistant (505) PT - 49 positions – GRADE 4A

Judith Bouffard	6/12/2000	2	11.68
Karen Burnell	3/13/2000	2	11.68
Laurie Button	1/24/2000	2	11.68
Paula M. Claud	11/22/2002	NH	9.62
Phyllis DeCramer	5/22/2002	B	10.69
Tomkia Felton	9/23/2002	B	10.69
Amber Halbert	1/24/2000	2	11.68
Renee Hewitt	4/16/2002	B	10.69
Elizabeth Horr	3/12/2001	1	11.25
Wendy Kelley	4/2/2001	1	11.25
Leslie Magee	6/17/98	3	12.16
Jacquelyn Mongillo	2/27/2002	B	10.69
Bonnie Parsons	4/26/99	3	12.16
Diane Patterson	8/12/2002	B	10.69
Barbara J. Perry	11/22/2002	NH	9.62
Kerry L. Prentice	9/7/2002	1	11.25
Ariel Rodriquez	5/22/2002	B	10.69
Melissa Sapetko	8/12/2002	B	10.69
Barbara VanDerwerken	4/27/93	3	12.16
Brenda Vondell	2/7/2000	2	11.68
Brandy Weir	12/16/2002	NH	9.62
Jaclyn Wolfanger	1/24/2000	2	11.68

Vacant

Personal Care Assistant (510) – 24 positions – GRADE 1

Sandra L. Beardsley	11/28/2001		7.07
Patricia Lyman	11/28/2001		7.07
LaVina Masten	6/24/2002		7.07
Chad Mehlenbacher	7/29/98		7.57* (2)
Cheryl Y. Newland	10/22/2001		7.07
June Patella	3/13/2002		7.07
Carrie Stevens	6/24/98		7.07

Debra Wilcox	10/23/2000	7.07
Jacqueline Withers	2/1/99	7.57* (2)
Vacant		7.07
<u>RPN PT (242) – 10 positions</u>		
Patricia Anderson	2/9/2000	20.51
Marie A. Martello	4/12/2000	20.51
Vacant		
<u>CENTRAL SERVICES</u>		
<u>Building Maintenance Person PT (801) – 1 position - GRADE 7</u>		
Russell Fasso	10/29/2001	10.72
<u>Cleaner PT (804) – 1 position – GRADE 2</u>		
Vacant		
<u>Custodial Worker PT (805) – 1 position - GRADE 3</u>		
David Linton	8/7/92	9.98*(2)
<u>Typist PT (634) – 1 position – GRADE 2</u>		
Holly Martin	2/28/96	9.66*(2)
<u>GENESEO SKILLED NURSING FACILITY</u>		
<u>Activities Aide PT (500) – 2 positions – GRADE 4</u>		
Kathleen Carney	1/27/98	10.12* (2)
Ann Wallace	1/18/2001	9.92*(1)
<u>Charge Nurse PT (208) – 9 positions</u>		
Julie Kane	4/14/2002	21.92
Rhonda Walker	11/17/2001	21.92
Vacant		
<u>Cleaner PT (804) – 4 positions – GRADE 2</u>		
Nicolle Arent	9/9/2002	9.16
Carolyn Casteel	1/4/99	9.66* (2)
Jennifer Eddy	8/27/98	9.66* (2)
Linda LaGeorge	10/7/2002	9.16
<u>Clerk PT (603) – 3 positions – GRADE 2</u>		
Carol Arney	2/11/2000	9.66* (2)

Kathleen Sullivan	5/1/2000	9.46*(1)	
Joan Tallman	4/1/99	9.66* (2)	
<u>Clerk/Typist PT (604) – 1 position – GRADE 2</u>			
Doris Bailor	10/22/93	9.66* (2)	
<u>Laundry Worker PT (812) – 2 positions – GRADE 3</u>			
Cynthia Andrews	9/20/99	9.98* (2)	
Dylan White	2/4/2002	9.48	
<u>LPN PT (302) – 18 positions</u>			
Lenis Adamson	12/10/2002	17.74	
David Bauer	12/26/91	18.24* (2)	
Barbara Beaumont	6/15/2000	18.04*(1)	
Elyn Brundage	11/27/95	18.24* (2)	
Elizabeth Grant	7/10/2002	17.74	
Debra Gross	9/19/2002	17.74	
Shannon Harkins	3/5/2001	18.04*(1)	
Cynthia Johnston	4/11/2001	17.74	
Jennifer Riggerello	6/9/2001	17.74	
Rose Staley	7/29/96	18.24* (2)	
Lisa Voss	5/21/2000	18.24* (2)	
Stacy Whalen	7/14/2002	17.74	
Patricia Wilmet	8/22/2002	15.03	
Vacant			
<u>Nursing Assistant PT (505) – 38 positions – GRADE 4A</u>			
Kathleen Albany	8/30/2002	B	10.69
Lauren Baker	8/22/2002	B	10.69
Anna L. Booth	11/21/2002	NH	9.62
Melissa Buchholz	9/11/2002	1	11.25
Dionne Claud	11/4/2002	NH	9.62
Kimberly Eaton	7/18/2002	B	10.69
Christian Evert	11/21/2002	1	11.25
Cheryl Harclerod	12/17/93	3	12.16
Kathleen Koch	5/13/2002	B	10.69
Collette LaClair	10/13/2002	NH	9.62
Dona Jean McLean	12/21/99	3	12.16
Jeanne Piraino	8/30/2002	B	10.69
Gina Poole	11/3/2001	2	11.68
Rene Riso	5/13/2002	B	10.69
Michelle Rivera	5/13/2002	B	10.69
Yarellis Rivera	5/13/2002	B	10.69
Brittney Rizzieri	6/10/2002	B	10.69
Tara Robb	12/3/2002	NH	9.62
Shelly Rosenzweig	8/27/2002	B	10.69
Bobbie Rosborough	5/13/2002	B	10.69
Melissa Ryan	11/4/2002	NH	9.62
Keeley Sackett	3/18/2002	B	10.69
Lyndsey Salter	8/30/2002	B	10.69
Amy Schmidt	3/25/2002	B	10.69
Tifanie Siebert	9/9/2002	B	10.69
Kristin Stamulis	5/13/2002	B	10.69
Melissa Stanton	5/5/2002	3	12.16
Valorie Stenson	11/21/2002	NH	9.62
Amber Willis	5/13/2002	B	10.69
Vacant			
Vacant			

Vacant		
<u>Personal Care Assistant PT (510) – 17 positions – GRADE 1</u>		
Cheryl Cotton	9/19/2002	7.07
Judy Handy	12/8/98	7.57* (2)
Jennifer Hoffman	2/11/2002	7.07
Shannon Hyde	11/21/2002	7.07
Dianna Lathrop	10/7/2002	7.07
Patricia Onorati	12/17/2001	7.07
Renee Sick	10/7/2002	7.07
Vacant		7.07
<u>RPN PT (242) – 3 positions</u>		
Vacant		
Vacant		
Vacant		
<u>COUNTY HIGHWAY</u>		
<u>Account Clerk/Typist (601) – 1 position – GRADE 7</u>		
Mary Kim VanScooter (D5010)	2/25/90	12.40* (2)
<u>COUNTY HISTORIAN</u>		
<u>Deputy County Historian (212) – 1 position – GRADE 2A</u>		
Amie Alden (A7510)	2/18/97	9.95*(2)
<u>PUBLIC HEALTH DEPARTMENT</u>		
<u>Caseworker Trainee PT (207) Caseworker (206) – 2 positions – GRADE 14 (A4035)</u>		
Susan Jansch	1/15/2002	15.49
Marian Sackett	2/24/97	15.99* (2)
<u>Clerk PT (603) – 1 position – GRADE 2</u>		
Jeanette Gelser	11/4/96	9.66* (2)
<u>Clerk/Typist PT (604) – 2 positions – GRADE 2</u>		
Marian Kennell	4/28/97	9.66* (2)
Vacant		9.16
<u>Clinical Aide PT (501) – 5 positions – GRADE 4</u>		
Elizabeth Nowak (A4082)	9/28/99	10.12* (2)
Judy Magee (A4094)	6/15/95	10.12* (2)
Theresa Sacher (A4082)	4/10/2000	9.62
Vacant		9.62
Vacant		9.62
<u>Home Health Aide PT (502) – 32 positions – GRADE 4</u>		
Elizabeth Blanc	8/24/2001	9.62
Vivian Buckley (A4083)	7/21/2000	9.62
Ruth Marie Coffey	6/28/2002	9.62
Crystal Davis	2/22/99	9.92* (1)
Barbara French	2/25/90	9.62
Alice Gascon (A4083)	6/23/2000	9.62

Catherine Hamilton	12/10/99	9.92*(1)
Penny Hussey	12/10/99	10.12* (2)
Annette Jones (A4083)	9/25/2000	9.92*(1)
Thomas LaMonte	7/7/97	10.12* (2)
Merry Patterson	2/25/90	9.62
Monica Phillips (A4083)	12/1/97	10.12* (2)
Dorothy Pierce	12/3/2001	9.62
Ezequiel Rodriquez	6/28/2002	9.62
Theresa Rook	6/18/99	9.62
Julie Stewart (A4083)	3/22/99	9.92* (1)
Stephen Young (A4083)	10/3/97	10.12* (2)
Vacant		9.62
<u>HOSPICE Volunteer Coordinator (282) – 1 position – GRADE 14A</u>		
Roberta MacLean (A4083)	3/1/94	16.00*(2)
<u>LPN PT (302) – 1 position</u>		
Betty Youmans (A4083)	8/27/2002	11.60
<u>Nutrition Aide PT (508) – 1 position – GRADE 4</u>		
Charlotte Claud (A4082)	2/25/90	11.19* (2)
<u>Outreach Worker PT (506) – 1 position</u>		
Deirdre Bartholomew (A4103)	8/28/2000	11.02*(1)
<u>Public Health Educator PT (240) – 1 position – GRADE 13</u>		
Heather Webster (A4090)	3/27/2000	14.80*(1)
<u>Public Health Social Worker PT (338) – 1 position – GRADE 18</u>		
Jean Mantel-Miller (A4083)	4/20/99	21.67*(2)

RECORDS MANAGEMENT DEPARTMENT**Records Inventory Clerk (638) – 6 positions – GRADE 7**

Michelle Abrey	2/4/2002	10.72
Lorie Stewart	12/13/2002	11.22*(2)
Vacant		10.72

SOCIAL SERVICES DEPARTMENT**HEAP Examiner PT (608) – 1 position – GRADE 7**

Vacant

Dated at Geneseo, New York

December 18, 2002

Personnel & Employee Relations Committee

Mr. Kennison moved and Mr. Moore seconded to amend the resolution number 2 to read 2003 Livingston County Salary Schedule”, and number 10 to read 36¢. Carried

The roll was called as follows as amended: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-464. ADOPTING 2003 LIVINGSTON COUNTY DEPARTMENT HEAD SALARY SCHEDULE

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

RESOLVED, the attached 2003 Livingston County Department Head Salary Schedule is hereby approved, effective January 1, 2003.

DEPARTMENT HEAD SALARY SCHEDULE - FT: 3%**Board of Supervisors (A1010)**

	2002	2003
1. Chairman of the Board P/T	1@ 27,425	28,075
2. Vice Chairman of the Board P/T	1@ 14,300	14,650
3. Members of the Board P/T - (15)	15@ 11,725	12,000
4. Lisa Grosse, Administrative Asst. (A1345)	44,275	45,625.
5. Virginia Amico, Clerk of the Board (A1010)	44,275	45,625.
6. Theresa Schettine, Confidential Secretary to the Clerk	28,000	28,850.
7. Michele Rees, Confidential Secretary to the Co. Admin./County Attorney (A1230)	35,000	36,050.
8. Terrence Donegan, County Auditor (A1320)	49,150	50,625.
9. Katherine Montemarano, Records Inventory Supervisor (A1665)	34,325	35,375.

Aging, Office for the

10. Kaaren Smith, Director (A6773)	53,600	55,225.
11. Anne DeMarte, Aging Services Caseworker (A6779)	33,425	34,450.
12. Lynda Robinson, Case Manager (A6780)	33,850	34,875.
13. Edyth Philipson, Financial Supervisor (A6774)	39,975	41,175.
14. Brigid Cotton, Foster Grandparent Program Director (A6781)	37,375	38,500.
15. Kathleen VanWagnen, Nutrition Program/HEAP Coord. (A6774)	43,400	44,725.

Board of Elections(A1450)

16. Susan Guenther, Commissioner	39,425	40,625
17. Gerald L. Smith, Commissioner	39,425	40,625.
18. Nancy Leven, Deputy Commissioner	34,850	35,900.
19. Laura Schoonover, Deputy Commissioner	34,850	35,900.

Campus Skilled Nursing Facility (R6120)

20. Paul R. Kesselring, Nursing Home Administrator	67,950	70,000.
21. Elizabeth DeWispelaere, Dir. of Nursing Services	52,000	53,575.
22. Diane Dembik, Assistant Director of Nursing	48,400.	49,875.

Central Services

23. David Allen, Supervisor of Buildings and Grounds (A1620)	58,700	60,475.
24. Laird Simons, Buildings and Grounds Working Foreperson(A1610)	48,525	50,000.
25. Thomas R. Helles, Buildings & Grounds Working Foreperson (R6120)	46,000.	47,400.

Clerk's Office (A1410)

26. James A. Culbertson, County Clerk	58,625.	62,500.
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2004**2005****2006**

27. Mary F. Strickland, Deputy County Clerk	49,225	50,725.
28. Diana Moffat, Second Deputy County Clerk	41,025	42,275.

County Attorney (A1420)

29. David Morris, County Attorney P/T	55,200	56,875.
30. Dennis Cohen, Assistant P/T	45,625	47,000.

District Attorney (A1165)

31. Thomas Moran, District Attorney	119,800.	119,800.
32. Victor Rowcliffe, Assistant (full-time)(A1166)	50,325	51,850.
33. Eric R. Schiener, Assistant (full-time)	50,325	51,850.
34. Kyle Mackay, Assistant P/T (STOP DWI A3112)	34,500	35,550.
35. Jennifer Sommers, Assistant (part-time)	42,525	43,825.
36. Robert Wiggins, Assistant P/T	36,625	37,725.
37. Geraldine Ehrmentraut, Secretary to the D A	40,650	41,875.
38. Richard Corrigan, Victim/Witness Assistant Coordinator	33,700	34,725.

Economic Development Department (A6989)

39. Patrick Rountree, Economic Developer	68,325	70,375.
40. Julie Marshall, Deputy Economic Developer	53,400	55,025.

Emergency Management Services (A3640)

41. Kevin Niedermaier, Emergency Management Services Director	50,000	51,500.
42. William Sheahan, E.M.S. Coordinator	40,600	41,825.

Employment and Training (WIA) (J6290)

43. C. Keith Mitchell, Workforce Development Serv. Dir./Youth Bureau Dir.	52,425	54,000.
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Health Care Facilities(R6120)

44. Peter Carter, Senior Fiscal Manager	58,250	60,000.
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Highway Department (D5010)

45. Donald N. Higgins, County Highway Superintendent	64,575	66,525.
46. Dennis Barefoot , Deputy Highway Superintendent	54,100	55,725.
47. Elaine Szoczei, Highway Administrative Manager	40,325	41,550.

Historian (A7510)

48. Mary P. Schaap, County Historian (4/5)	33,325	34,325.
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Information and Technology Services (A1680)

49. Dale Nieswiadomy, Director of Information & Technology Services	67,250	69,275.
50. Elaine VanSon, Deputy Director of Information & Technology Services	58,900	60,675.

Mental Health Department (A4310)

51. Mark Brown, Director	76,025	78,325.
52. Barbara Goodness, Financial Manager	38,000.	38,000.

Personnel Department (A1430)

53. Tish E. Lynn, Personnel Officer	64,575	66,525.
54. Lauraine Beach, Personnel Assistant (non-exempt - \$18.39)	32,500	33,475.
55. Marlene Hamilton, Principal Clerk (non-exempt - \$16.70)	29,500	30,400.
56. Amy Griffith, Administrative Secretary (non-exempt -\$15.56)	27,500	28,325.
57. Tammy Peck, Clerk/Typist (non-exempt \$11.66)	20,600	21,225.

Planning Department (A8020)

58. David O. Woods, Planning Director	60,375	62,200.
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Probation Department (A3140)

59. Barbara A. Campbell, Probation Director II	62,100	63,975.
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Public Defender (A1170)

60. Marcea Clark, Public Defender (F/T)	67,250	69,275.
61. James McCann, First Asst. Public Defender (P/T)	24,275	25,025.
62. Kelly Donohue, Assistant Public Defender (P/T)	22,425	23,100.
63. Christopher Laragy, Assistant Public Defender (P/T)	25,875	26,675.
64. John M. Lockhart,III, Asst. Public Defender (P/T)	21,075	21,725.
65. Mary Kay Yanik, Assistant Public Defender (P/T)	25,875	26,675.
66. Lisa P. Smith, Confidential Secretary	29,850	30,750.

Public Health Department

67. Joan H. Ellison, Public Health Director (A4010)	78,250	80,600.
68. James Mazurowski, Director of Environmental Health (A4010)	56,125	57,825.
69. Bethany Wadsworth, Director of Patient Services	45,825	47,200.
70. Mary M. Stallone, Director of Patient Services (A4010)	56,425	58,125.
71. Roxanne Clark, Dog Control Officer (A3510)	37,800	38,950.
72. James J. Peraino, Financial Manager (A4010)	47,475	48,900.
73. Erik Henderson, Finance Supervisor	33,100	34,100.
74. Nadine Hunter, Physician P/T	51.14/hr.	52.67/hr.

Public Works Department (A8037)

75. Catherine Muscarella, Public Works Director	59,675	61,475.
76. Vance Puffer, Director of Operations (4/22/2002)	52,000	53,100.

Real Property Tax Services (A1355)

77. Richard J. Sheflin, Director	55,825	57,500.
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Sheriff's Department (A3110)

78. John York, Sheriff	67,950	70, 675
	2004	73,500
	2005	76,450
John York, Stop DWI Coordinator		15,600
	2003	16,875
	2004	17,550

79. Martin D. Herkimer, Undersheriff	(5/13/2002)	63,225	65,125.
80. James Rose, Deputy Sheriff/Major (Corrections)		52,500	54,075.
81. Ray R. Ellis, Deputy Sheriff/Major (Investigations)	(5/13/2002)	60,225	62,050.
82. James Szczesniak, Deputy Sheriff/Major (Road Patrol)		58,175	59,925.
83. Brenda Smith, Secretary to the Sheriff		40,875	42,125.

Skilled Nursing Facility (N6120)

84. Lauree Jean Kenyon, Assistant Nursing Home Administrator	(9/30/2002)	42,000.	42,000.
85. Bonnie King, Director of Nursing		52,000	53,575.
86. Rhonda Walker, Asst. Director of Nursing		48,400	49,875.

Social Services (A6010)

87. W. Michael Woodhouse, Commissioner		88,200	90,875.
88. Diane M. Deane, Dir. of Administrative Services		52,500	54,075.
89. Dennis L. Meissel, Employment Coordinator (JOBS FIRST)		44,000	45,325.
90. Sharon Tinelli, Head Social Welfare Examiner		52,500	54,075.
91. Vacant, Secretary to the Commissioner			
92. John T. Sylvester, Social Services Attorney		79,600	82,000.
93. Michael Allen, Social Services Attorney Full Time		57,650	59,400.

Traffic Safety Board

94. Patricia Johnston, Executive Secretary, PT		5,150	5,325.
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Treasurer (A1325)

95. Carolyn Taylor, Treasurer		57,650	59,400.
96. Amy Mann, Deputy Treasurer		35,875	36,975.

Weights and Measures (A6610)

97. Michael Cloonan, Director		39,400	40,600.
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DEPARTMENT HEAD SALARY SCHEDULE - SUPPLEMENT**Seasonal Employees**

(A) Summer Laborer, Highway Dept.(4 month max.) Summer Laborer		7.96 hr.	8.20 hr.
(B) Seasonal, Highway Dept. (6 month max.) Summer Laborer		9.10 hr.	9.37 hr.
Seasonal Skilled Worker		9.95 hr.	10.25 hr.
Seasonal Motor Equipment Operator		10.23 hr.	10.54 hr.
(C) All other Departments Seasonal Laborer		7.96 hr.	8.20 hr.
Seasonal Laborer, Experienced		7.96 hr.	8.20 hr.
Laborer (Sewer)		7.96 hr.	8.20 hr.

Part-Time Nursing Positions - CSNF & SNF

(A.) Part-time staff working a 20 hour week with no benefits:

Pay a per diem rate of:

Charge RN	21.92 hr.	22.58 hr.
RN	20.51 hr.	21.13 hr.
Charge LPN	19.13 hr.	19.70 hr.
LPN	17.74 hr.	18.27 hr.

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:

Charge RN	19.13 hr.	19.70 hr.
RN	17.74 hr.	18.27 hr.
Charge LPN	16.36 hr.	16.85 hr.
LPN	15.03 hr.	15.48 hr.

Part-Time Office for the Aging Positions

Increase the 2002 rate of pay for each part-time Office for the Aging employee by 3.0% to become effective January 1, 2003.

CONTRACTUAL EMPLOYEES

	<u>2003</u>
1. D. F. Mazza, County Administrator (A1230)	101,500.00
7/1/2003	105,500.00
2. Franklin N. Bassett, Director of Long Term Care	92,000.00

Dated at Geneseo, New York

December 18, 2002

Personnel & Employee Relations Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-465. AMENDING THE 2002 SALARY SCHEDULE - DEPARTMENT OF SOCIAL SERVICES

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

RESOLVED, that the 2002 Salary Schedule be amended as follows:

Department of Social Services

Create one Clerk/Typist position

Create one Caseworker Trainee/Caseworker position

Dated at Geneseo, New York

December 18, 2002

Personnel & Employee Relations Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-466. EXTENDING MILITARY LEAVE BENEFITS PROVIDED BY RESOLUTION 2001-427

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

WHEREAS, Resolution 2001-427 was adopted in order to provide supplementary pay and continuation of benefits to eligible employees on military leaves; and

WHEREAS, said resolution expires on December 31, 2002 unless extended; and

WHEREAS, the Personnel and Employee Relations Committee supports an extension; now, therefore, be it

RESOLVED, that the provisions of Resolution 2001-427 are hereby extended until December 31, 2003.

Dated at Geneseo, New York

December 18, 2002

Personnel & Employee Relations Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-467. APPOINTING FINANCIAL MANAGER FOR THE LIVINGSTON COUNTY COMMUNITY SERVICES DEPARTMENT - GOODNESS

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

RESOLVED, that Barbara Goodness of 5666 Big Tree Road, Lakeville, New York 14480 is hereby appointed to the position of Financial Manager at an annual salary of \$38,000 effective December 19, 2002.

Dated at Geneseo, New York

December 18, 2002

Personnel & Employee Relations Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-468. AUTHORIZING ACCEPTANCE OF JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT FOR THE LIVINGSTON COUNTY PROBATION DEPARTMENT

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

WHEREAS, the County of Livingston has applied to the New York State Division of Criminal Justice Services for continued funding of the Juvenile Offender Accountability Program, and

WHEREAS, the State has approved funding in the amount of \$11,438.00 to provide continuation of program services, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign an agreement to accept the Juvenile Accountability Incentive Block Grant for the period commencing October 1, 2003 and terminating September 30, 2004 in an amount of \$11,438.00, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

December 18, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

RESOLUTION NO. 2002-469. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH THE STATE OF NEW YORK DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE MOBILE COMPUTER TERMINALS

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

WHEREAS, the County of Livingston has applied to the New York State Division of Criminal Justice Services for grant funding for mobile computer terminals for the Livingston County Sheriff's Department, and

WHEREAS, the State has approved funding in the amount of \$10,000.00 to provide mobile computer terminals for the Livingston County Sheriff's Department, it is hereby

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign an agreement to accept said grant in an amount of \$10,000.00, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

December 18, 2002

Public Safety & Criminal Justice Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Wahl, 195; Adopted.

OTHER BUSINESS

1. Discussion of Vacancy on the Livingston County Industrial Development Agency and Recruiting to Fill the Vacancy

Chairman Merrick announced that Mr. Thomas P. Wamp resigned from the Livingston County Industrial Development Agency, and anyone interested in filling this vacancy should send a resume to his attention at the Government Center. He announced that the Legislative & Agricultural Affairs Committee has received one resume to date.

RECESS

Chairman Merrick declared a recess. The Board reconvened to report on the Republican and Democratic Caucuses.

2. Republican Caucus

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 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 Livingston County News as being a paper fairly representing the party to which we belong and we hereby appoint Livingston County News to publish election notices and the official canvass.

And, We further designate The Lake & Valley Clarion as being a paper fairly representing the party to which we belong, and we hereby appoint The Lake & 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 & 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 18, 2002

Gary D. Moore, Chairman
Marjorie Cansdale, Secretary
Mark. E. Walker
James C. Merrick
Philip S. Brooks
Christine M. Rumble
Ivan C. Davis

Mark J. Schuster
Domenick J. Martello
David L. LeFeber
Timothy R. Wahl (absent)

2. Democratic Caucus

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 The Lake & Valley Clarion as being a paper fairly representing the party to which we belong, and we hereby designate The Lake & Valley Clarion 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 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 18, 2002

Weston L. Kennison, Chairman

Gerald L. Deming, Secretary

J. Peter Yendell

James Layland

James F. Olverd

3. Comments from the Chairman

Chairman Merrick thanked everybody for their cooperation throughout the year, and commented there is incredible rapport between both parties, and he is looking forward to working with the Board next year. Happy Holidays!

Geneseo Supervisor Kennison thanked Chairman Merrick for his leadership throughout 2002.

ADJOURNMENT

Motion made by Mr. Moore and seconded by Mr. Deming to adjourn until Thursday, January 2, 2002 at 1:30 p.m. Carried.

The Board adjourned at 2:55 p.m.