

**ORGANIZATIONAL BOARD MEETING  
WEDNESDAY, JANUARY 2, 2009  
1:30 P.M.**

The Board met in accordance with the rules.

The Clerk of the Board stated it is an honor and privilege to call the 2009 Livingston County Board of Supervisors Organizational Meeting to order. She commented she is looking forward to working with the entire Board of Supervisors, the County Administrator, the Deputy County Administrator, Administrative Staff and all the Department heads as we aspire to achieve our 2009 goals. She wished everyone a healthy and prosperous New Year.

**ROLL CALL**

The roll was called showing all members present except Mr. Davis (Portage).

**PLEDGE OF ALLEGIANCE**

Mr. Davis entered.

**NOMINATIONS FOR TEMPORARY CHAIRMAN**

Nominations were called for Temporary Chairman. Mr. Mahus nominated Mr. Moore to act as Temporary Chairman and Mrs. Donohue seconded the nomination. Carried.

**MOTION TO CLOSE NOMINATIONS FOR TEMPORARY CHAIRMAN**

Mr. Gott moved to close the nominations and Mr. Yendell seconded the motion. Carried.

**MOTION TO DIRECT THE CLERK OF THE BOARD TO CAST ONE VOTE FOR TEMPORARY CHAIRMAN**

Mr. Gott moved and Mr. Yendell seconded to direct the Clerk of the Board to cast one vote for Temporary Chairman. Carried.

Mr. Moore took the chair and thanked the Board for their confidence in him to be Temporary Chairman and indicated he looks forward to another year of successfully completing our goals.

**ELECTING THE 2009 CHAIRMAN OF THE BOARD**

Mr. Moore called for nominations for the Chairman of the Board for the year 2009.

Mrs. Cansdale nominated Groveland Supervisor James C. Merrick for Chairman of the Board for the year 2009. Mr. Davis seconded the nomination. Mr. Moore asked if there were any other nominations.

Mr. Deming moved and Mr. Mahus seconded to close the nominations for Chairman of the Board. Carried.

Mr. Moore directed the Clerk to call the roll.

The roll was called as follows: Ayes – 1,645; Noes – 0; Abstain – Merrick, 107; Absent – 0; Carried.

**CHAIRMAN OF THE BOARD DECLARED & ESCORTED**

Mr. Moore declared James C. Merrick as Chairman of the Board for the year 2009. Mr. DiPasquale and Mr. LeFeber escorted Mr. Merrick to the Chairman of the Board seat.

**CHAIRMAN OF THE BOARD REMARKS**

Chairman Merrick stated he was once again thrilled to be elected as Chairman and this will be his eleventh year. He remarked that when he came back on the board for the second time, he intended to serve one term to ensure that American Rock Salt was going to be located in the Town of Groveland. He indicated this is his 18<sup>th</sup> year serving as Supervisor for the Town of Groveland. He thanked the Board for the opportunity to be their Chairman once again, and commented he is hopeful we will have a wonderful year as 2008 and years past.

**APPOINTMENT OF VICE CHAIRMAN OF THE BOARD**

Chairman Merrick stated Leicester Supervisor Gary D. Moore has been the Vice Chairman of the Board for the past ten years. and he again appointed him for the year 2009.

Vice Chairman Gary Moore thanked the Chairman for appointing him as Vice Chairman and promised he would serve as Vice Chairman to his utmost ability.

### **OTHER BUSINESS**

1. 2009 Standing Committee Appointments and Confirming Schedule for 2009

Chairman Merrick commented that he decided not to change the Committee appointments this year mainly due to the capital projects that are pending, i.e. jail project, completion of Building #1 renovation project and the demolition of the Wilcox Press property in Dansville. The following Committee list was distributed to the Board of Supervisors for the year 2009.

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**LIVINGSTON COUNTY BOARD OF SUPERVISORS'  
STANDING COMMITTEES FOR 2009**

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**WAYS AND MEANS**

Daniel L. Pangrazio, Chairman  
Eric R. Gott, Vice Chairman  
Dennis P. Mahus  
Marjorie Cansdale  
Thomas B. Baldwin  
James C. Merrick  
Gary D. Moore

**HUMAN SERVICES**

Domenick J. Martello, Chairman  
Brenda B. Donohue, Vice Chairman  
Ivan C. Davis  
David L. LeFeber  
William S. Wadsworth  
James C. Merrick  
Gary D. Moore

**PUBLIC SERVICES**

J. Peter Yendell, Chairman  
Gerald L Deming, Vice Chairman  
Mark J. Schuster  
Charles J. DiPasquale  
Norbert W. Buckley  
James C. Merrick  
Gary D. Moore

The Committee Chairpersons were given a memorandum requesting confirmation of their committee schedule and directing them to report back to the Clerk as soon as possible.

2. Explanation of Changes to the Highway Material and Equipment Bids and Reporting Work Time – David Morris

The County Attorney reported that during the past year, it was learned that the General Municipal Law does not authorize municipalities to use other municipality's bids to purchase services which are subject to Article 8 or 9 of the Labor law. The Articles which require prevailing wages. The rationale is that the prevailing wage for a particular service may differ from municipality to municipality. Therefore, Livingston County's highway bid packages will no longer authorize the Towns or other municipalities to purchase services off of those bids when the services are subject to Article 8 or 9 of the Labor Law.

County Attorney David Morris reported he pulled the resolution establishing the standard workday for County employees that was to be presented at this meeting. He explained that pension reform legislation was passed last year; however, the specific regulations related to the pension reform were supposed to be adopted by January 1, 2009 and the regulations have not yet been adopted. The regulations are expected to be adopted within 30-45 days. The County Attorney explained that we have to establish the standard workday for all appointed and elected officials. It has been determined that all employees on the Department Head Salary Schedule must keep a three-month log to determine what their retirement credit will be. Such record shall be completed within 150 days of being elected or appointed to the position. Those appointed to positions without a term will only have to complete the log at the time of appointment; however, those appointed with a term and elected officials must complete a log at the beginning of each term. Once we get the regulations from the State, we will adopt a resolution.

Chairman Merrick asked if this legislation applies at the town level, and the County Attorney responded yes. Those employees elected and appointed with a term will also have to log their time town business time. Mr. Moore asked for a clarification if the towns would have to do two separate logs, and the County Attorney responded yes.

Mr. Wadsworth asked if there is any preliminary information that could be distributed. The County Attorney stated he would provide the information that he received from the NYSAC webinar.

The County Attorney explained that if you have opted out of the retirement system, you would not be required to complete a log.

3. Flower Fund Collection - \$20.00

Chairman Merrick announced the Clerk is collecting \$20.00 for the Flower Fund for the year 2009.

4. The NYSAC 2009 Legislative Conference will be held February 9-12, 2009 in Albany at the Desmond Hotel. If you plan to attend, please meet in the Clerk's office after this meeting to discuss arrival and departure dates.

### **STATE OF THE COUNTY**

Chairman Merrick asked the Clerk of the Board to read the following message:

**STATE OF THE COUNTY  
JANUARY 2, 2009**

*Dear Citizens of Livingston County,*

*I am pleased to present the 2009 State of the County. In concluding my tenth year as your Chairman of the Board of Supervisors, I am proud that we continue to build on our past successes as we look to preserve our fiscal and organizational stability for years to come.*

*In the multitude of successes achieved by Livingston County in 2008, one particular accomplishment merits special mention. In May of 2008, the ribbon was cut on the new Noyes Center for Kidney Disease & Dialysis in Partnership with Livingston County at the Millennium Drive Complex. This center, which serviced its first patient on June 6, 2008 and has through the end of November completed over 2,000 treatments, is proof that the combination of a progressive, locally-focused hospital and a proactive, resident-centered county government is indeed a formula for productive results.*

*In these challenging economic times, I, as Chairman of the Board of Supervisors, am ever mindful of the County's financial picture. On behalf of the Board, I would like to take this opportunity to thank our County Administrator, Dominic F. Mazza, for his strong management of County operations and commend him for producing positive financial outcomes. I would also like to acknowledge our Department Heads for their unwavering commitment to this organization. County government is service-based, and I cannot thank our exemplary staff and volunteers enough for the dedication they display in the performance of their responsibilities. The support of our elected officials has not gone unnoticed, as their attention to the County's needs is vitally important. And last, but certainly not least, I am especially grateful for the administrative staff that I have the pleasure to work with on a daily basis.*

*Our goal is to continue providing the constituents of Livingston County with the highest level of service delivered in a cost-effective manner.*

*May God bless and continue to guide each one of us.*

*James C. Merrick  
Chairman of the Board*

Chairman Merrick asked County Administrator Nick Mazza to present an overview of the 2009 State of the County including our 2008 accomplishments and goals for 2009.

County Administrator Mazza wished everyone a Happy New Year and stated it was a privilege to present the 2009 State of the County. He presented a Power-Point presentation highlighting a Four-Year Financial Review, Financial Outcomes, Economic & Workforce Development Successes, Selected Departmental Accomplishments, Capital Projects: The Year in Review and The Year Ahead, and Awards and Recognition (on file).

County Administrator Mazza began by reviewing a four-year chart reflecting the Assessed Value, Tax Levy, Tax Rate, Constitutional Tax Margin and year-End General Fund Balance.

The County Administrator stated that we all know the economic crisis the State of New York is in and he emphasized the fact that Livingston County is very stable and that we have a very good financial outlook and strong cash flow. The 2009 levy for the Workers' Compensation Fund was reduced by nearly 22%, and in 2008 the recordable injuries at the CNR declined by approximately 45% over 2007 and associated Lost Work Time declined by approximately 46%. He reported that \$1,750,000 was set aside for long-term capital and building projects for 2009.

The County Administrator indicated that through the efforts of Livingston County and New York State, Coast Professional selected Geneseo for the location of a call center to eventually employ 100 people. Also, the Alliance for Business Growth program graduated 30 emerging entrepreneurs in 2008. In addition, 11 vacation downtown structures were filled totaling 16,600 square feet creating 13 jobs. The Alliance for Business Growth sponsored "Destination Downtown" conference in October that attracted 236 registrants from 11 counties. The Center for Workforce Development served over 8,000 job seekers, an increase of 60% versus 2007, and also provided summer job opportunities for over 100 eligible youth.

The County Administrator reviewed selected departmental accomplishments (on file) and acknowledged newly appointed Deputy County Administrator Ian M. Coyle, Planning Director Angela Ellis, Director of Community and Mental Health Services Gail Long and Commissioner of the Board of Elections Nancy Leven and asked them all to stand.

The County Administrator indicated that 2008 was a very busy year with our capital projects. He stated our most successful project was opening of the Noyes Center for Kidney Disease and Dialysis In Partnership With Livingston County. The Building #1 renovation continued with relocation expected in the spring of 2009. The replacement of the roof at the Millennium Drive Complex will be completed soon. He stated in December 2008, the County helped celebrate the ribbon cutting and community grand opening of the recently renovated Building #4, which houses the administrative offices of the Genesee Valley Council on the Arts, the Livingston Arts Center and the extensive county collection of New Deal era WPA artwork. The County Department of Central Services was directly responsible for the interior renovations for the conversion, and he publicly commended Supervisor of Buildings and Grounds Dave Allen and his staff for their excellent work.

The County Administrator explained the capital projects for the year ahead include completion of the reconstruction and renovations for Building One and relocate the Department of Social Services, approve the final budget and begin construction of the County Jail Annex, and address the New York State Department of Environmental Conservation (NYSDEC) approved workplan for the Environmental Restoration Program (ERP) at the Former Wilcox Press Site in the Village of Dansville. It is expected that demolition and asbestos abatement will occur in early 2009. He added he is hopeful that we will have dental clinic on the County Campus and begin providing dental services to those in need. He read all of the departmental recognitions that appear below in the 2009 State of the County.

The County Administrator commented that this is a snap shot of the many things we accomplished throughout 2008. He indicated we will certainly have challenges ahead due to the economic status of the State and our sales tax revenue concerns, but we will continue to make sound decisions and manage our fund balance. The County Administrator acknowledged Deputy County Administrator Ian Coyle for preparing the State of the County, and Michele Rees and Theresa Schettine for their assistance. He congratulated Chairman Merrick for being elected as Chairman once again and for his continued support throughout the year. He stated that all of us deserve a round of applause and thanked the Board for their attention.

Chairman Merrick stated that he decided ten years ago to institute the State of the County and added he believes it is a good tool for us to inform the residents of the County our accomplishments and goals.

At this time, he acknowledged County Administrator Nick Mazza for presenting the 2009 State of the County and also for his strong management skills and dedication, and preparing the 2009 County budget, which is incidentally his 21<sup>st</sup> budget.

The Board of Supervisors presented County Administrator Nick Mazza a standing ovation.

*The following is the 2009 State of the County in its entirety:*

**SPECIAL DEPARTMENTAL RECOGNITIONS**

*Several County departments and individual employees were recognized in 2008 for their exceptional service.*

- *Major Ray Ellis was presented with the 2008 Carl Draxler Award for exceptional career achievements from the New York State Sheriffs Association Institute, Inc.*
- *Brenda Donahue, Supervisor for the Town of Conesus and Vice Chair of the Human Services Committee, was recognized with a Certificate of Achievement from the NYSAC Dennis A. Pelletier Institute.*
- *Rodney Clements, LPN at the Department of Public Health, was selected as the 2008 recipient of the Home Care Association of New York State's Telehealth Champion of the Year Award for his efforts in implementing result-oriented home care technology.*
- *Mary Margaret Stallone, Director of Preventive Services, was named to the NYSDOH Public Health Honor Roll.*
- *Dale Nieswiadomy, Director of Information Technology Services, completed a 12-month educational program at the School of Government, University of North Carolina at Chapel Hill through GMIS International and now holds the title of Certified Government CIO (CGCIO)*
- *Dominic Mazza, County Administrator, was recognized with the Arts Leadership Special Recognition Award by the Genesee Valley Council on the Arts.*
- *In 2008 the Center for Nursing and Rehabilitation, received:*

*-The 10th annual Quality of Life Award from the Alzheimer's Association, Rochester New York Chapter, for making a major and direct positive impact on individuals with Alzheimer's disease and their families.*

*-The Livingston County Business of the Year Award from the Genesee, Livingston, Orleans, Wyoming Workforce Investment Board (GLOW WIB) for being the Livingston County business to best utilize GLOW WIB services for the period 7/1/07 - 6/30/08.*

*-The Innovation Award from the NYS Association of Homes & Services for the Aging for the Neighborhood Report Card program, which emphasizes transparency and performance.*

- *The Department of Social Services Child Support Unit received an award from the New York State Office of Temporary and Disability Assistance for achieving excellence in increasing the percentage of child support funds collected.*
- *The Department of Public Health's Certified Home Health Agency (CHHA) has again made the Top 25% List from HomeCare Elite, which ranks the CHHA's performance measures in quality outcomes, quality improvement and financial performance among the top 25% of Medicare certified agencies in the country.*

### **HEALTH CARE & HUMAN SERVICES**

- *The Youth Bureau/Board, in conjunction with the Board of Supervisors, recognized 77 recipients of the annual "Teen Recognition Award" in May.*
- *The Youth Bureau, in conjunction with the town/village recreation programs and other County agencies, held their 2nd annual Livingston County Field Days for 350 youth at the Livonia Central School facility.*
- *To promote healthy lifestyles, the Youth Bureau, in collaboration with the Genesee Valley Health Partnership, held simultaneous "Hip Hop" physical activity events in recreation programs throughout the County with over 1,000 youth participating.*
- *The Department of Social Services, the Center for Nursing and Rehabilitation and the Office for the Aging partnered with the Livingston-Wyoming ARC and received the New Freedom Federal Grant Award from the Department of Transportation for enhanced "Door Through Door" transportation services to frail and disabled residents.*
- *The Office of Mental Health and Community Services established case management walk-in hours at the Livingston County Mental Health Clinic with a goal of addressing issues (information, linkages) for clients who otherwise do not qualify for or do not need ongoing case management services.*
- *The Office of Mental Health and Community Services established a full time Forensic Mental Health Therapist position that provides clinical services within the jail setting, consultation to law enforcement, probation and the courts, and aftercare to newly released individuals.*
- *The Department of Health sponsored a conference on Internet Safety where 47 participants learned tools to assist in identifying potential problems (internet, predators, instant messaging, cyberbullying) with the use of technology/media.*
- *The Department of Health worked with County Administration in support of the local law prohibiting smoking on County property. As the enforcement entity for the law, the Department responds to complaints. Seven complaints were received. All but one were resolved immediately, with the remaining incident handled through a Formal Hearing.*
- *The Department of Health received a three-year grant to address obesity in adults and children. Working with community partners, initiatives to reduce obesity, increase activity, and improve dietary intake will be implemented and/or enhanced.*
- *2008 Census data for the Center for Nursing and Rehabilitation through November was 97.69%. The most recent statewide occupancy data reflects an average nursing home occupancy of 92%.*
- *The Center for Nursing and Rehabilitation has experienced a 2008 center-wide turnover rate of 19.7%, far below national industry standards.*
- *The Planning Department kicked-off the first "LET'S Plan!" training workshop in December 2008 for local Planning and Zoning Board members. This provided two hours of training towards the four-hour training requirement for the 35 local planning and zoning members in attendance.*
- *The County Image Mapping System (CIMS) was created and launched on the County intranet for use by all County employees.*

- *The Planning Department assisted the Towns of Livonia and Conesus in securing a \$382,869 Environmental Protection Fund Grant award through the NYS Department of State for a streambank remediation initiative in the Conesus Lake Watershed.*
- *The County Veterans' Service Officer participated in the "Welcome Home" ceremony for A Co 2/108, advised returning Veterans of their benefits, and helped process those who wanted to file claims with the Department of Veteran Affairs.*

### **PUBLIC SERVICES**

- *The County Highway Department completed 4.9 miles of multi-year road reconstruction projects on Scottsburg Road (CR 1 – Groveland/Sparta) and Barkertown & Chidsey Roads (CR 78 & 79 – Nunda). Work continued on the reconstruction of River Road (CR 37 – Leicester), including replacement of a large concrete box culvert.*
- *Pavement maintenance/improvement activities were performed on 80 miles of various County Roads, including surface-treating, micro-paving, ditching, crack-sealing, shoulder-cutting, tree trimming and culvert work. Assistance was provided by all 17 Town Highway Departments during 2008.*
- *The County Bridge Crew completed the replacement of the following deficient bridges in 2008: Samples Corners Road over Bradner Creek, Ossian; Doan Road over Keshequa Creek, Portage and Corby Road over Spring Brook, Lima. Federal/State-Aid Bridge Replacement Projects completed in 2008 included Red Jacket Street over Mill Creek, Village of Dansville; White Bridge Road over Canaseraga Creek, Sparta/West Sparta and Bailey Road over Keshequa Creek, Nunda. The Hunts Hollow Road Bridge over NS Railroad project is 50% completed and will be opened in summer 2009.*
- *The Public Works Department and the Livingston County Water and Sewer Authority completed two multi-year projects in 2008:*
  - The Groveland Station Water project was completed, which brought a new water supply to the residents of the Groveland Station service area. The new water supply replaced a spring system that no longer met water quality standards or the quantity needs of the area.*
  - The second multi-year project completed in 2008 was the Conesus Sewer project. Residents in the project area were able to connect into the sewer starting in September. All residents will have to be connected in one year.*
- *The GLOW Solid Waste Committee provided their annual Household Hazardous Waste Collection in May of 2008. This year GLOW added a Pharmaceutical Collection Event in October. The event was planned due to the recent information regarding the misuse of old unwanted pharmaceuticals and also the environmental effect of improper disposal of pharmaceuticals.*
- *The Sheriff's Office continued to meet the ever-growing demand on Public Safety Services by opening a new state-of-the-art back up 911 Center at the Hampton Corners Emergency Management Services Training Center. This allows for redundant back up for all emergency services and expansion of emergency services capabilities for call taking and dispatching for all 911 services in Livingston County.*
- *The Department of Information and Technology Services, in conjunction with the Sheriff's Office, deployed an Automatic Vehicle Location System in Sheriff's and State Police vehicles. This software allows the location of the vehicles to be constantly displayed on computerized maps within the Sheriff's 911 Center. By using this product, the 911 center can visually see incident locations (as it also plots a 911 call) and which vehicle is closest to the incident.*
- *The Probation Department modernized equipment by using visual verification for client alcohol tests rather than voice verification. The new system will be more time efficient, a better supervision tool and more cost effective.*
- *Emergency Management Services, in concert with the County Highway Department and the Steuben County Soil & Water Conservation District, assisted in the development of a stream flow mitigation project near the Poag's Hole Road Bridge in North Dansville.*
- *There were 2,776 responses by the County Advance Life Support Program and 3,827 responses by the County's Fire Departments.*
- *Emergency Management Services acquired \$111,200 in grant money from the Department of Homeland Security for the Hazardous Materials Response Team equipment and training. The equipment and training is shared with other responding agencies including Law Enforcement, EMS and ALS.*

- *The Board of Elections purchased machines for the new voting system, which are now part of the Millennium Drive Elections storage and service center facility. Both the new machines and the lever machines were rolled out for the fall primary and general elections.*

### **FINANCE & MANAGEMENT**

- *In November, the 2009 budget was approved with a property tax rate of \$7.26 per thousand, an increase of 2.2% compared to the 2008 rate. The budget continues to fund all existing programs and services. The ten-year average annual change in the property tax rate is less than 1%.*
- *The 2009 budget maintains adequate surpluses and a strong cash position.*
- *The 2009 budget provides full funding for the continued investment in our local Highway and Bridge system. The budget contains significant increases in the cost of fuel and local snow and ice contracts.*
- *Due to a strong fund balance position, the County was able to leverage a net additional \$3.2 million in supplemental Medicaid Upper Payment limit funding (Intergovernmental Transfer or IGT) for 2008 and 2009. As a result, the tax levy for the CNR for 2009 has been reduced by \$1.4 million.*
- *A \$1,750,000 cash appropriation for capital projects is included in the 2009 budget. It is anticipated that these funds will be used to complete the renovations to Building 1 on the Murray Hill Campus. The development of the Millennium Drive complex will continue as will the Wilcox Press Brownfield Remediation project.*
- *The County reduced the amount to be raised by taxes for the Workers' Compensation fund by almost 22% (from \$1,520,000 in 2008 to \$1,191,000 in 2009). The driving forces in this reduction were fewer new claims from the CNR (due primarily to the "no-lift equipment") and aggressively negotiating settlements in many comp claims thus reducing our future obligations.*
- *Appointed Deputy County Administrator Ian M. Coyle, Planning Director Angela Ellis, Director of Community and Mental Health Services Gail Long and Commissioner of the Board of Elections Nancy Leven.*
- *County Administration proposed, and the Board of Supervisors supported, a charge-back system for election inspector expenses.*
- *After completion of a Request for Proposal (RFP) process, the County changed service providers and initiated a contract with Thoma Development for grant-writing and management services.*
- *The Office of Real Property Tax Services led an in-house assessment administration study to explore how the various in-county assessment departments could provide more efficiency, transparency and equity to our taxpayers.*
- *The Office of Real Property Tax Services worked closely with the assessors in all 17 Towns and offered additional office and field support to the Towns of Leicester and York in their effort to reevaluate assessment amounts for the 2009 roll year.*
- *The Cold War Veterans Property Tax exemption was passed and implemented by the Livingston County Board of Supervisors. The County Veterans' Service Officer has assisted in the completion of applications for those veterans who meet the criteria.*
- *The Personnel Office worked with the County Administrator, the County Treasurer, the Information and Technology Services Department, Nationwide Retirement Solutions and outside counsel to create and implement a deferred compensation matching plan. The plan will be effective January 1, 2009. Participation will be open to employees within the CSEA full-time and LCDSA bargaining units, as well as full-time department heads.*
- *The Personnel Office together with NYMIR has developed a "train the trainer" program to train representatives from all County departments regarding workplace violence prevention. Those who are trained will return to their departments to train all staff. Training will begin in January of 2009.*
- *The Personnel Office worked with the Sheriff's Office and outside counsel to develop a training program for supervisors concerning employment investigations. This training program will begin in January of 2009.*
- *The County Clerk's office completed a series of electronic management initiatives in 2008, which included the installation of an Integrated Imaging System, the e-filing of certain court records, the conversion of indexes from tapes and the back scanning of all associated images with these land records for the period 1964-1993.*
- *As part of the County Workplace Violence Prevention Program, a new access-card entry system was installed at the Government Center.*

- *Information & Technology Services finished design and programming of a Real Property Tax information inquiry system and a searchable index of census, naturalization, veteran and death information which are now accessible from the County website.*
- *A three-year labor agreement was achieved with the Livingston County Deputy Sheriff's Association.*

### **ECONOMIC & WORKFORCE DEVELOPMENT**

- *The Center for Workforce Development provided summer job opportunities for over 100 eligible youth in 2008. These youth workers were assigned to various employers including recreation programs, nursing homes, local schools, and some private sector businesses.*
- *Over 8,000 job seekers were served by the Center for Workforce Development in 2008, providing job matching, career counseling, workshops, resume preparation and training tuition. This was an increase of 3,000 over 2007 figures.*
- *Four companies (Allen Bailey Tag & Label, Caledonia; Riverside Wine and Liquors, Mt. Morris; Metalade, Avon and Lakelands Concrete, Lima) ended their IDA tax abatements and returned to the tax rolls. Together these firms employ 186 and have a total assessed value of \$3.2 million*
- *The IDA completed its \$1.2 million financing for the expansion of Noyes Hospital in Dansville.*
- *Sweeteners Plus completed its third expansion in five years through the IDA.*
- *A new Agri-business to the County, Perdue, constructed a new \$2.2 million state-of-the-art intermodal grain elevator in Lakeville with financing provided by the IDA.*
- *Through the successful efforts of Livingston County and New York State, Coast Professional selected Geneseo for the location of a call center to eventually employ 100.*
- *The Alliance for Business Growth program graduated 40 emerging entrepreneurs in 2008. In addition 11 vacant downtown structures were filled totaling 16,600 square feet resulting in the creation of 13 jobs. The ABG sponsored the "Destination Downtown" conference in October, which attracted 236 registrants from 11 counties.*

### **CAPITAL PROJECTS**

- *In May of 2008, the Noyes Center for Kidney Disease and Dialysis in Partnership with Livingston County serviced the facility's first client. The center is located in the County Millennium Drive Complex in Geneseo. The Central Services Department contributions included providing phase one-demolition services to the interior of the building.*
- *In the summer of 2008, the Highway Department built a new parking lot and expanded the stormwater retention pond at the Government Center as part of the jail expansion project. Reconstruction of various parking areas at Millennium Drive was also accomplished.*
- *Renovation continued at Building #1 on the Mount Morris Campus. The project is substantially complete with relocation expected in the spring of 2009.*
- *In November 2008, bids were received and a contract awarded for the replacement of the roof at the Millennium Drive complex. It is expected that work will be substantially complete before the end of 2008.*
- *In December 2008, the County helped celebrate the ribbon cutting and community grand opening of the recently renovated Building #4, which houses the administrative offices of the Genesee Valley Council on the Arts, the Livingston Arts Center and the extensive county collection of New Deal era WPA artwork. The County Department of Central Services was directly responsible for the interior renovations for the conversion.*
- *The County accepted the RFQ of Lu Engineers for consulting engineer services for participation in the New York State Department of Environmental Conservation (NYSDEC) Environmental Restoration Program (ERP) at the Former Wilcox Press Site in the Village of Dansville. In 2008, the County submitted a draft workplan of activities to the DEC, which was subsequently accepted. It is expected that demolition and asbestos abatement will occur in early 2009.*
- *Planning and design activities for a new annex and renovations to the existing Livingston County Jail at the Court Street location continued throughout 2008. It is anticipated that building construction will commence in early 2009 and continue through 2010.*

### **2009 ACTIVITIES**

#### *Administration*

- *Maintain our strong financial operations and credit ratings. Continue our success of sound economic development and continue to provide quality services to our citizens.*
- *Challenge any cost-shifting proposals by the New York State legislature*
- *Develop and implement the 2008 Health Insurance Feasibility Study by The Segal Company.*
- *Through a contract for services with external auditors at the Bonadio Group, research and develop a fleet replacement policy and fleet management report.*
- *Complete the reconstruction and renovations for Building One and relocate the Department of Social Services.*
- *Approve the final budget, begin construction and commence capital project oversight for the County Jail Annex.*

#### *Personnel Department*

- *Develop a training program for supervisors concerning employment investigations.*

#### *Department of Social Services*

- *Assimilate the Section VIII Housing Program into the DSS environment*

#### *Emergency Management Services*

- *Enhance the capabilities of the Emergency Operation Center, with additional technology, training, and functional exercises to test the response capabilities of various agencies.*
- *Continue to provide training to all first responders in the County with the use of the technology and training props available at the Training Center.*

#### *Highway*

- *Major road reconstruction projects earmarked for 2009 include: Completion of River Road (CR 37 – Leicester), Groveland Road (CR 10 – Groveland/Geneseo), and River Road (CR 84 – Caledonia). Anticipated paving projects include: Sliker Hill Road (CR 33 – Conesus), Federal Road (CR 56 – Conesus/Livonia), Bronson Hill Road (CR 62 – Livonia/Avon), and East Lake Road (CR 6 – Livonia).*
- *Federal/State-Aid Bridge Replacement Projects planned for 2009 include: Completion of Hunts Hollow Road over NS Railroad, Portage; Pioneer Road over Canaseraga Creek, Groveland; Baker Road over Keshequa Creek, Portage; and Kysorville-Byersville Road (CR 59), West Sparta.*
- *Replace the Nations Road Bridge over Jaycox Creek, Geneseo.*

#### *Board of Elections*

- *Administer a full implementation of the HAVA-related election administration requirements*

#### *Planning*

- *Continue to provide Technical Assistance and training opportunities for municipalities, including a Spring and a Fall "LET's Plan!" workshop.*
- *Continue to implement the 36 recommendations in the Conesus Lake Watershed Management Plan.*
- *Complete the Livingston County Community Needs Assessment process for prioritizing the allocation of Community Service Block Grant funds.*
- *Complete the Tenth Annual EMC Earth Day Award*

#### *Real Property Tax Services*

- *Conduct an extensive market analysis of all properties leading up to the countywide update of assessment values for 2010.*
- *Assess implementation of the recommended action steps in the state-funded Centralized Property Tax Administration Program (CP-TAP) Assessment Study.*

#### *Center for Nursing & Rehabilitation*

- *Begin conversion of medical record components to a paperless system in 2009 with the introduction of software to provide electronic records for medication administration, physician orders and caregiver documentation.*
- *Implement a comprehensive Restorative Nursing Program throughout its chronic care neighborhoods to assist residents to maintain their highest practicable level of physical function through a formal program of risk assessment and treatment of declines in activities of daily living.*

#### *Public Health*

- *Decrease obesity among children and adults through increased activity and improved nutrition.*
- *Expand department in Building #2*
- *Decrease teen pregnancy rates through work with schools and communities*

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, January 14, 2009 at 1:30 p.m.  
Carried.

The Board adjourned at 2:03 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, JANUARY 14, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present.

**PLEDGE OF ALLEGIANCE**

Mt. Morris Supervisor Charles DiPasquale led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 12/17/08 Regular Meeting were approved as presented.
2. Minutes of 1/2/09 Organizational Meeting were approved as presented.

**COMMUNICATIONS**

1. Governor Paterson's proposed 2009-10 Executive Budget is available on CD in the Clerk's Office for your review.
2. The NYSAC 2009 Legislative Conference will be held February 9-12, 2009 in Albany at the Desmond Hotel.
3. Notice of Claim in the matter of Inmate Victor Altheus DePonceau versus County of Livingston et al.
4. Thank you note from Chairman James C. Merrick.
5. Thank you note from Virginia O. Amico.
6. Notification from NYMIR that Corporal Lawrence Kennedy and Corrections Officer Donald Lubanski attended a Corrections Supervisors Seminar held in Syracuse.
7. Letter of commendation from Eleanor Nichols acknowledging the Livingston County Department of Health for installing a Home Monitor system.
8. Thank you note from the family of Richard Harrison, husband of Joan Harrison.
9. Summons and Complaint in the matter of Jeffery Lindsey versus the County of Livingston, filed in the Office of the Clerk of the Board on January 8, 2009.
10. Reminder that the Chamber's After Hours is hosted this month by the Noyes Center for Kidney Disease and Dialysis in Partnership with Livingston County, today from 4-6pm. No reservations are required. Hors d'oeuvres and beverages will be provided.
11. Thank you note from North Dansville Supervisor Dennis Mahus for the card and Tops gift card.
12. Governor David Paterson's 2009 State of New York State of the State is on file.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-001      APPROVING ABSTRACT OF CLAIMS #12B – DECEMBER 24, 2008**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #12B dated December 24, 2008 in the total amount of \$2,048,392.47.

Dated at Geneseo, New York

January 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-002      APPROVING ABSTRACT OF CLAIMS #1A – JANUARY 14, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #1A dated January 14, 2009 in the total amount of \$2,617,118.89.

Dated at Geneseo, New York

January 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**PRIVILEGE OF THE FLOOR**

There was not a request for Privilege of the Floor.

**PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE****RESOLUTION NO. 2009-003 APPOINTING MEMBERS TO LIVINGSTON COUNTY COMMUNITY INITIATIVES COUNCIL**

RESOLVED, that the following persons are hereby appointed to the Livingston County Community Initiatives Council for a term as designated:

Name	Address	Rep./Title	Term
<b>Livingston County Community Initiatives Council</b>			
Colleen West	PO Box 43, Livonia NY 14487	Public Sec/ Clerk, T of Livonia	1/1/09-12/31/11
Charles DiPasquale	103 Main Street, Mt. Morris NY 14510	Pub Sec/Supervisor, T of Mt. Morris	1/1/09-12/31/11
J. Peter Yendell	7449 College Street, Lima NY 14485	Public Sec/Supervisor, T of Lima	1/1/09-12/31/11
Vacant		Public Sector	
Vacant		Public Sector	

Dated at Geneseo, New York

January 14, 2009

Human Services Committee

**RESOLUTION NO. 2009-004 APPOINTING MEMBERS TO THE LIVINGSTON COUNTY PLANNING BOARD**

RESOLVED, that the following members are hereby appointed to the Livingston County Planning Board for a term as designated:

Name	Address	Rep./Title	Term
<b>Livingston County Planning Board</b>			
Patrick McCormick	252 Genesee Street, Avon NY 14414	T of Avon	1/01/09-12/31/11
Bonnie Taylor-Davis	410 North Avenue, Avon NY 14414	V of Avon	1/01/09-12/31/11
Betty Marble	7050 Stagecoach Rd, Conesus NY 14435	T of Conesus	1/01/09-12/31/11
Karen Roffe	PO Box 266, Leicester NY 14481	V of Leicester	1/01/09-12/31/11
Joanne Palmer	PO Box 127, Livonia NY 14487	V of Livonia	1/01/09-12/31/11
Havilah Toland	Box 85, Springwater 14560	T of Springwater	1/01/09-12/31/11
Sue Erdle	4815 Stoner Hill Road, Dansville NY 14437	T of West Sparta	1/01/09-12/31/11
Dennis Witte	5305 East Lake Road, Conesus NY 14435	Alt At-Large #1	1/01/09-12/31/09
Bruce Dehm	Dehm Assoc. Box 103, Geneseo NY 14454	Alt At-Large #2	1/01/09-12/31/09
Jo Beth Bellanca	1123 Oak Openings Rd, Honeoye Falls 14472	Alt At-Large #3	1/01/09-12/31/09

Dated at Geneseo, New York

January 14, 2009

Human Services Committee

**RESOLUTION NO. 2009-005 APPOINTING MEMBERS TO THE LIVINGSTON COUNTY SOIL AND WATER CONSERVATION DISTRICT – JON P. WHITE, GARY MOORE, DAVID LEFEBER**

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

Name	Address	Rep./Title	Term
<b>Livingston County Soil and Water Conservation District</b>			
Jon P. White	114 Temple Hill Street, Geneseo NY 14454	Member	1/1/09–12/31/11
Gary Moore	2085 Dunkley Rd, Leicester NY 14481	Mem/Supervisor, T of Leicester	1/1/09-12/31/09
David LeFeber	2796 Pole Bridge Road, Avon NY 14414	Mem/Supervisor, T of Avon	1/1/09-12/31/09

Dated at Geneseo, New York

January 14, 2009

Public Services Committee

**RESOLUTION NO. 2009-006 APPOINTING MEMBERS TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD – RON MERRICK, GREG ADAMSON**

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

Name	Address	Rep./Title	Term
<b>Livingston County Traffic Safety Board</b>			
Ron Merrick	4923 Maple Beach Road, Geneseo NY 14454	Groveland Rep	1/1/09-12/31/11
Greg Adamson	4527 Adamson Road, Geneseo NY 14454	Groveland Alt	1/1/09-12/31/11

Dated at Geneseo, New York  
 January 14, 2009  
 Public Services Committee

**RESOLUTION NO. 2009-007 APPOINTING MEMBERS TO THE LIVINGSTON COUNTY WATER & SEWER AUTHORITY – RUSTY EHMANN, HAROLD STEWART, STEVEN BEARDSLEY**

RESOLVED, that the following members are hereby appointed to the Livingston County Water and Sewer Authority for the term designated:

Name	Address	Rep./Title	Term
<b>Livingston County Water &amp; Sewer Authority</b>			
Rusty Ehmman	5768 McPhersons Pt, Livonia NY 14487	Member	1/1/09-12/31/11
Harold Stewart	3911 Jones Bridge Road, Geneseo NY 14454	Member	1/1/09-12/31/11
Steven Beardsley	2600 Dow Row, Piffard NY 14533	Member	1/1/09-12/31/11

Dated at Geneseo, New York  
 January 14, 2009  
 Public Services Committee

**RESOLUTION NO. 2009-008 SUPPORTING DISTRICT ATTORNEY’S TRAFFIC DIVERSION PROGRAM**

WHEREAS, serious motor vehicle crashes have continued at approximately the same rate in Livingston County for the past ten years; and

WHEREAS, increased enforcement alone has not affected the rate of serious motor vehicle crashes; and

WHEREAS, remedial driver education has proven to be a valuable tool in reducing crashes and subsequent violations of the rules of the road; and

WHEREAS, Livingston County District Attorney Thomas E. Moran has proposed a Traffic Ticket Diversion program that provides a reward for those first time offenders of non-serious offenses who attend the New York State certified remedial driving course; and

WHEREAS, the Livingston County Board of Supervisors encourages any and all efforts to make Livingston County roads as safe as possible; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors enthusiastically supports the District Attorney’s Traffic Diversion Program.

Dated at Geneseo, New York  
 January 14, 2009  
 Public Services Committee

**RESOLUTION NO. 2009-009 REQUESTING THE STATE OF NEW YORK TO HOUSE NEW YORK STATE PAROLE VIOLATORS IN THE NEW YORK STATE DEPARTMENT OF CORRECTIONS**

WHEREAS, county jails in New York State continue to house increasing numbers of parole violators, including parole violators held on technical charges and parole violators who have become “state-ready” and are awaiting transfer to a state correctional facility; and

WHEREAS, many jails report that a significant portion of their entire jail population is comprised of such parole violators and state ready inmates; and

WHEREAS, in many county jails the average length of stay of a parole violator prior to his final parole hearing is one hundred twenty (120) days; and

WHEREAS, there are sixty-nine state correctional facilities, in addition to the 902-bed Willard Drug Treatment in Seneca County, New York, meaning that there is a state correctional facility in or near each county of New York State; and

WHEREAS, the number of inmates incarcerated in state prisons has been reduced so significantly in recent years that the Governor and some members of the New York State Legislature have called for a closing of several state correctional facilities; and

WHEREAS, these inmates held on parole violations have always been considered a State responsibility, although the State reimburses counties for only a portion of the housing costs incurred in maintaining these inmates while their parole revocation proceedings are held and completed, and provides no reimbursement for medical costs for such inmates incurred by New York State counties; and

WHEREAS, Governor Paterson in his proposed 2009-2010 state budget has suggested elimination of all funding to counties for housing such parole violator inmates on behalf of the State of New York; now, therefore, be it

RESOLVED, that Livingston County should seek appropriate relief from the Division of Parole and the Department of Correctional Services to lessen the amount of time that parole violators and state ready inmates are held at county jails; and be it further

RESOLVED, that Livingston County urges the State of New York to pass legislation to allow parolees awaiting a parole violation hearing to be incarcerated in a State Correctional facility in or near the county where the alleged parole violation occurred, rather than in a county jail; and be it further

RESOLVED, that until such time as a parolee awaiting a parole violation hearing is held at a State Correctional facility, that Livingston County should be entitled to reasonable compensation for housing such parolees, at a sum equal to the actual cost of confinement, including actual medical expenses incurred by the County; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the New York State Association of Counties, Inter-County Association of Western New York, NYS Sheriff's Association, NYS Department of Corrections, Governor David Paterson, Senators Dale M. Volker and Catharine M. Young and Assemblymen Daniel J. Burling and Joseph A. Errigo.

Dated at Geneseo, New York

January 14, 2009

Public Services Committee

**RESOLUTION NO. 2009-010 APPOINTING VOTING REPRESENTATIVES TO THE INTER-COUNTY ASSOCIATION OF WESTERN NEW YORK FOR THE YEAR 2009 – DOMENICK J. MARTELLO, MARK J. SCHUSTER, PETER YENDELL**

RESOLVED, that the following members are hereby appointed to the Inter-County Association of Western New York for the year 2009 for the term designated:

Name	Address	Rep./Title	Term
<b>Inter-County Association of Western New York</b>			
Domenick J. Martello	4939 Blank Hill Rd, Dansville NY 14437	Supervisor/T of Ossian	1/1/09-12/31/09
Mark J. Schuster	6464 Liberty Pole Rd, Dansville NY 14437	Supervisor/T of Sparta	1/1/09-12/31/09
Peter Yendell	7447 College St, Lima NY 14485	Supervisor/T of Lima	1/1/09-12/31/09

Dated at Geneseo, New York

January 14, 2009

Public Services Committee

**DISCUSSION OF THE RESOLUTIONS ON PREFERRED AGENDA**

Chairman Merrick asked District Attorney Thomas Moran to explain the proposed Traffic Diversion Program.

District Attorney Tom Moran stated that if someone gets a traffic ticket, this Traffic Diversion Program will allow that person, if eligible, to pay \$100 to the County and attend defensive driving school and the ticket will be dismissed. He explained that currently the surcharge fee and fine is sent to the State except for a \$5.00 handling fee that is retained by the court. He indicated the defensive driving education would take 10% off the person's automobile insurance and four points off his/her license. Some people may not be eligible depending on their driving and/or criminal record. District Attorney Tom Moran stated he intends to implement the program fairly quickly if approved by the Board of Supervisors. He asked the Board if they had any questions.

Geneseo Supervisor Wadsworth asked if someone does not want to go to school, can they just pay the fine, and T. Moran responded yes.

Lima Supervisor Yendell asked why would some people not be eligible for this program. T. Moran explained if someone has several traffic infractions such as reckless driving, speeding in a 30 mph area, DWI, he or she would not be eligible.

Vice Chairman and Leicester Supervisor Moore reported that \$1.2 million was sent to the State last year. T. Moran explained that if we dismiss a ticket, the State will not get a dime and the \$100 would go to the County. T. Moran explained one out of twenty cases is a traffic infraction that is prosecuted by the District Attorney's Office. T. Moran stated he is hopeful that the money generated from this program will offset the money that has been taken away by the State of New York.

Ossian Supervisor Martello asked if we have any oversight of the defensive driving course, and T. Moran responded no, the State is in charge of this and he explained that the instructors must be certified by the NYS Department of Motor Vehicles to give the course.

Caledonia Supervisor Pangrazio asked what does the Town get now, and T. Moran stated the Towns get a \$5 handling fee and the remainder of the fine is sent to the State.

County Attorney David Morris asked T. Moran if he thinks the State will have a problem with this program. T. Moran commented that he works for the County and not the State and why should the Town and Village courts provide revenue to the State. The District Attorney does have the authority to determine whether to prosecute or not.

**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. Davis to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTIONS**

**RESOLUTION NO. 2009-011      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY MENTAL HEALTH DEPARTMENT: PEACE**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>PEACE</b>	1/1/09-12/31/09	\$20,825.00

P.O. Box 566  
 Lakeville, NY 14480  
 For: Family Support Program.  
 Dated at Geneseo, New York  
 January 14, 2009  
 Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-012      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: JEFFREY HANSON, MD, MEDEX BILLING, INC., LIVONIA AMBULANCE DISTRICT #1, LIFE SCIENCE LABORATORIES, INC., RUSH INTERPET, THOMAS F. CLARK, P.E.**

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

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

Contractor	Term	Amount
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**Jeffrey Hanson, MD** 1/1/09-12/31/13 \$1500.00  
 118 Main St.  
 Mt. Morris, NY 14510  
 For: Consultation Services for the Department of Health TB Program.

**MedEx Billing, Inc.** 1/1/09-12/31/10 Per Claim \$32.75  
 PO Box 186  
 Leroy, NY 14482-0186  
 For: This is a renewal of the contract for 2009 ALS Billing.

**Livonia Ambulance District #1** 1/1/09- No Cost  
 PO Box 108  
 Livonia, NY 14487  
 For: EMS Internship for training purposes. Term is open until terminated by either party with 30 day written notice.

**Life Science Laboratories, Inc.** 1/2/09-12/31/09 \$5,000.00  
 Finger Lakes Lab  
 16 North Main St.  
 PO Box 424  
 Wayland, NY 14572  
 For: Analytical Laboratory Services, water and wastewater analysis to verify water quality and determine potential sources of contamination and public health exposures. The contract may be extended for one year.

**Rush InterPet** 1/2/09-12/31/09 \$3,500.00  
 139West Rush Road  
 West Rush, NY 14543  
 For: Dog disposition (burial) services.

**Thomas F. Clark, P.E.** 1/2/09-12/31/09 \$5,000.00  
 282 Buckman Road  
 Rochester, NY 14615  
 For: Renewal of contract for professional engineering plan review.  
 Dated at Geneseo, New York  
 January 14, 2009  
 Human Services Committee  
 The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-013 ESTABLISHING INCREASED LIVINGSTON COUNTY ALS RATE FEES EFFECTIVE JANUARY 1, 2009-MEDEX BILLING INC.**

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

WHEREAS, after a review of the County's 2008 cost of ALS services billed through MedEx Billing Inc., it has been determined that the charge structure should increase as follows, now, therefore, be it

RESOLVED, that the following schedule of charges for the Livingston County ALS Program billed through MedEx Billing, Inc. be effective January 1, 2009:

<b>Discipline</b>	<b>Billing</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
ALS	ALS	\$525.00	\$555.00	\$580.00	\$600.00	\$700.00

Dated at Geneseo, New York

January 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-014 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: NYS OFFICE OF CHILDREN & FAMILY SERVICES, CHILD CARE COUNCIL, RITA LIOTTA, CHANCES & CHANGES, CATHOLIC CHARITIES, GENESEE COUNCIL ON ALCOHOL & SUBSTANCE ABUSE, HILLSIDE CHILDREN'S CENTER, CENTER FOR DISABILITY RIGHTS, COUNCIL ON ALCOHOLISM & SUBSTANCE ABUSE OF LIVINGSTON**

**COUNTY, CATHOLIC FAMILY CENTER, GENESEE REGION HOME CARE D/B/A HOME CARE PLUS, UNLIMITED CARE, SIBLEY NURSING, KATE BUCKLEY, SUE IVANCIC, STACI HERRICK, DAVID CORON PH.D., LEGAL AID SOCIETY, VARIOUS FOSTER BOARDING HOMES, VISION INFONET INC., INDUSTRIAL MEDICINE ASSOCIATES, HEADSTART PROGRAM OF LIVINGSTON CO.**

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Office of Children &amp; Family Services</b> 52 Washington Street Rensselaer, New York 12144 For: Costs incurred in providing inspection and registration services on behalf of OCFS of the registration and inspection of Family Day Care homes and School Age Programs in Livingston County.	1/1/09-12/31/09	\$76,447.00
<b>Child Care Council</b> 595 Blossom Rd., Suite 120 Rochester, NY 14610 For: Grant provided by OCFS to the Livingston County Department of Social Services for assigning all responsibility for provision of inspection and registration of Family Day Care Homes and School Age Programs in Livingston County to the Child Care Council, Inc.	1/1/09-12/31/09	\$76,447.00
<b>Rita Liotta</b> 4380 Ransom Rd. Clarence, NY 14031 For: Computer programming services to create, update and maintain data based programs to meet specific needs of the Department.	1/1/09-12/31/09	Hrly \$27.00
<b>Chances &amp; Changes</b> PO Box 326 Geneseo, NY 14454 For: Family Safety Advocate to assess and mitigate the risk posed to children, spouses, partners, and other family members in families where family violence occurs.	1/1/08-12/31/08	\$24,300.00
<b>Catholic Charities</b> 10 Chapel Street Mt. Morris, NY 14540 For: Intensive Case Services for Noncompliant Families to targeted households and assist them in becoming fully engaged in appropriate work or work preparation activities.	1/1/08-12/31/09	Yrly \$42,000.00
<b>Genesee Council on Alcoholism &amp; Substance Abuse</b> 430 East Main Street Batavia, NY 14020 For: Co-location project –This is a project funded 100% by the State.	4/1/08-3/31/09	\$105,750.00
<b>Catholic Charities</b> 10 Chapel Street Mt. Morris, NY 14510 For: Adult Protective Budgeting Assistance.	1/1/09-12/31/09	\$25,000.00
<b>Hillside Children's Center</b> 1183 Monroe Avenue Rochester, NY 14620 For: Work experience/Community Services for youth who are adjudicated a Person in Need of Supervision or a Juvenile Delinquent. This program is not to exceed a cost of \$123,600 and is funded through the Flexible Fund/TANF at 100% reimbursement.	1/1/09-12/31/09	\$127,600.00
<b>Center for Disability Rights</b> 412 State Street Rochester, NY 14608 For: Consumer Directed Personal Services - The CDR will assume the role of fiscal intermediary and act as the	1/1/09-12/31/12	

paymaster of record.

**Council on Alcoholism & Substance Abuse** 1/1/09-12/31/09

Holcomb Bldg., Suite 2  
Geneseo, NY 14454

For: Enhancing the requirements for CASA when working with DSS clients. Payments are \$40 for a Preassessment, drug screening for \$25.50, full evaluation if needed is \$89.99 if not paid for by Medicaid.

**Catholic Family Center** 1/1/09-12/31/09 Fee for service basis

87 North Clinton Avenue  
Rochester, NY 14604

For: Guardianship Services to provide financial and personal management services for referred adult protective services clients under this contract.

**Genesee Region Home Care** 1/1/09-12/31/09 Fee for service basis

d/b/a Home Care Plus  
70 Metro Park  
Rochester, NY 14623

For: Personal Care Services.

**Unlimited Care** 1/1/09-12/31/09 Fee for service basis

222 Bloomingdale Rd., Suite 402  
White Plains, NY 10605

For: Personal Care Services.

**Sibley Nursing Personnel Service** 1/1/09-12/31/09 Fee for service basis

3111 South Winton Road  
Rochester, New York 14623

For: Personal Care Services.

**Kate Buckley, LCSW-R, ACSW** 1/1/09-12/31/09 Fee for service basis

PO Box 242  
Honeoye Falls, NY 14472

For: The treatment of children placed in foster care due to sexual abuse. They also assist foster parents in how to deal with the children when issues come up in the home.

**Sue Ivancic, LCSW-R, ACSW** 1/1/09-12/31/09 Fee for service basis

PO Box 242  
Honeoye Falls, NY 14472

For: The treatment of children placed in foster care due to sexual abuse. They also assist foster parents in how to deal with the children when issues come up in the home.

**Staci L. Herrick, LCSW-R, ACSW** 1/1/09-12/31/09 Fee for service basis

PO Box 242  
Honeoye Falls, NY 14472

For: The treatment of children placed in foster care due to sexual abuse. They also assist foster parents in how to deal with the children when issues come up in the home.

**Dr. David Coron, Ph. D.** 1/1/09-12/31/09 Hrly \$105.00

6137 Boughton Hill Road  
Farmington, New York 14425

For: Complete psychological evaluations of referred individuals.

**Legal Aid Society** 1/1/09-12/31/09 \$48,150.00

1 West Main Street, Suite 800  
Rochester, NY 14614

For: Individualized advocacy for youth that have educational problems.

**Catholic Charities** 1/1/09-12/31/09 \$10,000.00

10 Chapel Street  
Mt. Morris, NY 14510

For: Hope Youth Mentoring Contract is a Preventive Service that we purchase for youth who are Preventive or Foster Care children.

**Foster Boarding Home Agreement** 1/1/09-12/31/09 Based on eligibility

For: All agreements with various Livingston Co. Certified Foster Parents.

<b>Vision InfoNet Incorporated</b>	1/1/09-12/31/09	Per Line \$0.09
1717 Park Street, Suite 110		
Naperville, Illinois 60563		

For: Professional expertise to provide transcribing services.

<b>Industrial Medicine Associates</b>	1/1/09-12/31/09	\$7,500.00
660 White Plains Road, Suite 630		
Tarrytown, NY 10591		

For: Physical and mental impairment examinations for County Social Service claimants to aid in determining employability. Amount based on fee schedule.

<b>Head Start Program of Livingston Co.</b>	1/1/09-12/31/11
Holcomb Bldg.	
Geneseo, NY 14454	

For: Community Partnership Agreement to facilitate referral to and enrollment in services.

Dated at Geneseo, New York  
January 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-015 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING LEASE AGREEMENT FOR THE LIVINGSTON COUNTY OFFICE FOR THE AGING: UNITED METHODIST CHURCH**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>United Methodist Church</b>	1/1/09-12/31/09	Monthly \$500.00
Dansville, NY 14437		

For: Senior Nutrition Program

Dated at Geneseo, New York  
January 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-016 AWARDING BID FOR PURCHASE OF WEATHERIZATION MATERIALS – HOME WEATHERIZATION ASSISTANCE PROGRAM**

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

WHEREAS, after the proper legal advertisement seeking bids for the purchase of weatherization materials, bids were received and opened on September 29, 2008, now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Gullo Enterprises, Inc.</b>	1/1/09-12/31/09	Prices on file
86 Main St.		
Mt. Morris, NY 14510		

For: Vinyl Replacement Windows.

<b>Temple Products of PA</b>	1/1/09-12/31/09	Prices on file
Route 522, PO Box 55		
Selinsgrove, PA 17870-0055		

For: Mobile Home Items.

<b>Raubers. Inc.</b>	1/1/09-12/31/09	Prices on file
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Box 427, 11851 Rt. 15

Wayland, NY 14572

For: Refrigerators.

**Schaeffer Supply Co. Inc.**

204 – 214 Ellicott St.

Batavia, NY 14020

For: Furnaces.

Dated at Geneseo, New York

January 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

1/1/09-12/31/09

Prices on file

**RESOLUTION NO. 2009-017 APPROVING CHANGE ORDER(S) FOR BUILDING #1 RENOVATION PROJECT – BILLITIER ELECTRIC, INC., JAVEN CONSTRUCTION, MICHAEL FERRAULO PLUMBING & HEATING**

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

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

Contractor	For	Net Change Not to Exceed	New Contract
Billitier Electric, Inc.	Lighting Outside & Basement	\$26,992.00	\$1,190,373.00
Javen Construction	Steam Pipe Relocation in Stair Tower	\$10,529.25	\$2,909,634.25
Michael Ferraulo Plumbing & Heating	Hot Water Pipe Insulation	\$7,500.00	\$1,052,500.00

and, it is further,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the necessary change order(s), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

January 14, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,706; Noes - Schuster, 46; Absent - 0; Adopted.

**RESOLUTION NO. 2009-018 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DISTRICT ATTORNEY: NYS DIVISION OF CRIMINAL JUSTICE SERVICES**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Division of Criminal Justice Services</b>	11/01/08-10/31/09	\$49,559.00

4 Tower Place

Albany, NY 12203

For: Violence Against Women.

Dated at Geneseo, New York

January 14, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-019 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT: STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE (4), MONROE COUNTY PUBLIC SAFETY LABORATORY**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Governor’s Traffic Safety Committee</b> 6 Empire State Plaza Albany, NY 12228 For: Buckle Up New York Enforcement Grant.	10/1/08-9/30/09	\$4,973.00
<b>NYS Governor’s Traffic Safety Committee</b> 6 Empire State Plaza Albany, NY 12228 For: Child Passenger Safety Program.	10/1/09-9/30/09	\$8,000.00
<b>NYS Governor’s Traffic Safety Committee</b> 6 Empire State Plaza Albany, NY 12228 For: Traffic enforcement.	1/1/09-12/31/09	\$32,000.00
<b>NYS Governor’s Traffic Safety Committee</b> 6 Empire State Plaza Albany, NY 12228 For: Accepting grant funds from the New York State Sheriff’s Association for a speed trailer, 100% reimbursement.	1/1/09-12/31/09	\$9,649.00
<b>Monroe County Public Safety Laboratory</b> 150 South Plymouth Avenue 5 <sup>th</sup> Floor Public Safety Building Rochester, NY 14614 For: Forensic Services.	1/1/09-12/31/09	\$34,200.00

Dated at Geneseo, New York  
January 14, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-020      AWARDING BID FOR THE LIVINGSTON COUNTY SHERIFF’S DEPARTMENT – SHERIFF’S ACCESSORIES**

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

WHEREAS, after the proper legal advertisement seeking bids for Sheriff’s accessories, six bids were received and opened on November 12, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>New York Police Supply</b> 1460 Ridge Road East Rochester, NY 14621	1/1/09-12/31/09	Per bid

For: Sheriff’s accessories. The County has the option to renew for two additional years.

Dated at Geneseo, New York  
January 14, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-021      AUTHORIZING TRANSFER OF FUNDS – DEPARTMENT OF HEALTH**

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

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

Livingston County Administrator.

Dated at Geneseo, New York

January 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-022 AMENDING 2009 LIVINGSTON COUNTY BUDGET - PLANNING**

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

RESOLVED, that the 2009 Planning Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6320	2770	Other, Unclassified Revenue	\$9,624.00
Increase Appropriation	A6320	4190	Agency Contracts	\$9,624.00

Dated at Geneseo, New York

January 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-023 AUTHORIZING BLANKET UNDERTAKING**

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

WHEREAS, section 11 of the Public Officers Law authorizes the governing body of a municipality to procure a blanket undertaking to cover officers, clerks and employees of the municipality who would otherwise be required to post an individual undertaking; and

WHEREAS, such blanket undertaking must indemnify against losses through the failure of officers, clerks or employees to faithfully perform their duties or account for moneys or property received by virtue of their position or employment and through fraudulent or dishonest acts committed by officials, clerks or employees covered thereunder, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors consents and approves a blanket undertaking to cover all officers, clerks and employees required by law to post an undertaking which undertaking shall be provided by the following policies:

a) Public Officials Liability Policy, provided by New York Municipal Insurance Reciprocal, policy no. MPOLIVI001; and

b) Government Crime Policy provided by Fidelity Deposit Company of Maryland, policy no. CCP0058540 05.

Dated at Geneseo, New York

January 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-024 CHANGING BOARD OF SUPERVISORS MEETING DATES FOR NOVEMBER 2009**

Mr. Pangrazio 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-third-majority vote, now, therefore, be it

RESOLVED, that due to Thanksgiving holiday, the November 11, 2009 and November 25, 2009 Board meetings are canceled and the November Board meeting will be held November 18, 2009 at 1:30 p.m. in the Board of Supervisors Assembly Room, Geneseo, New York.

Dated at Geneseo, New York

January 14, 2009

Ways and Means Committee

The roll was called as follows (2/3 vote): Ayes - 1,831; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-025 ESTABLISHING PETTY CASH AMOUNTS FOR VARIOUS DEPARTMENTS FOR THE YEAR 2009**

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

RESOLVED, that the following petty cash amounts and designees be established for the year 2009 as follows:

<u>Department</u>	<u>Custodian</u>	<u>Amount</u>
Board of Sup. /Cty. Adm.	Terrence Donegan	\$ 100.00
Center for Nursing & Rehabilitation	Frank Bassett	\$ 2,800.00
Community Services	Barbara Goodness	\$ 5,000.00
County Clerk	James Culbertson	\$ 750.00
County Treasurer	Carolyn Taylor	\$ 2,000.00
Department of Health	Joan Ellison	\$ 150.00
Economic Development	Patrick Rountree	\$ 150.00
Highway	Donald Higgins	\$ 1,000.00
Personnel	Tish Lynn	\$ 100.00
Planning	Angela Ellis	\$ 125.00
Probation	Edward Erhard	\$ 350.00
Sheriff's Dept.	John York	\$ 2,500.00
Social Services	Sandra Wright	\$ 2,000.00
Weights & Measurers	Michael Cloonan	\$ 150.00
Women's Health Center	Joan Ellison	\$ 500.00
Workforce Development	C. Keith Mitchell	\$ 300.00
Youth Bureau	C. Keith Mitchell	\$ 100.00

Dated at Geneseo, New York  
January 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-026 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY TREASURER'S OFFICE: THOMAS P. WAMP**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Thomas P. Wamp, Realtor</b> 126 Main Street P.O. Box 6 Dansville, NY 14437	1/1/09-12/31/2010	See below

For: Tax Auction Services. The County has the option to extend the contract from 1/1/2011 to 12/31/2012. Amount is 10% Buyers Premium to be paid by the Purchaser at the time of auction sale.

Dated at Geneseo, New York  
January 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-027 AMENDING DEPARTMENT HEADS SALARY SCHEDULE: COUNTY ATTORNEY'S OFFICE, DEPARTMENT OF SOCIAL SERVICES**

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

RESOLVED, that the 2009 Department Head Salary Schedule is amended as follows:

**County Attorney's Office**

Create one full-time Assistant County Attorney position.

**Department of Social Services**

Delete one full-time Social Services Attorney position.

Dated at Geneseo, New York

January 14, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-028 AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE:  
DEPARTMENT OF HEALTH, DEPARTMENT OF SOCIAL SERVICES**

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

RESOLVED, that the 2009 Hourly Employee Salary Schedule is amended as follows:

**Department of Health**

Convert one full-time Caseworker position to a part-time position effective February 15, 2009.

Convert one full-time Registered Professional Nurse position to a part-time position effective immediately.

**Department of Social Services**

Create one full-time, seasonal Home Energy Assistance Examiner position.

Dated at Geneseo, New York

January 14, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**OTHER BUSINESS**

1. CHAIRMAN OF THE BOARD APPOINTMENTS

Name	Address	Rep/Title	Term Expires
<b>Agricultural &amp; Farmland Protection Board</b>			
Les Cole	3186 Bronson Hill Rd., Livonia NY 14487	Agribusiness/Member	6/1/12
<b>GLOW Solid Waste Committee</b>			
Brenda Donohue	PO Box 188, Conesus NY 14435	Member	12/31/09
Gary D. Moore	2085 Dunkley Rd., Leicester NY 14481	Chairman Designee/Member	12/31/09
Daniel Pangrazio	531 Feeley Rd., Caledonia NY 14423	Member	12/31/09
Catherine VanHorne	PO Box 396, Lakeville NY 14480	Alternate	12/31/09
<b>Genesee/Finger Lakes Regional Planning Council</b>			
Brenda Donohue	PO Box 188, Conesus NY 14435	Chairman Designee/Member	12/31/09
William Wadsworth	PO Box 127, Geneseo NY 14454	Member	12/31/09
Robert Yull	78 N St., Geneseo NY 14454	Member	12/31/09
Angela Ellis	6 Court St., Rm 305, Geneseo NY 14454	Ex-officio Member	12/31/09
Patrick Rountree	6 Court St., Rm 306, Geneseo NY 14454	Ex-officio Member	12/31/09
<b>Genesee Transportation Council</b>			
Angela Ellis	6 Court St., Rm 305, Geneseo NY 14454	Chairman Designee/Member	12/31/09
<b>Genesee Transportation Council Planning Committee</b>			
Angela Ellis	6 Court St., Rm 305, Geneseo NY 14454	Representative	12/31/09
Donald Higgins	4389 Gypsy Lane, Mt. Morris NY 14510	Alternate	12/31/09
Heather Ferrero	6 Court St., Rm 305, Geneseo NY 14454	Alternate	12/31/09

2. COUNTY ADMINISTRATOR DOMINIC MAZZA – ECONOMIC STIMULUS UPDATE

The County Administrator reported he received a telephone call from Congressman Christopher Lee requesting that the County submit any water and sewer projects that could be considered in the stimulus package. He asked the Supervisors to provide a brief description of water and sewer projects that are needed within their town to the Deputy County Administrator by Friday, January 16, 2009.

**EXECUTIVE SESSION**

Motion made by Mr. Pangrazio and seconded by Mr. Mahus 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) & the employment history of a particular person; and that James C. Merrick act as Chairman, County

Administrator Dominic Mazza, County Attorney David Morris, & County Deputy Administrator Ian Coyle 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) & the employment history of a particular person, hereby reports as follows:

No action taken.

Dated January 14, 2009

James C. Merrick, Chairman

Virginia O. Amico, Clerk of the Board

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. Pangrazio and seconded by Mr. Wadsworth to adjourn until Wednesday, January 28, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:18 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, JANUARY 28, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present.

**PLEDGE OF ALLEGIANCE**

Springwater Supervisor Norbert W. Buckley led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 1/14/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. Letter from the Livingston County Agricultural Society & Fair at Caledonia, Inc. announcing the fair will be held from July 27 through August 1, 2009 and thanking the Board for their continued assistance that has been provided in the past.
2. Notice of Public Hearing from the Village of Dansville, Town of North Dansville Zoning Board of Appeals to be held February 5, 2009 at 7:00 p.m., Town of North Dansville Town Hall, 14 Clara Barton Street, Dansville, NY to review application of Lisa Pummell for a Home Occupation Variance.
3. A copy of the Local Government Shared Services Progress Report is on file.
4. NACo 2009 Legislative Conference will be held March 7-11, 2009 in Washington, DC.
5. Letters from State of New York Department of Agriculture and Markets certifying viable land in Agricultural District No.1, Agricultural District No. 2 and Agricultural District No. 3.
6. Please submit your Teen Recognition Award Nominations by February 13, 2009 to the Youth Bureau Office.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-029      APPROVING ABSTRACT OF CLAIMS #1B – JANUARY 28, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #1B dated January 28, 2009 in the total amount of \$1,678,214.00

Dated at Geneseo, New York

January 28, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**PREFERRED AGENDA****RESOLUTION NO. 2009-030      SUPPORTING THE CONTINUATION OF THE EMPIRE ZONE PROGRAM AND OPPOSING RECERTIFICATION OF PREVIOUSLY APPROVED PROJECTS**

WHEREAS, the economic stability and sustainability of Livingston County is vital to its residents and businesses; and,

WHEREAS, the County of Livingston is cognizant of the need for additional business growth to attain such economic stability and sustainability; and,

WHEREAS, the tax revenue generated by businesses throughout Livingston County and the State of New York provide much needed relief to the individual taxpayers and their families; and,

WHEREAS, the New York State Empire Zone program has been a proven stimulus in the growth and revitalization of weakened local economies throughout New York State; and,

WHEREAS, increasing New York's already high cost of doing business by raising business fees and taxes, significantly cutting the state's business development budget, and tarnishing the credibility of our economic development efforts would make New York less competitive; and,

WHEREAS, the Livingston County Empire Zone, established in 2006, has already been highly successful, as shown by the attraction of Barilla America and the redevelopment and reuse of the former Foster Wheeler facility, among other projects; and

WHEREAS, the Governor's proposed budget would retroactively change the cost-benefit ratio for

previously approved projects that would result in the decertification of Barilla and other successful projects; and

WHEREAS, Livingston County has floated Infrastructure Bonds funded through PILOT Increment Financing and the Empire Zones program; and

WHEREAS, the New York State Empire Zone program has a planned sunset date of June 30, 2011; and

WHEREAS, the Livingston County Empire Zone Administration Board has approved a similar resolution and has ask the Board of Supervisors to do the same; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors, in anticipation of great success and promise for new job creation within its Empire Zones, hereby requests the State of New York to continue its Empire Zone stimulus program beyond 2011 to June 30, 2017; and, be it, further

RESOLVED, that the New York State Legislature, in an effort to maintain continuity and to stimulate positive momentum, is encouraged to enact legislation that will make the Empire Zone program less bureaucratic, less complex, more targeted, and less costly; and, be it, further

RESOLVED, as lawmakers work on the state budget, it is absolutely critical they do not enact a budget requiring recertification of existing Empire Zone benefit recipients; and, be it, further

RESOLVED, that the Livingston County Board of Supervisors hereby enlists the support of each and every Zone municipality in the State of New York in an effort to maintain the continued operation and stimuli that the New York State Empire Zone program offers; and, be it, further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to forward this resolution in support of continuing the Empire Zone to Senator Dale Volker, Senator Catharine Young, Senator William Stachowski, Assemblyman Joseph Errigo, Assemblyman Daniel Burling, the Livingston County Zone Administration Board, Livingston County IDA, NYSAC, the NYS Economic Development Council and Randal Coburn, Director of the Empire Zones Program.

Dated at Geneseo, New York

January 28, 2009

Public Services Committee

**RESOLUTION NO. 2009-031 APPOINTING MEMBERS TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD - DENNIS M. WRIGHT, CHRIS JORDAN, TODD BICKFORD, TIM ANDERSON**

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

Name	Address	Rep./Title	Term
<b>Livingston County Traffic Safety Board</b>			
Dennis M. Wright	4642 Littleville Rd., Avon NY 14414	Rep/T of Avon	1/1/09-12/31/2011
Chris Jordan	1780 Athena Dr., Avon NY 14414	Alt/T of Avon	1/1/09-12/31/2011
Todd Bickford	2375 Black St., Caledonia NY 14423	Rep/T of Caledonia	1/1/09-12/31/2011
Tim Anderson	3277 Clover St., Caledonia NY 14423	Alt/T of Caledonia	1/1/09-12/31/2011

Dated at Geneseo, New York

January 28, 2009

Public Services Committee

**RESOLUTION NO. 2009-032 APPOINTING MEMBER TO THE SEWER DISTRICT HEARING BOARD - TOM FRASER**

RESOLVED, that the following member is hereby appointed to the Sewer District Hearing Board for the term designated:

Name	Address	Rep./Title	Term
<b>Sewer District Hearing Board</b>			
Tom Fraser	7670 Chase Rd., Lima NY 14485	Member/Engineering	At the pleasure

Dated at Geneseo, New York

January 28, 2009

Public Services Committee

**DISCUSSION OF THE RESOLUTIONS ON PREFERRED AGENDA**

Chairman Merrick asked Director of Economic Development Patrick Rountree if he would like to comment on Res. No. 2009-030. P. Rountree stated the reason for this resolution is that the Empire Zone Administration Board forwarded this request to the Board for action. The State is changing the rules and making companies that have already received Empire Zone benefits and fulfilled their obligation recertify to continue to receive Empire Zone benefits. For example, Barilla, American Motive Power and Elam Materials will lose all their Empire Zone benefits under this new proposal and will be required to recertify. P. Rountree announced that Governor Paterson and members of our Legislative delegation would be receiving a letter from Kirk Trofholz, President of Barilla American NY, Inc., basically informing the Governor that Barilla has exceeded every one of its projections and invested an additional \$10 million dollars and expressing that they cannot believe the State would do this to New York businesses. P. Rountree explained we are all doing a concerted effort to lobby this issue, and he requested the support of the Board of Supervisors. P. Rountree added that he had a conversation with Darin Buelow from Deloitte, the site selector on the Barilla project, and he commented that he has never seen a State take this type of serious action and do so much damage. Jobs and investments create the property tax value. The handshake is being broken.

Nunda Supervisor Baldwin asked what requirements have changed. P. Rountree explained that in 2008 the cost benefit ratio requirement was changed to 20:1 and prior to 2005 there was no cost benefit ratio requirement. Barilla being a Regionally Significant Project also did not have a cost benefit ratio requirement. Elam and American Motive Power had a 15:1 ratio requirement and with the new changes said companies will be required to meet the new 20:1 ratio.

**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. DiPasquale and seconded by Mr. Wadsworth to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTIONS****RESOLUTION NO. 2009-033 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT: MUNICIPAL ELECTRIC AND GAS ALLIANCE (MEGA)**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Municipal Electric and Gas Alliance (MEGA)</b>	2-yrs	Variable

P.O. Box 88

Ithaca, NY 14851

For: Electric usage for County Departments. Term is for 2-yrs upon execution of contract.

Dated at Geneseo, New York

January 28, 2009

Public Services Committee

Mr. Yendell announced that this resolution was not presented at a Ways and Means Committee meeting; however, the Committee has signed the resolution.

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-034 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT: LIVONIA CENTRAL SCHOOL DISTRICT, YORK CENTRAL SCHOOL DISTRICT, TOWN OF YORK, TOWN OF LEICESTER**

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

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

following contract(s) for the Livingston County Sheriff’s Department, according to the term(s) designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Livonia Central School District</b> 6 Puppy Lane Livonia, New York 14487 For: School Resource Officer.	7/1/08-6/30/09	\$55,726.00
<b>York Central School District</b> <b>Town of York and Town of Leicester</b> PO Box 102 Retsof, New York 14539	7/1/08-6/30/09	\$55,727.00

For: School Resource Officer. This contract includes the Town of York and the Town of Leicester each sharing contract costs in the amount of \$13,932.00 and the School District pays \$27,863.00.  
Dated at Geneseo, New York  
January 28, 2009  
Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-035 AUTHORIZING TRANSFER OF FUNDS - CENTRAL SERVICES, COUNTY TREASURER, HEALTH INSURANCE SAVINGS**

Mr. Pangrazio presented the following resolution and moved its adoption:  
RESOLVED, that the Livingston County Treasurer is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the Livingston County Administrator.

Dated at Geneseo, New York  
January 28, 2009  
Ways and Means Committee  
Mr. Pangrazio announced that the following resolutions were not presented at a Ways and Means Committee meeting; however, the Committee has signed all the resolutions.  
The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-036 AMENDING 2009 LIVINGSTON COUNTY BUDGET – CAPITAL PROJECTS - MILLENNIUM DRIVE DIALYSIS**

Mr. Pangrazio presented the following resolution and moved its adoption:  
RESOLVED, that the 2009 Capital Projects budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	H1630	2770	Unclassified Revenue	\$719.02
Increase Appropriation	H1630	2900	Capital Outlay	\$719.02

Dated at Geneseo, New York  
January 28, 2009  
Ways and Means Committee  
The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-037 AMENDING 2009 LIVINGSTON COUNTY BUDGET – PLANNING**

Mr. Pangrazio presented the following resolution and moved its adoption:  
RESOLVED, that the 2009 Planning Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6320	2770	Other, Unclassified Revenue	\$8,342.00
Increase Appropriation	A6320	4190	Agency Contracts	\$8,342.00

Dated at Geneseo, New York  
January 28, 2009  
Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-038 AMENDING 2009 LIVINGSTON COUNTY BUDGET – SHERIFF'S DEPARTMENT**

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

RESOLVED, that the 2009 Sheriff's Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3110	2680	Insurance Recovery	\$244.12
Increase Appropriation	A3110	4127	Motor Vehicle Repairs	\$244.12

And,

Account	Dept.	Code	Description	Amount
Increase Revenue	A3110	2626	Forfeiture of Crime Proceeds – Restricted	\$5,000.00
Increase Appropriation	A3110	4010	Confidential Exp/Task Force	\$5,000.00

Dated at Geneseo, New York

January 28, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-039 CORRECTING TAX ROLL – CANCELLATION OF DELINQUENT TAXES TOWN OF LIVONIA**

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

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

WHEREAS, said parcel was incorrectly assessed and/or taxed for reasons set forth in the application for correction requested from the Director of Real Property Tax Services attached hereto, now, therefore, be it

RESOLVED, that the Director of Real Property Tax Services is authorized and directed to forward a copy of this resolution to the officer 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 the application.

Year, Town & Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund to Owner	Chargebacks To Taxing Jurisdictions
1. 2007 Livonia	Livingston County	\$153.06	\$0.00	\$0.00	\$153.06
Orchard Point Homeowners	Liv. Co. Penalties	43.66	0.00	0.00	43.66
Tax Map Number	Livonia Town Tax	123.54	0.00	0.00	123.54
83.62-1-33	Livonia Cent.Sch. Relevy	524.84	0.00	0.00	524.84
	Livonia Fire 3	27.44	0.00	0.00	27.44
	Livonia Light 2	<u>2.36</u>	<u>0.00</u>	<u>0.00</u>	<u>2.36</u>
	Total	\$874.90	\$0.00	\$0.00	\$874.90

Dated at Geneseo, New York

January 28, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**OTHER BUSINESS**

**1. CHAIRMAN OF THE BOARD APPOINTMENTS**

Name	Address	Represent/Title	Term Expires
<b>Conesus Lake Watershed Council</b>			

Ian M. Coyle	Gov. Ctr., Room 302, Geneseo NY 14454	County of Livingston	N/A
<b>Cornell Cooperative Extension of Livingston County Board of Directors</b>			
David LeFeber	2796 Pole Bridge Rd, Avon, NY 14414	Board of Supervisors	12/31/09

2. COUNTY ADMINISTRATOR DOMINIC F. MAZZA - UPDATE

The County Administrator indicated he is concerned about the current recession and how this may create job layoffs and impact State and Federal revenues. He stated that the local businesses seem to be surviving at this time; however, when Corning and Xerox begin to layoff employees, this will impact our businesses. He indicated we have already been threatened by the State that our nursing home revenues are in jeopardy resulting in approximately \$3 million dollar loss and commented this is a very difficult loss for the County to absorb. He stated we are torn between absorbing the loss and trying to compromise the quality of care. The nursing home is a very intensive staff operation. He also reported that the State Budget is also hitting the Department of Social Services revenues by \$500,000.

The County Administrator reported the County has a rainy-day fund, but over the long-term decisions will have to be made. He stated he is concerned about the decline of sales tax revenues; however, in the past he has been conservative in his budgeting and expects that we will be fine in 2009. He indicated he participated in a two-hour telephone conference call with the NYS Department of Health, and we are still unsure what the legislature will do. He explained that people need to realize there are two ongoing financial discussions. The first is the State fiscal year 2008-2009 \$17 billion dollar deficit reduction that needs to be handled by March 2009. He explained if the State is changing any Medicaid reimbursements, the State must provide a 60-day notice to the counties and that time period has come and gone. As a result of the Senate Majority changing due to the November 2008 election, there is a lot of confusion and disorganization in Albany. The second issue is the 2009-2010 State Budget and how this will affect Counties. He explained we should have a better picture of how the State Budget will impact Livingston County once we attend the NYSAC conference the second week of February 2009. He indicated that if the State Legislature adopts all the proposals, we would be in for some tough times. He stated we must continue to be prudent.

The County Administrator reported that the Public Services Committee conducted a special meeting on January 15, 2009 to discuss the master plan for County buildings. The Committee reviewed the occupied and needed departmental space and outside agencies and discussed renovations that may be required.

The jail renovation project is moving forward. The County Administrator indicated that the geological study was performed for the caissons, which resulted in a cost savings to the County. He stated it will be late summer early fall 2009 before the precast cells will begin to be installed. We are beginning to forecast the bonding for the jail project.

The County Administrator reported that Livingston County has submitted projects to be included in the water and sewer economic stimulus package and the list has been distributed to those towns. He stated there was another request for projects including energy infrastructure and green, parks, affordable housing and community development and transportation and broadband infrastructure for submission to the Governor's office.

The County Administrator indicated that there has been talk of increasing the FMAP, which is Medicaid money coming down from the Federal government and tentatively Livingston County stands to gain a nice sum of money that could be used to offset the increased nursing home subsidy. He commented that he is not sure how this Medicaid money provides a stimulus to the economy.

The County Administrator stated the County rolled out the Matching Deferred Compensation Health Savings Program in January and this program already has 30 people enrolled.

Portage Supervisor Davis questioned whether the \$3 million dollar cut would cause the County do enforce any layoffs. The County Administrator responded it is hard to say at this time and reminded the Board that the nursing home provides staff intensive programs and if we are not doing the programs why do we need the staff. He indicated there is talk at the State level to provide early retirement options. At this time, everything is on the table.

Lima Supervisor Yendell asked if we had heard whether the Livingston County Coalition of Patrol Services had ratified their contract. Deputy County Administrator Ian Coyle stated he intends to contact them this afternoon.

Vice Chairman Moore asked if the Board of Supervisors should be considering a hiring freeze. The County Administrator stated that at the last Board meeting two positions were changed from full-time to part-time. He indicated he is not ready to institute a policy across the board but suggested reviewing each proposal on a case-by-case basis. Mr. Moore asked what is the feeling about the CHIPS money. The County Administrator stated it is a big loss but we received a large increase some time ago. He did not believe the money would be restored and indicated we will have to do things differently.

The County Administrator added that the youth funding may be cut by 25% and we will not be able to provide these services unless the Board is in favor of raising taxes to accommodate the loss. He reminded the Board that 80% of our expenses is attributed to providing mandated services.

Vice Chairman Moore asked for an explanation of how the County would obtain bonds for the jail project. The County Administrator stated he expects to borrow in the spring of 2009 and possibly sell approximately \$5 million of serial bonds in 2009-2010 and then probably sell another \$10 million in 2010-2011. He is hopeful that the contractors will be hungry for work and we will get good bid results. He stated we should continue to manage our debt and minimize any increase in the debt load.

The County Administrator asked if anyone had any questions. He indicated we would be going down a rough road for the next few months or possibly years and encouraged the Board to contact him if they have a question or a concern about something. He stated that Livingston County is in better shape than most counties, and we will do our best to maintain that status.

### **ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, February 11, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:07 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, FEBRUARY 11, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Mahus (N. Dansville).

**PLEDGE OF ALLEGIANCE**

West Sparta Supervisor Marjorie Cansdale led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 1/28/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. Notification from the State of New York Governor's Traffic Safety Committee that the 2009 STOP-DWI Plan has been approved.
2. Letters from Senator Catharine M. Young and Assemblyman Joseph A. Errigo acknowledging receipt of Res. No. 2009-009 Requesting the State of New York House New York State Parole Violators in the New York State Department of Corrections.
3. Letter from Genesee Community College President Stuart Steiner, Ed.D. announcing the construction of a new campus center in the Town of Lima, corner of Rochester Street (Route 15A) and Gale Road.
4. Governor Paterson was scheduled to come to SUNY Geneseo on February 12, 2009; however, he has canceled this event.
5. Please submit your Teen Recognition Award Nominations by February 13, 2009 to the Youth Bureau Office.
6. Letters from Senator Catharine M. Young, and Assemblymen Joseph A. Errigo acknowledging receipt of Res. No. 2009-030 Supporting the Continuation of the Empire Zone Program and Opposing Recertification of Previously Approved Projects.
7. A memorandum has been distributed regarding the National Kidney Foundation's Geneseo Kidney Walk to be held on Friday, March 27, 2009 at 6:00 PM. Please let Virginia know if you are interested in participating in this event.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-040      APPROVING ABSTRACT OF CLAIMS #2A – FEBRUARY 11, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #2A dated February 11, 2009 in the total amount of \$1,815,903.47.

Dated at Geneseo, New York

February 11, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**PRIVILEGE OF THE FLOOR**

**1. RECOGNITION OF AWARD PRESENTED TO THE COUNTY FROM THE AMERICAN PUBLIC WORKS ASSOCIATION FOR THE BARILLA INFRASTRUCTURE PROJECT – PATRICK ROUNTREE, DIRECTOR OF ECONOMIC DEVELOPMENT**

P. Rountree reported that Livingston County was presented a "Public Works Project of the Year Award" from the American Public Works Association, New York Chapter recognizing the Barilla Transportation project (\$2-\$10 million dollar project). P. Rountree passed around the award for the Supervisors to view. He stated by virtue of this award, our nomination would be presented to the State and then possibly the national level. He explained that this Board of Supervisors requested a Home Rule in 1993 to develop infrastructure, and the Barilla project would not have happened without the forethought of the Board of Supervisors and County's direct involvement.

Chairman Merrick stated this is a well-deserved award.

**PREFERRED AGENDA****RESOLUTION NO. 2009-041 APPOINTING MEMBERS TO THE COMMUNITY SERVICES BOARD, MENTAL HEALTH SUBCOMMITTEE, DEVELOPMENTAL DISABILITIES SUBCOMMITTEE – CAROL GODSAVE, LINDA HARNISH, GRANGER WILSON, MARILYN SIMONS, JENN HARRINGTON**

RESOLVED, that the following members are hereby appointed to the Community Services Board and Subcommittees for the term designated:

Name	Address	Rep./Title	Term
<b>Livingston County Community Services Board</b>			
Carol Godsave	17 Stuyvesant Manor, Geneseo NY 14454	Schools	1/1/09-12/31/13
Linda Harnish	5039 West Lake Rd., Geneseo 14454	Parent	1/1/09-12/31/13
<b>Livingston County Community Services Board Mental Health Subcommittee</b>			
Carol Godsave	17 Stuyvesant Manor, Geneseo NY 14454	Schools	1/1/09-12/31/12
Granger Wilson	5502 State Rte. 36 Lot 41, Mt. Morris NY 14510	Consumer	1/1/09-12/31/12
<b>Livingston County Community Services Board Development Disabilities Subcommittee</b>			
Linda Harnish	5039 East Lake Rd., Geneseo NY 14454	Parent	1/1/09-12/31/12
Marilyn Simons	101 Stanley Street, Mt. Morris NY 14510	Parent	1/1/09-12/31/12
Jenn Harrington	5325 Clark Rd., Conesus NY 14436	Parent	1/1/09-12/31/12

Dated at Geneseo, New York

February 11, 2009

Human Services Committee

**RESOLUTION NO. 2009-042 APPOINTING MEMBER TO LIVINGSTON COUNTY PLANNING BOARD – WILLIAM DAVIS**

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

Name	Address	Title/Representing	Term
<b>Livingston County Planning Board</b>			
William Davis	4 South Walnut St., Nunda, NY 14517	Village of Nunda	2/11/09-12/31/11

Dated at Geneseo, New York

February 11, 2009

Human Services Committee

**RESOLUTION NO. 2009-043 REQUESTING NEW YORK STATE LEGISLATION FOR RATIONAL STATEWIDE ECONOMIC DEVELOPMENT POLICIES AND REAUTHORIZATION OF INDUSTRIAL DEVELOPMENT AGENCY CIVIC FACILITIES FINANCING**

WHEREAS, Industrial Development Agency reform bills establishing greater accountability and new reporting requirements for local agencies have been introduced in both houses of the New York State Legislature, and

WHEREAS, the New York State Legislature first enacted amendments to the General Municipal Law in 1997, which have been extended every two years prior to this session, authorizing county-wide Industrial Development Agencies to utilize their tax exempt bonding authority to finance construction of civic facilities including not-for-profit hospitals, continuing care residential facilities for the elderly, college dormitories and other projects for non-profit community-based organizations, and

WHEREAS, this financing mechanism has provided non-profit hospitals and residential care facilities with significant savings on costs for construction on new medical facilities since financing through local Industrial Development Agencies is considerably less expensive than that available through other sources assisting their efforts to control the costs of health care, and

WHEREAS, the Livingston County Legislature has charged the Livingston County Industrial Development Agency with promoting economic development throughout the county, and

WHEREAS, proposed Legislation such as A.8703 would require Industrial Development Agencies to include representatives from local government, local school boards, organized labor and environmental organizations to serve on its board, introducing special interests, and

WHEREAS, colleges and universities, including county community colleges, have been able to finance construction of

dormitory facilities at reduced costs, with resulting savings to taxpayers, and

WHEREAS, community based, not-for profit organizations employ thousands of New York's citizens and are an integral part of the economic framework of our local communities, and

WHEREAS, A.8703 and similar Legislation would force all Industrial Development Agency assisted projects of private investors to pay prevailing wages during construction and pay median wages on all subsequent jobs, thereby further increasing the cost of doing business in New York State, and

WHEREAS, those additional costs would effectively negate any and all Industrial Development Agency benefits and limit Industrial Development Agencies' ability to generate project fee revenues, and

WHEREAS, the authority of county-wide Industrial Development Agencies to finance not-for-profit and civic facilities projects expired on January 31, 2008 without action by the State Legislature, and

WHEREAS, over \$2 billion in construction projects for not-for-profit organizations, which will increase the quality of services to our citizens and create new jobs particularly in communities hardest hit by our current economic recession, have been delayed, scaled back or abandoned as a result of the lapse of this authority, and

WHEREAS, the lapsed authority for financing of civic facilities projects was limited to a cap of \$20 million per project, severely curtailing the ability of not-for-profit hospitals to take full advantage of the costs savings for construction financing of expansion and modernization projects available through county-wide industrial development agencies, and

WHEREAS, A.8703 would potentially force Industrial Development Agencies, which are largely self-funded, to seek additional county funding or cause a "Going Out of Business Scenario" for many counties' major tool for economic development, and

WHEREAS, these additional costs caused by the lapse in this authority and the delay in these much needed projects will ultimately be borne by the taxpayer, either through reduced services or higher costs of construction. now, therefore, be it

RESOLVED, that the Livingston County Legislature calls upon the New York State Legislature to immediately enact the permanent authority of county-wide Industrial Development Agencies to finance civic facility projects with an increase in the volume cap to \$50 million per project as part of overall Industrial Development Agency reform, and, be it, further

RESOLVED, that the Livingston County Legislature supports the enactment of Industrial Development Agency reform legislation that strengthens public accountability and secures the confidentiality of personal and proprietary information while maintaining local flexibility, oversight and control of Industrial Development Agencies, and opposes specifically A.8703 or any similar legislation, and, be it further

RESOLVED, that the Livingston County Legislature shall forward copies of this resolution to Governor David Paterson, the New York State Legislature representatives Senator Dale Volker, Senator Catharine Young, Assemblymen Daniel Burling and Assemblyman Joseph Errigo, NYSAC, Monroe County Legislature, Inter-County Association of Western New York.

Dated at Geneseo, New York

February 11, 2009

Public Services Committee

**RESOLUTION NO. 2009-044 APPOINTING MEMBERS TO THE SOURCE SEPARATION LAW HEARING BOARD – SANFORD VREELAND, KEN APPLIN, ELLEN COYNE, BRENDA DONOHUE, ALTERNATE**

RESOLVED, that the following members are hereby appointed to the Source Separation Law Hearing Board for the term designated:

Name	Address	Rep./Title	Term
<b>Source Separation Law Hearing Board</b>			
Sanford Vreeland	2561 Kingston Road, Leicester NY 14481	Member	1/1/09 – 12/31/13
Kenneth Applin	8806 State Highway 256, Dansville NY 14437	Member	1/1/09 – 12/31/13
Ellen Coyne	300 Linden Oaks, Suite 100, Roch NY 14625	Hearing Officer	1/1/09 – 12/31/13
Brenda Donohue	5553 Mission Road, Conesus NY 14435	Alternate	1/1/09 – 12/31/13

Dated at Geneseo, New York

February 11, 2009

Public Services Committee

**RESOLUTION NO. 2009-045 APPOINTING MEMBERS TO THE TRAFFIC SAFETY BOARD – ANNETTE MCNINCH, STEPHEN MARTUCIO, WILLIAM MILLS, DAVID DWYER, RICK MORAN**

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

Name	Address	Rep./Title	Term
<b>Livingston County Traffic Safety Board</b>			
Annette McNinch	P.O. Box 188, Conesus NY 14435	Conesus Rep	1/1/09-12/31/2011
Stephen Martucio	6571 Hoes Hill Rd, Conesus NY 14435	Conesus Alt	1/1/09-12/31/2011
William Mills	4047 Long Pt Rd, Geneseo NY 14454	Geneseo Rep	1/1/09-12/31/2011
David Dwyer	PO Box 531, Geneseo NY 14454	Geneseo Alt	1/1/09-12/31/2011
Rick Moran	9364 Water Cure Rd, Nunda NY 14517	Nunda Rep	Expires 12/31/2010

Dated at Geneseo, New York

February 11, 2009

Public Services Committee

**RESOLUTION NO. 2009-046 RESCINDING RESOLUTION NO. 2008-058 - SUPPORTING LIVINGSTON COUNTY FEDERATION OF SPORTSMEN'S CLUBS REQUEST FOR STATE LEGISLATION REGARDING THE TAKING OF DEER BY RIFLE**

WHEREAS, by Resolution No. 2008-058, the Livingston County Board of Supervisors supported the request of the Livingston County Federation of Sportsmen's Clubs (LCFSC) for State Legislation authorizing the taking of deer by the use of rifle in that portion of Livingston County lying south of U.S. Route 20A; and

WHEREAS, the Livingston County Board of Supervisors has since received the input from many citizens of the County expressing concerns over the use of rifles for deer hunting in or near populous areas of the county, such as the Conesus Lake area, and the Villages of Livonia, Conesus, Dansville, Mt. Morris, and Nunda; and

WHEREAS, after hearing such concerns the Livingston County Board of Supervisors is of the opinion that further studies are required before the passage of any Legislation authorizing the taking of deer by the use of rifle in Livingston County, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors rescinds Resolution No. 2008-058 and, be it, further

RESOLVED, that the Clerk of the Board of Supervisors is directed to send certified copies of this resolution to Senators Dale M. Volker and Catharine M. Young and Assemblymen Daniel J. Burling and Joseph A. Errigo, and the Livingston County Federation of Sportsmen's Clubs, P.O. Box 577, Geneseo, New York 14454.

Dated at Geneseo, New York

February 11, 2009

Public Services Committee

**RESOLUTION NO. 2009-047 PROCLAIMING THURSDAY, MARCH 12<sup>TH</sup> AS WORLD KIDNEY DAY**

WHEREAS, today, one in eight American adults has some form of Chronic Kidney Disease (CKD), and

WHEREAS, 1,500 people in our community have kidney failure, and 500 people are awaiting a transplant at the University of Rochester Medical Center, and

WHEREAS, The National Kidney Foundation, Inc., a major voluntary health organization, seeks to prevent kidney and urinary tract diseases, improve the health and well-being of individuals and families affected by these diseases, and increase the availability of all organs for transplantation, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby declare Thursday, March 12, 2009 as World Kidney Day in Livingston County to honor CKD patients, their families, social workers, nurses and physicians throughout Livingston County.

Dated at Geneseo, New York

February 11, 2009

Ways and Means 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. DiPasquale to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTIONS**

**RESOLUTION NO. 2009-048      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: NACCHO, UNIVERSITY OF ROCHESTER, YATES COUNTY ON BEHALF OF THE SAY RURAL HEALTH NETWORK, STATE OF NEW YORK DEPARTMENT OF HEALTH**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NACCHO</b> 1100 17 <sup>th</sup> Street, NW Second Floor Washington, DC 20036-4636	1/1/09-7/31/09	\$5,000.00
For: This is a grant to build the capacity of local Medical Reserve Corps (MRC) units.		
<b>University of Rochester</b> Dept. of OB/GYN Attn: Christopher Glantz 601 Elmwood Ave., Box 668 Rochester, NY 14642	5/1/08-3/31/09	\$2,500.00
For: This is a grant to improve breastfeeding rates in Livingston County.		
<b>Yates County on behalf of the SAY Rural Health Network</b> 417 Liberty St., Penn Yan, New York 14527	8/10/08-8/9/09	\$6,250.00
For: Inter-Municipal Agreement to provide for the sharing of the costs with the Finger Lakes Public Health Alliance for the utilization and work-plan activities of the Regional Public Health Emergency Planner.		
<b>State of New York Dept of Health</b> John C. Sterling, HPA 1 Division of Family Health-Fiscal Unit Room 878 Corning Tower Building Empire State Plaza Albany, NY 12237-0657	1/1/09-12/31/09	\$395,142.00
For: The renewal of the Family Planning Title X Grant funding for the Livingston County Reproductive Health Center. Dated at Geneseo, New York February 11, 2009 Human Services Committee		

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-049      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: MARIA BENZONI, CHANCES & CHANGES (3), T.R.I. GROUP PROGRAM, YVONNE DIETZ, & CATHOLIC CHARITIES**

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract(s) for the Livingston County Department of Social Services, according to the term(s) designated,

subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Maria Benzoni</b> 5739 Barber Hill Road Geneseo, NY 14454 For: Special Education and Social Work Services for Early Intervention.	1/1/09-12/31/09	Hourly \$75.00
<b>Chances &amp; Changes</b> PO Box 326 Geneseo NY 14454 For: Family Safety Advocate to assess and mitigate the risk posed to children, spouses, partners, and other family members in families where family violence occurs.	1/1/09-12/31/09	\$32,070.00
<b>Chances &amp; Changes</b> PO Box 326 Geneseo NY 14454 For: Non-Residential Services for Domestic Violence mandated by OCFS. We choose to contract these services out. They include Hot line services, Court Advocate, Program Assistance, Case Manager, Community/School Education, and Advertising/Outreach.	1/1/09-12/31/09	\$50,400.00
<b>Chances &amp; Changes</b> PO Box 326 Geneseo NY 14454 For: Residential Services for Domestic Violence mandated by OCFS to provide these services. We are also contracting under this contract to provide temporary housing for homeless women and children at \$55/day age 18 +, \$40/day age 12 & over, \$25/day under age 12.	1/1/09-12/31/09	Daily \$99.68
<b>T.R.I. Group Program</b> PO Box 193 Lakeville NY 14480 For: This contract is for counseling treatment services for children and families. Minimum reimbursement by State and Federal funds is 65% based on category of eligible clients.	1/1/09-12/31/09	Fee Based on Service
<b>Yvonne Dietz</b> 53 East State St. PO Box 265 Nunda NY 14517 For: Family Resolutions Coordinator to provide services to support parents in keeping their children with their families and out of foster care, and if the children are already in foster care, returning the children to their family. Max. reimbursement under this contract is \$35,000.	1/1/09-12/31/09	Hourly \$27.50
<b>Catholic Charities</b> 10 Chapel St. Mt. Morris NY 14510 For: The provision of emergency housing in Dansville & Mt. Morris for DSS clients. Cost above is for each Apartment. Dated at Geneseo, New York February 11, 2009 Human Services Committee The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.	1/1/09-12/31/09	Monthly \$2,640.00

**RESOLUTION NO. 2009-050      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION: GLSW BOCES, FINGER LAKES COMMUNITY COLLEGE, TIME WARNER CABLE, DEPARTMENT OF VETERANS AFFAIRS WESTERN NEW YORK HEALTHCARE SYSTEM**

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

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

following contract(s) for the Livingston County Center for Nursing and Rehabilitation, according to the term(s) designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>GLSW BOCES</b> 8250 State Street Road Batavia, New York 14020 For: Cosmetology Clinical Experience.	09/01/08-5/31/11	No Cost
<b>Finger Lakes Community College</b> 4340 Lakeshore Drive Canandaigua, New York 14424-8102 For: Nurse Aide Training.	1/1/09-12/31/09	Per Trainee \$1,750.00
<b>Time Warner Cable</b> 71 Mt. Hope Avenue Rochester, New York 14620 For: Bulk Cable Subscription.	6/10/2010	Per Unit \$15.06
<b>Department of Veterans Affairs</b> <b>Western New York Healthcare System</b> 3495 Bailey Avenue Buffalo, New York 14215 For: Adult Day Health Care Services. Dated at Geneseo, New York February 11, 2009 Human Services Committee	2/1/09-1/31/10	Negotiated Per Diem Rate

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-051 STANDARDIZING COMPUTER SOFTWARE PROGRAM FOR THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION – RELIABLE HEALTH SYSTEMS, LLC**

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

WHEREAS, the integrated computer software at the Livingston County Center for Nursing and Rehabilitation is designed and manufactured by Reliable Health Systems, LLC, and

WHEREAS, the County of Livingston desires to standardize the integrated computer software at the Livingston County Center for Nursing and Rehabilitation with products manufactured by Reliable Health Systems, LLC to allow for economy, uniformity, and necessary networking of the entire computer system; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors for reasons of economy, efficiency, and to allow necessary networking of the Livingston County Center for Nursing and Rehabilitation computer system, has determined that there is a need to make Reliable Health Systems, LLC brand software standardized for all integrated computer software at the Livingston County Center for Nursing and Rehabilitation, said purchases to be otherwise in compliance with the provisions of the General Municipal Law.

Dated at Geneseo, New York  
February 11, 2009  
Human Services Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-052 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF PLANNING: ECOLOGIC, INC.**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
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**Ecologic, Inc.**

2/1/09-12/31/09

\$10,000.00

Atwell Mill Annex, Suite S-2  
132-1/2 Albany Street  
Cazenovia, NY 13035

For: Professional scientific services in support of the implementation of the Conesus Lake Watershed Management Plan.

Dated at Geneseo, New York  
February 11, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-053 APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

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

WHEREAS, the County of Livingston has appropriated the sum of \$9,970.00 as its share of the Year 2009 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 David S. Zorn, 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 \$500,000.00; 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  
February 11, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-054 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY OFFICE OF WORKFORCE DEVELOPMENT: GENESEE COUNTY ON BEHALF OF GLOW WIB (2), FINGER LAKES WIB, INC.**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Genesee County for GLOW WIB</b> 587 East Main St. Suite 100 Batavia, N Y 14020 For: Funding for reimbursement of personnel expense for the "Student Internship Opportunities Grant".	9/1/08-6/30/09	\$16,011.20
<b>Genesee County for GLOW WIB</b> 587 East Main St. Suite 100 Batavia, N Y 14020 For: Funding for the provision of In School and Out of School services for WIA eligible youth.	5/20/08-6/30/09	\$66,698.00
<b>Finger Lakes WIB, Inc.</b> 41 Lewis Street, Suite 104	12/1/08-11/30/09	\$25,000.00

Geneva, NY 14456

For: Reimbursement of personnel expense for the “Workkeys Assessment Program”.

Dated at Geneseo, New York

February 11, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-055      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY YOUTH BUREAU: TRI FAMILY THERAPY**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>T.R.I. Group Inc.</b>	1/01/09-12/31/09	\$28,000.00

P O Box 193

Lakeville, N Y 14480

For: Family Therapy Services.

Dated at Geneseo, New York

February 11, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-056      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT AMENDMENTS FOR THE LIVINGSTON COUNTY BOARD OF ELECTIONS: NEW YORK STATE BOARD OF ELECTIONS (2)**

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

WHEREAS, by Res. No. 2006-446, contracts with the New York State Board of Elections were approved; and

WHEREAS, the New York State Board of Elections desires to extend the existing contracts, now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>State of New York Board of Elections</b>	4/1/09-3/31/10	\$12,253.91

40 Steuben Street

Albany, NY 12207

For: NYS Voting Access for Individuals with Disabilities Polling Place Access Grant.

<b>State of New York Board of Elections</b>	4/1/09-3/31/10	\$36,462.00
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40 Steuben Street

Albany, NY 12207

For: Voter Education/Pollworker Training Grant.

Dated at Geneseo, New York

February 11, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-057      CORRECTING AMOUNT ON CHANGE ORDER FOR BUILDING #1 RENOVATION PROJECT - MICHAEL FERRAUILO PLUMBING & HEATING**

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

WHEREAS, Res. No. 2009-017 authorized a change order for Michael Ferrauilo Plumbing & Heating in the

amount of \$7,500.00, and

WHEREAS, the final price of the insulation was higher than the original estimate, now, therefore, be it

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

Contractor	For	Net Change Not to Exceed	New Contract
<b>Michael Ferraulo Plumbing &amp; Heating</b>	Hot Water Pipe Insulation	\$7,704.00	\$1,052,704.00

and, it is further,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the necessary change order(s), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 11, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-058      ADOPTING RULES AND REGULATIONS FOR LIVINGSTON COUNTY AL LORENZ PARK**

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

RESOLVED, that the Livingston County Board of Supervisors hereby adopts the Livingston County Al Lorenz Park Rules and Regulations as follows:

**LIVINGSTON COUNTY AL LORENZ PARK RULES AND REGULATIONS**

1. The Livingston County Al Lorenz Park is open **May 1 - September 30** during the following schedule:

	<b>Monday</b>	<b>Tuesday - Friday</b>	<b>Weekends</b>
<b>Monday National Holidays Only</b>	9:00 a.m. to 8:00 p.m.		
<b>May 1 - Labor Day Weekend</b>		9:00 a.m. to 8:00 p.m.	9:00 a.m. to 8:00 p.m.
<b>After Labor Day - September 30</b>		9:00 a.m. to 3:00 p.m.	9:00 a.m. to 8:00 p.m.

The park is closed at all other times and the park closes for the season on September 30 at 3:00 p.m.

2. **PROHIBITED ACTIVITIES** within the boundaries of the Livingston County Al Lorenz Park:

- a. Entry into or remaining in park boundaries when park is closed
- b. Swimming
- c. Fires (except for cooking grills)
- d. Littering
- e. Possession or discharge of any firearm
- f. Possession or use of a bow and/or arrow
- g. Trapping or hunting
- h. Removal or mutilation of vegetation
- i. Violation of any rules, regulations, or statutes of the State of New York and United States
- j. Camping
- k. Riding or leading horses
- l. Use or possession of all terrain vehicles, snowmobiles, mini bikes and similar vehicles primarily used for off road purposes
- m. Operation of a motor vehicle in excess of 15 miles per hour
- n. Loud and/or disruptive music or behavior
- o. Smoking pursuant to Local Law No. 2 - 2008

3. Any person bringing a dog or cat into the park **shall keep** the dog or cat on a leash and under their control at all times.

4. Persons under the age of 18 years **shall be supervised** at all times by an adult, who shall be responsible for any violation of these rules and regulations by the persons they are supervising.

5. Violation of any rule or regulation of the park shall result in the violator's removal from the park, as well as any other penalties authorized by law.

Dated at Geneseo, New York

February 11, 2009

Public Services Committee

West Sparta Supervisor Marjorie Cansdale asked if the current park regulations allows for smoking. The County Attorney stated no, pursuant to Local Law No. 2 – 2008, there is no smoking on County Property. Mrs. Cansdale stated she would be voting no on this resolution.

Portage Supervisor Ivan Davis questioned if more restroom facilities would be provided, and the County Attorney responded that the specifications are being drafted for this to be put out to bid.

Vice Chairman Gary Moore referenced 2a and asked how this would affect entrance from the Sullivan Trail. The County Attorney stated the easement would take precedence.

The roll was called as follows: Ayes - 1,477; Noes - Baldwin, 84, Cansdale 34, Total 118; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-059 APPROVING CHANGE ORDER(S) FOR ROOF REPLACEMENT MILLENNIUM DRIVE FACILITY – ELMER W. DAVIS, INC.**

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

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

Contractor	For	Net Change Not to Exceed	New Contract
<b>Elmer W. Davis, Inc.</b>	Roof Replacement Millennium Dr. Facility	\$8,025.00	\$916,302.00

and, it is further,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the necessary change order(s), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

February 11, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-060 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION**

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

WHEREAS, this organization has received a special grant in the 2008-09 New York State Budget; and

WHEREAS, there are specific requirements and regulations governing the expenditure of these funds;

NOW THEREFORE, this body resolves the following:

1. Administration of all funds under this grant will be in accordance with all terms and conditions contained in “GUIDELINES to prepare Grant Agreements for non-construction projects \$50,000 and under – Fiscal Year 2008-2009,” provided by the New York State Office of Parks, Recreation and Historic Preservation.
2. That James C. Merrick, as Chairman of the Board of Supervisors of our organization, is hereby authorized to sign legal documents on behalf of our organization and that such signature is acknowledgement of the acceptance by this body of compliance with all terms and conditions of the grant agreement, to be executed for the grant.

Dated at Geneseo, New York

February 11, 2009

Public Services Committee

County Administrator Mazza explained that this contract was previously approved; however, the State did not approve our previous resolution and asked that this specific language be adopted.

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-061 STANDARDIZING COMPUTER SOFTWARE PROGRAM FOR THE LIVINGSTON COUNTY SHERIFF’S DEPARTMENT – NEW WORLD SYSTEMS**

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

WHEREAS, the integrated computer software at the Livingston County Sheriffs Department is designed and manufactured by New World Systems, and

WHEREAS, the County of Livingston desires to standardize the integrated computer software at the Livingston County Sheriff Department with products manufactured by New World Systems to allow for economy, uniformity, and necessary networking of the entire computer system; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors for reasons of economy, efficiency, and to allow necessary networking of the Livingston County Sheriffs Department computer system, has determined that there is a need to make New World Systems brand software standardized for all integrated computer software at the Livingston County Sheriffs Department, said purchases to be otherwise in compliance with the provisions of the General Municipal Law.

Dated at Geneseo, New York

February 11, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-062 AMENDING 2009 LIVINGSTON COUNTY BUDGET – SHERIFF**

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

RESOLVED, that the 2009 Sheriff's Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3110	3391	Seat Belt Enforcement	\$4,973.00
Increase Appropriation	A3110	1951	Sheriffs Overtime	\$4,973.00

And,

Increase Revenue	A3110	3389	Other State Aid Public Safety	\$9,649.00
Increase Appropriation	A3110	2400	Sheriff's Law Enforc. Fire & Safety	\$9,649.00

And,

Increase Revenue	A3110	3393	STEP Enforcement	\$5,000.00
Increase Appropriation	A3110	1951	Sheriff's Overtime	\$5,000.00

Dated at Geneseo, New York

February 11, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-063 AMENDING 2009 LIVINGSTON COUNTY BUDGET – INCREASING CAPITAL PROJECTS BUILDING #1**

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

RESOLVED, that the 2009 Capital Projects Building #1 budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	H6121	5031	Interfund Transfer	\$1,700,000.00
Increase Appropriation	H6121	2900	Capital Outlay	\$1,700,000.00

Dated at Geneseo, New York

February 11, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**RESOLUTION NO. 2009-064 RESCINDING RESOLUTION NO. 2008-408 – AMENDING 2008 COUNTY BUDGET – SHERIFF**

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

WHEREAS, Res. No. 2008-408 amended the 2008 County Budget for the Livingston County Sheriff's Department, and

WHEREAS, the transaction was not necessary, now, therefore, be it

RESOLVED, that Res. No. 2008-408 is hereby rescinded.

Dated at Geneseo, New York

February 11, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,595; Noes - 0; Absent - Mahus, 157; Adopted.

**OTHER BUSINESS**

1. CHAIRMAN OF THE BOARD APPOINTMENT

Name	Address	Represent/Title	Term Expires
<b>Livingston County Youth Board</b>			
Larry Kelley	26 Crossett Road, Geneseo, NY 14454	Town of Geneseo	8/31/10

2. COUNTY ADMINISTRATOR - UPDATE ON NYSAC CONFERENCE

County Administrator Mazza reported that some Supervisors and staff attended the recent NYSAC Legislative Conference in Albany and obtained a great deal of information. A lot is still up in the air as to the impact on counties and negotiations with counties and the Governor’s Office is expected to take place over the next couple months.

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Davis to adjourn until Wednesday, February 25, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:00 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, FEBRUARY 25, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mrs. Donohue (Conesus), Mr. Moore (Leicester) and Mr. Davis (Portage).

**PLEDGE OF ALLEGIANCE****APPROVAL OF MINUTES**

1. Minutes of 2/11/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. The 11<sup>th</sup> Annual Taste of Livingston County will be held on April 7th from 5:30-7:30 PM at the Genesee River Conference Center. Tickets are \$20.00 and Joan Ellison has tickets. The Livingston-Wyoming ARC will be the recipient of the proceeds.
2. Reminder to sign up for the National Kidney Foundation's Geneseo Kidney Walk to be held on Friday, March 27, 2009 at 6:00 PM. Please let Virginia know if you are interested in participating in this event.
3. Letters to Chairman James Merrick and County Administrator Dominic Mazza from Douglas C. Roblee and Suzanne Noragong commending the performance of Veterans' Service Agency Director Frank Hollister.
4. NYSAC 2009-2010 Executive State Budget Summary and Impact on Counties.
5. Thank you note from Hospice of Central New York and the family of Edward A. Armani, Deputy County Administrator Ian M. Coyle's wife's grandfather, for the donation.
6. Thank you note from Gerald Smith, former Board of Elections Commissioner, for the plaque recognizing his years of service.
7. If you need additional 2009 County Directories for your town, please see Theresa Schettine to pick them up after the Board meeting.

Mr. Davis entered.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-065      APPROVING ABSTRACT OF CLAIMS #2B – FEBRUARY 25, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #2B dated February 25, 2009 in the total amount of \$1,275,539.41.

Dated at Geneseo, New York

February 25, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,622; Noes - 0; Absent – Donohue, 130; Moore, 64; Total 130; Adopted.

**PRIVILEGE OF THE FLOOR**

1. LISA BURNS, TOURISM DIRECTOR – INITIATIVES UPDATE

*The State of Livingston County Tourism 2009*

*Thank You Chairman Merrick, Mr. Mazza, Mr. Coyle and Board of Supervisors*

*On behalf of the Livingston County Tourism Office, an office of the Livingston County Chamber of Commerce it is my privilege to provide this report to you on the 2009 efforts and initiatives of this office on behalf of generating tourism visitation in Livingston County.*

*Additionally, I'd like to convey our sincere thanks to the board for their support of tourism marketing in the county and specifically for their confidence in contracting with the Chamber of Commerce to facilitate a program of work that builds visitor awareness, encourages visitation, promotes spending and links our county's tourism related businesses through education and awareness.*

*A testimony to the power of effective tourism marketing was last years Slice, Dice and Spice Event in partnership with Ontario and Wavne Counties. That regional event brought us collectively over \$175,000 worth of*

*Public Relations Press. We were also fortunate to receive two grants from Senator Dale Volker totaling \$34,500 to build a regional marketing campaign for our stellar New Deal Art Gallery and to accentuate the festivities of the Geneseo Air Show. And, as an added bonus to the 2008 grant we secured for our gallery is that the majority of the television campaign is slated to run this spring and the campaign will always refer our visitors to both the gallery and to the virtues of staying longer in Livingston County.*

*For 2009 and in keeping with the year to year core of our marketing efforts, the tourism office will again produce the county's official visitor's guide and will distribute the guide throughout the Northeast United States and Eastern Canada at over 100 distribution locations and through internet and phone inquiries. Our guide will make its way to over 500 AAA offices and will be present at over 15 consumers and trade shows targeting our main feeder markets.*

*We underwent a re-skinning process on the tourism website in 2008 and added technology that is necessary to keep us within the cutting edge of Internet capabilities. We are continuing utilizing YouTube, Google Maps, Google Analytics and Flickr to bring awareness to Livingston County as a destination and we continually update the site to maximize benefit to our communities.*

*Our integrated marketing program still includes memberships in key tourism organizations both on a state level and in our Finger Lakes Vacation Region. We continue to build marketing partnerships with colleagues in both the Finger Lakes and Greater Niagara Vacation Regions and in new programming with Visit Rochester for a Genesee Valley Pathways promotion, with our Routes 5 and 20 group to target cruising clubs, with continual support to our local festivals and events, with the creation of our "Greatest Generation Trail" featuring the New Deal Gallery, the 1941 Historical Aircraft Group and the CCC work in Letchworth State Park. We have also developed a new targeted website, [www.HaveAFieldDayNY.com](http://www.HaveAFieldDayNY.com) to feature sample day to day plans on how to enjoy the county and region.*

*Our volunteer tourism council is active and ready to jump into programming. We will be holding our 1<sup>st</sup> Annual Literature Exchange and Visitor Welcome Event on Friday, May 22<sup>nd</sup> at the Rt. 390 Rest Stop near Mount Morris and we will hold our 1<sup>st</sup> Annual "Tourism Cares" events in the county.*

*Our complete 2009 Marketing Plan is on file with the New York State Division of Tourism along with our 2009 Matching Funds Grant application and I would be delighted to share it with every supervisor should you like to have a look.*

*It will come as no surprise to you that I advocate for tourism, its benefit for our communities and its potential to create jobs in our county. According to the U.S. Travel Association we Americans feel that vacations are a birthright. We have altered the way we travel – shorter distances and shorter stays but we still do travel. The Livingston County tourism office will continue to monitor travel trends and will continue to adapt to the need of the visitor AND we will always encourage visitor to HAVE A FIELD DAY IN LIVINGSTON COUNTY.*

Lisa G. Burns, CTIS

Tourism Director – Livingston County Tourism Office

An office of the Livingston County Chamber of Commerce

Portage Supervisor Ivan Davis requested that the Tourism Office develop a pamphlet that reflects the opening and closing of hunting and fishing seasons. L. Burns commented she would be happy to include this on the website, and this information has been included in the new Finger Lakes Tourism guide.

Lisa Burns thanked the Board of Supervisors for the opportunity to speak.

## 2. JOAN ELLISON, PUBLIC HEALTH DIRECTOR – DEMONSTRATION OF NEW MANIKIN

J. Ellison commented that training and education is very important for the Emergency Medical Services staff and without that they cannot keep up the skills that are necessary to handle the emergencies throughout the County. She stated we are very fortunate in Livingston County to have both skilled and trained volunteers and paid staff. During the fall of 2008, Bill Sheahan, EMS Coordinator, suggested to purchase a more sophisticated manikin to enhance the training. He did a great deal of research and recommended the manikin that was demonstrated at this meeting. J. Ellison introduced the manikin as Mr. Hal Livingston, a 65-year old with breathing problems.

Bryan McKinley, Supervising Advanced Life Support Tech, controlled the manikin with the computer and two volunteers from Geneseo Fire Department Ambulance Karen Dewar and Darcy Dewar Lynch and Livingston County EMS Paramedics Jeramie Fox and Steve Hanshaw participated in the presentation. Bill Sheahan was also present and explained how the manikin mimics life-threatening situations and can do all the functions of a normal person.

Supervisors asked questions pertaining to how the sedation medication is administered, if other ambulance services will be able to use the manikin for training, and if other counties have a similar manikin. Bill Sheahan explained how the manikin reacts to the procedures and indicated that other ambulance corps will be able to use the

manikin once a schedule is developed. He explained that Monroe County has a manikin but not a state-of-the art manikin and some other agencies have not as advanced models. He indicated this manikin is perfect what we need and he thanked the Board of Supervisors for their continued support.

Livonia Supervisor Gott commented that he believes we have the best emergency services possible. He stated it was interesting to hear about the manikin at the Committee level, and he thanked J. Ellison for suggesting making a presentation to the Board of Supervisors because it was even more interesting to see it in person.

Chairman Merrick thanked everyone for the fine presentation.

### **PREFERRED AGENDA**

#### **RESOLUTION NO. 2009-066 REAPPOINTING MEMBERS TO LIVINGSTON COUNTY PLANNING BOARD - HAVILAH TOLAND, BRUCE DEHM**

RESOLVED, that the following members are hereby reappointed to the Livingston County Planning Board for a term as designated:

Name	Address	Rep./Title	Term
<b>Livingston County Planning Board</b>			
Havilah Toland	Box 85, Springwater NY 14560	T of Springwater	1/01/09-12/31/11
Bruce Dehm	Dehm Assoc. Box 103, Geneseo NY 14454	Alt At-Large #2	1/01/09-12/31/09

Dated at Geneseo, New York

February 25, 2009

Human Services Committee

#### **RESOLUTION NO. 2009-067 REAPPOINTING MEMBER TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD – GREG ADAMSON**

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

Name	Address	Rep./Title	Term
<b>Livingston County Traffic Safety Board</b>			
Greg Adamson	4527 Adamson Road, Geneseo NY 14454	Groveland Alt	1/1/09-12/31/11

Dated at Geneseo, New York

February 25, 2009

Public Services Committee

#### **RESOLUTION NO. 2009-068 REAPPOINTING MEMBER TO THE LIVINGSTON COUNTY WATER & SEWER AUTHORITY – STEVEN BEARDSLEY**

RESOLVED, that the following member is hereby reappointed to the Livingston County Water and Sewer Authority for the term designated:

Name	Address	Rep./Title	Term
<b>Livingston County Water &amp; Sewer Authority</b>			
Steven Beardsley	2600 Dow Row, Piffard NY 14533	Member	1/1/09-12/31/11

Dated at Geneseo, New York

February 25, 2009

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

The roll was called as follows: Ayes - 1,622; Noes - 0; Absent – Donohue, 130; Moore, 64; Total 130; Adopted.

### **RESOLUTIONS**

#### **RESOLUTION NO. 2009-069 AUTHORIZING TRANSFER OF FUNDS – DEPARTMENT OF HEALTH, PLANNING/WEATHERIZATION**

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

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

Dated at Geneseo, New York

February 25, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,622; Noes - 0; Absent – Donohue, 130; Moore, 64; Total 130; Adopted.

**RESOLUTION NO. 2009-070 AMENDING 2009 LIVINGSTON COUNTY BUDGET – BOARD OF ELECTIONS**

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

RESOLVED, that the 2009 Board of Elections budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A1450	3089	State Grant	\$36,462.00
Increase Appropriation	A1450	4060	Supplies	\$36,462.00

Dated at Geneseo, New York

February 25, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,622; Noes - 0; Absent – Donohue, 130; Moore, 64; Total 130; Adopted.

**RESOLUTION NO. 2009-071 AMENDING 2009 LIVINGSTON COUNTY BUDGET – DISTRICT ATTORNEY**

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

RESOLVED, that the 2009 District Attorney budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A1165	2626	Forfeiture of Crime Proceeds-Restricted	\$4,328.50
Increase Appropriation	A1165	4410	Payments to Other Governments	\$4,328.50

Dated at Geneseo, New York

February 25, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,622; Noes - 0; Absent – Donohue, 130; Moore, 64; Total 130; Adopted.

**RESOLUTION NO. 2009-072 AMENDING 2009 LIVINGSTON COUNTY BUDGET – OFFICE FOR THE AGING**

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

RESOLVED, that the 2009 Office for the Aging budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6773	2770	Unclassified Funds	\$15,000.00
Increase Appropriation	A6773	2050	Equipment	\$15,000.00

Dated at Geneseo, New York

February 25, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,622; Noes - 0; Absent – Donohue, 130; Moore, 64; Total 130; Adopted.

**RESOLUTION NO. 2009-073 AMENDING 2009 LIVINGSTON COUNTY BUDGET – PLANNING**

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

RESOLVED, that the 2009 Planning Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A8020	3989	State-Other	\$6,450.00
Increase Appropriation	A8029	4190	Agency Contracts	\$6,450.00

Dated at Geneseo, New York

February 25, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,622; Noes - 0; Absent – Donohue, 130; Moore, 64; Total 130; Adopted.

**RESOLUTION NO. 2009-074 AMENDING 2009 LIVINGSTON COUNTY BUDGET – SHERIFF'S DEPARTMENT**

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

RESOLVED, that the 2009 Sheriff's Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3119	3389	State Aid Project Lifesaver	\$275.00
Increase Appropriation	A3119	2400	Law Enforcement/Fire Safety	\$275.00

And,

Increase Revenue	A3110	3393	STEP Enforcement	\$9,649.00
Increase Appropriation	A3110	2400	Law Enforcement Fire & Safety	\$9,649.00

Dated at Geneseo, New York

February 25, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,622; Noes - 0; Absent – Donohue, 130; Moore, 64; Total 130; Adopted.

**RESOLUTION NO. 2009-075 AUTHORIZING LIVINGSTON COUNTY TO PURCHASE PRINTER TONER CARTRIDGES THROUGH THE CONTRACT AWARDED BY ONTARIO COUNTY TO CRYSTAL INFOSYSTEMS, INC.**

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

WHEREAS, Ontario County has awarded a bid to purchase printer toner cartridges from Crystal Infosystems, Inc. and

WHEREAS, the County of Livingston has determined that the prices under such contract will result in cost savings based upon the prices currently being paid under State contract, and

WHEREAS, pursuant to the authority granted by Section 103(3) of General Municipal Law and the terms of the Ontario County bid, Livingston County is authorized to purchase printer toner cartridges through the contract awarded by Ontario County, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby authorizes the purchase of printer toner cartridges through a contract awarded by Ontario County to Crystal Infosystems, Inc. of 25a Dubon Court, Farmingdale, New York 11735, according to the terms of said contract.

Dated at Geneseo, New York

February 25, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,622; Noes - 0; Absent – Donohue, 130; Moore, 64; Total 130; Adopted.

**OTHER BUSINESS**

1. CHAIRMAN OF THE BOARD APPOINTMENTS

Name	Address	Represent/Title	Term Expires
<b>Genesee Finger Lakes Regional Planning Council - Reappointments</b>			
Brenda Donohue	P.O. Box 188, Conesus NY 14435	Chairman Designee	12/31/09
Patrick Rountree	Liv. Cty. Gov. Ctr, Geneseo NY 14454	Ex-Officio Member	12/31/09
<b>GLOW Solid Waste Committee - Reappointments</b>			
Brenda Donohue	P.O. Box 188, Conesus NY 14454	Member	12/31/09
Catherine VanHorne	P.O. Box 396, Lakeville NY 14480	Alternate Member	12/31/09

2. STIMULUS FUNDING

Deputy County Administrator Ian Coyle stated that several towns submitted projects to be considered for the stimulus funding. The Governor's Regional Director has scheduled a meeting with the County Administrators on Friday, February 27, 2009 to provide an update on how the projects will be funded. The Deputy County Administrator

and Planning Director Angela Ellis will be attending the meeting, and he will provide an update to the Board via a memorandum.

3. **CHIPS MONEY**

Chairman Merrick announced he had an opportunity to have a discussion with Senators Young and Volker this past weekend and they indicated that the CHIPS money would be restored.

4. **TAKING BIG GAME BY RIFLE**

Portage Supervisor Ivan Davis stated he attended a Fish and Wildlife Management Board meeting last Friday and reported that most of the eleven counties in Region 8 intend to authorize hunting big game with a rifle. He explained that currently hunters use a rifle for coyotes and woodchucks in Livingston County.

Ossian Supervisor Martello asked what is our position. County Attorney David Morris indicated that at the last Board meeting, the Board rescinded a resolution that was adopted in February 2008 authorizing the taking of deer by rifle south of Route 20A. Chairman of Public Services Committee Peter Yendell explained that the Committee requested that the Sportsmen's Clubs provide additional information and report to the Committee. Mr. Yendell stated that he has been informed by several people that the boundary line should be moved further south of Route 20A. The Planning Department created a map showing the population within this area and the majority of the population is south of Route 20A. Livonia Supervisor Gott concurred that the most populated areas are south of Route 20A.

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Gott to adjourn until Wednesday, March 11, 2008 at 1:30 p.m. Carried.

The Board adjourned at 2:19 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, MARCH 11, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Yendell (Lima), and Mr. Schuster (Sparta).

**PLEDGE OF ALLEGIANCE****APPROVAL OF MINUTES**

1. Minutes of 2/25/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. The 11<sup>th</sup> Annual Taste of Livingston County will be held on April 7 from 5:30-7:30 PM at the Genesee River Conference Center. Tickets are \$20.00 and Joan Ellison has tickets. The Livingston-Wyoming ARC will be the recipient of the proceeds.
2. Reminder to sign up for the National Kidney Foundation's Genesee Kidney Walk to be held on Friday, March 27, 2009 at 6:00 PM. Please let Virginia know if you are interested in participating in this event.
3. Letters from Assemblyman J. Errigo and Assemblyman D. Burling acknowledging receipt of Resolution 2009-043 Requesting New York State Legislation For Rational Statewide Economic Development Policies And Reauthorization Of Industrial Development Agency Civic Facilities Financing & 2009-046 Rescinding Resolution No. 2008-058 - Supporting Livingston County Federation Of Sportsmen's Clubs Request For State Legislation Regarding The Taking Of Deer By Rifle.
4. Inter-County Association of Western New York Meeting will be hosted by Allegany County on Friday, March 20, 2009 beginning at 9:30 a.m. at Alfred University, Alfred, NY. Please notify the Clerk today if you plan to attend.  
PROGRAM: Dr. Vasantha Amarakoon, Director of Alfred University's Center for Advanced Ceramic Technology.
5. Governor David A. Paterson will be visiting SUNY Genesee on Thursday, March 12, 2009 at 11:00 a.m. in the Wadsworth Auditorium. All Supervisors are invited to attend.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-076      APPROVING ABSTRACT OF CLAIMS #3A – MARCH 11, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #3A dated March 11, 2009 in the total amount of \$1,680,304.68.

Dated at Genesee, New York

March 11, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**PRIVILEGE OF THE FLOOR**

1. National Kidney Foundation Update - Jan Miller  
Jan Miller was unable to attend today and requested to reschedule the presentation on March 25, 2009.
2. 2009 Livingston County United Way Campaign – Vice Chairman James Culbertson & Regional Director Karen Rumfola  
Jim Culbertson Vice Chair of the 2009 United Way Campaign stated that Jim Wissler, 2009 Chair, could not attend the meeting today. J. Culbertson thanked Chairman Merrick, County Administrator Mazza, and the Board of Supervisors for privilege of the floor and taking the time to listen to the upcoming video. He also thanked Economic Development Director P. Rountree and Director of Long-Term Care F. Bassett for Co-Chairing the 2009 countywide campaign, and he acknowledged the fact they have co-chaired several County campaigns over the years.  
Karen Rumfola, Regional Chair of United Way, thanked the Board for the opportunity to speak. She explained that this year's video is about two families who had their homes lost by fire on the same day (April 26, 2008). Darlene Miller is an employee of United Way and Livonia Fire Chief Miller did not realize he was en route to his own house.

K. Rumfola commented that the United Way funds the American Red Cross and many other agencies that helped victims on that day. She reported that the County Employee Campaign goal is \$29,500.00 and the total countywide campaign goal is \$265,00.00, both goals the same as last year. She thanked the Board for their attention and presented the 2009 United Way Campaign video.

**PREFERRED AGENDA**

**RESOLUTION NO. 2009-077 APPOINTING MEMBERS TO LIVINGSTON COUNTY COMMUNITY INITIATIVES COUNCIL – TERRY HOLBROOK, CATHY GARDNER**

RESOLVED, that the following members are hereby appointed to the Livingston County Community Initiatives Council for a term as designated:

Name	Address	Title/Representing	Term
<b>Community Initiatives Council</b>			
Terry Holbrook	6839 Marrowback Rd., Conesus NY 14435	Public Sector	3/11/09-12/31/11
Cathy Gardner	7400 Corby Rd., Lima NY 14485	Public Sector	3/11/09-12/31/11

Dated at Geneseo, New York

March 11, 2009

Human Services Committee

**RESOLUTION NO. 2009-078 APPOINTING MEMBERS TO THE LIVINGSTON/WYOMING COUNTY MICRO-LOAN JOINT LOAN COMMITTEE – LOUISE WADSWORTH, CARL LUTZ.**

RESOLVED, that the following members are hereby appointed to the Livingston/Wyoming County Micro-Loan Joint Loan Committee for the term designated:

Name	Address	Rep./Title	Term
<b>Micro-Loan Joint Loan Committee</b>			
Louise Wadsworth	P O Box 127, Geneseo, NY 14454	Member	Pleasure of the Board
Carl Lutz	53 Genesee Street, Avon NY 14414	Member	Pleasure of the Board

Dated at Geneseo, New York

March 11, 2009

Public Services Committee

**RESOLUTION NO. 2009-079 APPOINTING MEMBERS TO THE FISH & WILDLIFE MANAGEMENT BOARD - ROBERT ESTES, HARLAN JAMES**

RESOLVED, that the following members are hereby appointed to the Fish & Wildlife Management Board for the term designated:

Name	Address	Rep./Title	Term
<b>Fish and Wildlife Management Board</b>			
Harlan James	745 Rt 436, Hunt NY 14846	Landowner/Rep	12/31/10
Robert Estes	90 Maxwell Station Rd., Caledonia NY 14423	Landowner/Alt	12/31/10

Dated at Geneseo, New York

March 11, 2009

Public Services Committee

**RESOLUTION NO. 2009-080 APPOINTING MEMBER TO THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY – TIMOTHY ANDERSON**

RESOLVED, that the following member is hereby appointed to the Livingston County Water and Sewer Authority for the term designated:

Name	Address	Rep./Title	Term
<b>Livingston County Water and Sewer Authority</b>			
Timothy Anderson	3277 Clover St., Caledonia NY 14423	Mem/filling unexp term of J Sawyer	3/11/09-12/31/10

Dated at Geneseo, New York

March 11, 2009

Public Services Committee

**RESOLUTION NO. 2009-081 SUPPORTING GOVERNOR PATERSON'S PROPOSAL TO FIX THE INDIGENT LEGAL SERVICES FUND MAINTENANCE OF EFFORT PROVISION**

WHEREAS, the existing Maintenance of Effort (MOE) provisions required by the State of New York through its Indigent Legal Services Fund (ILSF) are problematic as local public defense costs can fluctuate significantly from year to year due to caseloads and case complexity, and

WHEREAS, the existing system discourages providers of indigent legal defense from finding efficiencies and assumes that spending more money equates to providing better services, and

WHEREAS, an increasing number of other counties in New York have not been able to meet the MOE provisions and therefore have become ineligible to receive an allocation from the fund, and

WHEREAS, given that some counties are at risk of losing funds, the State must work with all counties to develop a reasonable solution that will not adversely impact the delivery of indigent defense services within a county, and

WHEREAS, Governor Paterson has included language in his 2009-2010 budget proposal that would provide additional predictability for counties as they budget for indigent defense services and determine available State funding for future years, and

WHEREAS, this legislation would modify the current MOE by using a three-year average of local expenditures for the basis of the MOE calculation as opposed to recalculating the MOE annually, and

WHEREAS, the bill further stipulates that, in the event a county still does not meet the maintenance of effort, the county would lose only a percentage of its ILSF funding instead of 100% of its share, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors supports Governor Paterson's proposal to fix the chronic issues Livingston County and other counties face with the ILSF Maintenance of Effort provision, and be it further

RESOLVED, that copies of this resolution be given to Governor Patterson, Senators Dale Volker and Catharine Young, Assemblymen Joseph A. Errigo and Daniel J. Burling, the New York State Association of Counties, and the Livingston County Public Defender.

Dated at Geneseo, New York

March 11, 2009

Public Services Committee

**RESOLUTION NO. 2009-082 DECLARING SURPLUS PROPERTY – COUNTY HIGHWAY DEPARTMENT**

WHEREAS, the County of Livingston owns surplus personal property that is no longer necessary for public use, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following item(s) as surplus property to be disposed of as determined by the County Administrator:

**Highway Department**

Quantity	Item	Model #	Serial #
1 (#67)	1990 Wheel Loader, 3-1/2 Yd., 4,852 hours (Fair-Good)	Trojan 2000-Z	7777062
1 (#87)	1987 Case 63" Dual-Drum Vibratory Roller, 4605 hrs. (Poor)	Case W-752	840307905
1 (#64)	1991 12" Brush Chipper, Diesel, Trailer-Mtd., 1155 hrs (Poor)	Vermeer 1250BC	1VPRC14130M1002115
1 (#143)	1998 Hydroseeder, Trailer-Mtd. Former LCSW, 814 hrs (Good)	Finn	RVA2309
1 (#20)	1988 1-ton Pickup Truck, single-wheel, 111,635 miles (Poor)	Chevy 3500	1GTGC34K1JE537841
1 (#310)	1990 1-ton Utility Truck, dual-wheel, 101,210 miles (Poor)	Chevy 3500	1GBHC34K0LE205658
1 (#6)	1994 1-ton 14' Van Body Truck, dual-wheel, 69,987 mi. (Fair)	Chevy 3500HD	1GBKC34N8RJ103735
1 (#208)	1993 ¾-ton Pickup Truck, single-wheel, 115,250 miles (Poor)	Chevy 2500	1GCFC24K8PE234263
1	2000 Garden Tractor w/mower & snow blower, 411 hrs. (Good)	John Deere 425	M00425A093436
1 (#76)	1986 Air Compressor, 185-cfm, trailer-mtd., 2025 hrs., (Fair)	LeRoi Q185DPE	3133X223A219-78

Dated at Geneseo, New York

March 11, 2009

Ways and Means Committee

**DISCUSSION OF THE RESOLUTIONS ON PREFERRED AGENDA**

Chairman Merrick stated he did not receive any other applications for the Livingston County Water and Sewer

Authority appointment, and he believed enough time had lapsed to give people the opportunity to apply.

Chairman of Ways and Means Daniel Pangrazio reported that Res. No. 2009-082 was not presented at a Ways and Means Committee meeting; however, the Committee has signed the resolution.

**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. Gott and seconded by Mr. DiPasquale to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTIONS**

**RESOLUTION NO. 2009-083 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF MENTAL HEALTH: HILLSIDE CHILDREN’S CENTER, DEPAUL, LIVINGSTON-WYOMING ARC, COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE, MENTAL HEALTH ASSOCIATION OF LIVINGSTON COUNTY, LAKEVIEW MENTAL HEALTH SERVICES, ARBOR DEVELOPMENT, COMPEER, PEACE FAMILY SUPPORT GROUP, INC. ABVI GOODWILL, THE ADVOCACY CENTER, DR. SAMPATH NEERUKONDA, DR. SHAHIDA REHMANI, DR. ISAAC KOILPILLAI, RACHEL MEAD, VISION INFONET, INC., SIGN LANGUAGE CONNECTION, INC.**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Hillside Children’s Center</b> P.O. Box 326 Bath, New York 14810 For: School based program that provides services to children with serious emotional disturbance so that they may remain in their home school (Geneseo School District).	1/1/09 – 12/31/09	\$51,903.00
<b>DePaul</b> 1931 Buffalo Road Rochester, NY 14624 For: Psychosocial Club for Adults with Serious and Persistent Mental Illness.	1/1/09 – 12/31/09	\$133,145.00
<b>Livingston-Wyoming ARC</b> 18 Main Street Mt. Morris, NY 14510 For: Sheltered Workshop Vocational Services and Integrated Employment for Adults with Serious Mental Illness.	1/1/09 – 12/31/09	\$29,994.00
<b>Council on Alcoholism &amp; Substance Abuse Of Livingston County</b> Holcomb Bldg, Suite 2 Geneseo, NY 14454 For: Substance Abuse Treatment and Prevention Services.	1/1/09 – 11/23/09	\$325,366.00
<b>Mental Health Assoc. of Livingston County</b> 339 East Avenue Rochester, NY 14604 For: Dissemination of information to the Community regarding mental health, treatment, rehabilitation, and prevention resources.	1/1/09 – 12/31/0-9	\$41,280.00
<b>Lakeview Mental Health Services</b> 280 South Main Street Canandaigua, NY 14424 For: Supported Housing for adults with Serious Mental Illness, providing stipends to consumers awaiting Sec.8 subsidies.	1/1/09 – 12/31/09	\$24,706.00
<b>Arbor Development</b>	1/1/09 – 12/31/09	\$63,993.00

P.O. Box 31

Bath, NY 14810

For: Supported Housing for adults with Serious Mental Illness, providing stipends to consumers awaiting Sec.8 subsidies.

**Compeer** 1/1/09 – 12/31/09 \$50,095.00

259 Monroe Avenue, Suite B1

Rochester, NY 14607

For: Matches volunteers with adult consumers with Serious Mental Illness for purpose of social reintegration.

**PEACE Family Support Group, Inc.** 1/1/09 – 12/31/09 \$20,825.00

P.O. Box 566

Lakeville, NY 14480

For: Families of Children with Serious Emotional Disturbance.

**ABVI Goodwill** 1/1/09 – 12/31/09 \$15,415.00

422 South Clinton Avenue

Rochester, NY 14620 –1198

For: After Hours coverage for Clinic.

**The Advocacy Center** 1/1/09 – 12/31/09 \$5,500.00

590 South Avenue

Rochester, NY 14620

For: Tourettes Support Services.

**Dr. Sampath Neerukonda** 1/1/09 – 12/31/09 Hourly \$154.00

D/B/A Western NY Med –Psych, PLLC

476 Canisteo Street

Hornell, NY 14843

For: Psychiatric Services at Livingston County Mental Health.

**Dr. Shahida Rehmani** 1/1/09- 12/31/09 Hourly \$154.00

43 Park View Drive

Pittsford, NY 14534

For: Psychiatric Services at Livingston County Mental Health Services.

**Dr. Isaac Koilpillai** 1/1/09 –12/31/09 Hourly \$154.00

650 Quaker Meeting House Road

Honeoye Falls, NY 14472

For: Psychiatric Services at Livingston County Mental Health.

**Rachel Mead** 1/1/09 – 12/31/09 Hourly \$15.00

140 Eastman Estates

Rochester, NY 14622

For: Interpretation and Translation Services.

**Vision Infonet, Inc.** 1/1/09 – 12/31/09 Character Line .09/65

1717 Park Street Suite #110

Naperville, Illinois 60563

For: Transcription of Clinical dictation. Yearly cap of \$8,500

**Sign Language Connection, Inc.** 1/1/09 – 12/31/09 Hourly \$53.00

400 Andrews Street, Suite 210

Rochester, NY 14604

For: Interpretation and Translation services for the Hearing Impaired.

Dated at Geneseo, New York

March 11, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-084 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: COORDINATED CARE SERVICES, INC. (CCSI)**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Coordinated Care Services, Inc. (CCSI)</b>	1/1/09-12/31/09	\$39,640.00

1099 Jay Street, Bldg. J

Rochester, NY 14611-1153

For: Facilitated Insurance Enrollment Program.

Dated at Geneseo, New York

March 11, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-085 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY PLANNING DEPARTMENT: NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL (2)**

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract(s), and any amendments hereto, for the Livingston County Planning Department, according to the term(s) designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Div. of Housing &amp; Community Renewal</b>	4/01/2009 - 3/31/2014	\$2,968,750.00

Energy and Rehabilitation Services, 4<sup>th</sup> Fl South  
Hampton Plaza, 38-40 State Street  
Albany, New York 12207

For: Weatherization Assistance Program: 5-Year Contract Package.

<b>NYS Div. of Housing &amp; Community Renewal</b>	4/01/2009 - 6/30/2010	\$475,000.00
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Energy and Rehabilitation Services, 4<sup>th</sup> Fl South  
Hampton Plaza, 38-40 State Street  
Albany, New York 12207

For: Weatherization Assistance Program - Setting 1<sup>st</sup> budget period of the 5-Year Contract Package.

Dated at Geneseo, New York

March 11, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-086 SUPPORTING HOME REHABILITATION V PROGRAM GRANT APPLICATION TO THE NEW YORK STATE HOUSING TRUST FUND CORPORATION BY THE GENESEE VALLEY RURAL PRESERVATION COUNCIL, INC.**

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

WHEREAS, the Livingston County Board of Supervisors recognizes the need for affordable home rehabilitation, accessibility modifications and emergency repairs for low income households in Livingston County; and

WHEREAS, the Genesee Valley Rural Preservation Council, Inc. (GVRPC) plans to submit an application to the New York State Housing Trust Fund Corporation for the HOME Rehabilitation V Program for funds to be used to assist owner occupied low-income homeowners with rehabilitating their existing homes in Livingston County; and

WHEREAS, it is recognized that partnerships between GVRPC and area service agencies provide an effective means to address the needs of the people who will be served by these programs; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby support the grant application of the GVRPC to the New York State Housing Trust Fund Corporation and does promote and encourage agreements between GVRPC and local service providers for referrals and service coordination to meet the needs of people who have special needs in Livingston County.

Dated at Geneseo, New York

March 11, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-087      AUTHORIZING ORDER FOR TRANSFERRING THE FUNCTIONS OF THE LIVINGSTON COUNTY PLANNING DEPARTMENT, OFFICE OF HOUSING ASSISTANCE, TO THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES**

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

RESOLVED, that the Livingston County Board of Supervisors hereby orders that the functions of the Livingston County Planning Department, Office of Housing Assistance, are transferred to the Livingston County Department of Social Services effective April 15, 2009.

Dated at Geneseo, New York

March 11, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-088      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR LIVINGSTON COUNTY: CORNELL COOPERATIVE EXTENSION ASSOCIATION OF LIVINGSTON COUNTY**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Cornell Cooperative Ext. Assoc. of Liv. County</b>	1/1/09-12/31/09	\$426,158.00

158 Main Street

Mt. Morris, NY 14510

For: Support & Maintenance to conduct extended educational programs.

Dated at Geneseo, New York

March 11, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-089      AUTHORIZING THE PURCHASE OF A 2009 FORD F350 PICKUP – CENTRAL SERVICES**

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

RESOLVED, that the Supervisor of Buildings and Grounds is authorized to purchase through NYS OGS Contract PC63527 from Fairport Ford LLC of 71 Marsh Road, East Rochester, NY 14445 one (1) new 2009 Ford F350 DRW, 4 x 2, Regular Cab Pickup Truck, at a total cost not to exceed Twenty-Six Thousand Four Hundred One Dollars and 29/100 (\$26,401.29).

Dated at Geneseo, New York

March 11, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-090      AWARDING BIDS FOR THE HIGHWAY DEPARTMENT – VARIOUS AGGREGATE MATERIALS**

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

WHEREAS, after the proper legal advertisement seeking bids for Various Aggregate Materials from April 1, 2009 through March 31, 2010, bids were received and publicly opened on February 10, 2009, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign various contracts, which are hereby accepted as the lowest responsible bids, subject to review by the County Attorney and County Administrator:

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>Various Contractors &amp; Suppliers</b>	04/01/09-03/31/2010	As Required

For: Annual Bids for Various Aggregate Materials.

Dated at Geneseo, New York

March 11, 2009

Public Services Committee

Deputy County Highway Superintendent D. Barefoot reported the bidding process went well. Asphalt prices dropped significantly; however, the prices are expected to rise once construction begins. He explained the asphalt prices would be adjusted monthly pursuant to bid specifications.

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-091 AWARDING BIDS FOR THE HIGHWAY DEPARTMENT – PURCHASING CONSTRUCTION MATERIALS AND SERVICES**

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

WHEREAS, after the proper legal advertisement seeking bids for Various Construction Materials and Services from April 1, 2009 through March 31, 2010, bids were received and publicly opened on February 10, 2009, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign various contracts, which are hereby accepted as the lowest responsible bids, subject to review by the County Attorney and County Administrator:

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>Various Contractors &amp; Suppliers</b>	04/01/09-03/31/2010	As Required

For: Annual Bids for Construction Materials and Services.

Dated at Geneseo, New York

March 11, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-092 AWARDING BIDS FOR THE HIGHWAY DEPARTMENT – RENTAL OF VARIOUS PIECES OF CONSTRUCTION EQUIPMENT**

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

WHEREAS, after the proper legal advertisement seeking bids for Rental of Various Pieces of Construction Equipment from April 1, 2009 through March 31, 2010, bids were received and publicly opened on February 10, 2009, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign various contracts, which are hereby accepted as the lowest responsible bids, subject to review by the County Attorney and County Administrator:

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>Various Contractors &amp; Suppliers</b>	04/01/09-03/31/2010	As Required

For: Annual Bids for Rental of Various Pieces of Construction Equipment.

Dated at Geneseo, New York

March 11, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-093 AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID-ELIGIBLE COSTS AND NON-FEDERAL-AID COSTS OF FEDERAL ECONOMIC RECOVERY PROJECTS, AND APPROPRIATING FUNDS THEREFOR: CR-33 (SLIKER HILL ROAD, CONESUS) AND CR-64 (PERRY ROAD, LEICESTER) HIGHWAY REHABILITATION PROJECTS**

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

WHEREAS, the CR-33 (Sliker Hill Road, Conesus, NYSDOT PIN 4LS002) and CR-64 (Perry Road, Leicester, NYSDOT PIN 4LS003) highway rehabilitation Economic Recovery Projects (hereinafter "the Projects") in the County of Livingston in Livingston County (hereinafter "the Municipality/Sponsor") are eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio 100% Federal funds and 0% non-Federal funds, and

WHEREAS, the programmed costs and federal allocations for Construction & Construction Inspection phases for CR-33 are \$718,200.00, and for CR-64 are \$883,500.00, for a total of \$1,601,700.00, and

WHEREAS, the County of Livingston desires to advance the Projects by making a commitment of 100% of the Federal and Non-Federal share of the costs of all phases, now, therefore, be it

RESOLVED, that the County of Livingston hereby approves the above Projects, and agrees to advance said Projects through the County of Livingston's resources, and agrees that the Board of Supervisors hereby authorizes the Board of Supervisors to pay in the first instance the full federal costs and full non-federal costs of any and all phases or portions thereof and hereby appropriates from Livingston County budget appropriations the funds necessary to complete the projects, including all phases or portions thereof, and be it further

RESOLVED, that the Board of Supervisors makes a 100% commitment of the non-federal share (if any) of the costs of the Scoping, Preliminary Engineering and Final Design phases of work for the Projects or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (hereinafter "NYSDOT"), pursuant to the State/Local Agreement, and be it further

RESOLVED, that upon completion of construction of the Projects, or a fully usable portion thereof, the County of Livingston agrees to maintain the projects, or fully usable portion thereof, at their sole cost and expense, and be it further

RESOLVED, that in the event the full federal and non-federal share of the projects exceeds the amounts appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute all necessary Agreements or certifications on behalf of the County of Livingston (subject to the approval of the County's Attorney and Administrator as to form and content), with NYSDOT in connection with the advancement or approval of the projects identified in the State/Local Agreement; and providing for the administration of the Projects and the County's first instance funding of the federal share of Project costs and permanent funding of any non-federal share of Project costs and all Project costs within appropriations therefore that are not so eligible, and be it further

RESOLVED, that a certified copy of this Resolution be filed with the Commissioner of the New State Department of Transportation by attaching it to any necessary Agreement in connection with the projects, and be it further

RESOLVED, that this Resolution shall take effect immediately.

Dated at Geneseo, New York

March 11, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent - Yendell, 125; Schuster, 46; Total 171; Adopted.

#### **RESOLUTION NO. 2009-094 AUTHORIZING THE PURCHASE OF VEHICLES FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT**

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

RESOLVED, that the Livingston County Sheriff is authorized to purchase through New York State OGS Contract PC64274 from Hoselton Chevrolet, Inc. of 909 Fairport Road, East Rochester, NY 14445 four (4) new 2009 Chevrolet Impalas, at a total cost not to exceed Seventy-Five Thousand Three Hundred Thirty One Dollars and 92/200 (\$75,331.92), and, be it further

RESOLVED, that the Livingston County Sheriff is authorized to purchase through New York State OGS Contract PC62876 from Hoselton Chevrolet, Inc. of 909 Fairport Road, East Rochester, NY 14445 two (2) new 2009 Chevrolet Tahoes, at a total cost not to exceed Fifty-Seven Thousand Seven Hundred Three Dollars and 28/100 (\$57,703.28), and, be it further

RESOLVED, that the Livingston County Sheriff is authorized to purchase through New York State OGS Contract PC64275 from Plaza Ford/Motors Fleet of 900 Hwy 35, Ocean, NJ 07712 one (1) new 2009 Ford Crown

Victoria, at a total cost not to exceed Twenty Thousand Six Hundred Eighty Nine Dollars (\$20,689.00)

Dated at Geneseo, New York

March 11, 2009

Public Services Committee

Deputy County Administrator I. Coyle stated the original surplus list submitted included six vehicles and he asked the Sheriff for clarification. Sheriff York stated it was an oversight on his part and the surplus and purchase is now 7 for 7. Four Impalas, one Ford Crown Victoria, one Chevrolet Tahoe and one Jeep Cherokee will be declared as surplus property.

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-095 AUTHORIZING TRANSFER OF FUNDS – HIGHWAY**

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

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

Dated at Geneseo, New York

March 11, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-096 AMENDING 2009 LIVINGSTON COUNTY BUDGET – OFFICE FOR THE AGING**

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

RESOLVED, that the 2009 Office for the Aging budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6778	2680	Insurance Recovery	\$2,098.33
Increase Appropriation	A6778	4120	Vehicle and Maintenance	\$2,098.33

Dated at Geneseo, New York

March 11, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-097 AWARDING BID FOR DEPARTMENT OF SOCIAL SERVICES - LEASE OF COPIERS BUILDING #1 PROJECT**

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

WHEREAS, after the proper legal advertisement seeking bids for the lease of copiers, three bids were received and opened on March 2, 2009 for the lease of eleven (11) copiers, now, therefore, be it

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

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>Toshiba Business Solutions</b> 150 Metro Park Rochester, NY 14623	39 Months	See Below

For: The lease of Eleven (11) copiers for Building #1. Monthly Lease Fee is \$1,393.95 plus additional service and supply costs of .00697 cents per copy.

Dated at Geneseo, New York

March 11, 2009

Ways and Means Committee

Portage Supervisor Davis asked if we researched the difference between leasing and buying copiers. County Administrator D. Mazza responded yes and leasing is to our advantage in this instance because of the reimbursement

methodology in the Department of Social Services. He indicated that the number of copies made by the Department of Social Services is incredible, and we are transitioning away from printers.

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-098 REQUESTING AUTHORITY FROM THE NEW YORK STATE LEGISLATURE TO CONTINUE THE LOCAL SALES TAX SHARE AT 4%**

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

WHEREAS, the Livingston County Board of Supervisors recognized the increased tax burden that has been placed on property owners in Livingston County in recent years necessitated by economic factors beyond the control of County government and in 2003 obtained approval from the New York State Legislature to raise the local sales tax share from 3% to 4%; and

WHEREAS, these economic factors have not improved, and

WHEREAS, the Livingston County Board of Supervisors has decided to seek a continuance of the increase in the local sales tax share to help reduce further increases in the property tax burden, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors requests that the New York State Legislature enact legislation authorizing the County of Livingston to continue the local sales tax share at 4%, and, be it, further

RESOLVED, that certified copies of this resolution be forwarded to Senators Dale M. Volker and Catharine M. Young, Assemblymen Joseph A. Errigo and Daniel J. Burling and the New York State Association of Counties.

Dated at Geneseo, New York

March 11, 2009

Ways and Means Committee

County Administrator D. Mazza explained that we have been at 4% sales tax since 1993 and every three years we are required to ask the State Legislature for permission to continue the additional 1%. He noted that for years prior to this, several surrounding counties were at 4% and we remained at 3%. He confirmed that this is not a change in the sales tax rate. He explained that NYSAC has proposed to the State Legislature to eliminate this requirement and allow this action to be made by local governments; however, he explained he did not think it would be prudent to wait. He recommended approval of this resolution and explained that a bill would then be written and then the Board would have to adopt a Home Rule Request and send that back to the State for approval.

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-099 AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE: COUNTY CLERK'S OFFICE**

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

RESOLVED, that the 2009 Hourly Employee Salary Schedule is amended as follows:

**County Clerk's Office**

Create two full-time Motor Vehicle Clerk positions.

Dated at Geneseo, New York

March 11, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**RESOLUTION NO. 2009-100 RATIFYING TENTATIVE COLLECTIVE BARGAINING AGREEMENT WITH THE LIVINGSTON COUNTY COALITION OF PATROL SERVICES AND AUTHORIZING EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT**

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

WHEREAS, the collective bargaining agreement between the Livingston County Coalition of Patrol Services and Livingston County expired on December 31, 2008; and

WHEREAS, the negotiating teams for the parties have reached a tentative agreement for a new collective bargaining agreement; and

WHEREAS, the Livingston County Coalition of Patrol Services ratified the agreement March 2, 2009, and

WHEREAS, the Ways and Means Committee recommends the ratification of this agreement by the County; now, therefore, be it

RESOLVED, that the tentative agreement, a copy of which is attached hereto, is hereby ratified; and, be it, further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors and the County Administrator are hereby authorized to execute a collective bargaining agreement consistent with the terms of the tentative agreement commencing January 1, 2009 and expiring December 31, 2012.

Dated at Geneseo, New York

March 11, 2009

Ways and Means Committee

Deputy County Administrator I. Coyle stated as a point of reference regarding Res. No. 2009-099 Amending the Hourly Salary Schedule for the County Clerk's Office, the incumbents are slated to retire and staffing will remain level and consistent.

Deputy County Administrator I. Coyle explained that Chairman of Ways and Means D. Pangrazio and Chairman of Public Services P. Yendell were involved in the LCCOPS negotiations. He distributed and reviewed a Summary of Terms (on file) including Wages, Specialty Pay, Holiday Premium Pay, Field Training Officer Pay, Officer in Charge Pay, Retiree Health Insurance, Shift Differential, and Probationary Period. He noted that the LCCOPS ratified the Agreement on March 2, 2009. He acknowledged Supervisor Yendell, Supervisor Pangrazio, Sheriff York, Undersheriff Herkimer and Personnel Director T. Lynn for their involvement in the negotiation process. He encouraged the Board to ratify the Agreement.

The roll was called as follows: Ayes - 1,581; Noes - 0; Absent – Yendell, 125; Schuster, 46; Total 171; Adopted.

**OTHER BUSINESS**

1. Chairman of Ways and Means D. Pangrazio apologized and stated he should have asked the County Administrator to explain Res. No. 2009-099. County Administrator D. Mazza stated that in the end the staffing level will remain the same and two positions will be deleted.

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, March 25, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:10 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, MARCH 25, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Davis (Portage), Mr. Schuster (Sparta) and Mr. Deming (York).

**PLEDGE OF ALLEGIANCE****APPROVAL OF MINUTES**

1. Minutes of 3/11/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. Reminders:
  - The 11<sup>th</sup> Annual Taste of Livingston County will be held on April 7 from 5:30-7:30 PM at the Genesee River Conference Center. Tickets are \$20.00 and Joan Ellison has tickets. The Livingston-Wyoming ARC will be the recipient of the proceeds.
  - The National Kidney Foundation's Genesee Kidney Walk will be held on Friday, March 27, 2009 at 6:00 PM., Wilson Ice Arena, SUNY Genesee.
  - NYMIR is sponsoring a reception at the Big Tree Inn today from 4:00 PM - 6:00 PM.
  - The 2009 Farmer Neighbor Dinner will be held on April 3, 2009 at the Genesee River, Mt. Morris. Doors open at 5:00 PM, dinner at 7:00 PM. \$25.00 per person. New York State Commissioner of Agriculture & Markets Patrick Hooker will be the guest speaker and you are invited to attend this event.
  - The Foster Grandparent Program Volunteer Recognition Luncheon will be held April 21, 2009 at the Genesee River. Registration begins 11:45 AM and lunch will be served at 12:00 noon. Reservation and menu selection card should be returned to the Foster Grandparent Office by April 1, 2009
2. Thank you note from Deputy County Administrator Ian Coyle and wife Cassie thanking the Board for the donation made to Hospice in memory of Edward Armani.
3. The GLOW Region Solid Waste Management Committee is sponsoring its 2009 Household Hazardous Waste Collection Program on Saturday, May 9, 2009 in Rock Glen, Wyoming County, 9:00AM – 2:00PM.
4. The Livingston County Historical Society received a \$2,500 grant to secure the services of a museum specialist to aid the museum in developing a strategic plan. A copy of the press release is in your mailbox.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-101      APPROVING ABSTRACT OF CLAIMS #3B – MARCH 25, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #3B dated March 25, 2009 in the total amount of \$2,111,444.46.

Dated at Genesee, New York

March 25, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,592; Noes - 0; Absent – Davis, 24; Schuster, 46; Deming, 90; Total 160; Adopted.

**PRIVILEGE OF THE FLOOR**

1. County Administrator Dominic F. Mazza - Introduction of Jan Miller, National Kidney Foundation  
County Administrator Mazza stated that Livingston County has been involved in the creation of a dialysis center. In spite of the many years it took to get it established, we have, what he believes, the finest facility in western New York and thanked those who have supported the facility. He indicated that kidney dialysis services have been needed in this community for a very long time. The Dialysis Center will soon be talking about expanding its services. County Administrator Mazza asked Jan Miller to come forward to make a few comments about the Genesee Kidney Walk scheduled for Friday, March 27, 2009, which coincides with a Syracuse Basketball game. He indicated there

would be a lot more games. County Administrator Mazza stated he is Vice Chair of the Geneseo Kidney Walk Committee, and he is deeply pleased with the response from the folks in this Boardroom as well as the employees and their leadership. As of the morning of this board meeting, there were 135 County employees registered to participate in the walk. He extended his appreciation to those people for stepping up to the plate and giving up a Friday evening in support of friends and neighbors.

Jan Miller of the National Kidney Foundation thanked the Board and County Administration for inviting them. She announced that March is National Kidney Month. She thanked County Administrator Mazza for his support and outstanding collaborative efforts for bringing a dialysis unit to Livingston County. She indicated she has worked with the Kidney Foundation for 15 years and commented that she can't explain how much this means to have a unit in this County and how much easier it will be for the patients not having to travel to the city. J. Miller reported that kidney disease is at an epidemic level and one of eight people has chronic kidney disease. The Foundation's mission is to prevent kidney disease because it is very easy to detect and progresses very slowly. She again thanked County Administrator Mazza for opening the doors and developing a wonderful collaboration.

Donna Dixon, Director of Public/Patient Education, thanked the Board of Supervisors and County Administrator for their support. She explained that education classes have been provided to Noyes staff, Livingston County Center for Nursing Rehabilitation staff, physicians, nurses, technicians and those volunteers involved with kidney patients. She acknowledged Public Health Director Joan Ellison and the Department of Health for their attendance at the diabetes support group. She indicated there are things we can do to prevent kidney disease. Donna Dixon stated that there are two people in Livingston County providing educational services and they are Ginny Lions and Gail Feathers. She stated the Foundation would not be able to offer these programs without donations, and she extended a thank you to those who have supported the Kidney Foundation.

Ben Rossi, Special Events Manger, thanked those who have supported the walk and those who are participating. He thanked County Administrator Mazza for supporting this event and acknowledged Jim Wissler, CEO of Noyes Hospital, for his support as well. He reported that Livingston County has shown tremendous support and of the 225 registrants, 135 or 70% are County employees. He reminded everyone that registration for the walk begins at 6:00 p.m. and the walk begins at 7:00 p.m. at the Kuhl Gymnasium, SUNY Geneseo.

Jan Miller and Ben Rossi presented a Geneseo Kidney Walk t-shirt to County Administrator Mazza. J. Miller stated that if a Supervisor would like the National Kidney Foundation to present a presentation, they would be happy to do so.

Chairman Merrick thanked County Administrator Mazza, Jan Miller, Donna Dixon and Ben Rossi for their remarks.

## **PREFERRED AGENDA**

### **RESOLUTION NO. 2009-102      PROCLAIMING THE WEEK OF APRIL 5-11, 2009 AS PUBLIC HEALTH WEEK**

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

WHEREAS, we as Americans, enjoy better health, live in healthier conditions, know more about how to take care of our health, and live longer than any time in the past; and

WHEREAS, public health at the local, state, and national levels use systematic, population-based approaches to:

- Prevent epidemics and spread of disease;
- Protect against environmental hazards;
- Prevent injuries;
- Promote and encourage healthy behaviors;
- Respond to disasters and assist communities in recovery;
- Assure the quality and accessibility of health services; and

WHEREAS, the Livingston County Department of Health has made great progress in eliminating vaccine preventable diseases, reducing exposure to lead, promoting use of seat belts and bike helmets, reducing smoking, promoting healthier life styles, reducing obesity, and promoting quality care through its home care agency, hospice program, clinics, and health promotion activities, now therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby proclaim April 5-11, 2009 as Public Health Week.

Dated at Geneseo, New York

March 25. 2009

## Human Services 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. Yendell and seconded by Mr. Martello to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,592; Noes - 0; Absent – Davis, 24; Schuster, 46; Deming, 90; Total 160; Adopted.

**RESOLUTIONS****RESOLUTION NO. 2009-103      AWARDING BID FOR AL LORENZ PARK PRE-CAST CONCRETE RESTROOM FACILITIES**

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

WHEREAS, after the proper legal advertisement seeking bids for Al Lorenz Park pre-cast concrete restroom facilities, six bids were received and opened on March 16, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>Genesee Construction Services, Inc.</b>	N/A	\$83,450.00

P.O. Box 37

Dansville, New York 14437

For: Al Lorenz Park pre-cast concrete restroom facilities.

Dated at Geneseo, New York

March 25, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,592; Noes - 0; Absent – Davis, 24; Schuster, 46; Deming, 90; Total 160; Adopted.

**RESOLUTION NO. 2009-104      AMENDING 2009 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

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

RESOLVED, that the 2009 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A4014	2680	Insurance Recovery	\$1,468.05
Increase Appropriation	A4014	4127	Outside Repairs	\$1,468.05

Dated at Geneseo, New York

March 25, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,592; Noes - 0; Absent – Davis, 24; Schuster, 46; Deming, 90; Total 160; Adopted.

**RESOLUTION NO. 2009-105      AMENDING 2009 LIVINGSTON COUNTY BUDGET - HIGHWAY**

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

RESOLVED, that the 2009 Highway Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	DM5130	2770	Other Unclassified	\$22,550.00
Increase Appropriation	DM5130	4124	Gasoline	\$22,550.00

Dated at Geneseo, New York

March 25, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,592; Noes - 0; Absent – Davis, 24; Schuster, 46; Deming, 90; Total 160;

Adopted.

**RESOLUTION NO. 2009-106 AMENDING 2009 LIVINGSTON COUNTY BUDGET - SHERIFF**

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

RESOLVED, that the 2009 Sheriff Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3110	2680	Insurance Recovery	\$754.02
Increase Appropriation	A3110	4127	Outside Repairs	\$754.02

And,

Increase Revenue	A3110	2626	Forfeiture Crime Proceeds	\$5,986.00
Increase Appropriation	A3110	2400	Law Enforcement Fire & Safety	\$5,986.00

Dated at Geneseo, New York

March 25, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,592; Noes - 0; Absent – Davis, 24; Schuster, 46; Deming, 90; Total 160;

Adopted.

**RESOLUTION NO. 2009-107 AMENDING THE HOURLY SALARY SCHEDULE: DEPARTMENT OF HEALTH, SHERIFF’S OFFICE, DEPARTMENT OF SOCIAL SERVICES**

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

RESOLVED, the hourly salary schedule is hereby amended to make the following corrections:

Dept.	Name	No.	Incorrect Information	Correct Information
DOH	Lisa Worden- Sickles	406	Rate 13.98	Rate 14.40
SHER	Christopher Smith - DS/Sergeant Rd. Patrol	664	Christopher Smith-DS/Sergeant Rd. Patrol	Vacant
SHER	Bradley Schneider	665	Step 5; Rate 26.90	Step 4; Rate 25.84
DOH	Janet Lewis	1196	Rate 21.38	Rate 22.02

Dated at Geneseo, New York

March 25, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,592; Noes - 0; Absent – Davis, 24; Schuster, 46; Deming, 90; Total 160;

Adopted.

**RESOLUTION NO. 2009-108 ESTABLISHING STANDARD WORK DAY**

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

RESOLVED, that the Livingston County Board of Supervisors be and hereby establishes as a standard work day for elected and appointed officials for the purpose of determining days worked reportable to the New York State and Local Employees’ Retirement System the hours per position as set forth on Schedule A below:

Dept.	Title	FT/PT	Standard Work Day
BOS	Chairman of the Board	PT	6
BOS	Vice Chairman of the Board	PT	6
BOS	Members of the Board	PT	6
BOS	County Administrator	FT	7
BOS	Administrative Assistant to the County Administrator	FT	7
BOS	Clerk to the Board of Supervisors	FT	7
BOS	Confidential Secretary to the Clerk	FT	7
BOS	Secretary to the County Administrator	FT	7
BOS	County Auditor	FT	7
BOS	Deputy County Administrator	FT	7
BOS	Records Inventory Supervisor	FT	7
AGIN	Office for the Aging Director	FT	7

AGIN	Aging Services Caseworker	FT	7
AGIN	Case Manager	FT	7
AGIN	Finance Supervisor	FT	7
AGIN	Foster Grandparent Program Director	FT	7
AGIN	Nutrition Coordinator	FT	7
BOE	Commissioner	FT	7
BOE	Deputy Commissioner	FT	7
CNR	Director of Long Term Care	FT	7
CNR	Deputy Director of Long Term Care	FT	8
CNR	Director of Nursing Services	FT	8
CNR	Director of Rehabilitative Services	FT	8
CNR	Assistant Director of Nursing	FT	8
CNR	Director of Fiscal Services	FT	8
CNR	Administrative Secretary	FT	8
CNR	Director of Social Work Services	FT	8
CNR	Leisure Time Activities Director	FT	8
CNR	Medical Director	PT	8
CNR	Purchasing Coordinator	FT	8
CS	Supervisor of Buildings & Grounds	FT	8
CS	Buildings & Grounds Working Foreperson	FT	8
CLER	County Clerk	FT	6
CLER	Deputy County Clerk	FT	7
CLER	Second Deputy County Clerk	FT	7
ATNY	County Attorney	FT	7
ATNY	Assistant County Attorney	PT	7
DA	District Attorney	FT	6
DA	Assistant District Attorney	FT	7
DA	Assistant District Attorney	PT	7
DA	Secretary to the District Attorney	FT	7
DA	Victim/Witness Assistant Coordinator	FT	7
ECOD	Economic Developer	FT	7
ECOD	Deputy Economic Developer	FT	7
EMS	Emergency Management Services Director	FT	7
EMS	Emergency Medical Services Coordinator	FT	7
DOH	Public Health Director	FT	8
DOH	Director of Environmental Health	FT	7
DOH	Director of Patient Services	FT	8
DOH	Dog Control Officer	FT	8
DOH	Finance Supervisor	FT	7
DOH	Financial Manager	FT	7
DOH	Physician	PT	8
DOH	Supervising ALS Technician	FT	7
HWAY	County Highway Superintendent	FT	8
HWAY	Deputy Highway Superintendent	FT	7
HWAY	Highway Administrative Manager	FT	8
HIST	County Historian	FT	7
ITS	Director of I.T.S.	FT	8
ITS	Deputy Director of I.T.S.	FT	8
MH	Director of Community Mental Health Services	FT	7
MH	Deputy Director of Community Mental Health	FT	7

MH	Financial Manager	FT	7
PERS	Personnel Officer	FT	7
PERS	Personnel Assistant	FT	7
PERS	Administrative Secretary	FT	7
PERS	Account Clerk/Typist	FT	7
PERS	Clerk/Typist	FT	7
PLAN	Planning Director	FT	7
PROB	Probation Director II	FT	7
PD	Public Defender	FT	7
PD	Assistant Public Defender	3/4	7
PD	Assistant Public Defender	PT	7
PD	Confidential Secretary	FT	7
PW	Public Works Director	FT	7
PW	Financial Manager	FT	7
RPTS	Director of Real Property Tax Services I	FT	7
SHER	Sheriff	FT	6
SHER	Stop DWI Coordinator	PT	6
SHER	Undersheriff	FT	8
SHER	D.S./Major (Corrections)	FT	8
SHER	D.S./Major (Investigations)	FT	8
SHER	D.S./Major (Criminal-Rd. Patrol)	FT	8
SHER	Secretary to the Sheriff	FT	8
DSS	Commissioner of Social Services	FT	7
DSS	Director of Social Services	FT	7
DSS	Director of Administrative Services	FT	7
DSS	Employment Coordinator (JOBS FIRST)	FT	7
DSS	Head Social Welfare Examiner	FT	7
DSS	Secretary to the Commissioner of Social Services	FT	7
DSS	Social Services Attorney	FT	7
TRAF	Traffic Safety Board Executive Secretary	PT	8
TREA	County Treasurer	FT	6
TREA	Deputy County Treasurer	FT	7
VET	Director of Veterans Services Agency	PT	7
W&M	Director of Weights & Measures I	FT	7
WDS	Workforce Development Services Director/Youth Bureau Director	FT	7
AGIN	Account Clerk/Typist	FT	7
AGIN	Aging Services Caseworker Assistant	FT	7
AGIN	Clerk/Typist	FT	7
CNR	Activities Aide	FT	8
CNR	Admissions Coordinator	FT	8
CNR	Certified Occupational Therapy Assistant	FT	8
CNR	Charge Nurse	FT	8
CNR	Cleaner	FT	8
CNR	Custodial Worker	FT	8
CNR	Housekeeper	FT	8
CNR	Laundry Worker	FT	8
CNR	Licensed Practical Nurse	FT	8
CNR	Medical Typist	FT	7
CNR	Neighborhood Assistant	FT	8
CNR	Nursing Assistant	FT	8

CNR	Nursing Assistant-Transport	FT	8
CNR	Occupational Therapist	FT	8
CNR	Physical Therapist	FT	8
CNR	Physical Therapy Assistant	FT	8
CNR	Registered Professional Nurse	FT	8
CNR	Scheduler	FT	8
CNR	Senior Account Clerk	FT	7
CNR	Senior Account Clerk/Typist	FT	7
CNR	Senior Typist	FT	7
CNR	Senior Typist	FT	7
CNR	Social Work Assistant	FT	7
CNR	Speech Pathologist	FT	8
CNR	Telephone Operator	FT	7
CS	Administrative Secretary	FT	7
CS	Building Maintenance Mechanic	FT	8
CS	Building Maintenance Person	FT	8
CS	Carpenter	FT	8
CS	Clerk/Typist	FT	7
CS	Courier	FT	8
CS	Custodial Worker	FT	8
CS	Electrician	FT	8
CS	Plumber	FT	8
CLER	Index Clerk	FT	7
CLER	Motor Vehicle Clerk	FT	7
CLER	Senior Index Clerk	FT	7
CLER	Senior Motor Vehicle Clerk	FT	7
CLER	Telephone Operator	FT	7
DA	Clerk/Typist	FT	7
ECOD	Administrative Secretary	FT	7
EMS	Senior Typist	FT	7
DOH	Account Clerk/Typist	FT	7
DOH	Administrative Secretary	FT	7
DOH	Assistant Dog Control Officer	FT	8
DOH	Caseworker	FT	7
DOH	Clerk/Typist	FT	7
DOH	Clinical Aide	FT	7
DOH	Home Health Aide	FT	7
DOH	Nurse Practitioner	4/5	8
DOH	Nursing Team Assistant	FT	7
DOH	Nursing Team Assistant - Home Health Aide	FT	7
DOH	Outreach Worker	FT	7
DOH	Public Health Educator	FT	7
DOH	Public Health Sanitarian	FT	7
DOH	Public Health Social Worker	FT	7
DOH	Public Health Technician	FT	7
DOH	Registered Professional Nurse	FT	8
DOH	Senior Account Clerk/Typist	FT	7
DOH	Senior Public Health Educator	FT	7
DOH	Senior Public Health Sanitarian	FT	7
DOH	Senior Typist	FT	7

DOH	Supervising Public Health Nurse	FT	8
HWAY	Account Clerk/Typist	FT	8
HWAY	Automotive Mechanic	Seas	8
HWAY	Automotive Mechanic Helper	FT	8
HWAY	Bridge Construction Supervisor	FT	8
HWAY	Engineering Aide	FT	8
HWAY	Engineering Tech.	FT	8
HWAY	Motor Equipment Operator I	FT	8
HWAY	Motor Equipment Operator II	FT	8
HWAY	Motor Equipment Operator III	FT	8
HWAY	Principal Clerk	FT	8
HWAY	Road Maintenance Supervisor	FT	8
HWAY	Road Maintenance Worker	FT	8
HWAY	Senior Account Clerk/Typist	FT	8
HWAY	Senior Sign Technician	FT	8
HWAY	Shop Manager	FT	8
HWAY	Sign Shop Technician	FT	8
HWAY	Welder/ Fabricator	FT	8
ITS	Computer Training Coordinator/Operator	FT	8
ITS	Network Administrator	FT	8
ITS	Programmer	FT	8
MH	Community Mental Health Nurse	FT	7
MH	Forensic Mental Health Therapist	FT	7
MH	Intensive Case Manager	FT	7
MH	Medical Billing Specialist	FT	7
MH	Mental Health Clinical Therapist	FT	7
MH	Mental Health Services Coordinator	FT	7
MH	Principal Typist	FT	7
MH	Psychiatric Social Work Assistant	FT	7
MH	Senior Account Clerk/Typist	FT	7
MH	Senior Typist	FT	7
MH	Supportive Case Manager	FT	7
PLAN	Administrative Secretary	FT	7
PLAN	Planner	FT	7
PLAN	Planning Assistant	FT	7
PLAN	Senior Account Clerk	FT	7
PLAN	Housing Assistance Representative	FT	7
PLAN	Housing Programs Coordinator	FT	7
PLAN	Senior Typist	FT	7
PLAN	Energy Programs Supervisor	FT	8
PLAN	Senior Account Clerk/Typist	FT	7
PLAN	Winterization Aide	FT	8
PLAN	Winterization Foreperson	FT	8
PROB	Principal Typist	FT	7
PROB	Probation Officer Trainee	FT	7
PROB	Probation Officer	FT	7
PROB	Probation Supervisor	FT	7
PROB	Senior Probation Officer	FT	7
PROB	Senior Typist	FT	7
PD	Clerk/Typist	FT	7

PW	Account Clerk/Typist	FT	7
PW	Senior Account Clerk/Typist	FT	7
PW	Senior Sewage Treatment Plant Operator	FT	8
PW	Sewage Treatment Plant Operator	FT	8
PW	Water Treatment Plant Operator	FT	8
PW	Water/Wastewater Maintenance Person	FT	8
RPTS	Real Property Tax Services Aide	FT	7
RPTS	Senior Tax Map Technician	FT	7
RPTS	Senior Typist	FT	7
SHER	Civilian Dispatcher	FT	8
SHER	Clerk/Typist	FT	8
SHER	Cook (Corrections)	FT	8
SHER	Corrections Corporal	FT	8
SHER	Corrections Officer	FT	8
SHER	Corrections Sergeant	FT	8
SHER	Deputy Sheriff/ Communications Officer	FT	8
SHER	Deputy Sheriff/ Investigator	FT	8
SHER	Deputy Sheriff/ Road Patrol	FT	8
SHER	Deputy Sheriff/ Sergeant (Rd. Patrol)	FT	8
SHER	Principal Clerk	FT	8
SHER	Senior Account Clerk	FT	8
SHER	Senior Typist	FT	8
DSS	Accounting Supervisor (Grade B)	FT	7
DSS	Case Management Aide	FT	7
DSS	Case Supervisor - Gr. B	FT	7
DSS	Caseworker	FT	7
DSS	Caseworker Trainee	FT	7
DSS	Clerk/Typist	FT	7
DSS	Coordinator - Child Support Unit	FT	7
DSS	Coordinator of Volunteer Services	FT	7
DSS	Courier	FT	7
DSS	Housing Programs Coordinator	FT	7
DSS	Legal Assistant	FT	7
DSS	Mobile Work Crew Supervisor	FT	7
DSS	Principal Clerk	FT	7
DSS	Principal Social Welfare Examiner	FT	7
DSS	Principal Typist	FT	7
DSS	Senior Account Clerk	FT	7
DSS	Senior Caseworker	FT	7
DSS	Senior Clerk	FT	7
DSS	Senior Social Welfare Examiner	FT	7
DSS	Senior Support Investigator	FT	7
DSS	Senior Typist	FT	7
DSS	Social Welfare Examiner	FT	7
DSS	Staff Development Coordinator	FT	7
DSS	Support Investigator	FT	7
DSS	Telephone Operator	FT	7
DSS	Transportation Broker	FT	7
TREA	Account Clerk/Typist	FT	7
TREA	Senior Account Clerk	FT	7

TREA	Senior Account Clerk/Typist	FT	7
WDS	Account Clerk/Typist	FT	7
WDS	Employment & Training Counselor	FT	7
WDS	Senior Account Clerk	FT	7
WDS	Workforce Development Services/Youth Bureau Coord.	FT	7
AGIN	Account Clerk	PT	7
AGIN	Aging Services Aide	PT	7
AGIN	Case Manager	PT	7
AGIN	Cleaner	PT	8
AGIN	Clerk/Typist	PT	7
AGIN	Courier	PT	8
AGIN	Food Service Helper	PT	8
AGIN	Foster Grandparent Assistant	PT	8
AGIN	SNP Site Manager	sub	8
AGIN	Typist	PT	7
BOE	Elections Operations Specialist	PT	7
CNR	Activities Aide	PT	8
CNR	CNA Trainee	AT	8
CNR	Certified Occupational Therapy Assistant	PT	8
CNR	Charge Nurse	PD	8
CNR	Cleaner	PT	8
CNR	Clerk/Typist	PT	7
CNR	Laundry Worker	PT	8
CNR	Licensed Practical Nurse	PT	8
CNR	Neighborhood Assistant	PT	8
CNR	Nursing Assistant	PT	8
CNR	Occupational Therapist	PT	8
CNR	Personal Care Assistant	PT	8
CNR	Physical Therapist	PT	8
CNR	Registered Professional Nurse	PT	8
CNR	Speech Pathologist	PT	8
CNR	Telephone Operator	PT	8
CS	Building Maintenance Person	PT	8
CS	Custodial Worker	PT	8
CS	Laborer	seas	8
CLER	Index Clerk	PT	7
DOH	Advanced Life Support Technician	PT	8
DOH	Assistant Dog Control Officer	PT	8
DOH	Caseworker	PT	7
DOH	Clerk	PT	7
DOH	Clerk/Typist	PT	7
DOH	Clinical Aide	PT	8
DOH	Emergency Medical Technician	PT	8
DOH	Home Health Aide	PT	7
DOH	HOSPICE Volunteer Coordinator	PT	7
DOH	Intern	seas	7
DOH	Licensed Practical Nurse	PT	8
DOH	Nurse Practitioner	PT	8
DOH	Nutrition Aide	PT	8
DOH	Public Health Educator	PT	7

DOH	Public Health Social Worker	AT	7
DOH	Registered Professional Nurse	PD	8
DOH	Summer Youth Worker	PT	7
DOH	Volunteer Coordinator	PT	8
HWAY	Laborer	seas	8
HIST	Clerk/Typist	PT	7
MH	Mental Health Clinical Therapist	PT	7
MH	Mental Health Social Work Aide Spanish Speaking	PT	7
PERS	Exam Monitor	PT	7
PLAN	Conesus Lake Water Shed Manager	PT	7
REC	Records Inventory Clerk	PT	7
SHER	Civilian Dispatcher	PT	8
SHER	Clerk	PT	8
SHER	Cook (Corrections)	PT	8
SHER	Corrections Officer	PT	8
SHER	Courier	PT	8
SHER	Deputy Sheriff/ Road Patrol	PT	8
SHER	Deputy Sheriff Sergeant (Road Patrol)	seas	8
DSS	Caseworker	PT	7
DSS	HEAP Examiner	seas	7
DSS	Summer Camp Worker	seas	7
VET	Clerk/Typist	PT	7
WDS	Employment & Training Activities Supervisor	AT	7
WDS	Employment & Training Counselor	seas	7
WDS	Tutor	PD	7

Dated at Geneseo, New York

March 25, 2009

Ways and Mean Committee

The roll was called as follows: Ayes - 1,592; Noes - 0; Absent – Davis, 24; Schuster, 46; Deming, 90; Total 160; Adopted.

### **OTHER BUSINESS**

1. NYMIR Presentation – County Administrator Dominic Mazza, NYMIR Executive Director Kevin Crawford, NYSAC Executive Director Steve Acquario, Executive Director of the Association of Towns of State of New York Jeffrey Haber, and President of the NYMIR Division of Wright Risk Management Brian Custer

County Administrator Mazza thanked everyone for attending today and stated this is a very momentous day for Livingston County and a number of towns and villages within the County. He commented that back in the mid 1980's when he was working for local government, there was an insurance crisis, and municipalities were told that insurance rates would triple the next year. In some cases, there were municipalities that could not afford the new rates and some had their insurance canceled. The insurance crisis in the 1980's has been long forgotten by many people. As a result, of this crisis, NYSAC (New York State Association of Counties), NYCOM (New York Conference of Mayors) and the Association of Towns of the State of NY started working to protect the municipalities by creating a vehicle that would be reliable, predictable and sustainable. In 1993, courageous people in Fulton County established an insurance reciprocal and soon after that Livingston County joined. County Administrator Mazza acknowledged County Clerk Jim Culbertson because at that time, Jim Culbertson was Supervisor for the Town of Sparta and was on the Board when the County joined NYMIR (New York Municipal Insurance Reciprocal). He also acknowledged former Chairman of the Board and Avon Supervisor James Steele for his leadership during this effort and enrolled the Town of Avon as the first town to become a member.

County Administrator Mazza stated he has been fortunate to be a NYMIR Board Member and commented what a wonderful learning experience it has been. He commented he believes NYMIR is the best insurance program in the State of New York. At this time, he acknowledged NYMIR Executive Director Kevin Crawford. County Administrator

Mazza explained that even if a town is not a member of NYMIR that town would reap the benefit of NYMIR because NYMIR has driven down the rates for everyone. He indicated that Kevin Crawford has been with NYMIR since its establishment and prior to that he was the Attorney for the Association of Towns. He asked NYSAC Executive Director Steve Acquario, Executive Director of Association of Towns of State of NY Jeffrey Haber and NYMIR Division of Wright Risk Management Brian Custer to please join him at the podium and then asked Kevin Crawford to say a few remarks.

Kevin Crawford stated that NYMIR started in 1993 and its mission was to bring stability to its members, and he was proud to say that NYMIR has delivered its mission. He recognized County Administrator Mazza for serving as NYMIR's President from 1999-2000. Kevin Crawford explained that NYMIR has a total of \$100 million dollars of total assets, and the Board of Directors is very careful in managing these assets. NYMIR is very proud of its A- rating. The NYMIR Board has always wanted to get where they could have financial success and share its assets with the members. Kevin Crawford stated NYMIR is here today to return assets back to long-term members. He began by calling up the Caledonia Supervisor Daniel Pangrazio and presented him with a check and continued by calling up Livonia Supervisor Eric Gott, Ossian Supervisor Dominick Martello, Sparta Supervisor Mark Schuster (absent), North Dansville Supervisor Dennis Mahus, Avon Supervisor David LeFeber, Springwater Supervisor Norbert Buckley, Livingston County Water and Sewer Authority Board Member Gary Moore and Director Cathy VanHorne and Livingston County Chairman of the Board James Merrick and County Administrator Mazza. Kevin Crawford explained that NYMIR is returning \$11,560 to Livingston County and overall \$7.5 million dollars will be returned to its members around the State.

NYSAC Executive Director Steve Acquario commented that towns and villages are coming together to share services and NYMIR has been a shining star sharing services statewide. He indicated that April 1 is fast approaching and there are too many ways the State inflicts pain on counties. He stated that NYSAC is working very hard to get the CHIPS funding, youth funding and DSS Administration funding restored. He reported that counties could expect to take a hit on the parole violator reimbursement. He announced the State intends to layoff approximately 9,000 state employees.

Steve Acquario presented the following remarks:

*On this occasion, we are recognizing Livingston County's long-standing membership in the New York Municipal Insurance Reciprocal and Nick Mazza's ongoing leadership in the Reciprocal.*

*In response to a lack of insurance coverage in the early 1990's, New York's three municipal associations ---the Associations of Counties, towns and mayors---came together to incorporate the New York Municipal Insurance Reciprocal (NYMIR).*

*These associations, on behalf of our memberships, realized that the only way to protect municipalities from another insurance crisis was for local government to create their own insurance company. And, through an act of the state legislature, NYMIR was created in 1993 with 26 initial local government subscribers. Livingston County was one of these initial subscribers.*

*Today, we are here to mark this occasion. To mark our success and celebrate an accomplishment--providing comprehensive insurance coverage by and for New York State's local governments.*

*I would also like to acknowledge Edwin L. Crawford, the former Executive Director of the New York State Association of Counties. Ed Crawford had a vision and acted on this vision, spearheading the early efforts to organize NYMIR. This was done in cooperation with Wright Risk Management, represented today by Brian Custer, President of the NYMIR Division of WRM. Mr. Custer also deserves our thanks as he has served us since the inception of this great reciprocal since its inception-AND he does an outstanding job.*

*Permit me also to recognize and thank Kevin Crawford, the Executive Director of NYMIR. Having served for many years as the counsel to the Association of Towns, Mr. Crawford has been with the NYMIR program from its inception. And, having known Mr. Crawford for 20 years, I can think of no person more deserving to represent NYMIR than Kevin. Kevin has provided outstanding leadership and structure to this complex operation and we are grateful for his leadership.*

*As supervisors, you may have wondered where Mr. Mazza traveled to on many occasions throughout the year on NYMIR business. As a volunteer Board Member, Mr. Mazza participated in the governance of this \$40 million operation, and through many of its committees, particularly the finance committee. He served as NYMIR's president from 1999 to 2001.*

*Nobody knows the business of NYMIR more than Nick Mazza and we are grateful to you Mr. Mazza for your dedication and commitment and to the Livingston County Board of Supervisors for lending the expertise of Mr. Mazza to this worthwhile cause.*

*Today, NYMIR insures almost 600 NY municipalities. We insure more local governments in NYS than any other carrier. NYMIR is strong financially and according to the rating agencies, "has produced operating results that have consistently outperformed the commercial insurance industry."*

*Let me close by saying NYMIR is only as strong as our membership, and that could not be better represented than by Livingston County.*

*Livingston County and our other NYMIR members demonstrate a critical appreciation of risk management. You are good stewards of the public fisc because you protect your assets—your government buildings, your fleet of vehicles, your operations—with good people, sound policies, training and supervision.*

*That is the hallmark of our members, and that is why NYMIR is an operationally strong and financially sound local government cooperative organization. And today we have the honor of giving something back to one of our founding members.*

*NYMIR is bigger, stronger and better than we were in 1993 when this all started and we have you and all of your colleagues to honor for that accomplishment. We look forward to coming back again 15 years from now with even greater strength in numbers.*

Executive Director of Association of Towns of State of New York Jeffrey Haber stated that the prior speakers have said everything but he stated he would like to acknowledge the Avon High School Boys Basketball team for winning the Boys' Class C Basketball Championship. He stated it is always good to come back to Geneseo because 43 years ago he walked off the SUNY Geneseo Campus as a graduate. He also acknowledged knowing former Caledonia Supervisor Jim Layland and his wife Grace and Joe and Elaine Bucci. J. Haber thanked the Board of Supervisors for their support from the beginning and indicated that the towns and a county like Livingston are the backbone of NYMIR. He commented that those towns not in the NYMIR program should consider enrolling. He stated the day he decides to retire, he will look back and consider the formation of NYMIR as one of his greatest accomplishments he has made to government and the State of New York.

President of the NYMIR Division of Wright Risk Management Brian Custer stated he met County Administrator Mazza in September 1991 and at that time he was working for a different firm but was in the process of moving to the NYMIR project. He thanked County Administrator Mazza for inviting NYMIR to the County in the early 90's and indicated that Nick Mazza has been very instrumental in the success of this insurance reciprocal. Brian Custer stated he is delighted that NYMIR can share some of its assets to the members. He also acknowledged the Avon Boys Basketball team for winning the championship and presented a framed newspaper article of this event to the County Administrator. Brian Custer commented that he is hopeful that those towns that are members will stay with NYMIR and those that are not will join.

County Administrator Mazza thanked everyone for their comments and invited Supervisors and Department Heads to attend the NYMIR reception at the Big Tree Inn at 4:00 p.m. today.

Conesus Supervisor Donohue stated that the Town of Conesus recently enrolled as a NYMIR member. The Town had budgeted \$34,000 for insurance and as a result of enrolling with NYMIR the town saved \$12,000.

Ossian Supervisor Martello commented that as the smallest town in Livingston County with people that are very frugal and looking for the best services possible, NYMIR is the best bang for the buck. Mr. Martello stated he believes that NYMIR is there to fight for each member and to provide quality service.

County Administrator Mazza echoed Mr. Martello's remarks. He stated that it has been a wonderful opportunity serving on the NYMIR board and this is one of the accomplishments that he values the most. He stated that NYMIR has been involved in developing our Workplace Violence Plan and acknowledged Undersheriff Martin Herkimer, who was in attendance, for his involvement in the NYMIR Law Enforcement Committee. County Administrator Mazza indicated years ago, the County had an absolutely frivolous claim against the Sheriff's Department and NYMIR took the claim to Federal Court and won, which sends a message to the legal community.

In closing, County Administrator Mazza summarized a letter that was written by former NYSAC Executive Director Ed Crawford dated April 17, 1987 at the height of the insurance crisis. The letter was informing the County that after a very long intensive process of interviewing companies to manage the insurance reciprocal, they were unsuccessful in choosing a company. At that time, these organizations (NYSAC, Association of Towns and Wright Risk Management) collaborated and formed NYMIR and in 2009 he considers NYMIR the most successful municipal insurance company in the country. County Administrator Mazza stated, "Don't forget the past and don't forget where

you came from.” He commented that NYMIR was licensed as an insurance reciprocal on September 1, 1993. Ed Crawford contracted cancer and died on September 27, 1993, 27 days after NYMIR was licensed. Mr. Mazza stated NYMIR is Ed Crawford’s legacy. He then presented plaques of Ed Crawford’s letter dated April 17, 1987 along with a few remarks as follows:

- Brian Custer – if anybody deserves credit it is Brian who joined the company in its infancy. NYMIR is here to stay. Mr. Mazza stated he purposely did not put an ending date on the plaque because there is no end to NYMIR;
- Jerry Elicks – Vice President of Wright Risk Management has been a key to the organization along with the Board of Directors. Jerry Elicks commented that he came up from Long Island today to honor Nick Mazza, and the commitment and support of the Board of Supervisors. He stated this is what government is all about and this day has restored his enthusiasm.
- Steve Acquario – as the current NYSAC Executive Director;
- Jeffrey Haber – for all you have done; and, last but not least,
- Kevin Crawford – for all you do.

Chairman Merrick thanked everybody for participating in this historic event today.

### **ADJOURNMENT**

Motion made by Mr. Baldwin and seconded by Mr. Wadsworth to adjourn until Wednesday, April 8, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:27 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, APRIL 8, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Moore (Leicester).

**PLEDGE OF ALLEGIANCE**

Nunda Supervisor Thomas Baldwin led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Minutes of 1/14/09 Regular Meeting minutes were approved as presented.

**COMMUNICATIONS**

1. Letter from Assemblyman Joseph A. Errigo acknowledging receipt of Res. No. 2009-081 Supporting Governor Paterson's Proposal to Fix the Indigent Legal Services Fund Maintenance of Effort Provisions.
2. The Genesee Valley Conservancy's Strategic Plan for 2009-2014 is on file.
3. Livingston County has received a certificate from NYSAC confirming our membership for the year 2009.
4. The 43<sup>rd</sup> Annual County Finance School will be held May 6-8, 2009 at the Sheraton Syracuse University Hotel & Conference Center, Syracuse, NY. If you are interested in attending this conference, please notify the Clerk by Monday, April 13, 2009.
5. Western Regional Off-Track Betting Corporation 1974-2008 Revenue Summary is on file.
6. A Highway Tour of the 2009 Highway Projects will be conducted on Thursday, June 25, 2009, 8:00 a.m. – 1:00 p.m. Please mark your calendar if you are interested in attending.
7. Governor Paterson's office called and there will be an announcement of Transportation Stimulus Funds on Thursday, April at 10:00 a.m. at the NYS DOT Office 125 Parish Street, Canandaigua, NY. The projects that will be announced are from the Genesee Transportation Council list. The Governor's office is requiring us to notify who will be in attendance. If you plan to attend, please notify the Clerk today.

Mr. Merrick stated that he would be inviting Tom Wamp, Western Regional Off-Track Betting Corporation representative, to a future meeting to present a program update.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-109      APPROVING ABSTRACT OF CLAIMS #4A – APRIL 8, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #4A dated April 8, 2009 in the total amount of \$1,575,436.05.

Dated at Genesee, New York

April 8, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**PRIVILEGE OF THE FLOOR**

1. County Administrator Dominic F. Mazza – Recognizing the Achievements of the Avon Central High School Basketball Team

Chairman Merrick granted Privilege of the Floor to County Administrator Mazza.

County Administrator Mazza thanked Chairman Merrick and stated that it has been over 15 years since the Board had recognized Cal-Mum Football Team for winning the State Championship. He stated we are here today to recognize the achievements of the Avon Central High School Basketball Team who won the New York State High School Athletic Association Boys' Class C Basketball Championship on March 21, 2009, and he is very delighted to honor them as he is a resident of Avon and has attended countless athletic events to watch his children play sports. County Administrator Mazza commented that the Avon Basketball Team surely received a lot of press throughout the year and acknowledged the media attention they received by posting the newspaper articles outside the Board Room

entrance. He recognized Avon School Superintendent Bruce Amey, Athletic Director Andy Englert, two team members Dan Banach and Grant Kessel, and Coach Rob Fries. He asked them all to join him at the podium.

Mr. Moore entered.

### **COMMITTEE OF THE WHOLE RESOLUTION**

The Clerk of the Board read the following resolution and Mr. Martello moved and Mr. Davis seconded to present the resolution and moved its adoption. Carried.

#### **RESOLUTION NO. 2009-110      RECOGNIZING THE ACHIEVEMENTS OF THE AVON CENTRAL HIGH SCHOOL BASKETBALL TEAM**

WHEREAS, the 2008-2009 Avon Central Braves won the New York State High School Athletic Association Boys' Class C Basketball Championship on March 21, 2009; and

WHEREAS, the Avon High School Braves are the first team from Livingston County to win a New York State High School Athletic Association Basketball Championship; and

WHEREAS, the Avon Central Braves represented Livingston County and its citizens in this historic achievement, it is hereby

RESOLVED, that the Livingston County Board of Supervisors recognizes the commitment of the Avon Central School District, coaches, players and fans in the pursuit of excellence.

Avon 61, Maple Hill 55

Class C

Glens Falls Civic Center

Rob Fries, Coach

Dated at Geneseo, New York

April 8, 2009

Committee of the Whole

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

County Administrator Mazza stated the County is very proud of the team's accomplishments and asked Avon Supervisor David LeFeber to join him at the podium. Avon Supervisor David LeFeber and County Administrator Mazza presented plaques to Avon School Superintendent Bruce Amey and Coach Rob Fries. County Administrator Mazza stated that his son, Jack, played countless sports, and Coach Rob Fries was the best coach his son ever had.

Coach Rob Fries thanked the Board for recognizing this achievement and stated that the support of other County Leaders and Coaches has been overwhelming. He stated this is a great achievement and it shows how well the kids represent our area. He thanked the Board for inviting them to the Board meeting today.

Avon Superintendent Bruce Amey stated this is a tremendous accomplishment, and that we have a lot of outstanding young people growing up in this County.

Coach Rob Fries thanked the Board of Supervisors for everything they do for the County and again thanked them for recognizing the team.

Chairman Merrick congratulated the team's accomplishments.

### **PREFERRED AGENDA**

#### **RESOLUTION NO. 2009-111      PROCLAIMING THE WEEK OF MAY 3-9, 2009 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 LPNs, RNs, Nurse Practitioners, MSNs, 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, Center for Nursing and Rehabilitation, Home Care, Hospice, Immunization Clinics, Livingston County Jail, Mental Health, Office for the Aging, Prevent Team, Strong Memorial Hospital, WIC Program, and the Reproductive 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 3-May 9, 2009 as Nurses Week.

Dated at Geneseo, New York  
 April 8, 2009  
 Human Services Committee

**RESOLUTION NO. 2009-112 PROCLAIMING THE WEEK OF MAY 17-23, 2009 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 17-23, 2009 as Emergency Medical Services Week in Livingston County to honor EMS personnel, techs, nurses, and physicians who serve their community through ambulance corps and in the emergency rooms in Livingston County.

Dated at Geneseo, New York  
 April 8, 2009  
 Human Services Committee

**RESOLUTION NO. 2009-113 DECLARING MAY 10-16, 2009 NURSING HOME WEEK IN LIVINGSTON COUNTY IN CELEBRATION OF OLDER AMERICANS MONTH**

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

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

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

RESOLVED, that the Livingston County Board of Supervisors proclaims May 10-16, 2009 as Nursing Home Week in honor of the valuable contributions Livingston County's nursing homes and their staffs make to the quality of life within our county.

Dated at Geneseo, New York  
 April 8, 2009  
 Human Services Committee

**RESOLUTION NO. 2009-114 APPOINTING CHAIRMAN OF LIVINGSTON COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL – ERIC GRACE**

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

Name	Address	Title/Representing	Term
Eric Grace	P.O. Box 73, Geneseo, NY 14454	Chairman	4/08/09-12/31/09

Dated at Geneseo, New York  
 April 8, 2009  
 Human Services 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. Yendell and seconded by Mr. Martello to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTIONS**

**RESOLUTION NO. 2009-115 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: NYS DEPARTMENT OF HEALTH (2), LIVONIA AMBULANCE DISTRICT #1, DR. KENDY VERPILE, NYS DEPARTMENT OF AGRICULTURE AND MARKETS, THE SUSAN G. KOMEN FOUNDATION CNY AFFILIATE**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Department of Health</b> Barbara S. Devore, Deputy Director Division of Family Health, Fiscal Unit Room 878, Corning Tower Bldg. ESP Albany, NY 12237-0657 For: Renewal of Community Health Worker Grant.	7/1/09-6/30/10	\$123,959.00
<b>New York State Department of Health</b> Division of Family Health, Fiscal Unit ESP Corning Tower, Room 878 Albany, NY 12237-0657 For: Renewal of the Early Intervention Administration Contract.	10/1/08-9/30/09	\$40,223.00
<b>Livonia Ambulance District #1</b> PO Box 108 Livonia, NY 14487 For: ALS Student Internship.	1/27/09-30 days notice	N/A
<b>Dr. Kendy Verpile</b> 66 E. Plum Drive Dansville, NY 14437 For: Six-month renewal of contract for Reproductive Health Center Medical Consultant.	4/1/09-9/30/09	Monthly \$200.00
<b>NYS Department of Agriculture and Markets</b> 10B Airline Drive Albany, NY 12235-0001 For: Petroleum Product Quality Program.	4/1/09-3/31/14	\$24,975.00
<b>The Susan G. Komen Foundation CNY Affiliate</b> 5008 Brittonfield Parkway, Suite 300 East Syracuse, NY 13057 For: Breast Cancer Screening. Dated at Geneseo, New York April 8, 2009 Human Services Committee	4/1/09-3/31/10	\$10,000.00

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-116      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: GENESEE COUNCIL ON ALCOHOLISM & SUBSTANCE ABUSE**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Genesee Council on Alcoholism &amp; Substance Abuse</b> 430 East Main Street Batavia, NY 14020 For: Co-location Project. Dated at Geneseo, New York April 8, 2009	4/1/09-3/31/10	\$112,500.00

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-117 AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO SIGN THE FOLLOWING CONTRACT(S): LIVINGSTON COUNTY DEPARTMENT OF HEALTH**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Livingston Co. Department of Health</b>	5/1/09-4/30/10	\$37,000.00

2 Murray Hill Drive

Mt. Morris, NY 14510

For: Part-time RN Case Manager.

Dated at Geneseo, New York

April 8, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-118 DESIGNATING THE DEPARTMENT OF SOCIAL SERVICES AS THE LOCAL ADMINISTRATOR FOR THE HUD SECTION 8 HOUSING ASSISTANCE PROGRAM AND AUTHORIZING THE DEPARTMENT OF SOCIAL SERVICES COMMISSIONER TO SIGN YEAR 2009 SECTION 8 CONTRACT AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL**

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

RESOLVED, that effective April 15, 2009, the Department of Social Services is hereby designated as the Local Administrator for the HUD Section 8 Housing Assistance Program on behalf of the County, and the Department of Social Services Commissioner is hereby authorized to sign the following contract, and any amendments hereto, for the County, according to the term designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Div. of Housing &amp; Community Renewal</b>	1/01/09-12/31/09	NA

25 Beaver Street

New York, NY 10004

For: Section 8 Housing Program.

Dated at Geneseo, New York

April 8, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-119 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY OFFICE FOR THE AGING: NEW YORK STATE OFFICE FOR THE AGING, LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES AND LIVINGSTON/WYOMING ARC**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Office for the Aging</b>	4/1/09-3/31/10	\$1,768,651.00

Two Empire State Plaza

Albany, NY 12223-1251

For: Annual Implementation Plan.

**Livingston County Dept. of Social Services** 4/1/09-3/31/10 \$58,000.00  
**and Livingston/Wyoming ARC**

For: Door Through Door Transportation Services. Office for the Aging department share is \$8,380.00 (Office for the Aging State Transportation Grant).

Dated at Geneseo, New York

April 8, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**RESOLUTION NO. 2009-120 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT: CLARK PATTERSON LEE (2)**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Clark Patterson Lee</b> 205 St. Paul Street Rochester, NY 14604	3/4/09-05/15/09	\$ 2,500.00

For: CPL will provide for the bidding of prepared construction drawings and construction administration services for addition of roofs and support structure to existing exterior stairs at Building 6 and 8 on the County Campus.

<b>Clark Patterson Lee</b> 205 St. Paul Street Rochester, NY 14604	3/23/09-5/23/09	\$20,000.00
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For: CPL will provide preliminary phase/exploratory services for review of specific modifications and improvements to the Auditorium Wing of Building 1 of the County Campus.

Dated at Geneseo, New York

April 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**RESOLUTION NO. 2009-121 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A MEMORANDUM OF AGREEMENT FOR THE LIVINGSTON COUNTY EMERGENCY MANAGEMENT SERVICES DEPARTMENT: NYS OFFICE OF HOMELAND SECURITY**

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a Memorandum of Agreement for the Livingston County Emergency Management Services Department, according to the term(s) designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Office of Homeland Security</b> 1220 Washington Ave State Ofc Bldg, Campus Bldg 7A Albany NY 12226		\$44,000.00

For: Grant Award to purchase HazMat training props. The term falls under the 2008 HazMat Grant Program.

Dated at Geneseo, New York

April 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**RESOLUTION NO. 2009-122 AUTHORIZING THE LIVINGSTON COUNTY HIGHWAY SUPERINTENDENT TO BID ON AND PURCHASE VARIOUS USED EQUIPMENT ON MAY 9, 2009 AT**

**TEITSWORTH MUNICIPAL EQUIPMENT AUCTION IN PALMYRA, NY FOR THE COUNTY HIGHWAY DEPARTMENT**

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

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

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

RESOLVED, that the Livingston County Highway Superintendent, with input and advice from the Department Shop Manager, is hereby authorized to bid on and purchase appropriate and needed various used equipment and vehicles on May 9, 2009 at the Teitsworth Municipal Equipment Auction in Palmyra, NY, at a total amount not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00).

Dated at Geneseo, New York

April 8, 2009

Public Services Committee

County Highway Superintendent Don Higgins indicated this is an annual attempt to purchase good used equipment in order to stretch the equipment budget line for the year. He explained the department would focus on purchasing good used equipment including one-ton trucks and 10-wheel dump trucks.

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-123 APPROVING HOURLY RATE TO BE PAID FOR TOWN 10-WHEEL DUMP TRUCKS WHILE ENGAGED IN COUNTY HIGHWAY MAINTENANCE & CONSTRUCTION WORK THROUGH THE END OF 2009**

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

WHEREAS, the hourly reimbursement rate for the year 2008 for Town 10-Wheel Dump Trucks (including operator) was \$70.00 (regular time) and \$80.00 (overtime), now, therefore be it

RESOLVED, that an hourly rate of \$80.00 (14.3% increase at regular time) and \$90.00 (12.5% increase for overtime) for the year 2009 is established for reimbursement to towns for use of all 10-Wheel Dump Trucks, including operator, while engaged in local County Highway maintenance and construction work, and, be it further

RESOLVED, that said hourly rate shall not apply to long-range hauling of materials to project sites from gravel, stone or asphalt sources, in which case a "per-ton" or "per-cubic-yard" price will be negotiated with the Town, based upon current Annual County Bid prices, and, be it, further

RESOLVED, that said hourly rates of \$80.00 and \$90.00 shall remain in effect through the end of 2009.

Dated at Geneseo, New York

April 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-124 APPROVING MAXIMUM WAGE RATES FOR TOWN, VILLAGE AND COUNTY HIGHWAY EMPLOYEES WHILE ENGAGED IN SNOW & ICE WORK ON STATE HIGHWAYS FROM 01/01/09 TO 12/31/09 AND FOR WORK DONE FOR THE COUNTY DURING THAT PERIOD**

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

RESOLVED, that the maximum wage rates shown on the attached schedules for Towns, Villages and County Highway Employees, be, and the same hereby are, approved for snow and ice control on State Highway and for work done within the County of Livingston from 01/01/09 to 12/31/09.

**State Of New York - Department Of Public Works Division Of Operation And Maintenance Board**

Wage Rates - County, Town, Village Employees for Snow and Ice Control on State Highways for 2009 Season

**County Of Livingston**

Name	Job Title	Status	Rate	OT Rate	Night Rate
Barnhart, Kevin	MEO II	Perm	\$20.31	\$30.47	\$0.00
Barratt, Fay	Rd Maint Worker	Perm	\$16.17	\$24.26	\$0.00
Benedict, Benjamin	Rd Maint Worker	Perm	\$16.17	\$24.26	\$0.00
Bourgoine, Dean	MEO III	Perm	\$21.99	\$32.99	\$0.00
Canute, Thomas	MEO III	Perm	\$22.40	\$33.60	\$0.00

Clark, Raymond	MEO III	Perm	\$22.40	\$33.60	\$0.00
Cole, Scott	Rd Maint Worker	Perm	\$16.17	\$24.26	\$0.00
Crawford, David	Engineer Tech.	Perm	\$27.53	\$41.30	\$0.00
Cucinotta, James	Rd Maint Worker	Perm	\$16.17	\$24.26	\$0.00
Donovan, Michael	MEO II	Perm	\$20.31	\$30.47	\$0.00
Farruggia, Jeffrey	Engineer Aide	Perm	\$16.75	\$25.13	\$0.00
Gall, Bryan	Auto Mech Helper	Perm	\$16.03	\$24.05	\$0.00
Gelser, Gary	Engineer Tech.	Perm	\$25.97	\$38.96	\$0.00
Gridley, Michael	Shop Manager	Perm	\$27.53	\$41.30	\$0.00
Grosse, Christopher	MEO III (April-Dec)	Perm	\$21.58	\$32.37	\$0.00
Grosse, Christopher	Automech (Jan-March)	Perm	\$23.12	\$34.68	\$0.00
Guldenschuh, Carl	Auto Mechanic	Perm	\$22.66	\$33.99	\$0.00
Henry, William	MEO III	Perm	\$21.99	\$32.99	\$0.00
Kenney, John	Auto Mechanic	Perm	\$24.04	\$36.06	\$0.00
Macauley, David	Rd Maint Worker	Perm	\$12.95	\$19.43	\$0.00
Maldonado, Baldemar	Rd Maint Worker	Perm	\$12.95	\$19.43	\$0.00
Mastin, Brian	Sr Sign Technician	Perm	\$21.99	\$32.99	\$0.00
Paul, Richard	Br Const Supervisor	Perm	\$27.53	\$41.30	\$0.00
Seeber, Bruce	Sign Shop Tech	Perm	\$17.43	\$26.15	\$0.00
Shutt, Fred	MEO III	Perm	\$21.99	\$32.99	\$0.00
Teresa, Toni Ann	Rd Maint Worker	Perm	\$18.81	\$28.22	\$0.00
Wentworth, Dave	Rd Maint Supervisor	Perm	\$27.53	\$41.30	\$0.00
Wilkins, David	MEO III	Perm	\$22.40	\$33.60	\$0.00

Year-Round: 6am - 4:30pm; Mon - Thur.; (4) - 10 Hour Days

**Town Of Avon**

Name	Job Title	Status	Rate	OT Rate	Night Rate
Ayers, Bob	Superintendent	Perm	\$30.44	\$30.44	\$0.00
Clements, Wes	Equip Operator	Perm	\$20.90	\$31.35	\$0.00
Crye, Tom	Equip Oper & Deputy	Perm	\$21.40	\$32.10	\$0.00 *
Kime, James	Equip Operator	Perm	\$20.90	\$31.35	\$0.00
Rumfola, Dick	Equip Operator	Perm	\$20.90	\$31.35	\$0.00

Overtime: All Hours Exce 40; Between 6am -4:30pm; Mon - Thurs (1/2 Hr. Lunch) Winter "Flex Hours": 10 Hour Shift Starts When Called In. 2 Hour Call-In Policy; \*Deputy Does Get Extra Pay

**Town Of Caledonia**

Name	Job Title	Status	Rate	OT Rate	Night Rate
Beach, Ron	Equip Operator	Perm	\$20.46	\$30.69	\$0.00
Churchill, Michael	Equip Oper & Deputy	Perm	\$20.96	\$31.44	\$0.00
Lysko, William	Equip Operator	Perm	\$20.46	\$30.69	\$0.00
Sawyer, James	Equip Operator	Perm	\$20.46	\$30.69	\$0.00
Schroeder, Mark E.	Superintendent	Perm	\$27.06	\$27.06	\$0.00
Beach, Chris	Equip Operator	Temp	\$11.00	\$16.50	\$0.00
Beach, Sean	Equip Operator	Temp	\$11.00	\$16.50	\$0.00
Bickford, Todd	Equip Operator	Temp	\$11.00	\$16.50	\$0.00
Carson, Ivan	Equip Operator	Temp	\$12.30	\$18.45	\$0.00
Murray, John	Equip Operator	Temp	\$11.00	\$16.50	\$0.00
Schroeder, Mark R.	Equip Operator	Temp	\$11.00	\$16.50	\$0.00

Overtime: All Hours Exce 40 Between; 7am - 3:30pm; Mon - Fri (1/2 Hr. Lunch); Winter Night Shift: 10:30pm - 7:00am; Sun-Thur; Summer: 6am - 4:30pm; Mon - Th; (4) - 10 Hour Days; April - October (Daylight Savings); Part-Time: O.T. After 40 Hrs.; No Benefits; 2-Hour Call-In Policy: 1-1/2 Pay; 2-1/2 Holiday Pay

**Town Of Conesus**

Name	Job Title	Status	Rate	OT Rate	Night Rate
Losey, David	HME Operator	Perm	\$20.13	\$30.19	\$0.00
Martucio, Steve	Superintendent	Perm	\$21.29	\$21.29	\$0.00

Partridge, Timothy	HME Oper & Deputy	Perm	\$21.33	\$31.99	\$0.00
Schillinger, Ron	HME Operator	Perm	\$20.13	\$30.19	\$0.00
Sparks, Tim	LME Operator	Perm	\$19.63	\$29.44	\$0.00
Willis, Tim	HME Operator	Perm	\$20.13	\$30.19	\$20.93
Willis, Tim (Ns)	Night Shift	Perm	\$21.54	\$32.31	\$0.00 *
Clarke, John	Equip Operator	Temp	\$12.00	\$18.00	\$0.00
Rosborough, Ralph	Equip Operator	Temp	\$11.50	\$17.25	\$0.00
Walkley, Dan	Equip Operator	Temp	\$12.00	\$18.00	\$0.00

Overtime: All Hours Exce 40 Between; 7am - 3:30pm; Mon - Fri (1/2 Hr. Lunch); Summer: 6am - 4:30pm; Mon - Th; (4) - 10 Hour Days; \*Winter Night Shift (7% Pay Differential): Tim Willis ~ 11pm - 7:30am; Mon - Fri; 2 Hour Call-In Policy (Fri & Sat:Call-In); Double-Pay For Holiday

### Town Of Geneseo

Name	Job Title	Status	Rate	OT Rate	Night Rate
Flickner, Allan	Equip Operator	Perm	\$21.19	\$31.78	\$0.00
Gielen, Mike	Equip Oper	Perm	\$21.19	\$31.78	\$0.00
Levey, Larry	Hwy Superintendent	Perm	\$32.19	\$32.19	\$0.00 *
Rice, Donald	Equip Operator	Perm	\$21.19	\$31.78	\$0.00
Secor, Jeremy	Equip Operator	Perm	\$21.19	\$31.78	\$0.00
Yates, Fred	Equip Operator	Perm	\$21.19	\$31.78	\$0.00
Young, Samuel	Equip Operator	Perm	\$21.19	\$31.78	\$0.00
Carney, Brad - Gone	Equip Operator	Temp	\$12.98	\$12.98	\$0.00

Overtime: All Hours Exce 40; 2009 All Hours; 6:00am - 4:30pm (Mon - Th); 2 Hour Call-In Policy; \* Rate Does NOT Include Water/Sewer Su. Pay.

### Town Of Groveland

Name	Job Title	Status	Rate	OT Rate	Night Rate
Adamson, Greg	Superintendent	Perm	\$24.12	\$24.12	\$0.00
Anderson, David	Equip Operator	Perm	\$17.47	\$26.20	\$18.63
Caldwell, Mark	Equip Oper & Deputy	Perm	\$18.47	\$27.70	\$19.63
Rongo, Philip Scott	Equip Operator	Perm	\$17.47	\$26.20	\$18.63
Teitsworth, John	Equip Operator	Perm	\$17.47	\$26.20	\$18.63
Wilson, William	Equip Operator	Perm	\$17.47	\$26.20	\$18.63

Overtime: All Hours Exce 40 Between; 7am - 3:30pm; Mon - Fri (1/2 Hr. Lunch); Summer: 6am - 4:30pm; Mon - Th; (4) - 10 Hour Days; 3 Hour Call-In Policy; \$1.16 Night Shift Differential.

### Town Of Leicester

Name	Job Title	Status	Rate	OT Rate	Night Rate
Barratt, Jonathan	Equip Operator	Perm	\$16.25	\$24.37	\$0.00
Gullo, Anthony	Equip Operator	Perm	\$16.25	\$24.37	\$0.00
Hauslauer, Edward	Equip Oper & Deputy	Perm	\$20.43	\$30.64	\$0.00
Lubanski, Todd	Equip Operator	Perm	\$19.40	\$29.10	\$0.00
Page, Russell	Superintendent	Perm	\$23.77	\$23.77	\$0.00
Cassidy, Bob	Laborer/Wing Man	Temp	\$11.00	\$16.50	\$0.00
Dodge, Jim	Equip Operator	Temp	\$11.00	\$16.50	\$0.00
Fanaro, Dave	Laborer/Wing Man	Temp	\$11.00	\$16.50	\$0.00
Lubanski, Stan	Laborer/Wing Man	Temp	\$11.00	\$16.50	\$0.00
Sliker, Les	Laborer/Wing Man	Temp	\$11.00	\$16.50	\$0.00
Weiland, Joe	Laborer/Wing Man	Temp	\$11.00	\$16.50	\$0.00

Overtime: All Hours Exce 40; Between 7am - 3:30pm; Mon-Fri (1/2 Hr. Lunch); 3 Hour Call-In: November 1 - March 31; Summer: Approx. April - Oct; 6am - 4:30pm; Mon-Th; (4) - 10 Hour Days; 3 Hour Call-In: April 1 - October 31

### Town Of Lima

Name	Job Title	Status	Rate	OT Rate	Night Rate
Arner, Keith	Superintendent	Perm	\$26.73	\$26.73	\$0.00
Arner, Ken	Equip Operator	Perm	\$18.60	\$27.90	\$0.00
East, Ken	Equip Operator	Perm	\$18.30	\$27.45	\$0.00

Gillette, Eric	Equip Operator	Perm	\$14.95	\$22.42	\$0.00
Thomas, Jerry	Equip Oper & Deputy	Perm	\$19.95	\$29.92	\$0.00

Overtime: All Hours Exce 40 Between; 6am - 4:30pm; Mon - Thurs.; (4) - 10 Hour Days; Winter: 1 Man Weekly Rotation

4am - 2:30pm; Mon - Thurs.; No Call-In Policy

### Town Of Livonia

Name	Job Title	Status	Rate	OT Rate	Night Rate
Bugbee, Dan	Equip Operator	Perm	\$16.60	\$24.90	\$0.00
Coty, Dave	Superintendent	Perm	\$27.59	\$27.59	\$0.00
Fox, Dan	Equip Operator	Perm	\$20.60	\$30.90	\$0.00
Gascon, Raymond	Equip Operator	Perm	\$20.60	\$30.90	\$0.00
Peck, David	Equip Oper & Deputy	Perm	\$21.60	\$32.40	\$0.00
Sanford, Jerry	Equip Operator	Perm	\$20.60	\$30.90	\$0.00
Smith, James	Equip Operator	Perm	\$20.60	\$30.90	\$0.00
Gilbert, Steve	Equip Operator	Temp	\$13.50	\$20.25	\$0.00
Kurtz, William	Equip Operator	Temp	\$13.50	\$20.25	\$0.00

Overtime: All Hours Exce 40 Between; 6am - 4:30pm; Mon - Th; (4) - 10 Hour Days; 2 Hour Call-In Policy: 1-1/2 Pay; Double/Christmas; Part Time: No O.T.

### Town Of Mt. Morris

Name	Job Title	Status	Rate	OT Rate	Night Rate
Bryant, Jason	Equip Operator	Perm	\$12.45	\$18.68	\$0.00
Haefner, Ed	Equip Operator	Perm	\$17.15	\$25.72	\$0.00
McClements, Allen	Equip Opr & Mechanic	Perm	\$20.35	\$30.52	\$0.00
Nasca, John	Equip Oper & Deputy	Perm	\$20.89	\$31.33	\$0.00
Smith, Milton	Equip Operator	Perm	\$17.15	\$25.72	\$0.00
Troglauer, Ken	Superintendent	Perm	\$29.76	\$29.76	\$0.00
Bryant, Barbara (Laurie)	Laborer	Temp	\$8.77	\$13.15	\$0.00
Bryant, Don	Equip Operator	Temp	\$13.56	\$20.34	\$0.00
Gall, Bill	Equip Operator	Temp	\$10.80	\$16.20	\$0.00

Overtime: All Hours Exce 40 Between; 6:00am - 4:30pm; Mon - Th; (4) - 10 Hour Days; 4 Hour Call-In Policy: 1-1/2 Pay; 2-1/2 Pay/Holiday

### Town Of North Dansville

Name	Job Title	Status	Rate	OT Rate	Night Rate
Canfield, Fred	Equip Oper & Deputy	Perm	\$17.63	\$26.44	\$0.00
Macwhorter, Jim	Superintendent	Perm	\$25.73	\$25.73	\$0.00
Robinson, Kevin	Equip Operator	Perm	\$15.74	\$23.61	\$0.00
Wadsworth, Nelson	Equip Operator	Temp	\$10.00	\$15.00	\$0.00

Overtime: All Hours Exce 40 Between; 7am - 3:30pm; Mon - Fri (1/2 Hr. Lunch); Summer: Approx. May - Nov.; 6:30am - 5pm; Mon - Th; (4) - 10 Hour Days; 3 Hour Call-In Policy

### Town Of Nunda

Name	Job Title	Status	Rate	OT Rate	Night Rate
Buchinger, Bruce	Equip Operator	Perm	\$19.19	\$28.79	\$0.00
Cassidy, Tim	Equip Operator	Perm	\$18.51	\$27.77	\$0.00
Green, Rodney	Equip Oper & Deputy	Perm	\$18.44	\$27.66	\$0.00
Moran, Rick	Superintendent	Perm	\$23.07	\$23.07	\$0.00
Wood, Dana	Equip Operator	Perm	\$18.24	\$27.36	\$0.00
Gaby, Kevin	Laborer	Temp	\$10.00	\$15.00	\$0.00
Smitch, John	Laborer	Temp	\$10.00	\$15.00	\$0.00
Walsworth, Larry	Laborer	Temp	\$12.00	\$18.00	\$0.00

Overtime: All Hours Exce 40 Between; 7am - 3:30pm; Mon - Fri (1/2 Hr. Lunch); Summer: Approx. May - Nov.; 6:00am - 4:30pm; Mon - Th; (4) - 10 Hour Days Part Time: O.T. After 40 Hours; 2 Hour Call-In Policy

### Town Of Ossian

Name	Job Title	Status	Rate	OT Rate	Night Rate
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Bodyk, John	Equip Operator	Perm	\$15.50	\$23.25	\$0.00
Derrenbacher, Mike	Superintendent	Perm	\$21.44	\$21.44	\$0.00
Metcalfe, Shawn	Equip Operator	Perm	\$15.00	\$22.50	\$0.00
Dempsey, John	Equip Operator	Temp	\$11.00	\$16.50	\$0.00
Guy, Ken	Equip Operator	Temp	\$11.00	\$16.50	\$0.00
Rawleigh, Don	Equip Operator	Temp	\$11.00	\$16.50	\$0.00

Overtime: All Hours Exce 40 Between; 7am - 3:30pm; Mon - Fri (1/2 Hr. Lunch); Winter: O.T. After 8 Hour Day;  
Summer: Approx. Apr - Nov.; 6:00am - 4:30pm; Mon - Th; (4) - 10 Hour Days No Call-In Policy

#### Town Of Portage

Name	Job Title	Status	Rate	OT Rate	Night Rate
Buchinger, John	Equip Operator	Perm	\$16.73	\$25.09	\$0.00
Garwood, Fred	Equip Operator	Perm	\$16.73	\$25.09	\$0.00
Howe, Stephen	Superintendent	Perm	\$20.91	\$20.91	\$0.00
Smith, Robert	Equip Operator	Perm	\$16.73	\$25.09	\$0.00
Garwood, James	Equip Operator	Temp	\$12.22	\$18.33	\$0.00
Howe, Kevin	Laborer	Temp	\$9.01	\$13.52	\$0.00

Overtime: All Hours Exce 40 Between 6am - 2:30pm; Mon - Fri (1/2 Hr. Lunch); Summer: Approx. Apr - Nov; 6:00am - 4:30pm; Mon - Th; (4) - 10 Hour Days; No Call-In Policy P.T. - O.T. After 40 Hours

#### Town Of Sparta

Name	Job Title	Status	Rate	OT Rate	Night Rate
Fronk, Bill	Equip Oper & Deputy	Perm	\$17.42	\$26.13	\$0.00
Kreiley, Gary	Superintendent	Perm	\$22.50	\$22.50	\$0.00
Schuster, Ron	Equip Operator	Perm	\$16.87	\$25.30	\$0.00
Swarts, Peter	Equip Operator	Perm	\$16.87	\$25.30	\$0.00
Schuster, Matt	Seasonal Flagman	Temp	\$10.00	\$15.00	\$0.00
Widener, Steve	Seasonal	Temp	\$10.00	\$15.00	\$0.00

Overtime: All Hours Exce 40 Between; 7am - 3:30pm; Mon - Fri (1/2 Hr. Lunch); Summer: Approx. Apr - Oct; 6am - 4:30pm; Mon - Th; (4) - 10 Hour Days; 2 Hour Call-In Policy

#### Town Of Springwater

Name	Job Title	Status	Rate	OT Rate	Night Rate
Barber, Mike	Equip Operator	Perm	\$18.66	\$27.99	\$18.86
Gessner, Jack	Equip Operator	Perm	\$18.66	\$27.99	\$18.86
Holmes, Stephen	Equip Operator	Perm	\$18.66	\$27.99	\$18.86
Humphrey, Mark	Equip Operator	Perm	\$18.66	\$27.99	\$18.86
Mastin, Richard	Equip Operator	Perm	\$18.66	\$27.99	\$18.86
Mastin, Ronald	Superintendent	Perm	\$23.08	\$23.08	\$0.00
Wester, Floyd	Equip Oper & Deputy	Perm	\$19.01	\$28.51	\$19.21
Mastin, Ivan	Equip Operator	Temp	\$10.00	\$15.00	\$0.00
Wager, Tom	Equip Operator	Temp	\$10.00	\$15.00	\$0.00

Overtime: All Hours Exce 40 Between; 7am - 3:30pm; Mon - Fri (1/2 Hr. Lunch); Summer: April - October 6:00am - 4:30pm; Mon - Thurs; (4) - 10 Hours Days; Night Shift: 8pm - 4:30am; 6 Men Split Shift; \$.20 Pay Differential No Call-In Policy

#### Town Of West Sparta

Name	Job Title	Status	Rate	OT Rate	Night Rate
Mckinney, Darrell	Equip Operator	Perm	\$16.79	\$25.18	\$0.00
Murray, David	Superintendent	Perm	\$22.05	\$22.05	\$0.00
Pragle, Daniel	Equip Oper & Deputy	Perm	\$16.79	\$25.18	\$17.29 *
Young, Keith	Equip Operator	Perm	\$16.79	\$25.18	\$0.00
Hartman, Gerald	Equip Operator	Temp	\$13.00	\$19.50	\$0.00
Hooker, Roy	Equip Operator	Temp	\$13.00	\$19.50	\$0.00

Overtime: All Hours Exce 40 Between 7am - 3:30pm; Mon-Fri (1/2 Hr. Lunch) F.T. Only; Summer: 6am - 4:30pm; Mon - Th; (4) - 10 Hour Days; No Call-In Policy \*Deputy Gets \$.50/Hr. Extra When Su. Is Off

#### Town Of York

Name	Job Title	Status	Rate	OT Rate	Night Rate
Burger, Frank	Equip Operator	Perm	\$20.71	\$31.06	\$21.46
Deming, John (Jack)	Equip Operator	Perm	\$20.71	\$31.06	\$21.46
Nevin, Mike	Equip Oper & Deputy	Perm	\$21.21	\$31.81	\$21.96
Price, Lewis	Equip Operator	Perm	\$20.71	\$31.06	\$21.46
Worden, George	Superintendent	Perm	\$24.03	\$24.03	\$0.00
Brinkman, Dennis	Equip Operator	Temp	\$9.50	\$14.25	\$0.00
Hart, Robert J.	Laborer/Mower	Temp	\$9.50	\$14.25	\$0.00
Lubanski, Don	Equip Operator	Temp	\$9.50	\$14.25	\$0.00

Overtime: All Hours Exce 40 Between; 7am - 3:30pm; Mon - Fri (1/2 Hr. Lunch); Summer: May - Se; 6am - 4:30pm; Mon - Th; (4) - 10 Hour Days; Part Time: O.T. After 8 Hr. Day Or; 40 Hr. Week, With No Scheduled Hours; 3 Hour Call-In Policy

\$.75 Shift Differential

#### Village Of Caledonia

Name	Job Title	Status	Rate	OT Rate	Night Rate
Buckley, Christopher	Working Foreperson	Perm	\$11.35	\$11.35	\$0.00
Buckley, Thomas	Equip Operator	Perm	\$16.07	\$24.11	\$0.00
Frew, Robert	Equip Operator	Perm	\$21.49	\$32.24	\$0.00
Grant, Chad	Equip Operator	Perm	\$14.32	\$21.48	\$0.00
Kaness, Richard	Laborer	Perm	\$15.01	\$22.52	\$0.00
Baker, Craig	Seasonal Helper	Temp	\$10.15	\$15.23	\$0.00

Hours Of Operation: Spring & Summer M-Th 7:00am - 4:30pm; Fr 7:00am - 11:00am; Fall & Winter M-Fr 7am - 3:30pm; Rates Effective: June 1, 2008 - May 31, 2009; \*Rate Does NOT Include Water/Sewer Su. Pay (50/50)

#### Village Of Geneseo

Name	Job Title	Status	Rate	OT Rate	Night Rate
Clymo, Tim	Equip Operator	Perm	\$21.04	\$31.56	\$0.00
Frazier, Jason	Village Street Su	Perm	\$29.33	\$29.33	\$0.00
Frazier, Kurt	Equip Operator	Perm	\$20.89	\$31.34	\$0.00
Johnson, Todd	Equip Operator	Perm	\$21.04	\$31.56	\$0.00
Scoville, Rick	Equip Operator	Perm	\$22.59	\$33.89	\$0.00

Year Round: 6:30am - 4:00pm (Mon-Th); 6:30am - 10:30am (Fri); 4 Hour Call-In Policy; Rates Effective: June 1, 2008 - May 31, 2009

#### Village Of Lima

Name	Job Title	Status	Rate	OT Rate	Night Rate
Crye, Brian	Laborer	Perm	\$11.75	\$17.63	\$0.00
Dumar, Dan	Sewage Plant Oper	Perm	\$24.76	\$24.76	\$0.00
Luft, Ben	Superintendent	Perm	\$25.23	\$25.23	\$0.00
Orlando, Vicki	Laborer	Perm	\$16.06	\$24.09	\$0.00
Panipinto, Gerald	Laborer	Perm	\$16.73	\$25.10	\$0.00
Quackenbush, Dale	Laborer	Perm	\$12.18	\$18.27	\$0.00

Rates Effective: June 1, 2008 - May 31, 2009

#### Village Of Livonia

Name	Job Title	Status	Rate	OT Rate	Night Rate
Buck, Jamie	Equip Oper/Laborer	Perm	\$17.10	\$25.65	\$0.00
Hoffman, Chris	Equip Oper/Laborer	Perm	\$18.70	\$28.05	\$0.00
Palmer, Dennis	Working Foreman	Perm	\$23.55	\$35.33	\$0.00

Rates Effective: June 1, 2008 - May 31, 2009

#### Village Of Mt. Morris

Name	Job Title	Status	Rate	OT Rate	Night Rate
Disalvo, Frank	MEO/Laborer	Perm	\$17.87	\$26.81	\$0.00
Regatuso, Mark A.	MEO/Laborer	Perm	\$17.87	\$26.81	\$0.00
Valentino, Gary	MEO/Laborer	Perm	\$17.87	\$26.81	\$0.00
Young, Chris	MEO/Laborer	Perm	\$17.87	\$26.81	\$0.00

Zingaro, Patsy Superintendent Perm \$24.43 \$24.43 \$0.00  
 State Roadside Sweeping; 4-Hour Call-In Policy; Rates Effective: June 1, 2008 - May 31, 2009

**Village Of Nunda**

Name	Job Title	Status	Rate	OT Rate	Night Rate
Bennett, Troy	Water Plant Operator	Perm	\$17.20	\$25.80	\$0.00
Emke, Brian	Water Plant Operator	Perm	\$14.90	\$22.35	\$0.00
Hugi, Markus	W/WWTP Trainee	Perm	\$12.00	\$18.00	\$0.00
King, Bob	Superintendent	Perm	\$20.60	\$30.90	\$0.00
Macomber, Ron	Sewer Department	Perm	\$19.60	\$29.40	\$0.00
Houtz, Raymond	Laborer	Temp	\$10.00	\$15.00	\$0.00

Year Round Hours: 6:00am - 2:30pm; Mon - Fri; Superintendent: 1-1/2 Pay For O.T.; Rates Effective: June 1, 2008 - May 31, 2009

Dated at Geneseo, New York

Dated April 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-125 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY SHERIFF DEPARTMENT: GLOBEL TEL LINK CORP.**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Globel Tel Link Corp.</b>	5 Yrs	See below

12021 Sunset Hills Rd Suite 100

Reston, VA 20190

For: Inmate phone Agreement.

Dated at Geneseo, New York

April 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

Chairman Merrick stated that at this time the County Administrator would provide an overview of the County Jail Expansion Project.

County Administrator Mazza stated he appreciates the opportunity to bring a long-awaited effort before the Board today and we are now at the point to begin construction after about four years worth of work. He acknowledged the fact that it is a lot of work keeping the County Jail up and running under the current variances and commended Sheriff York and his staff for doing so. He stated that the bids for the Jail project were opened on March 31, 2009. He reported that the Public Services Committee met this morning and reviewed and approved all six bids. He acknowledged construction management representatives of The Pike Company, Mike Flannery and Mike Norton, in attendance. He stated the County is very excited about moving forward with this project and especially working with The Pike Company, and commended the work they did on the Livingston County Center for Nursing and Rehabilitation. He added that the County has a great relationship great relationship with these folks and it provides a sense of security knowing they have been assigned to the job.

County Administrator Mazza distributed and reviewed a handout including County Jail Addition - Project Costs, Tax/Debt Service Impact, and amortization schedules for 15 and 20 years, and the previous budget figures distributed to the Board February 2008 with a forecasted construction cost of \$25,902,308. He explained the cost of construction/management services of \$852,000, the cost of architectural/engineering services of \$1,300,000 and the cost of site acquisition of \$480,115 totals \$2,632,115. In addition to Pike's estimated construction budget of \$25,000,000, the 5% construction contingency of \$1,000,000 and the cost of legal and insurance bond of \$100,000

brings the total project cost to \$28,732,115. He explained that the reason for the increase in cost from the 2008 estimate is primarily due to the detention equipment cost.

The County Administrator explained how this new estimated cost would impact the tax rate. He explained that \$4,700,000 would be appropriated using Tobacco Securitization funds. An additional \$2,000,000 will be appropriated from 2009 or 2010 Fund Balance and a bond could be issued for the balance of \$22,032,115. He stated the Deputy County Administrator is working out the details of the bond and will report back to the Committee when final details have been determined. He further explained the net increase to the Tax Levy on 15 years is \$1,543,458 (+7% over 2009) and on 20 years \$1,221,334 (+6% over 2009). The total interest paid for 15 years would be \$8,201,863 and for 20 years \$11,826,675 (+3,624,812). The result of this is approximately a 1% increase from the numbers that were given to the Board 15 months ago. There is no serious impact to the overall budget for this project. Originally, the Board approved a \$22 million dollar bond. The County Administrator reviewed the amortization schedules and commented that the current Courthouse debt of \$395,010 will expire in 2009 and this money will be appropriated to this project. He also factored in the current cost of board inmates totaling \$75,000.

County Administrator Mazza explained that the County would lose the variances if we do not construct a new jail. He added that the Commission of Corrections (COC) has been very patient and Sheriff York has had a good relationship with the COC to ensure the Commission that we are working toward a solution. He explained that if we were to board out 40 inmates per day at \$90 a day for 365 days a year it would cost the County nearly \$1.3 million dollars, which does not include costs for staffing, transportations, fuel, maintenance of vehicles, etc.

The County Administrator encouraged the Board of Supervisors to award the proposed contracts for the jail project. He asked the Board members if they had any comments or questions.

Chairman of Public Services Committee Pete Yendell stated that the Committee accepted the low bidder for each contract and felt comfortable with this decision. He is looking forward to getting the project done according to schedule and under budget.

Livonia Supervisor and Vice Chairman of Ways and Means Committee Eric Gott stated that it is not cost effective to do nothing and he indicated he would like to see the County move forward with this project and bond the debt for 15 years to save \$3.6 million dollars.

Portage Supervisor Ivan Davis asked how many inmates will the new jail hold and Sheriff York responded 196, which includes men and female inmates.

Chairman Merrick commented that he supports the project especially when he compares the cost of the project versus boarding out the inmates. Chairman Merrick publicly thanked Sheriff York for his efforts in pursuing the renewals of the variances all these years.

Ossian Supervisor and Chairman of Human Services Committee Dominick Martello asked what is the cost estimate of the additional staffing that will be added to monitor the additional prisoners. Sheriff York responded that the Commission of Corrections regulates the staff ratios and we do not have those estimates to date. Sheriff York stated he does not expect a substantial increase in staffing. He indicated we have always worked with minimal staffing and the new facility allows one Corrections Officer to watch 48 inmates.

**RESOLUTION NO. 2009-126 AWARDING BID FOR GENERAL CONSTRUCTION/SITE CONSTRUCTION WORK FOR THE LIVINGSTON COUNTY JAIL EXPANSION PROJECT – MANNING, SQUIRES, HENNING CO., INC.**

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

WHEREAS, after the proper legal advertisement seeking bids for general construction/site construction work for the Livingston County Jail Expansion Project, seven bids were received and opened on March 31, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Manning, Squires, Henning Co., Inc.</b>	\$6,077,500.00
P.O. Box 685	
Batavia, NY 14021	

For: General Construction/Site Construction work for the Jail project. Amount includes \$2,500.00 for final survey and \$100,000.00 allowance for unit prices.

Dated at Geneseo, New York

April 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-127      AWARDING BID FOR HVAC WORK FOR THE LIVINGSTON COUNTY JAIL EXPANSION PROJECT – JOHN W. DANFORTH COMPANY**

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

WHEREAS, after the proper legal advertisement seeking bids for HVAC work for the Livingston County Jail Expansion Project, five bids were received and opened on March 31, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>John W. Danforth Company</b>	\$2,588,000.00

930 Old Dutch Road

Victor, NY 14564

For: HVAC work for the Jail project

Dated at Geneseo, New York

April 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-128      AWARDING BID FOR PLUMBING WORK FOR THE LIVINGSTON COUNTY JAIL EXPANSION PROJECT – M.A. FERRAULO PLUMBING & HEATING, INC.**

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

WHEREAS, after the proper legal advertisement seeking bids for plumbing work for the Livingston County Jail Expansion Project, five bids were received and opened on March 31, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>M. A. Ferraulo Plumbing &amp; Heating, Inc.</b>	\$1,137,000.00

1600 Jay Street

Rochester, NY 14611

For: Plumbing work for the Jail project.

Dated at Geneseo, New York

April 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-129      AWARDING BID FOR FIRE PROTECTION WORK FOR THE LIVINGSTON COUNTY JAIL EXPANSION PROJECT – LANDRY MECHANICAL CONTRACTORS**

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

WHEREAS, after the proper legal advertisement seeking bids for fire protection work for the Livingston County Jail Expansion Project, two bids were received and opened on March 31, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Landry Mechanical Contractors</b>	\$293,900.00

164 Flint Hill Road

LeRov. NY 14482

For: Fire Protection work for the Jail project  
 Dated at Geneseo, New York  
 April 8, 2009  
 Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**RESOLUTION NO. 2009-130      AWARDING BID FOR ELECTRICAL WORK FOR THE LIVINGSTON COUNTY JAIL EXPANSION PROJECT – BILLITIER ELECTRIC, INC.**

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

WHEREAS, after the proper legal advertisement seeking bids for electrical work for the Livingston County Jail Expansion Project, four bids were received and opened on March 31, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Billitier Electric, Inc.</b>	\$1,995,000.00

737 Atlantic Avenue  
 Rochester, NY 14609  
 For: Electrical work for the Jail project.

Dated at Geneseo, New York  
 April 8, 2009  
 Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**RESOLUTION NO. 2009-131      AWARDING BID FOR DETENTION EQUIPMENT WORK FOR THE LIVINGSTON COUNTY JAIL EXPANSION PROJECT – SOUTHERN FOLGER DETENTION EQUIPMENT COMPANY LLC**

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

WHEREAS, after the proper legal advertisement seeking bids for detention equipment work for the Livingston County Jail Expansion Project, four bids were received and opened on March 31, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Southern Folger Detention Equipment Company LLC</b>	\$3,997,000.00

4634 S. Pmesa  
 San Antonio, Texas 78223  
 For: Detention equipment work for the Jail project.

Dated at Geneseo, New York  
 April 8, 2009  
 Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**RESOLUTION NO. 2009-132      AUTHORIZING TOWER LEASE RENEWAL WITH THE CITY OF ROCHESTER FOR THE JACKMAN HILL TOWER IN THE TOWN OF LIVONIA**

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign a lease for Livingston County, according to the term(s) designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>City of Rochester</b>	1/1/09-12/31/09	\$115.92

City Hall-Room 300-B  
 30 Church Street

Rochester, NY 14614-1290

For: Tower lease renewal for Jackman Hill Tower in the Town of Livonia. The lease may be renewed for four (4) additional one (1) year periods upon the mutual consent of the Lessee and Lessor. The annual rent shall increase by three percent (3%).

Dated at Geneseo, New York

April 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-133 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR LIVINGSTON COUNTY: PIONEER LIBRARY SYSTEM**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Pioneer Library System</b>	1/1/09-12/31/09	\$69,900.00

2557 State Rt 21

Canandaigua, NY 14424

For: County agreed funding to be distributed to the eight public libraries in Livingston County for the supportive purchases of new materials and the continuation of library programs and services.

Dated at Geneseo, New York

April 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**OTHER BUSINESS**

1. CHAIRMAN OF THE BOARD APPOINTMENT

Name	Address	Represent/Title	Term Expires
<b>Livingston County Youth Board</b>			
Rita Wittig	10055 McNinch Road, Dansville NY 14437	Town of Ossian	4/1/09-8/31/09

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Martello to adjourn until Wednesday, April 22, 2008 at 1:30 p.m. Carried.

The Board adjourned at 2:12 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, APRIL 22, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Baldwin (Nunda).

**PLEDGE OF ALLEGIANCE**

Livonia Supervisor Eric Gott led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 4/8/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. County Administrator Nick Mazza is the recipient of the 2009 Livingston County Distinguished Leader Award and will be recognized at a luncheon on Tuesday, May 5, 2009 at noon at the Valley Oak Event Center, Geneseo, NY, \$20 per person. Please RSVP by April 28, 2009. Checks are payable to Livingston County Education Alliance or LCEA.
2. Letter from Assemblyman Daniel J. Burling acknowledging receipt of Res. No. 2009-081 Supporting Governor Paterson's Proposal to Fix the Indigent Legal Services Fund Maintenance of Effort Provision.
3. Livingston County Youth Bureau/Youth Board Teen Recognition Award banquet will be held April 29 at the Genesee River Conference Center starting at 6:00 PM. Anyone planning to attend who has not RSVP'd please contact the Youth Bureau 243-7047.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-134      APPROVING ABSTRACT OF CLAIMS #4B – APRIL 22, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #4B dated April 22, 2009 in the total amount of \$2,078,216.32.

Dated at Geneseo, New York

April 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent – Baldwin, 84; Adopted.

**RESOLUTIONS****RESOLUTION NO. 2009-135      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT: CLARK PATTERSON LEE**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Clark Patterson Lee</b>	4/20/09-7/20/09	\$ 11,500.00

205 St. Paul Street

Rochester, NY 14604

For: CPL will provide for the bidding of prepared construction drawings and construction administration services for Murray Hill Sewer Rehabilitation Phase III.

Dated at Geneseo, New York

April 22, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent – Baldwin, 84; Adopted.

For those in the audience. Chairman Merrick explained there usually is not a lot of discussion regarding the resolutions

at the Board meeting. He stated that the Supervisors have three committees and each Committee has seven members and other Supervisors attend those committees as well. The majority of the resolutions are discussed at the committee level.

**RESOLUTION NO. 2009-136      AWARDING BID FOR THE COUNTY HIGHWAY DEPARTMENT – ALUMINUM BOX CULVERT SYSTEM FOR CR-6. EAST LAKE ROAD**

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

WHEREAS, after the proper legal advertisement seeking bids for a 15'-4"W x 6'-5"H x 49'-6"L four-sided Aluminum Box Culvert System, two (2) bids were received and opened on March 30, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Pavilion Drainage Supply Co., Inc.</b>	\$46,370.15

PO Box 219

Pavilion, New York 14525-0219

For: Four-Sided Aluminum Box Culvert System (Material Only). The cost is not to exceed the amount indicated.

Dated at Geneseo, New York

April 22, 2009

Public Services Committee

Portage Supervisor Davis asked how sturdy the aluminum box culverts are compared to the concrete culverts. County Highway Superintendent D. Higgins explained that they are both designed to have the same loading standards and the same specifications are used if we were to specify concrete culverts. The difference is the price, and the concrete culverts require a large crane for installation where the aluminum culvert can be put together by hand or by using an excavator. The department is using concrete culverts for other locations.

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent – Baldwin, 84; Adopted.

**RESOLUTION NO. 2009-137      AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID-ELIGIBLE COSTS AND NON-FEDERAL-AID COSTS OF "AMERICAN RECOVERY & REINVESTMENT ACT" (ARRA) PROJECTS, AND APPROPRIATING FUNDS THEREFOR**

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

WHEREAS, the following Livingston County Road Rehabilitation Projects are listed on the approved Genesee Transportation Council (GTC) "Illustrative" (standby) List:

CR-10 (Groveland Road)	Towns of Groveland/Geneseo	ARRA Program Funding: \$2,223,000
CR-62 (Bronson Hill Road)	Towns of Livonia/Avon	ARRA Program Funding: \$2,029,200
CR-84 (River Road)	Town of Caledonia	ARRA Program Funding: \$4,417,500

WHEREAS, the above-noted ARRA Highway Rehabilitation Projects (hereinafter "the Projects") in the County of Livingston (hereinafter "the Municipality/Sponsor") are eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio 100% Federal funds and 0% non-Federal funds, and

WHEREAS, the programmed costs and federal allocations for Construction & Construction Inspection phases for the three (3) above-noted projects total \$8,669,700.00, and

WHEREAS, should any of the above-noted projects on the GTC "Illustrative" (standby) List be made available for actual funding, the County of Livingston desires to advance the Projects by making a commitment of 100% of the Federal and Non-Federal share of the costs of all phases, now, therefore, be it

RESOLVED, that the County of Livingston hereby approves the above Projects, and agrees to advance said Projects through the County of Livingston's resources, and agrees that the Board of Supervisors hereby authorizes the Board of Supervisors to pay in the first instance the full federal costs and full non-federal costs of any and all phases or portions thereof and hereby appropriates from Livingston County budget appropriations the funds necessary to complete the projects, including all phases or portions thereof, and be it further

RESOLVED, that the Board of Supervisors makes a 100% commitment of the non-federal share (if any) of the costs of the Scoping. Preliminary Engineering and Final Design phases of work for the Projects or portions thereof.

with the federal Share of such costs to be applied directly by the New York State Department of Transportation (hereinafter "NYSDOT"), pursuant to the State/Local Agreement, and be it further

RESOLVED, that upon completion of construction of the Projects, or a fully usable portion thereof, the County of Livingston agrees to maintain the projects, or fully usable portion thereof, at their sole cost and expense, and be it further

RESOLVED, that in the event the full federal and non-federal share of the projects exceeds the amounts appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately, and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute all necessary Agreements or certifications on behalf of the County of Livingston (subject to the approval of the County's Attorney and Administrator as to form and content), with NYSDOT in connection with the advancement or approval of the projects identified in the State/Local Agreement; and providing for the administration of the Projects and the County's first instance funding of the federal share of Project costs and permanent funding of any non-federal share of Project costs and all Project costs within appropriations therefore that are not so eligible, and be it further

RESOLVED, that a certified copy of this Resolution be filed with the Commissioner of the New State Department of Transportation by attaching it to any necessary Agreement in connection with the projects, and be it further

RESOLVED, that this Resolution shall take effect immediately.

Dated at Geneseo, New York

April 22, 2009

Public Services Committee

County Highway Superintendent D. Higgins explained that two projects have already been approved for stimulus funding in the amount of \$1.6 million (CR33 Sliker Hill Road, Town of Conesus and CR 64 Perry Road, Town of Leicester). The Genesee Transportation Council is creating a "stand-by" list of projects pending additional federal funding, and the foregoing resolution commits the three projects listed in this resolution.

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent - Baldwin, 84; Adopted.

**RESOLUTION NO. 2009-138 AMENDING RESOLUTION NO. 2009-129 AWARDED BID FOR FIRE PROTECTION WORK FOR THE LIVINGSTON COUNTY JAIL EXPANSION PROJECT – LANDRY MECHANICAL CONTRACTORS**

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

WHEREAS, the bid of Landry Mechanical Contractors was mistakenly read as \$293,900.00 instead of the correct amount of \$298,900.00; now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Landry Mechanical Contractors</b>	<b>\$298,900.00</b>

164 Flint Hill Road

LeRoy, NY 14482

For: Fire Protection work for the Jail project.

Dated at Geneseo, New York

April 22, 2009

Public Services Committee

County Attorney D. Morris stated that the bid amount for Landry Mechanical Contractors was mistakenly read and was discovered when the contracts were being prepared. Landry Mechanical Contractors is still the lowest responsible bidder by a significant amount.

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent - Baldwin, 84; Adopted.

**RESOLUTION NO. 2009-139 AUTHORIZING CONTRACT ADDENDUM WITH THE PIKE COMPANY FOR CONSTRUCTION MANAGEMENT SERVICES FOR JAIL EXPANSION PROJECT**

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

WHEREAS, by Res. No. 2005-314, the County of Livingston hired The Pike Company to perform construction

management services for the Jail Expansion project at a cost of \$578,510.00; and

WHEREAS, The Pike Company has performed additional unanticipated services as a result of the relocation of the project on two different occasions, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract(s) addendum for Livingston County, subject to review by the County Attorney and County Administrator:

Contractor

**The Pike Company**

1 Circle Street

Rochester, NY 14607

For: Additional pre-construction services for feasibility of the jail being built adjacent to the vacated former Geneseo SNF and review of expansive soil tests and load tests resulting in a total contract price of \$852,615.00.

Dated at Geneseo, New York

April 22, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent – Baldwin, 84; Adopted.

Amount  
\$274,105.00

**RESOLUTION NO. 2009-140      AUTHORIZING TRANSFER OF FUNDS – DEPARTMENT OF HEALTH**

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

RESOLVED, that the Livingston 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 Livingston County Administrator.

Dated at Geneseo, New York

April 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent – Baldwin, 84; Adopted.

**RESOLUTION NO. 2009-141      AMENDING 2009 LIVINGSTON COUNTY BUDGET – DISTRICT ATTORNEY**

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

RESOLVED, that the 2009 District Attorney's budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A1165	2680	Insurance Recovery Revenue	\$804.06
Increase Appropriation	A1165	4124	Repairs	\$804.06
			Total	\$804.06

Dated at Geneseo, New York

April 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent – Baldwin, 84; Adopted.

**RESOLUTION NO. 2009-142      AMENDING 2009 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

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

RESOLVED, that the 2009 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A4035	3472	State Aid Special Health Programs	\$28,302.00
Increase Appropriation	A4035	1000	Personal services	\$15,962.00
Increase Appropriation	A4035	1950	Temp services	\$2,500.00
Increase Appropriation	A4035	2050	Office equipment	\$1,071.00
Increase Appropriation	A4035	4200	Print & ads	\$5,000.00
Increase Appropriation	A4035	4440	Medical supplies	\$2,440.00
Increase Appropriation	A4035	8100	FICA	\$1,329.00

			Total	\$28,302.00
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And,

Increase Revenue	A4082	3472	State Aid Special Health	\$31,737.00
Increase Appropriation	A4082	1000	Personal services	\$14,925.00
Increase Appropriation	A4082	4045	MLR	\$1,000.00
Increase Appropriation	A4082	4055	Phone	\$605.00
Increase Appropriation	A4082	4080	Professional services	\$2,553.00
Increase Appropriation	A4082	4100	Postage	\$149.00
Increase Appropriation	A4082	4120	Motor equipment repairs	\$238.00
Increase Appropriation	A4082	4200	Print & ads	\$10,337.00
Increase Appropriation	A4082	4280	Uniform allowance	\$342.00
Increase Appropriation	A4082	4340	Travel	\$449.00
Increase Appropriation	A4082	8100	FICA	\$1,139.00
			Total	\$31,737.00

And,

Increase Revenue	A4093	3472	State Aid Special Health Programs	\$10,454.00
Increase Appropriation	A4093	4200	Print & ads	\$10,454.00
			Total	\$10,454.00

And,

Increase Revenue	A4094	3472	State Aid Special Health Programs	\$3,208.00
Increase Appropriation	A4094	2050	Office equipment	\$2,260.00
Increase Appropriation	A4094	2200	DP equipment	\$853.00
Increase Appropriation	A4094	4060	Office supplies	\$95.00
			Total	\$3,208.00

And,

Increase Revenue	A4095	3472	State Aid Special Health Programs	\$2,442.00
Increase Appropriation	A4095	4200	Print & ads	\$2,442.00
			Total	\$2,442.00

And,

Increase Revenue	A4111	3472	State Aid Special Health Programs	\$1,549.00
Increase Appropriation	A4111	1000	Personal services	\$1,265.00
Increase Appropriation	A4111	8100	FICA	\$95.00
Increase Appropriation	A4111	8300	Health insurance	\$189.00
			Total	\$1,549.00

And,

Increase Revenue	A4115	3472	State Aid Special Health Programs	\$10,475.00
Increase Appropriation	A4115	2250	Medical equipment	\$2,202.00
Increase Appropriation	A4115	4200	Print & ads	\$8,273.00
			Total	\$10,475.00

Dated at Geneseo, New York

April 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent – Baldwin, 84; Adopted.

**RESOLUTION NO. 2009-143      REQUESTING THE NEW YORK STATE SENATE AND THE NEW YORK STATE ASSEMBLY TO AUTHORIZE LIVINGSTON COUNTY TO IMPOSE AN ADDITIONAL RATE OF SALES AND COMPENSATING USE TAXES**

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

WHEREAS, a bill has been introduced in the New York State Senate (S.3800) and the New York State Assembly (A.7429) to amend the Tax Law, in relation to authorizing Livingston County to impose an additional rate of sales and compensating use taxes, 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 (S.3800) and Assembly Bill (A.7429), amending the Tax Law, in relation to authorizing Livingston County to impose an additional rate of sales and compensating use taxes, and, be it, further

RESOLVED, that the Chairman of the Livingston County 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

April 22, 2009

Ways and Means Committee

Mr. Pangrazio announced that this resolution was not presented at a Ways and Means Committee meeting; however, the Committee has signed the resolution.

County Attorney D. Morris explained that the State Senate and Assembly have introduced bills to amend the tax law to impose the additional 1% on our sales tax. This resolution formally requests the State legislature to enact these bills.

The roll was called as follows (2/3 VOTE): Ayes - 1,746; Noes - 0; Absent – Baldwin, 85; Adopted.

**RESOLUTION NO. 2009-144 AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE: CENTER FOR NURSING AND REHABILITATION, COUNTY CLERK'S OFFICE, AND DEPARTMENT OF HEALTH**

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

RESOLVED, that the Hourly Employee Salary Schedule is hereby amended by deleting the following positions:

Dept.	Title Of Position	FT/PT	Date Became Vacant	Vacated By
CNR	Laundry Worker	FT	5/28/2004	J. Johnson
CNR	Nursing Assistant	FT	7/23/2008	E. Hamsher
CNR	Nursing Assistant	FT	8/27/2008	C. McTarnaghan
CNR	Nursing Assistant	FT	7/1/2008	R. Perry
CNR	Nursing Assistant	FT	8/1/2008	I. Rogers
CNR	Nursing Assistant	FT	7/29/2008	T. Waters
CNR	Nursing Assistant	FT	9/1/2008	B. Wilkins
CNR	Nursing Assistant	FT	10/2/2008	L. Zuris
CNR	CNA Trainee	AT	8/31/2006	L. Diaz
CNR	CNA Trainee	AT	8/18/2006	L. Duffy
CNR	CNA Trainee	AT	6/11/2006	D. Guile
CNR	CNA Trainee	AT	6/12/2006	S. Hagle
CNR	CNA Trainee	AT	8/30/2006	E. Hamsher
CNR	CNA Trainee	AT	8/30/2006	T. Macomber
CNR	CNA Trainee	AT	8/30/2006	J. Mann III
CNR	CNA Trainee	AT	8/31/2006	J. Mann
CNR	CNA Trainee	AT	5/15/2006	S. Noragong
CNR	CNA Trainee	AT	6/26/2006	J. Regatuso
CNR	Charge Nurse	PD	4/6/2007	V. Best
CNR	Charge Nurse	PD	12/18/2006	R. Hoffman
CNR	Charge Nurse	PD	10/31/2006	C. Hugi
CNR	Charge Nurse	PD	12/6/2006	J. Whitton
CNR	Charge Nurse	PT	Created 4/7/2006	Never filled
CNR	Charge Nurse	PT	Created 4/7/2006	Never filled
CNR	Charge Nurse	PT	Created 4/7/2006	Never filled
CNR	Charge Nurse	PT	Created 4/7/2006	Never filled

CNR	Charge Nurse	PT	Created 4/7/2006	Never filled
CNR	Charge Nurse	PT	Created 4/7/2006	Never filled
CNR	Charge Nurse	PT	Created 4/7/2006	Never filled
CNR	Cleaner	PT	4/16/2008	K. Essler
CNR	Cleaner	PT	4/29/2008	C. Tumbleson
CNR	Cleaner	PT	6/17/2008	S. Whiteman
CNR	LPN	PT	Created 12/15/2005	Never Filled
CNR	LPN	PT	Created 12/15/2005	Never Filled
CLER	Index Clerk	PT	7/14/2005	S. LeBar
DOH	Registered Professional Nurse	PD	5/23/2008	C. Cox
DOH	Registered Professional Nurse	PD	2/1/2008	C. Phelps

Dated at Geneseo, New York

April 22, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent – Baldwin, 84; Adopted.

**RESOLUTION NO. 2009-145 AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE:  
DEPARTMENT OF SOCIAL SERVICES**

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

RESOLVED, that the 2009 Hourly Employee Salary Schedule is amended as follows:

**Department of Social Services**

Create one full-time Caseworker/Caseworker Trainee position.

Delete one full-time Coordinator of Volunteer Services position.

Dated at Geneseo, New York

April 22, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent – Baldwin, 84; Adopted.

**RESOLUTION NO. 2009-146 APPOINTING DEPUTY DIRECTOR OF COMMUNITY MENTAL  
HEALTH SERVICES FOR THE LIVINGSTON COUNTY DEPARTMENT OF MENTAL HEALTH – ANN  
MILLER**

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

RESOLVED, that the 2009 Department Head Salary Schedule is amended as follows:

**Mental Health**

Appoint Ann Miller of 5279 Groveland Road, Geneseo, New York 14454 to the position of full-time Deputy Director of Community Mental Health Services effective April 27, 2009, at an annual salary of \$58,000.

Dated at Geneseo, New York

April 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent – Baldwin, 84; Adopted.

Chairman Merrick congratulated Ann Miller and asked if she would like to comment. Ann Miller thanked the interview committee and the Board of Supervisors for the opportunity to be the Deputy Director. She stated the Mental Health Clinic has a good team, and she is looking forward to working with them and the other County departments.

**RESOLUTION NO. 2009-147 CORRECTING TAX ROLL – SUPREME COURT SETTLEMENT FOR  
THE TOWN OF LIVONIA**

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

WHEREAS, the Director of the Real Property Tax Services has transmitted a written report of his recommendation with regard to one (4 parcels/7 years) correction of the tax rolls, pursuant to the Real Property Tax Law, for the Town of 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 Supreme Court

decision for a correction requested from the Director of Real Property Tax Services attached hereto,

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

Year, Town & Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund Of Taxes	Chargeback To Taxing Jurisdiction
<b>1. 2009 Livonia Fiduccia Family LP</b>	Livingston County	\$ 9,583.75	\$ 8,159.42	\$1,424.33*	\$1,424.33
Tax Map Number***	Livonia Town Tax	4,203.00	3,578.36	624.64**	0.00
	Livonia Fire 3	<u>1,603.45</u>	<u>1,365.15</u>	<u>238.30**</u>	<u>0.00</u>
	Total	<u>\$15,390.20</u>	<u>\$13,102.93</u>	<u>\$2,287.27</u>	<u>\$1,424.33</u>
<b>2. 2008 Livonia Fiduccia Family LP</b>	Livingston County	\$ 9,087.78	\$ 8,144.39	\$ 943.39*	\$ 943.39
Tax Map Number***	Livonia Town Tax	4,334.00	3,884.09	449.91**	0.00
	Livonia Fire 3	<u>1,566.40</u>	<u>1,403.79</u>	<u>162.61**</u>	<u>0.00</u>
	Total	<u>\$14,988.18</u>	<u>\$13,432.27</u>	<u>\$1,555.91</u>	<u>\$ 943.39</u>
<b>3. 2007 Livonia Fiduccia Family LP</b>	Livingston County	\$ 8,873.58	\$ 7,952.42	\$ 921.16*	\$ 921.16
Tax Map Number***	Livonia Town Tax	4,715.21	4,225.73	489.48**	0.00
	Livonia Fire 3	<u>1,511.95</u>	<u>1,354.99</u>	<u>156.96**</u>	<u>0.00</u>
	Total	<u>\$15,100.74</u>	<u>\$13,533.14</u>	<u>\$1,567.60</u>	<u>\$ 921.16</u>
<b>4. 2006 Livonia Fiduccia Family LP</b>	Livingston County	\$10,956.67	\$ 8,837.34	\$2,119.33*	\$2,119.33
Tax Map Number***	Livonia Town Tax	4,439.51	3,580.79	858.72**	0.00
	Livonia Fire 3	<u>2,304.94</u>	<u>1,859.10</u>	<u>445.84**</u>	<u>0.00</u>
	Total	<u>\$17,701.12</u>	<u>\$14,277.23</u>	<u>\$3,423.89</u>	<u>\$2,119.33</u>
<b>5. 2005 Livonia Fiduccia Family LP</b>	Livingston County	\$10,677.01	\$ 8,803.15	\$1,873.86*	\$1,873.86
Tax Map Number***	Livonia Town Tax	4,222.31	3,481.28	741.03**	0.00
	Livonia Fire 3	<u>2,242.95</u>	<u>1,849.31</u>	<u>393.64**</u>	<u>0.00</u>
	Total	<u>\$17,142.27</u>	<u>\$14,133.74</u>	<u>\$3,008.53</u>	<u>\$1,873.86</u>
<b>6. 2004 Livonia Fiduccia Family LP</b>	Livingston County	\$10,259.02	\$ 9,194.05	\$1,064.97*	\$1,064.97
Tax Map Number***	Livonia Town Tax	4,000.36	3,585.09	415.27**	0.00
	Livonia Fire 3	<u>2,161.83</u>	<u>1,937.41</u>	<u>224.42**</u>	<u>0.00</u>
	Total	<u>\$16,421.21</u>	<u>\$14,716.55</u>	<u>\$1,704.66</u>	<u>\$1,064.97</u>
<b>7. 2003 Livonia Fiduccia Family LP</b>	Livingston County	\$10,167.66	\$ 8,734.01	\$1,433.65*	\$1,433.65
Tax Map Number***	Livonia Town Tax	3,991.36	3,428.57	562.79**	0.00
	Livonia Fire 3	<u>2,140.89</u>	<u>1,839.02</u>	<u>301.87**</u>	<u>0.00</u>
	Total	<u>\$16,299.91</u>	<u>\$14,001.60</u>	<u>\$2,298.31</u>	<u>\$1,433.65</u>

Combined Totals for Tax Map Numbers\*\*\*

74.12-1-10

74.12-1-11

74.12-1-12

74.12-1-13

#### REFUND TOTALS

\* Refunded by County Treasurer

\*\* Refunded by Town of Livonia

Dated at Geneseo, New York

April 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent - Baldwin, 84; Adopted.

Livingston County Original Tax	\$69,605.47*
Livonia Town Original Tax	\$29,905.75**
Livonia Fire 3 Original Tax	\$13,532.41**
Livingston County Corrected Tax	\$59,824.78*
Livonia Town Corrected Tax	\$25,763.91**
Livonia Fire 3 Corrected Tax	\$11,608.77**
<b>Livingston County Total</b>	<b>\$ 9,780.69*</b>
<b>Livonia Town Tax Total</b>	<b>\$ 4,141.84**</b>
<b>Livonia Fire 3 Total</b>	<b>\$ 1,923.64**</b>

**RESOLUTION NO. 2009-148 CORRECTING TAX ROLL – CANCELLATION OF VOID TAXES FOR THE TOWNS OF LIVONIA AND MOUNT MORRIS**

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

WHEREAS, the Director of the Real Property Tax Services has transmitted a written report of his recommendation with regard to six (6 parcels) for correction of the tax rolls pursuant to the Real Property Tax Law, for the Towns of Livonia and Mount Morris on the tax rolls for the years hereinafter set forth, and

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

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

<b>Year, Town &amp; Parcel</b>	<b>Taxing Jurisdiction</b>	<b>Original Tax Bill</b>	<b>Corrected Tax Bill</b>	<b>Refund Of Taxes</b>	<b>Chargeback To Taxing Jurisdiction</b>
<b>1. 2009 Livonia</b>	Livingston County	\$ 817.41	\$ 817.41	\$0.00	\$0.00
<b>Dann, George &amp; Carol</b>	Livonia Town Tax	578.55	578.55	0.00	0.00
<b>Tax Map Number</b>	Livonia Sch. Relevy	2,564.42	0.00	0.00	0.00
83.-1-23.32	Livonia Fire 3	168.85	168.85	0.00	0.00
	Total	<u>\$4,129.23</u>	<u>\$1,564.81</u>	<u>\$0.00</u>	<u>\$0.00</u>
<b>2. 2009 Mt. Morris</b>	Livingston County	\$1,042.96	\$1,042.96	\$0.00	\$0.00
<b>Simonds, Bradford</b>	Mt. Morris Town Tax	474.07	474.07	0.00	0.00
<b>Tax Map Number</b>	Mt. Morris Vill. Relevy	2,276.06	0.00	0.00	0.00
106.15-1-41.1	Total	<u>\$3,793.09</u>	<u>\$1,517.03</u>	<u>\$0.00</u>	<u>\$0.00</u>
<b>3. 2009 Mt. Morris</b>	Livingston County	\$ 503.60	\$503.60	\$0.00	\$0.00
<b>Simonds, Bradford</b>	Mt. Morris Town Tax	228.91	228.91	0.00	0.00
<b>Tax Map Number</b>	Mt. Morris Vill. Relevy	1,817.60	0.00	0.00	0.00
106.18-4-43	Total	<u>\$2,550.11</u>	<u>\$732.51</u>	<u>\$0.00</u>	<u>\$0.00</u>
<b>4. 2009 Mt. Morris</b>	Livingston County	\$ 341.94	\$341.94	\$0.00	\$0.00
<b>Simonds, Bradford</b>	Mt. Morris Town Tax	155.43	155.43	0.00	0.00
<b>Tax Map Number</b>	Mt. Morris Vill. Relevy	1,136.45	0.00	0.00	0.00
106.18-5-41	Total	<u>\$1,633.82</u>	<u>\$497.37</u>	<u>\$0.00</u>	<u>\$0.00</u>
<b>5. 2009 Mt. Morris</b>	Livingston County	\$ 331.51	\$331.51	\$0.00	\$0.00
<b>Simonds, Bradford</b>	Mt. Morris Town Tax	150.69	150.69	0.00	0.00
<b>Tax Map Number</b>	Mt. Morris Vill. Relevy	723.46	0.00	0.00	0.00
106.18-5-43	Total	<u>\$1,205.66</u>	<u>\$482.20</u>	<u>\$0.00</u>	<u>\$0.00</u>
<b>6. 2009 Mt. Morris</b>	Livingston County	\$ 415.69	\$415.69	\$0.00	\$0.00
<b>Simonds, Bradford</b>	Mt. Morris Town Tax	188.95	188.95	0.00	0.00
<b>Tax Map Number</b>	Mt. Morris Vill. Relevy	907.18	0.00	0.00	0.00
106.19-4-41	Total	<u>\$1,511.82</u>	<u>\$604.64</u>	<u>\$0.00</u>	<u>\$0.00</u>

Dated at Geneseo, New York

April 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,668; Noes - 0; Absent – Baldwin, 84; Adopted.

**OTHER BUSINESS**

**1. EMPLOYEE RECOGNITION CEREMONY – HONORING EMPLOYEES WITH 10 AND 25 YEARS OF FULL-TIME SERVICE AS OF 12/31/08**

Chairman Merrick welcomed the employees and family members to the Twelfth Annual Employee Recognition Ceremony for those employees who have 10 and 25 years of full-time service. He thanked the employees for their service to Livingston County and encouraged everyone to attend the reception at the Valley Oak Event Center

immediately following the ceremony. At this time, he turned the program over to County Administrator Dominic Mazza.

County Administrator thanked Chairman Merrick for the floor and stated this is a special day because it is the last time he would be doing this presentation. He stated he had a chance to visit with the deferred compensation representative and obviously during this recession things are not doing well but she urged him to be patient and calm. She also shared with him that she travels around to a lot of surrounding places of employment, and she has never been to a nicer place than Livingston County. She mentioned the employees are happy and seem to like what they are doing, and she stated when she walks in a building of the County, it is a different atmosphere. The County Administrator stated that he did not believe she was just blowing smoke. He added that this Employee Recognition Ceremony is part of creating that atmosphere and recognized Virginia Amico, Clerk of the Board, for creating this program 12 years ago and acknowledged Theresa Schettine, Secretary to the Clerk, for her ongoing assistance in making this ceremony successful. He stated that we are in the process of redesigning the 10-year afghan, which will be presented in 2011. He requested Virginia Amico and Theresa Schettine to join him at the podium. He stated this program today would not happen without these two people. He presented them each a bouquet of roses, and the Board of Supervisors and audience gave a standing ovation. Virginia and Theresa thanked the County Administrator for his kind remarks.

The County Administrator reflected on where we were 10 and 25 years ago.

10 years ago - Locally

- County earns Risk Management Award from insurance carriers. Livingston County was one of six safest places to work in the State,
- County invests millions of dollars into industrial parks,
- Smoking ban takes effect on August 19.

10 years ago – Nationally

- President Clinton was acquitted after being impeached,
- Columbine school massacre,
- Forbes names Michael Jordan as the most powerful celebrity on the planet,
- Price of oil \$11/barrel.

25 years ago – Locally

- Coalition elects Avon Supervisor James M. Steele as Chairman of the Board,
- Livingston County to beautify I390 with State funds,
- Private developer looking to restore old County home buildings in Geneseo and retain as historic landmarks,
- County to study waste disposal sites.

25 years ago – Nationally

- Geraldine Ferraro was first woman nominated for Vice President of a major political party,
- Cosby show debuts on TV,
- Supreme Court rules taping TV shows at home on VCRs does not violate copyright laws,
- Michael Jackson's "Thriller" was Album of the Year.

The County Administrator stated today is a time of reflection but also a time to look ahead. Time is precious and certainly goes by very quickly. He explained that 10 years ago he was laid up for five weeks from significant back surgery. All he heard on the news reports during his recovery was the Columbine massacre and the Bosnian War. Recently, some other things have happened and faded from the headlines, such as the air crash in Clarence, NY and the massacre in Binghamton, NY. He added these stories reach the newspaper and are then forgotten unless we are directly involved. Life goes on for most of us, but for those people directly affected, the impact of these instances will never go away. He stated the point is that as we pass through life we all have problems. Work is a big part of our life but more importantly, family and close friends need to be valued. He asked everyone to think about a particular problem or issue with a person that is pending and reflect on it today and suggested it might be a good idea to call, email, or send a card to that person to put the issue behind us. He urged everyone to have that conversation that heals and keeps our relationships with those we value healthy before it is too late.

The County Administrator stated with that in mind we are celebrating our past as we move forward remembering—Forgiveness, Friendship and Future. The County Administrator read the following quotes:

Forgiveness - "When a friend makes a mistake, don't rub it in. Rub it out.

Friends - "Look around today and share a cheerful, friendly smile; show the world you truly care, then go the

second mile.” –William A. Ward

Future – “Perhaps the best thing about the future is that it comes just one day at a time.”

The County Administrator stated that today’s celebration is about our work life, our career accomplishments and our commitments to Livingston County and to the fellow citizens and their safety and health. He added that the Board of Supervisors and County Administration is very appreciative of the work the employees do and no job is too big or too small. He addressed all the employees being honored here today, and stated we simply say “Thank You”.

The County Administrator asked those Departments Heads that have employees being honored to please come forward and stand in front to recognize those employees.

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

### DEPARTMENTAL EMPLOYEE PRESENTATIONS

#### 10 YEAR AWARDS

- |  |  |
|--|--|
| <b>Center For Nursing &amp; Rehabilitation</b> | – Debra Anne McNicholas, Tonya C. Palmer (absent), Donna M. Pike, Maximino Rodriguez III & Tricia Ann Ruliffson                                    |
| <b>Central Services</b>                        | – Daniel Keenan  |
| <b>Department of Health</b>                    | – Tami M. Coburn (absent) & Karen A. McGee (absent)  |
| <b>Department of Social Services</b>           | – Linda L. Haynes, Meredith J. Lockman, Steven Paddock (absent) & Jodel M. Quick   |
| <b>District Attorney</b>                       | – Victor D. Rowcliffe  |
| <b>Highway</b>                                 | – Elaine D. Szoczei-Brehm  |
| <b>Information &amp; Technology Services</b>   | – Quinton Taylor   |
| <b>Planning</b>                                | – Heather A. Ferrero   |
| <b>Sheriff</b>                                 | – Sergeant Matthew Bean, Corrections Officer Michael J. Malone Jr., Corrections Officer Donald J. Plank, & Corrections Corporal Matthew R. Polizzi |

#### 25 YEAR AWARDS

- |  |  |
|--|--|
| <b>Center For Nursing &amp; Rehabilitation</b> | – Peter Carter (absent)  |
| <b>Central Services</b>                        | – Sally A. MacIntyre (absent)  |
| <b>County Clerk</b>                            | – Diane Fusco & Mary F. Strickland   |
| <b>Probation</b>                               | – Beverly Bauer  |
| <b>Public Works</b>                            | – Michael K. Shaver, Richard Stone   |
| <b>Sheriff</b>                                 | – Corrections Sergeant Jack Conklin, Deputy John N. Curtiss, Deputy Jody Giglio-Richardson |

Vice Chairman Moore thanked those employees for their years of service and announced that a reception will be held at Valley Oak Event Center (Rt. 20A) 4242 Lakeville Road, Geneseo, New York immediately following the Board meeting to honor the employees.

Individual photographs were taken of all employees recognized.

#### ADJOURNMENT

Motion made by Mr. Schuster and seconded by Mr. Yendell to adjourn until Wednesday, May 13, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:20 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, MAY 13, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mrs. Donohue (Conesus) and Mr. Wadsworth (Geneseo).

**PLEDGE OF ALLEGIANCE**

North Dansville Supervisor Dennis P. Mahus led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 4/22/09 Regular Meeting were approved as amended.

**COMMUNICATIONS**

1. Letter from Genesee Community College President Stuart Steiner, Ed.D., announcing the Genesee Promise Plus program, an exciting new initiative that gives a scholarship to every June 2009 high school graduate, providing full tuition for one or two summer courses. Students may obtain applications at area high schools, at Genesee Community College Admission Office, or at <http://www.genesee.edu/gcc/promise/GPApp.pdf>.
2. Inter-County Association of Western New York meeting will be hosted by Seneca County on Friday, May 15, 2009 at the Ginny Lee/Wagner Vineyards, Lodi, New York. Registration is at 9:30 a.m. and cost is \$20.00 per person.  
PROGRAM: NY Municipal Insurance Reciprocal, Executive Director Kevin Crawford. Tours will be provided after lunch.
3. The New York State Department of Environmental Conservation has issued the Record of Decision for the Pappas Dry Cleaners site and copies are available at the Dansville Public Library and the NYSDEC Region 8 Office.
4. Letters from NYSAC acknowledging receipt of Res. No. 2009-009, 030, & 043.
5. Letters from Senator Dale Volker acknowledging receipt of resolutions supporting proposals to modify the Maintenance of Effort Requirement for Counties to receive funds from the Indigent Legal Services Fund, supporting proper compensation for counties incarcerating alleged parole violators, and supporting continued operation of the New York State Empire Zone Program.
6. A Re-Interment Ceremony will be held Friday, May 15, 2009 at 11:00 a.m. at Mt. Morris Cemetery, Sand Hill Road (off Route 408) to honor the memory of a pioneer man (born 1744-1783) recovered on July 18, 2005 from beneath Chapel Street, Mt. Morris, NY.
7. The Livingston County Tourism Council is proud to announce that the Annual County Familiarization Tour "Sweet Dreams" Livingston Style will be held Thursday, June 11, 2009. Meet at Country Inn & Suites, Mt. Morris, NY at 7:30 A.M. for continental breakfast and tourism welcome and return back to Mt. Morris at 5:45 P.M., \$50 per person (casual attire, walking required).
8. Letter from Senator Catharine M. Young acknowledging receipt of Res. No. 2009- 043, 046, & 081.
9. Letter from Senator Catharine M. Young regarding correspondence she has sent to Governor Paterson, Senator Malcom Smith and Speaker Sheldon Silver urging them to address a problem created in the State budget that decertifies businesses located in Empire Zones.
10. A retirement reception will be held for Deputy County Clerk Diana Moffat on May 22, from 12:00 p.m. to 5:00p.m. Room 205/208.
11. Bernie Thoma, Grant Writer, will provide an overview of the CDBG grant program to Town Supervisors and Village Mayors on May 27 following the Board of Supervisors Meeting.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-149      APPROVING ABSTRACT OF CLAIMS #5A – MAY 13, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #5A dated May 13, 2009 in the total amount of \$2,440,376.12.

Dated at Geneseo, New York

May 13, 2009

## Ways and Means Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**PRIVILEGE OF THE FLOOR**

## 1. Earth Day Award Presentation – Planning Director Angela Ellis

Planning Director A. Ellis stated this year marks the 11<sup>th</sup> year of the Livingston County Environmental Management Council Earth Day Award and reminded the Board that last year's award recipient was Mr. Barry Ganzhorn Sr., from the Caledonia for his work in developing the McKay Wildlife Preserve and Nature Trail in Caledonia. She stated that she thinks everyone would agree that this accomplishment is one that all County residents can be proud of. A. Ellis introduced Mr. David Parish who began the Environmental Management Council (EMC) Earth Day Award presentation.

David Parish stated that the US Congress established Earth Day in 1970, and at the present time, the earth is greener than ever. He added that it is his privilege to present this year's award. He acknowledged EMC Member Barbara Davis in the audience.

D. Parish explained the Environmental Management Council was established by the County Board of Supervisors in May of 1979 and consists of 12 volunteers representing two broad constituencies consisting of agriculture and general citizens. The purpose of the EMC is to act in an advisory capacity to the Board of Supervisors on matters relating to the environment. He indicated that at the April meeting, the room was full of members including young adults who are interested in the environment and this is good news. Some of the areas in which the EMC has worked in the past are the development of American Rock Salt mine, solid waste issues, the protection of water quality, and the protection of Conesus and Hemlock lakes and surrounding streams. Its most recent project has been completing the Livingston County Natural Resources Inventory.

D. Parish explained there were five nominations for the 2009 Earth Day Award, and he stated it is his privilege to announce that the Genesee Valley Conservancy is the recipient of the 2009 Earth Day Award. At this time, he called Sally Wood of the Genesee Valley Conservancy to the podium.

D. Parish added the following information about the Genesee Valley Conservancy:

- Preservation of more than 8,000 acres in Livingston County since its inception in 1990.
- Completion of the Island Preserve Project in the Village of Geneseo.
- Played a key role in the implementation and continued success of the Purchase of Development Rights (PDR) Program in Livingston County.
- Successfully attracted external funding to support its local conservation efforts.
- Education of the general public on the need for the conservation and protection of natural resources, which includes:
  - Offering an outstanding scenic and informative website.
  - Offering several annual guided nature walks.
  - Hosting the annual Oak Tree Race.
  - Significant distribution of the GVC Annual Report.
- Provides internships for two college students each semester.
- Creation of volunteer opportunities for students to work on the Island Preserve.

D. Parish asked Chairman Merrick to join him at the podium for the award presentation. Chairman Merrick presented Sally Wood with the 2009 EMC Award and stated that the Genesee Valley Conservancy is very deserving of this award.

Sally Wood stated this is very exciting for the Genesee Valley Conservancy and stated on behalf of the Board and its ever-growing membership over the last 19 years, thank you.

David Parish acknowledged and thanked Geneseo Supervisor Will Wadsworth for instituting a study on salting roads, and he commended his initiative.

## 2. Public Health Director Joan Ellison – 2008 Annual Report

Public Health Director Joan Ellison provided the Board of Supervisors with a copy of the 2008 Livingston County Department of Health Annual Report and indicated that the Board members can review this report at their leisure. She asked that they particularly look at the Executive Summary and the accomplishments of the department. She stated that with all the recent news about the Swine Flu or otherwise known as the H1N1 virus, she put together a power-point presentation. The presentation provided an overview of how this virus is affecting us worldwide and at the local level explained the definition of public health and the H1N1 virus, how the virus occurred and why we are

concerned, how to protect ourselves by good hand washing and use of tissues and how to make an extra effort to clean and disinfect surfaces. She stated this is a public health emergency and the Livingston County Department of Health has enhanced its surveillance techniques and they are monitoring this matter on a daily basis and will continue to provide public education.

Vice Chairman Gary Moore asked how this virus relates to the Swine Flu of 1976, and J. Ellison responded it is not the same subtype virus.

On behalf of the Board of Supervisors and residents of Livingston County, Ossian Supervisor Domenick Martello thanked the Department of Health for their hard work and dedication and acknowledged this is a 24/7 endeavor and commended the department for a job very well done. J. Ellison thanked Mr. Martello for his kind remarks and indicated the goal of the department is to minimize the spread of disease and educate the community. She ensured that if we had to react tomorrow because of an outbreak, the department is ready to do this. She commended Director of Emergency Management Services Kevin Niedermaier and Emergency Medical Services Coordinator for their continued contributions and patience.

Commissioner of Social Services Sandra Wright thanked Joan Ellison for sending updates to the Department Heads regarding the H1N1 virus. She added that this information was very beneficial to be able to distribute to staff.

Portage Supervisor Ivan Davis asked what is the timeframe that this virus would be active. J. Ellison responded it will last two hours on a doorknob, and the virus can also be airborne through sneezing and coughing.

Joan Ellison thanked the Board for their attention and commented that health care matters to all of us.

3. Planning Director Angela Ellis announced that Livingston County received good news today from the NYS Department of Agriculture and Markets. Livingston County was awarded Farmland Protection grant money, which will assist in maintaining active farmland. Our county received the most money of the Western New York counties and ranked number four in the State for the highest award. We are the recipient of \$2,287,152 for the preservation of Triple H Farm and Sunny Knoll Farm. Governor Paterson is expected to make an announcement on this matter this afternoon. A. Ellis commended the work of the Genesee Valley Conservancy in preparing the grant applications and especially acknowledged Eric Grace and Amber Hamman.

Vice Chairman and Leicester Supervisor Gary Moore asked if we have received any money for the previous five farms and A. Ellis stated we would probably receive the money within the next six weeks. She added that the Genesee Valley Conservancy is working diligently with the landowners to gather all the information to expedite the process.

Lima Supervisor Peter Yendell asked if the Triple H Farm and Sunny Knoll farm have been notified that they are recipients of this grant funding. A. Ellis stated the Genesee Valley Conservancy would be contacting the landowners.

**RESOLUTIONS**

**RESOLUTION NO. 2009-150 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: NEW YORK STATE DEPARTMENT OF HEALTH, THE SUSAN G. KOMEN FOUNDATION, CNY AFFILIATE**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>New York State Department of Health</b> 433 River St, Suite 303 Troy, NY 12180-2299 For: EMS Course Sponsorship.	7/1/09-6/30/11	
<b>The Susan G. Komen Foundation</b> <b>CNY Affiliate</b> 5008 Brittonfield Parkway, Suite 300 East Syracuse, NY 13057 For: Breast Health Project Grant.	4/1/09-3/31/10	\$10,000.00

Dated at Geneseo, New York

May 13, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-151      AWARDING BID FOR EMERGENCY MEDICAL SERVICES MEDICAL SUPPLY BID – BOUND TREE MEDICAL LLC**

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

WHEREAS, after the proper legal advertisement seeking bids for medical supplies, six bids were received and opened on March 19, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>Bound Tree Medical LLC</b>	5/1/09-4/30/10	Per Item Fee Schedule
5000 Tuttle Crossing Dublin, Ohio 43016		

For: EMS Medical Supplies. This contract for EMS Medical Supplies is for a one-year period and reserves the right to two (2) additional 12-month extensions.

Dated at Geneseo, New York

May 13, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-152      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: GENESEE COUNCIL ON ALCOHOLISM & SUBSTANCE ABUSE**

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

WHEREAS, the County expected the State to cut funding, and by Res. No. 2009-014 only \$105,750.00 was approved for this contract, and

WHEREAS, funding was not cut by the State and the County therefore intends to increase the contract amount to \$112,500.00, now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Genesee Council on Alcoholism &amp; Substance Abuse</b>	4/1/08-3/31/09	\$112,500.00
430 East Main Street Batavia, NY 14020		

For: Co-location Project.

Dated at Geneseo, New York

May 13, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-153      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION: DEPARTMENT OF VETERANS AFFAIRS**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Department of Veterans Affairs</b> VA Western New York Healthcare System 3495 Bailey Avenue Buffalo, New York 14215 For: Nursing Home Care Services. Dated at Geneseo, New York May 13, 2009 Human Services Committee	7/1/09-6/30/10	Negotiated Per Diem Rate

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-154      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY OFFICE FOR AGING: NOYES MEMORIAL HOSPITAL**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Noyes Memorial Hospital</b> 111 Clara Barton St. Dansville, NY 14437	4/1/2009-12/31/10	\$66,832.00

For: Caregiver services including caregiver counseling, referral services, Alzheimer Support Group facilitation, public education, caregiver training, monthly newsletter, and maintenance of caregiver resource centers located in all public libraries in the county.  
Dated at Geneseo, New York  
May 13, 2009  
Human Services Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-155      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY: ROCHESTER RHIO**

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

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

<u>Contractor</u>
<b>Rochester RHIO</b> Regional Health Information Organization 150 State St., suite 400 Rochester, NY 14614

For: Sharing of health information  
Dated at Geneseo, New York  
May 13, 2009  
Human Services Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-156      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: LIVINGSTON AREA TRANSPORTATION SERVICE, INC.**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Livingston Area Transportation Service, Inc. (LATS)</b>	4/1/08-3/31/10	Rate Pursuant To Contract

4390 Gypsy Lane

Mt. Morris, NY 14510

For: Transportation Services.

Dated at Geneseo, New York

May 13, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-157      AWARDING BID FOR ASBESTOS AND DEMOLITION CLEAN UP WILCOX PRESS SITE – BIANCHI INDUSTRIAL SERVICES, LLC**

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

WHEREAS, after the proper legal advertisement seeking bids for asbestos and demolition clean up of the Wilcox Press site in Dansville, New York, fifteen bids were received and opened on April 20, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Bianchi Industrial Services, LLC</b>	\$290,222.22

208 Longbranch Road, Suite 300

Syracuse, NY 13209

For: Asbestos and demolition clean up of the Wilcox Press site, Dansville, New York. Amount includes Alternate 1 for \$68,000.00.

Dated at Geneseo, New York

May 13, 2009

Public Services Committee

Chairman of Public Services and Lima Supervisor Yendell reported that Lu Engineers has recommended awarding this bid to Bianchi Industrial Services, LLC, the lowest responsible bidder. Lu Engineers has worked with this company on three separate occasions and found them to be qualified to do this job. Mr. Yendell explained that we might have change orders if tanks are found buried on the property or some other extreme finding. The bids ranged from \$290,222.22 to \$850,000.

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-158      AWARDING BID FOR CENTRAL SERVICES DEPARTMENT EXTERIOR STAIR ROOF ENCLOSURES PROJECT FOR BUILDINGS #6 AND #8, MURRAY HILL CAMPUS – GENESEE CONSTRUCTION SERVICES, INC.**

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

WHEREAS, after the proper legal advertisement seeking bids for exterior stair roof enclosures project for Buildings #6 and #8, Murray Hill Campus, three bids were received and opened on April 23, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Genesee Construction Services, Inc.</b>	\$30,890.00

P.O. Box 37

Dansville, NY 14437

For: Exterior Stair Roof Enclosures Project For Buildings #6 and #8. Murray Hill Campus.

Dated at Geneseo, New York

May 13, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-159      AWARDING BID FOR CENTRAL SERVICES DEPARTMENT MILLENNIUM DRIVE DOOR MODIFICATIONS PROJECT – MUCHER ERECTORS**

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

WHEREAS, after the proper legal advertisement seeking bids for Millennium Drive door modifications project, three bids were received and opened on April 9, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Mucher Erectors</b>	\$46,200.00
38 Duncan Street	
Warsaw, NY 14569	

For: Millennium Drive Door Modifications Project. Base bid plus alternates in the amount shown above.

Dated at Geneseo, New York

May 13, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-160      AWARDING BID FOR THE EMERGENCY MANAGEMENT SERVICES DEPARTMENT - HAZARDOUS MATERIAL RESPONSE VEHICLE – COMPANY TWO**

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

WHEREAS, after the proper legal advertisement seeking bids for an Emergency Management hazardous material response vehicle, one bid was received and opened on April 10, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Company Two</b>	\$75,000.00
283 Foster Road	
Varnville, SC 29944	

For: Hazardous Material Response Vehicle. Shipping charges are not included in total bid price.

Dated at Geneseo, New York

May 13, 2009

Public Services Committee

Emergency Management Services Director K. Niedermaier stated that a picture of the vehicles is on each Supervisor's desks. He stated that this vehicle would replace two current Haz Mat vehicles, which are reconditioned LATS buses and explained that 30% of the equipment currently sits on the floor and this new vehicle would eliminate this practice and provide the opportunity to house the equipment on one bus. He stated that 1.5 years of research went into seeking a bus such as this. Mr. Yendell asked K. Niedermaier to provide some background regarding this vehicle. K. Niedermaier stated that he, Tom McGory, Tom Pearson and John Ellis recently went to South Carolina to inspect the vehicle. The engine has been rebuilt and refurbished and the box is new. He stated the vehicle is in immaculate condition.

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-161      AUTHORIZING EXTENSION OF SNOW AND ICE AGREEMENT BETWEEN NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND LIVINGSTON COUNTY THROUGH THE 2010-2011 SEASON**

Mr. Yendell 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 2010-2011 season, and

WHEREAS, each Municipality involved in this Contract has agreed to said extension, now, therefore, be it

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

Dated at Geneseo, New York

May 13, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-162      AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE NYS DEPARTMENT OF TRANSPORTATION AND THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT IN REGARDS TO ASPHALT MILLING MATERIALS AND TRUCKING ON NYSDOT PROJECTS IN LIVINGSTON COUNTY**

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

WHEREAS, pursuant to Transportation Law Sections 14(14) and 14(15) and Section 99-r of the General Municipal Law, the State of New York and Livingston County wish to share certain materials and services, and

WHEREAS, Livingston County has agreed to provide trucking services for the transport of NYSDOT-owned asphalt millings on highways in Livingston County on behalf of the State in exchange for a portion of the material, and

WHEREAS, the exchange of such materials and services shall promote and assist the maintenance of NYS and Livingston County roads and highways and provide a cost savings by maximizing the effective utilization of both parties' resources, 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 between the New York State Department of Transportation and Livingston County, for a one (1) year period, with provision for three (3) additional one (1)-year extensions, subject to review by the County Administrator and County Attorney.

Dated at Geneseo, New York

May 13, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-163      AWARDING BID FOR THE COUNTY HIGHWAY DEPARTMENT – THREE (3) NEW FOUR-SIDED PRECAST BOX CULVERT SYSTEMS FOR BRONSON HILL ROAD (CR62), TOWN OF AVON (16'X5'X50'), EAST LAKE ROAD (CR8), TOWN OF CONESUS (20'X7'X50'), MAIN STREET (TUSCARORA, CR30A), TOWN OF MT. MORRIS (14'X10'X50')**

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

WHEREAS, after the proper legal advertisement seeking bids for three (3) new four-sided precast box culvert systems, four (4) bids were received and opened on April 29, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>Lakelands Concrete Products, Inc.</b> 7520 East Main Street Lima, NY 14485	N/A	\$135,952.00

For: Three (3) New Four-Sided Precast Box Culvert Systems. The cost is not to exceed the amount indicated.

Dated at Geneseo, New York

May 13, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-164 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE INTER-MUNICIPAL COOPERATION AGREEMENT WITH THE GLOW REGION SOLID WASTE COMMITTEE COUNTIES OF GENESEE AND WYOMING**

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following agreement for the Livingston County Department of Public Works, according to the term(s) designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Counties of Genesee and Wyoming</b>	12/31/09-12/31/11	Yearly \$27,000.00

GLOW Region Solid Waste Management Committee

For: Recycling, Solid Waste and Hazardous waste management and Planning. Amount is per approved budget.

Dated at Genesee, New York

May 13, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-165 AUTHORIZING TRANSFER OF FUNDS – CONTINGENCY, HIGHWAY, PUBLIC DEFENDER**

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

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

Dated at Genesee, New York

May 13, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-166 AMENDING 2009 LIVINGSTON COUNTY BUDGET – CAPITAL PROJECTS**

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

RESOLVED, that the 2009 Capital Projects budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	H6121	5031	Interfund transfer	\$438,841.00
Increase Appropriation	H6121	2900	Capital Outlay	\$438,841.00

Dated at Genesee, New York

May 13, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-167 AMENDING 2009 LIVINGSTON COUNTY BUDGET – COUNTY CLERK**

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

RESOLVED, that the 2009 County Clerk Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A1410	3089	State Aid – Other	\$30,000.00
Increase Appropriation	A1410	4070	Service Contracts	\$30,000.00

Dated at Genesee, New York

May 13, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-168 AMENDING 2009 LIVINGSTON COUNTY BUDGET – EMERGENCY MANAGEMENT SERVICES**

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

RESOLVED, that the 2009 Emergency Management Services Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3412	3389	State Aid SHSP	\$88,000.00
Increase Appropriation	A3412	2200	Video Conf. Equipment	\$13,000.00
Increase Appropriation	A3412	2100	HazMat Resp. Vehicle	\$75,000.00

Dated at Geneseo, New York

May 13, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-169 AMENDING 2009 LIVINGSTON COUNTY BUDGET – SHERIFF’S DEPARTMENT**

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

RESOLVED, that the 2009 Sheriff’s Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3110	2680	Sheriff’s Insurance Recovery	\$2,850.68
Increase Appropriation	A3110	4127	Sheriff’s Outside Repairs	\$2,850.68

Dated at Geneseo, New York

May 13, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-170 AMENDING 2009 LIVINGSTON COUNTY BUDGET – WORKFORCE DEVELOPMENT**

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

RESOLVED, that the 2009 Workforce Development Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	J6295	4790	Federal Aid	\$93,091.00
Increase Appropriation	J6295	1000	Personal Services	\$10,500.00
		1950	Temporary Services	\$61,000.00
		1951	Overtime	\$100.00
		4020	Travel, Training, Development	\$2,000.00
		4025	Conferences and Seminars	\$500.00
		4045	Maintenance in Lieu of Rent	\$500.00
		4055	Telephone	\$180.00
		4060	Office Supplies	\$1,400.00
		4075	Data Processing Chgs/Maint	\$380.00
		4076	Copier Dept Charges	\$150.00
		4100	Postage & Freight	\$75.00
		4190	Agency Contracts	\$6,000.00
		4200	Advertising fees or expense	\$40.00
		4450	Food	\$290.00
		8100	FICA	\$5,400.00
		8200	N.Y.S. Retirement	\$300.00
		8300	Health Insurance	\$1,750.00
		8400	Workmen's Compensation	\$1,726.00

	8500	Unemployment	\$800.00
Total			\$93,091.00

Dated at Geneseo, New York

May 13, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-171 AMENDING THE LIVINGSTON COUNTY TRAFFIC DIVERSION PROGRAM**

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

WHEREAS, Livingston County District Attorney Thomas E. Moran has implemented a Traffic Ticket Diversion Program that provides for a withdrawal of prosecution for successful candidates who attend the New York State certified remedial driving course; and

WHEREAS, the Traffic Diversion Program potentially divests the local municipalities of some or all of the applicable fine monies generated from the original uniform traffic ticket; and

WHEREAS, the Livingston County Board of Supervisors is cognizant of the possible financial impact upon the local municipalities, and

WHEREAS, the Livingston County Board of Supervisors continues to fully support the Livingston County Traffic Diversion Program, now, therefore, be it

RESOLVED, that as of June 1, 2009 the application fee for the Traffic Diversion program will be One Hundred and Fifty Dollars (\$150.00), and be it further

RESOLVED, that the Livingston County Treasurer, shall after June 1, 2009, at the end of each quarter [fn1] (based on calendar year) issue to each Livingston County municipality where jurisdiction rested for the original uniform traffic summons that resulted in a Traffic Diversion Program disposition, the sum of One Hundred Dollars (\$100.00) per participant.

\*Fn1 The first period will include just the month of June as June is the last month of the second quarter.

Dated at Geneseo, New York

May 13, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**RESOLUTION NO. 2009-172 AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE: SHERIFF'S DEPARTMENT**

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

RESOLVED, that the 2009 Hourly Employee Salary Schedule is amended as follows:

**Sheriff's Office**

Create one full-time Civilian Dispatcher position.

Delete one full-time Deputy Sheriff/Communications Officer position.

Dated at Geneseo, New York

May 13, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,439; Noes - 0; Absent - Donohue, 66, Wadsworth 247, Total 313; Adopted.

**OTHER BUSINESS**

**1. CHAIRMAN OF THE BOARD APPOINTMENT**

Name	Address	Represent/Title	Term Expires
<b>Agriculture and Farmland Protection Board</b>			
Jeffery Shanks	2191 Pond Road, Lima NY 14485	Active Farmer	6/1/2013
Chris Cicero	L. C. Farm Bureau, 6670 Cadyville Rd Livonia NY 14487	Farm Bureau	6/1/2012

**EXECUTIVE SESSION**

Motion made by Mr. Pangrazio and seconded by Mr. Gott that the Board adjourn and reconvene as a Committee of the

Whole for the purpose of discussing the employment history of a particular person; and that James C. Merrick act as Chairman, and Deputy County Administrator Ian Coyle 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 the employment history of a particular person, hereby reports as follows:

No action taken.

Dated May 13, 2009

James C. Merrick, Chairman

Virginia O. Amico, Clerk of the Board

Motion made by Mr. Martello and seconded by Mr. Yendell that the Report of the Executive Session be accepted. Carried.

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Schuster to adjourn until Wednesday, May 27, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:55 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, MAY 27, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Buckley (Springwater) and Mr. Deming (York).

**PLEDGE OF ALLEGIANCE**

Lima Supervisor J. Peter Yendell led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 5/13/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. The Rochester Genesee Regional Transportation Authority (RGRTA) 2009-2010 Comprehensive Plan is on file.
2. Thank you note from Diane Fusco, retired Senior Index Clerk, for the 25-year Employee Recognition gift and reception.
3. Notice of Claim in the matter of Christina A. Farsace versus the Livingston County Sheriff's Department, Livingston District Attorney, and County of Livingston, filed in this office on May 19, 2009.
4. Thank you note from Director of Office for the Aging Kaaren Smith
5. Governor David A. Paterson sent a letter to the County Administrator Dominic F. Mazza appointing him as a Member of the New York State Task Force on Public Retiree Health Care Benefits.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-173      APPROVING ABSTRACT OF CLAIMS #5B – MAY 27, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #5B dated May 27, 2009 in the total amount of \$1,371,194.25.

Dated at Geneseo, New York

May 27, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent - Buckley, 65; Deming, 90 Total 155; Adopted.

**PRIVILEGE OF THE FLOOR**

1. Frank Bassett and Pat Rountree – 2009 Livingston County Employees United Way Campaign  
Pat Rountree reported that the 2009 Livingston County Employees United Way Campaign was held during the month of March. Knowing this may be a difficult year due to economic times, the goal of \$29,500 was unchanged from last year. He commented that the County employees are sheltered a bit from the recession. We have not had any layoffs, no mandatory four-day workweeks and no pay cuts. He stated they campaigned on asking people to do what they could. P. Rountree thanked those who made donations and commended and thanked the extraordinary efforts of Campaign Coordinators Coordinator's Cheryl Beach (CNR), Elaine Szoczei (Highway), Susan Rountree, Alise Rounsville (Public Health), Denise Bentley (DSS), Amy DeGross and Peg Woodruff (Sheriff's Dept).

Frank Bassett stated that everyone likes success and this year's Employee United Way Campaign was very successful. He reiterated that the goal was unchanged from 2008 and proudly announced that the employees raised \$31,7804.50 exceeding the goal by \$2,300. This amount is a 7.50% increase over the amount raised last year. He commented this is a wonderful outcome. F. Bassett also commended and thanked the Campaign Coordinators and mentioned that the Sheriff's Department robustly joined in the campaign this year. He extended a warm thank you to the employees and the Board for their ongoing support.

Chairman Merrick congratulated Pat Rountree and Frank Bassett for the successful campaign and commended them for their diligent efforts.

**RESOLUTIONS****RESOLUTION NO. 2009-174      AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR**

**SPECIAL INSPECTION SERVICES FOR THE JAIL EXPANSION PROJECT - SJB SERVICES, INC.**

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

WHEREAS, the County of Livingston solicited a Request for Proposal for special inspection services for the Livingston County Jail Expansion Project, and four proposals were received, now, therefore, be it

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

<u>Contractor</u>	<u>Amount</u>
<b>SJB Services, Inc.</b>	Not to Exceed \$100,000.00

535 Summit Point Drive

Henrietta, NY 14467

For: Special Inspection Services for the Jail Expansion Project.

Dated at Geneseo, New York

May 27, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent - Buckley, 65; Deming, 90, Total - 155; Adopted.

**RESOLUTION NO. 2009-175 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY SHERIFF DEPARTMENT: FOUNDATION DESIGN, PC**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Foundation Design, PC</b>	4/20/09-7/20/09	Not to Exceed \$34,260.00

335 Colfax Street

Rochester, NY 14606

For: Geotechnical Engineering Services for the Livingston County Jail Expansion Project.

Dated at Geneseo, New York

May 27, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent - Buckley, 65; Deming, 90 Total 155; Adopted.

**RESOLUTION NO. 2009-176 AUTHORIZING TRANSFER OF FUNDS – CENTRAL SERVICES, DEPARTMENT OF HEALTH, OFFICE FOR THE AGING**

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

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

Dated at Geneseo, New York

May 27, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent - Buckley, 65; Deming, 90 Total 155; Adopted.

**RESOLUTION NO. 2009-177 AMENDING 2009 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

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

RESOLVED, that the 2009 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A4093	2610	Fines	\$450.00
Increase Appropriation	A4093	4020	Training/Education	\$450.00

And,

Increase Revenue	A4093	3472	St Aid Special Health	\$2,956.00
Increase Appropriation	A4093	1000	Personal Services	\$2,749.00
Increase Appropriation	A4093	8100	FICA	\$207.00
<b>TOTAL</b>				<b>\$2,956.00</b>

Dated at Geneseo, New York

May 27, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent - Buckley, 65; Deming, 90 Total 155; Adopted.

**RESOLUTION NO. 2009-178 AMENDING 2009 LIVINGSTON COUNTY BUDGET – HIGHWAY DEPARTMENT**

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

RESOLVED, that the 2009 Highway Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	DM5130	2770	Other Unclassified	\$29,000.00
Increase Appropriation	DM5130	4124	Gasoline	\$29,000.00

Dated at Geneseo, New York

May 27, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent - Buckley, 65; Deming, 90 Total 155; Adopted.

**RESOLUTION NO. 2009-179 AMENDING 2009 LIVINGSTON COUNTY BUDGET – INFORMATION & TECHNOLOGY SERVICES**

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

RESOLVED, that the 2009 ITS Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A1680	3989	State Revenue Other	\$25,000.00
Increase Appropriation	A1680	2050	Office Machinery	\$20,000.00
	A1680	4063	Printer Ribbons/Tapes	\$5,000.00
<b>TOTAL</b>				<b>\$25,000.00</b>

Dated at Geneseo, New York

May 27, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent - Buckley, 65; Deming, 90 Total 155; Adopted.

**RESOLUTION NO. 2009-180 AMENDING 2009 LIVINGSTON COUNTY BUDGET – SHERIFF'S DEPARTMENT**

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

RESOLVED, that the 2009 Sheriff's Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A2989	2705	DARE Donations	\$300.00
Increase Appropriation	A2989	2400	DARE Law Enforcement Fire Safety	\$300.00

And,

Increase Revenue	A3110	2626	Forfeiture of Crime Proceeds	\$8,090.00
Increase Appropriation	A3110	4010	Conference Expense/Task Force	\$8,090.00

And,

Increase Revenue	A3119	2705	DARE Donations	\$50.00
Increase Appropriation	A3119	2400	DARE Law Enforcement Fire Safety	\$50.00

Dated at Geneseo, New York

May 27, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent - Buckley, 65; Deming, 90 Total 155; Adopted.

**RESOLUTION NO. 2009-181 APPOINTING SECOND DEPUTY COUNTY CLERK FOR THE LIVINGSTON COUNTY CLERK'S OFFICE – KATHLEEN OLSON**

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

RESOLVED, that the 2009 Department Head Salary Schedule is amended as follows:

**Clerk's Office**

Appoint Kathleen Olson of 4338 Shelly Road, Livonia, New York 14487 to the position of full-time Second Deputy County Clerk effective June 1, 2009, at an annual salary of \$45,000.00.

Dated at Geneseo, New York

May 27, 2009

Ways & Means Committee

County Clerk James Culbertson reported that Deputy County Clerk Mary Strickland, Second Deputy County Clerk Diana Moffat, and he conducted the interviews for the Second Deputy County Clerk position and chose Kathleen Olson to fill the position. He stated that Diana Moffat was at a salary of \$53,000 and the Committee had set a salary range and authorized a salary of \$45,000. He indicated that Kathleen Olson had trained with Diana Moffat prior to her departure on 5/22/09. He commented that Kathleen Olson has been performing the job duties this week and is doing very well. He stated he would appreciate the support of the Board of Supervisors regarding this appointment.

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent - Buckley, 65; Deming, 90 Total 155; Adopted.

**OTHER BUSINESS**

**1. CHAIRMAN OF THE BOARD APPOINTMENT**

Name	Address	Represent/Title	Term Expires
<b>Livingston County Youth Board</b>			
Rita Wittig	10055 McNinch Road, Dansville NY 14437	Town of Ossian	8/31/09

**EXECUTIVE SESSION**

Motion made by Mr. Pangrazio and seconded by Mr. Yendell that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing the employment history of a particular person; and that James C. Merrick act as Chairman, and Deputy County Administrator Ian Coyle 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 the employment history of a particular person, hereby reports as follows:

No action taken.

Dated May 27, 2009

James C. Merrick, Chairman

Virginia O. Amico, Clerk of the Board

Motion made by Mr. Pangrazio and seconded by Mr. Yendell that the Report of the Executive Session be accepted. Carried.

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, June 10, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:25 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, JUNE 10, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present.

**PLEDGE OF ALLEGIANCE**

Sparta Supervisor Mark J. Schuster led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 5/27/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. 2008 Departmental Annual Reports are on file.
2. InterCounty Association of Western New York meeting will be held in Yates County on June 19, 2009 at the Inn at Glenora Wine Cellars. Registration is 9:30 a.m., \$20.00.  
PROGRAM: Peter Landre, Executive Director of Yates County Cornell Cooperative Extension – “Small Farms, Big Impacts!”
3. The Clerk of the Board asked those Supervisors who are attending the Highway Tour on June 25, 2009, 8:00 a.m. – 1:00 p.m. to raise their hand.

Chairman Merrick welcomed the Young at Heart organization, a group of seniors primarily from Geneseo. He asked everyone in the group to stand and introduce themselves.

**INTRODUCTION OF LOCAL LAW****LOCAL LAW NO. A – 2009 ESTABLISHING THE POWERS AND DUTIES OF THE DEPUTY DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES**

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

**Section 1.**

The County of Livingston has the authority to adopt a local law setting forth the powers and duties of the Deputy Director of Community Mental Health Services provided they are not inconsistent with the Constitution or any general law of the State of New York.

**Section 2.**

The Director of Community Mental Health Services may, with the approval of the Livingston County Board of Supervisors appoint a Deputy Director of Community Mental Health Services. The Deputy Director of Community Mental Health Services may be removed at the pleasure of the Director of Community Mental Health Services.

**Section 3.**

The Deputy Director of Community Mental Health Services shall have all the powers and duties of the Director of Community Mental Health Services, and the authority to act generally for and in the place of the Director of Community Mental Health Services, during the Director's inability to act during the Director's regular or approved vacation periods, and at such other times as designated in writing by the Director of Community Mental Health Services.

**Section 4.**

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

Dated at Geneseo, New York

June 10, 2009 (Introduced)

County Attorney David Morris explained this local law establishes the powers and duties of the Deputy Director of Community Mental Health Services, which will authorize the Deputy to act on behalf of the Director during the Director's regular or approved vacation periods and other times as designated in writing by the Director. This local law will also classify this position as an exempt position opposed to a competitive position.

**ABSTRACT OF CLAIMS**

**RESOLUTION NO. 2009-182**

**APPROVING ABSTRACT OF CLAIMS #6A – JUNE 10, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #6A dated June 10, 2009 in the total amount of \$1,643,813.67.

Dated at Geneseo, New York

June 10, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

### **PRIVILEGE OF THE FLOOR**

1. Tom Wamp – Summary of 2008 Western Regional Off Track Betting Corporation Activities  
Chairman of Public Services Committee Peter Yendell authorized Privilege of the Floor for Tom Wamp.  
Chairman Merrick mentioned that Tom Wamp is a former Supervisor for the Town of Ossian.

T. Wamp thanked the Chairman and the Board for giving him the opportunity to speak. He stated that it always seems good to come back and make a presentation to the Board especially when the Western Regional Off-Track Betting Corporation shows a profit. He announced he provided a handout to the Board and encouraged the Board to review this information (on file). The handout included the Mission Statement, the History of Municipal Membership, 2006-2008 Video Gaming Analysis, 1974-2008 Revenue Summary, 1974-2008 Livingston County Participation Summary, 2001-2008 Batavia Downs Gaming Revenue Summary, 1975-2008 Livingston County Earnings of Net Revenue, OTB Branches and E-Z Bets by County, and a listing of the 2009 Board of Directors. T. Wamp explained that the Western Regional Off-Track Betting Corporation consists of fifteen counties, the City of Buffalo and the City of Rochester, which make up the Board of Directors. This Board of Directors is responsible for 35 branches and 7 E-Z bet locations and the Batavia Downs Gaming and Track.

Since 1974, Livingston County has earned \$2,655,800 through the Western Regional Off-Track Betting Corporation. T. Wamp indicated that the earnings peaked in 1995 and 1996. He reported that the Western Regional Off-Track Betting Corporation employs 600 employees and 300 of those employees are in Batavia. He announced they opened a new sports bar and that has been profitable. He stated the Corporation is always looking to improve the operations, and he added that this is the only Corporation that owns a racetrack. The announced the races begin July 27<sup>th</sup>.

T. Wamp invited the Board of Supervisors and the Young at Heart group in attendance today to contact him or Vice President of Administration Mike Kane to visit the Off-Track Betting and Gaming operation.

Chairman Merrick thanked Tom Wamp for his remarks. Chairman Merrick indicated he received an invitation to attend a meeting with Western Regional Off-Track Betting Corporation representatives and other Chief Elected Officials but the meeting was canceled. T. Wamp explained there was not enough interest generated to conduct this meeting, however, meetings will be held with individual counties.

Tom Wamp extended his congratulations to County Administrator Nick Mazza for his years of County service. County Administrator Mazza thanked Tom Wamp for his remarks and mentioned that the interview team ripped him off \$2,500. Tom Wamp welcomed Deputy County Administrator Ian Coyle and stated he looks forward to working with him in the future.

2. Chairman of Livingston County Dairy Princess Program Linda Wilkins and 2009-2010 Livingston County Dairy Princess Kristin Lemley

Linda Wilkins stated she became involved in the Daily Princess Program in 2002 and mentioned that her daughter became Livingston County Dairy Princess in 2005. She explained that the Livingston County Dairy Princess Program was established in 1968. Once the Princess is crowned, she begins her year preparing for the New York State competition. She encouraged the Supervisors to invite the Dairy Princess to town events and thanked the Board for their support. Linda Wilkins bestowed a Certificate of Appreciation to York Supervisor Gerald Deming for the use of the York Town Hall.

At this time, Linda Wilkins introduced the new 2009-2010 Livingston County Dairy Princess Kristin Lemley.

Kristin Lemley stated she lives in Pavilion and has been accepted to the University of Michigan and will be studying Environmental Engineering. She explained she grew up on a farm in Pavilion and believes that the Dairy Princess Program will give her the opportunity to be a good role model for younger children. She thanked the Supervisors for their attention and invited them to join her in the Board Lounge after the Board meeting to have some milk punch.

For those in the audience, Chairman Merrick explained there usually is not a lot of discussion regarding the resolutions at the Board meeting. He stated that the Supervisors have three committees and each Committee has seven members and other Supervisors attend those committees as well. The majority of the resolutions are discussed at the committee level.

**PREFERRED AGENDA**

**RESOLUTION NO. 2009-183 PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. A - 2009 ESTABLISHING THE POWERS AND DUTIES OF THE DEPUTY DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES**

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on June 10, 2009, a proposed Local Law entitled Local Law No. A – 2009 Establishing the Powers and Duties of the Deputy Director of Community Mental Health Services, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 24<sup>th</sup> day of June, 2009 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

June 10, 2009

Human Services Committee

**RESOLUTION NO. 2009-184 ADOPTING SEQR NEGATIVE DECLARATION – 2009-2010 NYS SNOWMOBILE GRANT PROGRAM**

WHEREAS, the Caledonia Trailblazers and the X-County Trailriders Snowmobile Clubs are seeking to utilize and maintain the existing 61-mile snowmobile trail system; and

WHEREAS, Livingston County is applying to fund these proposed trails through the NYS Office of Parks, Recreation and Historic Preservation Snowmobile Grant-In-Aid and Trail Approval Program; and

WHEREAS, the maintenance activities and seasonal usage of the proposed trails will not significantly disturb the acreage along the trail route; 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 hereby classifies this project as an Unlisted Action pursuant to the State Environmental Quality Review Act; and be it further

RESOLVED, that the Livingston County Board of Supervisors does hereby determine that the proposed project will not have a significant effect on the environment, a draft Environmental Impact Statement will not be prepared, and the Livingston County Board of Supervisors does hereby adopt the Negative Declaration for the project and authorizes the Chairman to sign the Environmental Assessment Form prepared for the project and file it according to law.

Dated at Geneseo, New York

June 10, 2009

Human Services Committee

**RESOLUTION NO. 2009-185 OPPOSING A4096/S2098 AN ACT TO AMEND THE SOCIAL SERVICES LAW IN RELATION TO TRAINING AND EDUCATION FOR SUSTAINABLE WAGE JOBS AND TRADITIONAL AND NONTRADITIONAL EMPLOYMENT IN PUBLIC ASSISTANCE EMPLOYMENT PROGRAMS**

WHEREAS, A4096/S2098 would require social services districts to give consideration to education and training for sustainable wage jobs (at 185% of poverty – this is \$21.25/hour for a family of 4) and nontraditional employment above and beyond criteria such as skill areas and job market opportunities and would not lead to the provision of better services, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby opposes A4096/S2098, an act to amend the Social Services Law in relation to training and education for sustainable wage jobs and traditional and nontraditional employment in public assistance employment programs, and it is further

RESOLVED. that the Clerk of the Board of Supervisors is hereby directed to forward this resolution to Senators

Dale M. Volker and Catharine M. Young and Assemblymen Joseph A. Errigo and Daniel J. Burling, the New York State Association of Counties and the InterCounty Association of Western New York.

Dated at Geneseo, New York

June 10, 2009

Human Services Committee

**RESOLUTION NO. 2009-186 OPPOSING S2091/A3657 AN ACT TO AMEND THE SOCIAL SERVICES LAW IN RELATION TO ELIGIBILITY REQUIREMENTS FOR CHILD CARE ASSISTANCE**

WHEREAS, S2091/A3657 would eliminate the requirement to pursue a child support order as a condition of eligibility for childcare assistance, and therefore reduce the economic stability for children, and lower the number of low income children eligible for child care because more families would be competing for the same amount of funding, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby opposes S2091/A3657, an act to amend the Social Services Law in relation to eligibility requirements for child care assistance, and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to forward this resolution to Senators Dale M. Volker and Catharine M. Young and Assemblymen Joseph A. Errigo and Daniel J. Burling, the New York State Association of Counties and the InterCounty Association of Western New York.

Dated at Geneseo, New York

June 10, 2009

Human Services Committee

**RESOLUTION NO. 2009-187 OPPOSING A1417/S5547 AN ACT TO AMEND THE SOCIAL SERVICES LAW IN RELATION TO ESTABLISHING FACTORS TO BE CONSIDERED WHEN A HEALTH CARE PRACTITIONER UPON EXAMINATION HAS A DIFFERENT OPINION FROM AN APPLICANT'S TREATING HEALTH CARE PRACTITIONER'S OPINION AS TO AN APPLICANT'S DISABILITY; AND REQUIRES AN EXPLICIT WRITTEN DETERMINATION BY THE HEALTH CARE PRACTITIONER WHEN THE DIAGNOSES DIFFER**

WHEREAS, A1417/S5547 would destabilize our system of providing assistance and support because it would not allow equal weight to be given to third party health care practitioners, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby opposes A1417/S5547, an act to amend the Social Services Law in relation to establishing factors to be considered when a health care practitioner upon examination has a different opinion from an applicant's treating health care practitioner's opinion as to an applicant's disability; and requires an explicit written determination by the health care practitioner when the diagnoses differ, and, be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to forward this resolution to Senators Dale M. Volker and Catharine M. Young and Assemblymen Joseph A. Errigo and Daniel J. Burling, the New York State Association of Counties and the InterCounty Association of Western New York.

Dated at Geneseo, New York

June 10, 2009

Human Services Committee

**RESOLUTION NO. 2009-188 OPPOSING A1827 (2008 A11297/A/S84167) AN ACT TO AMEND THE SOCIAL SERVICES LAW IN RELATION TO TEMPORARY ASSISTANCE EMPLOYMENT PROGRAMS**

WHEREAS, A1827 (2008 A11297/A/S84167) would allow people on temporary assistance to pursue a four-year degree or more, and

WHEREAS, this proposed Legislation would move New York State away from the welfare reform principle of "Work First" that has been so successful, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby opposes A1827, an act to amend the Social Services Law in relation to temporary assistance employment programs, and, it is further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to forward this resolution to Senators Dale M. Volker and Catharine M. Young and Assemblymen Joseph A. Errigo and Daniel J. Burling, the New York State Association of Counties and the InterCounty Association of Western New York.

Dated at Geneseo, New York

June 10, 2009

Human Services 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. Davis and seconded by Mr. Deming to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTIONS**

**RESOLUTION NO. 2009-189 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: UNITY HEALTH CARE EMPIRE PLAN NETWORK, NEW YORK STATE DEPARTMENT OF HEALTH, JOHN AND BRIDGET YORK**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Unity Health Care Empire Plan Network</b>	5/1/09-4/30/2014	

PO Box 2300

Kingston, NY 12402-2300

For: Reimbursement for EI Services. This contract is paid according to compensation chart attached to contract.

<b>New York State Department of Health</b>	4/1/09-3/31/10	\$89,356.00
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Bureau of Water Supply Protection

547 River Street, Flanigan Square, Room 400

Troy, NY 12180

For: Public Water Supply Enhancement Grant.

<b>John and Bridget York</b>	4/1/09-3/31/11	
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3 Chestnut Ave.

Dansville, NY 14437

For: Reproductive Health Center's Dansville Site Rental Agreement. Rent is \$750.00 per month from 4/1/09-3/31/10 and \$775.00 per month from 4/1/10-3/31/11. Water and Sewer will also be paid at a rate of \$92.00 per quarter throughout this period.

Dated at Geneseo, New York

June 10, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-190 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION: THE GENESEE VALLEY (GENESEE, LIVINGSTON, STEUBEN, & WYOMING) BOCES CHARLES G. MAY CAREER & TECHNICAL EDUCATION CENTER**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>The Genesee Valley (Genesee, Livingston, Steuben, &amp; Wyoming) BOCES Charles G. May Career &amp; Technical Education Center</b>		

80 Munson Street

7/1/09 – 6/30/12

n/a

Leroy, New York 14482

For: Clinical Site Agreement C.N.A.

Dated at Geneseo, New York  
June 10, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-191      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF PLANNING: SUNY RESEARCH FOUNDATION(2), NYS DEPARTMENT OF STATE(2), NYS DEPARTMENT OF HOUSING & COMMUNITY RENEWAL, GENESEE VALLEY CONSERVANCY**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>SUNY Research Foundation</b> P.O. Box 9 Albany, New York 12201-0009 For: Water quality monitoring and analysis services in support of the implementation of the Conesus Lake Watershed Management Plan.	5/15/09-12/31/09	Not to Exceed \$32,020.00
<b>SUNY Research Foundation</b> P.O. Box 9 Albany, New York 12201-0009 For: Market research in support of promoting future economic development and job creation and job retention efforts and objectives in Livingston County in support of the Federal American Recovery and Reinvestment Act.	6/10/09-12/31/09	Not to Exceed \$11,000.00
<b>NYS Department of State</b> One Commerce Plaza 99 Washington Avenue Albany, New York 12231-0001 For: Economic Stimulus Funding for Community Services Block Grant program.	4/1/09-9/30/10	\$354,563.00
<b>NYS Department of State</b> One Commerce Plaza 99 Washington Avenue Albany, New York 12231-0001 For: Annual Contract with NYS Department of State for FFY 2010 CSBG Program.	10/1/09-9/30/10	\$224,316.00
<b>NYS Dept of Housing &amp; Community Renewal</b> Energy and Rehabilitation Services, 4 <sup>th</sup> Floor South Hampton Plaza, 38-40 State Street Albany, New York 12207 For: Economic stimulus funding to provide weatherization services to eligible County residents.	7/1/09-6/30/11	\$581,879.00
<b>Genesee Valley Conservancy</b> PO Box 73, One Main Street Geneseo, NY 14454 For: Preparation of Applications to the New York State Department of Agriculture and Markets for the 2009 Purchase of Development Rights Program.	6/10/09-3/31/10	Not to Exceed \$15,000.00

Dated at Geneseo, New York  
June 10, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,688 Noes - 0; Absent - Moore, 64; Adopted.

**RESOLUTION NO. 2009-192      AUTHORIZING SUBMISSION OF APPLICATIONS TO THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS PURCHASE OF DEVELOPMENT RIGHTS PROGRAM**

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

WHEREAS, Article 25-AAA of the New York State Agriculture and Markets Law provides for the development of county agricultural and farmland protection plans; and

WHEREAS, Board of Supervisors Resolution No. 2006-280 approved the Livingston County Agricultural and Farmland Protection Plan, and by letter dated October 17, 2006, Patrick H. Brennan, Commissioner of the New York State Department of Agriculture and Markets, approved the Livingston County Agricultural and Farmland Protection Plan; and

WHEREAS, the Livingston County Agricultural and Farmland Protection Plan recommended support of the Purchase of Development Rights Program; and

WHEREAS, the Livingston County Agricultural & Farmland Protection Board has solicited pre-applications from owners of agricultural lands in Livingston County interested in applying for the Purchase of Development Rights Program, has reviewed and ranked these pre-applications, and has recommended that Livingston County submit Purchase of Development Rights applications for the three top-ranking pre-applications; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to submit up to three applications to the New York State Department of Agriculture and Markets Purchase of Development Rights Program to include Moore Farms, Marshall Farm, and Pleasant Hill Farm, as recommended by the Livingston County Agricultural & Farmland Protection Board.

Dated at Geneseo, New York

June 10, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,688 Noes - 0; Absent - Moore, 64; Adopted.

**RESOLUTION NO. 2009-193      AUTHORIZING SUBMISSION OF TRAIL PLAN & TRAIL SYSTEM APPROVAL AND APPLICATION TO NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR SNOWMOBILE TRAILS GRANT PROGRAMS AND AUTHORIZING CONTRACT WITH THE CALEDONIA TRAILBLAZERS SNOWMOBILE CLUB**

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

WHEREAS, the Caledonia Trailblazers and X-County Trailriders Snowmobile Clubs have requested that Livingston County apply on behalf of the Caledonia Trailblazers and the X-County Trailriders Snowmobile Clubs to the New York State Office of Parks, Recreation and Historic Preservation for a Snowmobile Trail Grant, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to submit a snowmobile trail plan and trail system to the New York State Office of Parks, Recreation and Historic Preservation, and any amendments hereto; and be it, further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to submit an application to the New York State Office of Parks, Recreation and Historic Preservation for the 2009-2010 Snowmobile Trails Grant Program; and be it, further

RESOLVED, that the Chairman is authorized to sign a contract, including any amendments thereto, with the Caledonia Trailblazers Snowmobile Club on behalf of the Caledonia Trailblazers and the X-County Trailriders Snowmobile Clubs for the transfer of Snowmobile Trails Grant Program funds, subject to review by the County Administrator and County Attorney.

Dated at Geneseo, New York

June 10, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,688 Noes - 0; Absent - Moore, 64; Adopted.

**RESOLUTION NO. 2009-194      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING PROFESSIONAL SERVICES CONTRACT FOR THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT, FOR CONSTRUCTION INSPECTION SERVICES, FEDERAL ARRA PROJECT 4LS002/4LS003, CR-64 & CR-33: RAVI ENGINEERING & LAND SURVEYING, PC**

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

WHEREAS, NYSDOT Region-4 solicited a Request for Proposal for construction inspection services. Federal

ARRA Project 4LS002/ALS003, CR-64 and CR-33 and selected Ravi Engineering & Land Surveying, PC on behalf of Livingston County, following proper Federal-Aid consultant selection requirements and regulations, now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Ravi Engineering &amp; Land Surveying, PC</b> 2110 South Clinton Avenue Rochester, NY 14618	06/10/2009–12/31/2009	\$145,000.00

For: Federal ARRA Project Construction Inspection Services.  
Dated at Geneseo, New York

June 10, 2009  
Public Services Committee

The roll was called as follows: Ayes - 1,688 Noes - 0; Absent - Moore, 64; Adopted.

**RESOLUTION NO. 2009-195      AMENDING 2009 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

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

RESOLVED, that the 2009 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A4010	2705	Gifts & Donations	\$8,260.00
Increase Appropriation	A4010	4020	Training	\$5.00
Increase Appropriation	A4010	4040	Rent	\$30.00
Increase Appropriation	A4010	4060	Office Supplies	\$58.00
Increase Appropriation	A4010	4100	Postage	\$158.00
Increase Appropriation	A4010	4200	Print & Ads	\$8,009.00
			<b>TOTAL</b>	<b>\$8,260.00</b>

Dated at Geneseo, New York  
June 10, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,688 Noes - 0; Absent - Moore, 64; Adopted.

**RESOLUTION NO. 2009-196      AMENDING 2009 LIVINGSTON COUNTY BUDGET – SHERIFF’S DEPARTMENT**

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

RESOLVED, that the 2009 Sheriff’s Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A2989	2705	DARE Donation	\$300.00
Increase Appropriation	A2989	2400	Dare/Law Enforc. Fire & Safety	\$300.00

Dated at Geneseo, New York  
June 10, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,688 Noes - 0; Absent - Moore, 64; Adopted.

**RESOLUTION NO. 2009-197      AMENDING 2009 LIVINGSTON COUNTY BUDGET – WORKFORCE DEVELOPMENT**

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

RESOLVED, that the 2009 Workforce Development budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	J6292	6790	Federal Aid	\$12,500.00

Increase Appropriation	J6292	2200	Electronic Equipment	\$12,500.00
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Dated at Geneseo, New York

June 10, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,688 Noes - 0; Absent - Moore, 64; Adopted.

### **EXECUTIVE SESSION**

Motion made by Mr. Pangrazio and seconded by Mr. Martello that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing the employment history of a particular person; and that James C. Merrick act as Chairman, County Administrator Dominic Mazza, Deputy County Administrator Ian Coyle 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 the employment history of a particular person, hereby reports as follows:

No action taken.

Dated June 10, 2009

James C. Merrick, Chairman

Virginia O. Amico, Clerk of the Board

Motion made by Mr. Pangrazio and seconded by Mr. Schuster that the Report of the Executive Session be accepted. Carried.

### **RESOLUTION NO. 2009-198 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT CLARIFICATION WITH THE LIVINGSTON COUNTY ADMINISTRATOR**

Mr. Pangrazio 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 clarification with the Livingston County Administrator, subject to review by the County Attorney.

Dated at Geneseo, New York

June 10, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,688 Noes - 0; Absent - Moore, 64; Adopted.

### **RESOLUTION NO. 2009-199 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT: KESHEQUA CENTRAL SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Keshequa Central School District</b>	7/1/09-6/30/10	\$58,512.00

25 S. Walnut Street

Nunda, NY 14517

For: School Resource Officer.

Dated at Geneseo, New York

June 10, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,688 Noes - 0; Absent - Moore, 64; Adopted.

### **RESOLUTION NO. 2009-200 APPROVING APPORTIONMENT OF MORTGAGE TAX RECEIPTS FOR PERIOD OF 10/01/08 THROUGH 03/31/09**

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

WHEREAS, the Ways and Means Committee submits the following report on Apportionment of the Mortgage Tax receipts for the period October 1, 2008 through March 31, 2009, 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	51,955.22	40,862.63	11,092.59
CALEDONIA	15,426.52	12,187.03	3,239.49
CONESUS	23,501.98	23,501.98	
GENESEO	43,720.56	33,637.89	10,082.67
GROVELAND	13,496.69	13,496.69	
LEICESTER	18,435.08	16,872.29	1,562.79
LIMA	29,686.53	24,387.35	5,299.18
LIVONIA	71,836.39	67,076.43	4,759.96
MT. MORRIS	19,977.11	14,268.19	5,708.92
N. DANSVILLE	20,531.64	12,573.26	7,958.38
NUNDA	11,605.77	9,691.12	1,914.65
OSSIAN	5,738.79	5,738.79	
PORTAGE	4,919.35	4,919.35	
SPARTA	7,641.88	7,641.88	
SPRINGWATER	12,584.22	12,584.22	
WEST SPARTA	3,203.89	3,203.89	
YORK	18,244.25	18,244.25	
TOTAL	372,505.87	320,887.24	51,618.63

Dated at Geneseo, New York  
June 10, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,688 Noes - 0; Absent - Moore, 64; Adopted.

**RESOLUTION NO. 2009-201      MODIFYING FAMILY AND MEDICAL LEAVE ACT POLICY**

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

WHEREAS, Livingston County currently has a Family and Medical Leave Act Policy;

WHEREAS, the United States government recently made changes to the Family and Medical Leave Act and issued new regulations pertaining to said Act; and

WHEREAS, the County wishes to revise its Policy to conform with the changes to the Act and its regulations; now, therefore, be it

RESOLVED that the Livingston County Family and Medical Leave Act Policy is hereby modified as shown below:

**LIVINGSTON COUNTY FAMILY AND MEDICAL LEAVE POLICY**

1. **Statement of Policy.** Livingston County will grant and designate leaves of absence to eligible employees in accordance with the Family and Medical Leave Act of 1993 ("FMLA"). This policy is intended to summarize employees' rights under this Act. To the extent any provisions of this Policy are inconsistent with the Act, the provisions of the Act and its regulations shall apply.
2. **FMLA Leaves.** Eligible employees are entitled to:
  - a. **Twelve weeks of leave.** Up to twelve workweeks of unpaid leave per twelve-month period, except in cases of leave to care for a covered military service member with a serious injury or illness in which case an eligible employee is entitled to up to twenty-six weeks of unpaid leave, depending upon other

- FMLA leave usage, in a single twelve-month period;
- b. **Restoration to position.** Restoration to his/her position or an equivalent position at the end of the FMLA leave;
  - c. **No loss of employment benefits.** No loss of employment benefits, which were accrued prior to the leave except those, which are used by the employee during the leave;
  - d. **Restoration of seniority.** Restoration to seniority held prior to leave (seniority will not accrue during an unpaid leave); and
  - e. **Maintenance of health insurance.** Health insurance benefits will be maintained for the duration of the FMLA leave at the level and under the conditions coverage would have been provided if the employee had continued to work, except that coverage may be terminated if the employee fails to make required co-payments for a period exceeding 30 days.
3. **Eligibility.** An employee is eligible for a FMLA leave if:
- a. **12 months of employment.** The employee has been employed by the County for at least twelve months<sup>1</sup>; and
  - b. **1,250 hours worked.** The employee has worked at least 1,250 hours during the twelve month period immediately preceding the date of the requested leave; and
  - c. **Qualifying event.** There is a "qualifying event"; and
  - d. **Not highly compensated.** The employee is not a highly compensated employee whose leave would cause substantial and grievous economic injury to the County; and
  - e. **Not already used FMLA entitlement.** The employee has not used all of the FMLA leave to which he/she is entitled. If the employee has used only a portion of his/her FMLA leave entitlement, the employee may use the remaining portion provided the employee is otherwise eligible.
4. **Qualifying Events.** The following are qualifying events:
- a. **Employee's serious health condition.** The employee is suffering from a serious health condition that makes the employee unable to perform the functions of his/her job;
  - b. **Spouse, child or parent serious health condition.** The employee's spouse, son, daughter or parent of the employee is suffering from a serious health condition and the employee is needed to provide care to that person;
  - c. **Birth or placement of child.** The birth or placement of a son or daughter with an employee; however, leaves requested for this reason must be taken within twelve months of the birth or placement of the son or daughter with the employee;
  - d. **Qualifying exigency related to military duty.** Any "qualifying exigency" arising out of the fact that the spouse, son, daughter or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. Leave may be taken for one or more of the following purposes:
    - i. **Short Notice Deployment:** to address any issue that arises from the fact that a covered military member is notified of an impending call or order to active duty in support of a contingency operation seven or less calendar days prior to the date of deployment;
    - ii. **Military events and related activities:** (a) to attend any official ceremony, program, or event sponsored by the military, and/or (b) to attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross;
    - iii. **Childcare and school activities:** (a) to arrange for alternative childcare, (b) to provide childcare on an urgent, immediate need basis, (c) to enroll in or transfer to a new school or day care facility, and/or (d) to attend meetings with staff at a school or a day care facility, such as meetings with school officials regarding disciplinary measures, parent-teacher conferences, or meetings with school counselors;
    - iv. **Financial and legal arrangements:** (a) to make or update financial or legal arrangements to address the covered military member's absence, and/or (b) to act as the covered military member's representative before a federal, state or local agency for purposes of obtaining, arranging, or appealing military service benefits while the covered military member is on active

<sup>1</sup> The 12 months an employee must have been employed need not be consecutive months

- duty or call to active duty status, and for a period of 90 days following the termination of the covered military member's active duty status;
- v. **Counseling:** to attend counseling provided by someone other than a health care provider for oneself, for the covered military member or for the child of the military member if the need for counseling arises from the active duty or call to active duty status of a covered military member;
  - vi. **Rest and recuperation:** up to five days to spend time with a covered military member who is on short-term temporary, rest and recuperation leave;
  - vii. **Post-deployment activities:** (a) to attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status, and/or (b) to address issues that arise from the death of a covered military member while on active duty status, such as meeting and recovering the body of the covered military member and making funeral arrangements; or
  - viii. **Additional activities:** to address other events which arise out of the covered military member's active duty or call to active duty status provided that the employer and employee agree that such leave shall qualify as an exigency, and agree to both the timing and duration of such leave; or
- e. **Care for military service member with serious health condition.** The employee is the spouse, son, daughter, parent or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty and the employee will provide care to such service member.

**Definitions:**

**"Son or daughter" (items b & c).** For purposes of items b and c of this section, a "son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is under 18 years of age or is 18 years of age or older and incapable of self-care because of a mental or physical disability.

**"Son or daughter" (items d & e).** For purposes of items d and e of this section, a "son or daughter" means a biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis.

**"Next of kin."** "Next of kin" means the nearest blood relative other than the covered service member's spouse, parent, son or daughter, in the following priority: blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

**"Serious health condition" (items a & b).** A "serious health condition" for purposes of all leaves other than those described under 4(e) of this policy is an illness, injury or physical or mental condition that involves:

1. **Inpatient care** involving an overnight stay in a hospital, hospice or residential medical care facility, including any period of incapacity; or
2. **Continuing treatment** by a health care provider.

**"Continuing treatment"** means a serious health condition involving continuing treatment by a health care provider including any one or more of the following:

§ **Incapacity and treatment.**

- Treatment two or more times within 30 days of the first day of incapacity, unless extenuating circumstances exist<sup>2</sup>, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under order of, or on referral by, a health care provider; or
- Treatment by a health care provider on at least one occasion, which results in a regimen of continuing treatment under the supervision of the health care provider.

§ **Pregnancy or prenatal care.** Any period of incapacity due to pregnancy or for prenatal care.

§ **Chronic conditions.** Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:

<sup>2</sup> "Extenuating circumstances" means circumstances beyond the employee's control that prevent the follow-up visit from occurring as planned by the health care provider within the 30-day period

- Requires periodic visits (defined as at least twice a year) for treatment by a health care provider, or by a nurse under direct supervision of a health care provider;
- Continues over an extended period of time (including recurring episodes of a single underlying condition); and
- May cause episodic rather than a continuing period of incapacity.

§ Permanent of long-term conditions. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider.

§ Conditions requiring multiple treatments. Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders or, or on referral by, a health care provider for:

- Restorative surgery after an accident or other injury; or
- A condition that would likely result in a period of incapacity of more than three consecutive, full calendar days in the absence of medical intervention or treatment.

A "*health care provider*" is: a doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the State in which the doctor practices or any other person determined by the Secretary of Labor to be capable of providing health care services<sup>3</sup>.

"*Serious health condition*" (*item e*). A "serious health condition" for purposes of leaves described in 4(e) of this policy means an injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating.

5. **Intermittent and Reduced Schedule Leaves.** Intermittent and reduced schedule leaves must be granted if:
- a. The leave is being taken due to an event specified in paragraph 4(a), (b) or (e) of this policy, and an intermittent or reduced schedule leave is medically necessary; or
  - b. The leave is taken due to an event specified in paragraph 4(d).

**Other instances.** Intermittent and reduced schedule leaves may be granted in other instances if both the employee and the County agree.

**Scheduling leave for medical treatment.** If an employee needs leave intermittently or on a reduced leave schedule for planned medical treatment, then the employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the employer's operations.

**Transfer of employee during leave.** If an employee takes an intermittent or reduced schedule leave, the employer may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and which has equivalent pay and benefits and better accommodates recurring periods of leave than the employee's regular position.

6. **Spouses Employed by County.** Eligible spouses employed by the County are limited to a combined total of 12 weeks of FMLA leave during a single 12-month period for any or all of the following:
- a. the birth, adoption or foster care placement of a child;
  - b. the care of a child after birth, adoption or placement; and/or
  - c. the care of the employee's parent with a serious health condition.

However, each spouse is entitled to 12 weeks of FMLA leave for the serious health condition of the employee, his/her spouse or child.

Spouses are also limited to a combined total of 26 weeks of FMLA leave during a single 12-month period for

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<sup>3</sup> Others "capable of providing health care services" include only:

(1) Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the State and performing within the scope of their practice as defined by State law;

(2) Nurse practitioners, nurse-midwives, clinical social workers and physician assistants who are authorized to practice under State law and who are performing within the scope of their practice as defined under State law;

(3) Christian Science Practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts;

(4) Any health care provider from whom an employer or the employer's group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and

(5) A health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of his or her practice as defined under such law

leaves involving:

- a. care of a military service member; and
- b. any or all of the following:
  - i. the birth adoption or foster care placement of a child,
  - ii. the care of a child after birth, adoption or placement, or
  - iii. the care of the employee's parent with a serious health condition,

with the portion of leave taken for purposes other than the care of a military member limited to a maximum of 12 weeks.

7. **Procedure to Request Leave.** Any employee who needs a FMLA leave must:
  - a. **Notify department head.** Notify his or her department head of the need for leave and of the anticipated start date and duration of the leave; and
  - b. **Notify Personnel and provide required documentation.** Contact the Livingston County Personnel Office to provide notice of the need for FMLA leave and request any forms that need to be completed in support of the leave. The Personnel Office will provide written notice to the employee of his/her potential eligibility for FMLA leave, will supply any forms that need to be completed, and will notify the employee of any supporting documentation that is required. The employee must return the completed forms and supporting documentation to the Personnel Office within the time frame specified. Failure to complete and return the necessary forms with any required supporting documentation within the time frame(s) specified may result in denial of the leave request.

**When notice of need for leave must be given.** If the leave is for an event described in 4(a), (b), (c) or (e) of this policy, notice must be provided to the Personnel Office and the Department Head no later than 30 days prior to the first day of the requested leave unless the necessity for the leave is unforeseeable. If the need is unforeseeable, the employee shall provide notice as soon as practicable. If the leave is for an event described in 4(d) of this policy, the employee shall provide notice as soon as practicable after learning of the need for leave. Failure to provide timely notice of the need for leave may result in denial of the leave request.

8. **Second Medical Opinion.** The County reserves the right to require a second medical opinion, by a physician of the County's choice, to verify the information presented in the initial certification in all cases except those involving a qualifying event as described in 4e of this policy. The cost of the second opinion will be paid by the County. If the second opinion differs from the initial certification, the County and employee will jointly select a third physician to provide a third opinion. The cost of the third opinion will be paid by the County. The third opinion shall be binding on the parties.
  9. **Health Insurance Premiums.** If an employee is using accruals to receive pay while on a FMLA leave, the payroll deduction for employee premiums will continue to be taken from wages paid. If an employee is not receiving pay while on a FMLA leave, the employee may continue coverage by making his/her premium payments directly to the County Treasurer each month. If an employee on leave fails to pay his/her share of any insurance premium, and continues to fail to do so for a period of 30 days, the employee will be terminated from insurance coverage.
- The employer shall have the right to recover the premiums paid for maintaining coverage for the employee under any group health plan during the period of unpaid leave under this policy if the employee fails to return to work for reasons other than the continuation of the qualifying event or the onset of another qualifying event, or under circumstances beyond the employee's control. In this situation, the employer may require certification of inability to return to work. The premiums may be offset against any funds owed to the employee by the County.
10. **Use of Accruals During FMLA Leave.** If an employee has any accruals at the institution of a FMLA leave, the accruals must be used during the leave as specified. Accruals shall be used until exhausted or until the end of the leave, whichever occurs first.

If the basis of the leave is the employee's own serious health condition, the employee shall use his/her accruals in the order he/she designates. If he/she fails to designate the order, accruals will be used as follows:

- a. First: Sick leave; then
- b. Second: Floating holidays; then
- c. Third: Personal leave; then
- d. Fourth: Vacation accruals; then
- e. Fifth: Compensatory time; then

f. Sixth: Paid time off.

If an employee's FMLA leave is due to any other reason, accruals other than sick leave must be used in the order he/she designates. If he/she fails to designate the order, accruals will be used as specified in "b" through "f" above. Once an employee has exhausted other leave accruals, the employee may, but will not be required to, use sick leave accruals.

11. **Designation of Leave.** If an employee is eligible for a FMLA leave, the County shall designate such leave as a FMLA leave. The County will notify the employee of this designation promptly. If the County is unable to determine whether the leave qualifies as a FMLA leave, the employee shall provide such information as is reasonably necessary to enable the County to determine eligibility.
12. **Family and Medical Leave Act.** This document is not intended to be a complete description of the Family and Medical Leave Act or of the County's rights under said Act. It is the County's intention to abide by all requirements set forth in the Family and Medical Leave Act and to reserve all rights, which it has under the Act. If an employee has any questions regarding this policy, please contact the Livingston County Personnel Office.

5/28/96, revised 10/19/1999

revised 3/18/2004 (format only)

revised 4/28/2004 (use of accruals)

revised 6/10/2009 (per new FMLA regs)

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Dated at Geneseo, New York

June 10, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,688 Noes - 0; Absent - Moore, 64; Adopted.

**RESOLUTION NO. 2009-202      AUTHORIZING THE DEPUTY COUNTY ADMINISTRATOR TO SIGN AN IMPROPER PRACTICE CHARGE AGAINST THE LIVINGSTON COUNTY COALITION OF PATROL SERVICES**

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

RESOLVED, that the Deputy County Administrator is authorized to sign an improper practice charge against the Livingston County Coalition of Patrol Services.

Dated at Geneseo, New York

June 10, 2009

Ways and Means Committee

Mr. Pangrazio announced that this resolution was not presented at a Ways and Means Committee meeting; however, the Committee has signed the resolution.

The roll was called as follows: Ayes - 1,688 Noes - 0; Absent - Moore, 64; Adopted.

**OTHER BUSINESS**

1. ANNOUNCEMENT OF MEDICAL LEAVE FOR CHAIRMAN OF THE BOARD

Chairman Merrick announced he will undergo knee replacement surgery on June 25, 2009 and is planning to be in the hospital for three days.

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, June 24, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:17 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, JUNE 24, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Wadsworth (Geneseo) and Mr. Davis (Portage).

**PLEDGE OF ALLEGIANCE**

Vice Chairman and Leicester Supervisor Moore led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 6/10/09 Regular Meeting were approved as presented.

**PUBLIC HEARING – 1:35 P.M.**

**LOCAL LAW NO. A – 2009 ESTABLISHING THE POWERS AND DUTIES OF THE DEPUTY DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES**

Chairman Merrick declared the Public Hearing open and asked the County Attorney to comment on the local law.

County Attorney David Morris explained this local law establishes the powers and duties of the Deputy Director of Community Mental Health Services, which will authorize the Deputy to act on behalf of the Director during the Director's regular or approved vacation periods and other times as designated in writing by the Director. This local law will also classify this position as an exempt position opposed to a competitive position.

Mr. Wadsworth entered.

Chairman Merrick asked anyone interested in speaking to come forward and sign in at the podium. No one wished to speak. The Chairman asked if any Supervisor wished to comment. The Chairman announced that the public hearing would remain open until the end of the meeting.

**COMMUNICATIONS**

1. Letters from the State of New York Department of Agriculture and Markets notifying the County that Livingston County has been awarded \$996,328 and \$1,290,824 to assist the County in its farmland conservation efforts associated with the purchase of development rights for Sunny Knoll Farm and Triple H Farms respectively.
2. Letter from Peter Carter, former Senior Fiscal Manager of the CNR, thanking the Board for the 25-year recognition gifts.
3. County Treasurer Carolyn Taylor has filed the 2008 Annual Financial Report.
4. Letter from NYSAC Executive Director Stephen J. Acquario, Esq. acknowledging receipt of Res. No. 2009-185, 186, 187 and 188.
5. Letter from Assemblyman Joseph A. Errigo acknowledging receipt of 2009-185, 186, 187 and 188.
6. If you are going on the Highway Tour tomorrow, please meet in front of the Government Center at 8:00 a.m.

**ABSTRACT OF CLAIMS**

**RESOLUTION NO. 2009-203      APPROVING ABSTRACT OF CLAIMS #6B – JUNE 24, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #6B dated June 24, 2009 in the total amount of \$2,375,121.61.

Dated at Geneseo, New York

June 24, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**PREFERRED AGENDA**

**RESOLUTION NO. 2009-204      PROVIDING FOR PUBLIC HEARINGS TO PROVIDE GRANT**

**INFORMATION AND TO CONSIDER PUBLIC COMMENT ON THE COUNTY'S PROPOSAL TO SUBMIT AN APPLICATION FOR SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR KRAFT FOODS**

RESOLVED, that the Livingston County Board of Supervisors hereby schedules a public hearing to be held on July 8, 2009 at 1:35 PM in the Board of Supervisors Assembly Room, Livingston County Government Center, Third Floor, Geneseo, New York, for the purpose of providing the community with information regarding the Small Cities Community Development Block Grant Program, 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 newspaper of the County as provided by law, and, be it further

RESOLVED, that the Livingston County Board of Supervisors hereby schedules a public hearing to be held on July 22, 2009, at 1:35 PM in the Board of Supervisors Assembly Room, Livingston County Government Center, Third Floor, Geneseo, New York, to allow the public to provide comment on the County's proposal to submit an application for Small Cities Development Block Grant (CDBG) assistance in the amount of \$125,000.00 to assist in the financing of the expansion of a product line for Kraft Foods, 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 newspaper of the County as provided by law

Dated at Geneseo, New York

June 24, 2009

Ways & Means Committee

**RESOLUTION NO. 2009-205      DECLARING      SURPLUS      PROPERTY      –      DEPARTMENT      OF      HEALTH/EMS**

WHEREAS, the County of Livingston owns surplus personal property that is no longer necessary for public use, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following item(s) as surplus property to be disposed of as determined by the County Administrator:

**Department of Health/EMS**

Quantity	Item	Vin#
1	2005 Jeep Grand Cherokee Laredo 4x4	1J46GR48K55C643588

Dated at Geneseo, New York

June 24, 2009

Ways and Means 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. Gott to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTIONS**

**RESOLUTION NO. 2009-206      AWARDING BID FOR THE HIGHWAY DEPARTMENT PAVEMENT MARKING (STRIPING) SERVICES - SENECA PAVEMENT MARKING INC.**

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

WHEREAS, after the proper legal advertisement seeking bids for Pavement Marking (Striping) Services, two bids were received and opened on June 10, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>Seneca Pavement Marking Inc.</b>	07/1/09-12/31/09	Cost Is Per Mile
23 Hunters Run		
Horseheads, NY 14845-2281		

For: Pavement Marking (Striping) Services with specifications and requirements as follows: Indexing from Existing Survey Log Sheets \$100.00/mile; Spotting of Centerline \$75.00/mile; Centerline Application incl. Materials \$208.00/CL mile; Edgeline Application incl. Materials \$110.00/EL mile; Yellow Traffic Paint \$6.65/gallon; White Traffic Paint \$6.65/gallon; and Reflectorized Glass Beads \$0.30/pound.

Dated at Geneseo, New York

June 24, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-207      AWARDING BID FOR THE HIGHWAY DEPARTMENT TIMBER BRIDGE SUPERSTRUCTURE MATERIALS - LAMINATED CONCEPTS, INC.**

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

WHEREAS, after the proper legal advertisement seeking bids for Timber Bridge Superstructure Materials, two bids were received and opened on June 10, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Laminated Concepts, Inc.</b>	\$98,166.00
Big Flats, NY 14814	

For: Timber Bridge Superstructure Materials, Nations Road Bridge Replacement in Geneseo.

Dated at Geneseo, New York

June 24, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-208      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A CONTRACT FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT AS FOLLOWS: NEW WORLD SYSTEMS CORPORATION**

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for the Livingston County Sheriff's Department, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Amount</u>
<b>New World Systems Corporation</b>	\$133,500.00

Larry D. Leinweber, President

888 W. Big Beaver Rd, Suite 600

Troy, Michigan 48084-4749

For: Jail Management Software and Implementation Services.

Dated at Geneseo, New York

June 24, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-209      AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE PURSUANT TO FEDERAL MINIMUM WAGE REQUIREMENTS**

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

WHEREAS, the United States is modifying the minimum wage rate, effective July 24, 2009, to \$7.25 per hour, and

WHEREAS, there are a number of current County employees whose wages are below \$7.25 per hour, now, therefore, be it

RESOLVED, that the 2009 Hourly Employee Salary Schedule is amended, effective July 19, 2009, to increase the wages of all employees whose current wages are below \$7.25 per hour to a new wage rate of \$7.25 per hour.

Dated at Geneseo, New York

June 24, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

For those in the audience, Chairman Merrick explained there usually is not a lot of discussion regarding the resolutions at the Board meeting. He stated that the Supervisors have three committees and each Committee has seven members and other Supervisors attend those committees as well. The majority of the resolutions are discussed at the committee level.

**RESOLUTION NO. 2009-210 AUTHORIZING TRANSFER OF FUNDS – RECORDS MANAGEMENT**

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

RESOLVED, that the Livingston 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 Livingston County Administrator.

Dated at Geneseo, New York

June 24, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-211 AMENDING 2009 LIVINGSTON COUNTY BUDGET - CENTRAL SERVICES**

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

RESOLVED, that the 2009 Central Services Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A1610	3089	State Aid - Other	\$40,000.00
Increase Appropriation	A1610	4110	Building Repair, Supplies, Exp.	\$40,000.00

And

Account	Dept.	Code	Description	Amount
Increase Revenue	A1610	2680	Insurance Recovery	\$1,267.35
Increase Appropriation	A1610	4120	Motor Equipment Repair	\$1,267.35

And,

Increase Revenue	A1610	2680	Insurance Recovery	\$655.89
Increase Appropriation	A1610	2350	Building Maint. Equipment	\$655.89

And,

Increase Revenue	A1610	2680	Insurance Recovery Account	\$3,183.78
Increase Appropriation	A1610	4120	Motor Equipment Repair	\$3,183.78

Dated at Geneseo, New York

June 24, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-212 AMENDING 2009 LIVINGSTON COUNTY BUDGET – SHERIFF'S DEPARTMENT**

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

RESOLVED, that the 2009 Sheriff's Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3110	2680	Sheriff's Ins. Recovery	\$334.15
Increase Appropriation	A3110	4127	Sheriff's Outside Repairs	\$334.15

And,

Increase Revenue	A3119	2705	Project Lifesaver Donation	\$100.00
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Increase Appropriation	A3119	2400	Project Lifesaver Law Enforce. Fire & Safety	\$100.00
And,				
Increase Revenue	A3110	2680	Sheriff's Insurance Recovery	\$329.30
Increase Appropriation	A3110	4127	Sheriff's Outside Repairs	\$329.30

Dated at Geneseo, New York  
June 24, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-213      APPOINTING LIVINGSTON COUNTY ADMINISTRATOR – IAN M. COYLE**

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

WHEREAS, County Administrator Dominic F. Mazza is retiring effective June 26, 2009; and

WHEREAS, pursuant to Res. No. 2008-258 Ian M. Coyle was appointed as Deputy County Administrator on June 25, 2008; now, therefore, be it

RESOLVED, that the 2009 Department Head Salary Schedule is amended as follows:

**County Administrator**

Appoint Ian M. Coyle of 6534 Florence Lane, Livonia, New York 14487 to the position of County Administrator, effective June 27, 2009, at an annual salary of \$130,000.00.

Dated at Geneseo, New York  
June 24, 2009

Ways and Means Committee

Chairman Merrick commented that he believes the Board of Supervisors chose the right man for the job. – BOS fit the right man for this job.

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

The audience provided a standing ovation.

Chairman Merrick requested County Administrator Ian M. Coyle to approach the podium to say a few remarks.

County Administrator Ian M. Coyle stated the following remarks:

*Good afternoon everyone.*

*Thank you to the Board of Supervisors for this wonderful opportunity to serve the Board and the residents of Livingston County as your next County Administrator.*

*I could not have asked for a better group of individuals to work for and to work with. County government operations in Livingston County are second to none. We have an excellent Board, professional department heads and hardworking staff.*

*When I was interviewing for the Deputy County Administrator position, I asked the members on the committee how long they had been working for the county. They went around the table, stating their time of service. I was amazed. I heard "I have been with the county for 20 years." "I have been with the county for 18 years." "I have been with the county for 22 years."*

*Then I got to one of the more senior department heads on the committee, she knows whom she is, and she replies*

*"I have been with the county for...ever."*

*In the future, Joan, I hope to be able to echo that comment.*

*I told the Board when I was hired that I was completely committed to making Livingston County my home for good as I considered this a "destination position" and not a rung on a career ladder. I want my last interview with the committee to be just that - my last interview.*

*I want to say a special thank you to Nick for his faith in me to succeed him in the position he came into in 1989 and fortified as one of professionalism, ethics and management achievements over the span of two decades. Note that I said succeed and not replace. I like to say that my biggest challenge and one I appreciate the opportunity to address– is not the Albany variety, nor a budgetary, personnel or administrative test but an issue of legacy – the continuation of the numerous best practices Nick has put into place in twenty years as – bar none – the best county administrator in New York State.*

*Later today, you will hear testimonials and stories that speak of Nick Mazza and his accomplishments. And you know what? There's not an ounce of embellishment in any of them. (Except maybe for the one Mark Schuster told me when I started last year, warning me of the trials and stress of the County Administrator job and its effect on the officeholder—Mark claims that when he was originally hired in 1989, Nick was 6 foot 5.)*

*But these words of praise and resolutions of recognition are fitting tributes for a man who defines dedication and professionalism as a true public servant- someone who spent his entire professional life serving the public and doing what is best for the taxpayers. And he will probably brush this off in his typical credit-deflecting manner but Nick, your record of service and commitment to the residents of Livingston County is un-paralleled. You have set the bar quite high, and I thank you Nick.*

*Nick, you'll probably be receiving quite a few retirement gifts but I want to personally share one bit of news that will serve as a going-away present and add one last feather in your cap.*

*Earlier today, I received a call from our Fiscal Advisors and the County's trip to New York to visit the rating agencies and present the case for an upgrade was successful. While Moody's rating remained unchanged (which in this market is a feat in and of itself) Standard and Poor's has recognized the financial and management practices we have put into place – with you Nick as the steward – and updated the county's bond rating from A+ to AA-, which will likely shave a quarter percent off of our interest rates. What does this mean in dollar savings? Annually and over the life of the jail project financing. (I think we should all applaud this feat).*

*In closing, I need to thank the most important people in my life. For me, that is my wife Cassie and my sons, Christopher and Nicholas. They are here today. Ian asked them to join him at the podium.*

*I want to thank my wife for all of her support. She is always ready to greet me after a tough day and - without complaint - acts as my sounding board. Cassie, who likes to say that while I may now be the County Administrator she is still the Coyle Administrator, stays home with two boys ages 4 and 2. While I do have a series of demanding responsibilities, believe me, in my house, I have the easy job.*

*Finally, I wish to again thank the Board - for their vision in creating a succession plan, for bringing me on board last July, for allowing me to work with a real pro in Nick for nearly a year, and for your faith in me to continue Nick's legacy well into the future.*

*It's an honor to stand before you today as the Livingston County Administrator. Thank you.*

The audience provided a standing ovation.

**RESOLUTION NO. 2009-214      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN AN EMPLOYMENT AGREEMENT WITH LIVINGSTON COUNTY ADMINISTRATOR IAN M. COYLE**

Mr. Pangrazio 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 employment agreement with Livingston County Administrator Ian M. Coyle, subject to review by the County Attorney.

Dated at Geneseo, New York

June 24, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**CLOSE PUBLIC HEARING**

Chairman Merrick asked if anyone wished to comment regarding the public hearing. No one wished to speak. The Chairman declared the public hearing closed.

**MOTION TO MOVE LOCAL LAW NO. A – 2009**

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

**VOTE ON LOCAL LAW**

LOCAL LAW NO. 2 – 2009 ESTABLISHING THE POWERS AND DUTIES OF THE DEPUTY DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES

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

**Section 1.**

The County of Livingston has the authority to adopt a local law setting forth the powers and duties of the Deputy Director of Community Mental Health Services provided they are not inconsistent with the Constitution or any general law of the State of New York.

**Section 2.**

The Director of Community Mental Health Services may, with the approval of the Livingston County Board of Supervisors, appoint a Deputy Director of Community Mental Health Services. The Deputy Director of Community Mental Health Services may be removed at the pleasure of the Director of Community Mental Health Services.

**Section 3.**

The Deputy Director of Community Mental Health Services shall have all the powers and duties of the Director of Community Mental Health Services, and the authority to act generally for and in the place of the Director of Community Mental Health Services, during the Director's inability to act, during the Director's regular or approved vacation periods and at such other times as designated in writing by the Director of Community Mental Health Services.

**Section 4.**

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

Dated at Geneseo, New York

June 10, 2009 (Introduced)

June 24, 2009

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**OTHER BUSINESS**

Mr. Martello moved and Mr. Schuster seconded to move the following resolution to the table for a vote. Carried. Chairman Merrick requested that the following resolution be read. The Clerk of the Board read the resolution.

**RESOLUTION NO. 2009-215 HONORING DOMINIC F. MAZZA – LIVINGSTON COUNTY'S FIRST COUNTY ADMINISTRATOR**

WHEREAS, Dominic F. Mazza "Nick" was appointed Livingston County's first County Administrator by the Livingston County Board of Supervisors on March 8, 1989 and began work on May 15, 1989; and

WHEREAS, Nick is retiring on June 26, 2009 after devoting over 20 years to the citizens of Livingston County; and

WHEREAS, as County Administrator, Nick served as the County's Budget Officer and professionalized the budget process, resulting in balanced budgets, excellent bond ratings and level tax rates; and

WHEREAS, Nick oversaw the construction of many County facilities, most notably, the Livingston County Government Center, which centralized County services; the state of the art Livingston County Center for Nursing and Rehabilitation and renovation of numerous buildings, most recently Building No. 1 on the County Campus, which brought the Department of Social Services back under one roof; and

WHEREAS, Nick provided the leadership in establishing a kidney dialysis center and advanced life support emergency services to serve the healthcare needs of Livingston County; and

WHEREAS, economic development took a major leap forward during Nick's tenure with the creation of a dedicated infrastructure fund and the establishment of American Rock Salt, and a Livingston County Empire Zone, which contributed to the expansion of Kraft Foods and Barilla Foods in Livingston County; and

WHEREAS, Nick's involvement with the arts led to the establishment of the Livingston Arts Center, which provides a home for the County's collection of paintings created as part of the Works Progress Administration in the 1930's; and

WHEREAS, Nick, as a Credentialed Manager of the International City/County Management Association (ICMA), has volunteered his leadership skills on a statewide basis by working with the New York State Association of County Administrators, the New York State City/County Management Association, the New York State Association of Counties (NYSAC) and the New York State Municipal Insurance Reciprocal (NYMIR); and

WHEREAS, through Nick's leadership, the Livingston County Millennium Celebration culminated in a day long festival at the County Campus; and

WHEREAS, the well being of the employees of Livingston County were of utmost concern to Nick as demonstrated by his commitment to making Livingston County a safe and enjoyable place to work; and

WHEREAS, Nick's leadership has greatly improved the quality of government in Livingston County and the quality of life for all the residents of Livingston County, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors appreciates and commends you, Dominic F. Mazza, our County Administrator, for the leadership, guidance and commitment you have made to Livingston County, and, be it further

RESOLVED, that your colleagues and friends on the Board of Supervisors will always remember you and wish you and your family continued happiness and success.

Dated at Geneseo, New York

June 24, 2009

Committee of the Whole

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

The audience provided a standing ovation.

Chairman Merrick requested Majority Leader Mark Schuster (Sparta) and Minority Leader Peter Yendell (Lima) to approach the podium to say a few remarks.

Mr. Schuster presented the following remarks:

*We've noticed over the years that Nick likes to start his speeches with a few fun facts so please indulge me as I start with a few. Nick was appointed twenty years ago in 1989, the first County Administrator ever in Livingston County. In that time, he has worked with 4 Chairmen and 60 different Supervisors. To give some timeline perspective, back in 1989 the price of gas was only \$1.06/gallon; a stamp was \$0.25; minimum wage was \$3.35/hour and the DOW average was a mere 2,700. Some of the top songs back then may have been a little prophetic or ironic: "Like a Prayer" by Madonna; "We Didn't Start the Fire" by Billy Joel; "Another Day in Paradise" by Phil Collins and "Straight Up" by Paula Abdul and as any of the department heads here today can tell you when you met with Nick you could bet that the message he conveyed was always "straight up". No one has, and I think you'll agree, a better grasp or perspective on any given situation, be able to analyze, summarize, and convey its implications better than Nick. He has a visionary ability that is uncanny. His decisiveness and foresight for consequences when making a decision has lead this county in the right direction for 20 years.*

*When I first met Nick, it was during orientation after my appointment to the Board of Supervisors. Nick introduced himself as the "County Administrator not the County Executive and there is a difference". His point being that he reports to the Board of Supervisors not the other way around. When we'd meet for committee meetings, he was prepared or to use a baseball analogy, because of Nick's fondness for baseball, you knew all the bases were covered. Any questions sometimes even obscure ones would be asked and answered. Once a decision was made by the Board of Supervisors, it was administered. Nick saw to it that the work got done for this county day after day, problem after problem. They were resolved and the county moved forward. We'd like to highlight a few of the major accomplishments during his tenure.*

*At this time, Supervisor Yendell is going to highlight some of Nick's accomplishments.*

Mr. Yendell presented the following remarks:

*I know I will be on Nick's list for doing this but I believe that all the time and effort he has put in to making this County one that is the envy of most of the other 61 counties in New York State deserves some time to look back and reflect on his accomplishments over the last 20 years. As all of you know, Nick is a person who always looks to give credit and recognition to others and seems to shy away from being on the receiving end.*

*That being said Nick this is your life as County Administrator in the county you worked so hard to make stand out from the others.*

*On May 16<sup>th</sup> 1989 Bob Bickel wrote in the D&C, Livingston County's Nick Mazza starts his new job. Bob wrote the former City of Cortland Director of Finance and Administration said he brings no preconceptions about problem solving to the job. "What I do isn't so important," he said, "If there are problems to solve they will very quickly find me.*

*As most of you already know Nick started with Livingston County in 1989. An article in the March 9<sup>th</sup> edition of the Cortland Press read, "The Livingston County Board of Supervisors appointed Mazza based on the recommendation of a committee, lead by Tom Wamp, that considered about 50 candidates. Mazza will oversee a \$42 million dollar budget and 700 employees in Livingston County.*

*On July 13<sup>th</sup>, 1989 a reception was held for Nick and Lorrie at the Geneseo Inn. I wasn't present but I heard it was quite a party.*

*It wasn't long after that January of 1991 Nick saw a need to get County Offices consolidated into one location. He stated that the efficiencies to be obtained from consolidating the several smaller offices into one large building are one of the strongest reasons for making the move. The ground breaking didn't take place until August 14<sup>th</sup> but as you can see today this was a great move.*

*In June of 1991, an article in the Livingston County News read, " In an age of government excess and inefficiency, it's good to know in Livingston County there is an administrator armed with knowledge, a sharpened pencil and common sense to guide county operations. He is a small-stature man with no Napoleonic complex: just the confidence not to be dictated to by politics and the ethics to step around "the game."*

*In his first two years as County Administrator, Nick, again and again, has impressed the Board, county employees and the public with consistently smart, sometimes tough and unpopular, belt-tightening decisions that always keep an eye to the future. Nick continued this style of management for the next 18 years of his career.*

*In January of 1993, a dedication ceremony and public open house was held at the new county government center.*

*In June 1993, Nick was elected to the office of President of the New York State Association of County Administrators and appointed to the Board of Governors of NYMIR.*

*In August of 1993, the Livingston County News reported the Livingston County Board of Supervisors approved selling bonds for \$3.35 million dollars to fund remodeling of the County's historic Courthouse. The move was completed in March of 1995, and the project was completed on budget. This was another project lead by Nick. In 2009, the bonds will be paid off and those dollars used for the annual debt payments for the Courthouse will be used to help pay the debt for the new jail. This will help keep any tax increase to a minimum.*

*In April of 1996 Nick announced at the board meeting that Moody's Investment Services recently upped the county's rating from A to A1. At the same time, we were rated by another national rating service Standard and Poor's for the first time and received an "A " rating. These things don't just happen they require a great deal of time and effort to prepare a presentation to these firms and travel to New York City to present the financial position of the County to several rating professionals. Nick made sure this was done just before the county sold the bonds for the Courthouse renovations. The better the rating the better the interest rate you will get on the bonds that are purchased. Presentations were done again in 2006 for the CNR and in 2009 for the jail project. Nick has always been proactive when it comes to the financing of projects. He tries to stay ahead of the curve.*

*Nick being responsible for the day-to-day operations throughout the county saw to it that we followed prescribed safety and workplace policies that NYMIR set in place. This resulted in the county receiving an award from NYMIR for our safe practices. We were one of six counties in the State to receive this award. Thanks again Nick.*

*In October of 2000 SUNY Institute of Technology at Utica/Rome awarded Nick with the Distinguished Service Award. This award was given in recognition of extraordinary service to their work profession, community, and/or alma mater.*

*Nick said, " Twenty five years ago I would not have envisioned myself having the opportunities that I have had. It is important for everyone to advance to his or her potential. I don't think education is a means to an end. It should be a means to take advantage of life's opportunities."*

*In July of 2002 Nick received his International City/County Management Association Credentialed Manager designation.*

*Throughout his tenure, he has served on many standing committees of NYSAC and taught many workshops and classes for different associations and colleges.*

*On July 18<sup>th</sup> 2003 a groundbreaking ceremony was held for the CNR Project. We now have a state of the art facility. That has been up and running since December of 2005. Thanks Nick.*

*In April of 2008, we cut the ribbon on the new Dialysis facility. That day Nick told us the story of a 70 year old woman—a lifetime resident and tax payer in Geneseo who called him and asked him why her husband couldn't be admitted to the skilled nursing facility so he could receive dialysis. He told her we are working on it. As he thought about it and put himself in her shoes he thought boy that sounded so empty. This is for you he told her."*

*In April of 2009 Nick received the Distinguished Leadership Award from the Chamber of Commerce. As Cindy Oswald said, "When we talk about leadership all of us know it trickles down from the top. We've been successful at the Chamber because of strong leadership here in our county administration."*

*In May 2009, Nick was appointed by Governor David A. Paterson, as a member of the New York Task Force on Public Retire Health Care Benefits.*

*Nick was instrumental in the construction and renovation of all building projects in addition to the ones already mentioned are the Fire Training Tower, Building #6 for Records Management, Building #2 for Public Health, Building #7 for Department of Social Services, Temporary Court facilities, Mental Health Offices, Sheriffs Administration Expansion, E-911 Center, Building #4 for Department of Social Services, Haz. Mat Training and Storage Facility, Highway Facility, Animal Control Facility, Building #6 for Eastman Dental Clinic, Emergency Operations Center, Building #4 for Livingston Arts Center, Building #1 for Department of Social Services consolidation, and the start of the new Jail.*

*Nick this is your day and we all thank you for everything you have done for Livingston County and the Board of Supervisors. I know I talked way too much however with all that has been said I certainly hope that I didn't miss anything that was important to you. If I did I apologize. Congratulations on your starting of a new venture.*

*I know I speak for all of us when I say we will miss you, your smile, laugh and your words of wisdom and even those fatherly talks that I will probably get after this meeting*

*Thanks again Nick.*

The audience provided a standing ovation for County Administrator Nick Mazza.

Mr. Schuster continued the following remarks:

*Nick, you've obviously accomplished a tremendous amount toward the betterment of this county. But also, both personally and professionally you've been the rock. While you could have used Livingston County as a stepping stone in your career, you chose instead to dedicate decades to serving and bettering the lives of the residents in this County. We are forever indebted and grateful to you for that. You are the cornerstone in the foundation that has held this county in a strong and respected position. One that is enviable amongst other counties. You don't have to look very far to see counties with problems, issues and concerns that, given different management, could have and should been avoided. We haven't had these issues here due in large part because of your integrity and leadership. Instead we've been able to focus on the best interest of the 60,000+ residents in this County that we represent.*

*Nick, while we may be in the 7<sup>th</sup> inning stretch and the designated hitter is on deck, know that you've got this game won. You're departing with this County in a strong financial position and have a team that is ready to continue with the high standards that you've set. We thank you and again are forever indebted and grateful for your dedication to Livingston County.*

The audience provided a standing ovation for County Administrator Nick Mazza.

Chairman Merrick stated that Livonia Supervisor Eric Gott also had a presentation to make.

Mr. Gott stated today is bitter sweet for all of us because Nick is leaving but it is very comforting to know that Nick is passing the torch to someone in which he is extremely confident. Mr. Gott congratulated County Administrator Ian Coyle on his appointment. He stated as we prepared for this day over the past several months, the Board had many discussions of how they were going to recognize Nick Mazza. He mentioned that Clerk of the Board Virginia Amico made a few suggestions.

Mr. Gott indicated that over the past four years, there was one instance that stuck in his mind, and he would like to share that memory. He stated he remembers Nick offering advice to him and Nick mentioned that people should not cash a paycheck that they didn't earn. Mr. Gott indicated as we stand here today recognizing Nick for his dedication, he believes that Nick lives by his own advice. He addressed Nick by saying you never cashed a paycheck that you haven't earned. He added just in the last Ways and Means meeting and at the very end of his tenure, Nick was prepared and brought in healthcare consortium information to discuss potential next steps.

Mr. Gott mentioned that Nick did not want any plaques given to him. He announced that the Board collected money to send two campers to Camp Stella Maris in memory of Nick's daughter Nora Mazza. One camper will attend in 2009 and the other will attend in 2010. He added that the Board wanted to honor Nick in some way. He brought forward a flat stone with the following engraved words on it:

*In Honor Of  
Dominic F. Mazza  
The First Livingston County Administrator  
Presented by the  
Livingston County Board of Supervisors  
2009*

Mr. Gott stated that the Board planted a Weeping Cherry tree to the right of the public entrance of the Livingston County Government Center in his honor. He indicated that the stone would be set beneath the tree.

The audience provided a standing ovation for County Administrator Nick Mazza.

Chairman Merrick thanked Supervisors Gott, Schuster and Yendell for their remarks. Chairman Merrick extended his thanks to Nick Mazza for everything he has done for this County. He stated he appreciated working with him for the past 14 years and 11 of those years as Chairman of the Board. He indicated that they agreed on some things and some things not but always moved forward and conducted the business for the day.

County Administrator Mazza directed Ian M. Coyle to the dais to sit in the County Administrator's seat, and he then approached the podium to say his departing remarks.

Nick stated it is a great day and that he appreciated all the remarks, and the memories are great. He explained when he was trying to determine what he would do today he considered sitting around and listening to his favorite songs or doing a comedy stand up routine.

Nick thanked his parents first and foremost. He explained they lived a simple life with simple values, which he did not understand at the time. The values he mentioned were honesty, admitting mistakes, and to work for what you get. He stated there were never deep conversations or words of wisdom, just living by example. He indicated that they gave him all that he needed to succeed.

Nick continued by thanking his wife and children. He explained that his wife Lorrie could not attend today because she is attending the Future Business Leaders of America Championship in California and his son Jack continues to serve in the Navy and is currently in the Persian Gulf on the USS Ronald Regan chasing the bad guys. He acknowledged his daughter Peggy who was in the audience and stated she recently graduated from Boston University with her Masters in Speech Pathology. Peggy stood to be recognized.

Nick expressed thanks to the 1989 Board of Supervisors for giving him the opportunity to be the First County Administrator and especially to someone with no experience in County government. He thanked the current Board of Supervisors and commented that the focus of the Board has always been on the long-term needs of the community and never once did a Supervisor say, "What is in it for me?" He also recognized the four Chairmen of the Board during his tenure, James M. Steele (Avon), Walter M. Kingston, Jr. (Geneseo), Dennis R. House (York), and James C. Merrick (Groveland).

Nick thanked all the Department Heads for their ongoing commitment and creativity and he stated he certainly would never forget the Department Head meeting held on March 18, 2009, where the Department Heads recognized him. He commented that without the staff and employees we would not have been able to accomplish what we have achieved.

Nick stated he was very fortunate to have found an opportunity to work in local government, which wasn't by design. While he acknowledged that much of what he was recognized for in Livingston County was mostly for capital projects, they were not a means to an end, but an opportunity to better provide services to the residents in Livingston County.

Nick stated, "Nobody every told us that we could not be the best, and we did not strive to be average. We have the best people, the best services, a great community, and we did that together." Nick commented that he was the proudest when we would bring departments or individuals into a Board meeting to be recognized for their accomplishments.

"We are all winners. This County is full of winners," and he stated, "It has been my pleasure to be on the winning team." He stated, "I would rather be a role player on a winning team, rather than a star on a losing team."

Nick provided the following quote:

"Winners find ways to make things work. Losers find excuses for why things don't work."

First County Administrator Dominic F. Mazza wished County Administrator Ian M. Coyle best of luck.

The audience provided a standing ovation for the First County Administrator, Dominic F. Mazza, as he went around the room and greeted the Clerk of the Board and shook the hands of Chairman Merrick, County Attorney David Morris and the Board of Supervisors.

## **ADJOURNMENT**

Motion made by Mr. Schuster and seconded by Mr. DiPasquale to adjourn until Wednesday, July 8, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:26 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, JULY 8, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Davis (Portage).

**PLEDGE OF ALLEGIANCE**

Geneseo Supervisor William S. Wadsworth led the Pledge of Allegiance.

Chairman Merrick welcomed Ian M. Coyle to his first Board of Supervisors' meeting as County Administrator.

**APPROVAL OF MINUTES**

1. Minutes of 6/24/09 Regular Meeting were approved as presented.

**PUBLIC HEARING – 1:35 P.M.**

1. **SMALL CITIES GRANT PROGRAM – TO PROVIDE THE COMMUNITY WITH INFORMATION REGARDING THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Chairman Merrick declared the Public Hearing open and asked Bernie Thoma, Grant Writer, to comment.

Bernie Thoma indicated the purpose of this public hearing is that the County will be applying for Community Development Block Grant funds and the application requires that two public hearings be held. The first public hearing will be held on July 8, 2009 is to inform the community about the program and the requirements of the program in general. The second public hearing to be held on July 22, 2009 is to disclose the specific project that will be included in the grant application. He explained that the Community Development Program is administered through the Office of Community Renewal. B. Thoma explained that there are two separate application programs and a total of approximately \$40 million dollars is available to be distributed. The competitive round for the housing and public facilities has already transpired; however, this particular round is specifically for economic development and \$14 million dollars is available.

B. Thoma distributed an informational statement about the program requirements and schedule (on file). The grant is to be submitted by the end of July and we should be notified by the end of August if we received the grant funding.

Chairman Merrick asked anyone interested in speaking to come forward and sign in at the podium. No one wished to speak. The Chairman asked if any Supervisor wished to comment. The Chairman announced that the public hearing would remain open until the end of the meeting.

**COMMUNICATIONS**

1. Notice of Claim in the matter of Sunshine Environmental Services, Inc. versus Livingston County, New York.
2. Notice of Public Hearing for the Town of Naples, County of Ontario regarding proposed local law to amend the signage provisions of the Zoning Chapter of the Code of the Town of Naples.
3. Letter from Senator Dale M. Volker opposing Senate Bill 5661 which eases the requirements for dissolving municipalities.
4. Letter from Assemblyman Daniel J. Burling acknowledging receipt of 2009-185, 186, 187 and 188.
5. If you plan to attend the NYSAC Fall Conference in Saratoga Springs, NY September 16-18, 2009, please let the Clerk know.
6. Thank you letter from Camp Stella Maris for the donation made by the Board of Supervisors in memory of Nora Mazza.
7. Notice of Claim in the matter of Pamela J. Banker versus the Livingston County Probation Department and other known or unknown members of Livingston County.
8. Notice of Claim in the matter of Louisia R. Davis versus the County of Livingston.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-216      APPROVING ABSTRACT OF CLAIMS #7A – JULY 8, 2009**

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

RESOLVED. that the Livingston County Board of Supervisors approves the Abstract of Claims #7A dated July

8, 2009 in the total amount of \$2,162,852.10.

Dated at Geneseo, New York

July 8, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

### **PRIVILEGE OF THE FLOOR**

1. Public Health Director Joan Ellison – Scrapbook Submissions for First County Administrator  
Joan Ellison reported that Keith Mitchell’s wife, Enid Mitchell, has volunteered to create a scrapbook for First County Administrator Nick Mazza. She requested that each Supervisor submit a quote or story on the piece of paper provided and submit them to Joan or Virginia Amico. She asked that no gel pens be used.
2. County Administrator Ian M. Coyle and County Treasurer Carolyn Taylor – 2008 Annual Financial Report  
County Treasurer Carolyn Taylor distributed her 2008 Annual Report along with Notes of Financial Statements dated December 31, 2008 and (on file).

She reported that the 2008 highlights included:

- The Office of County Treasurer received \$25,000.00 grant to study implementation of a county-level data base;
- 31 parcels were sold at tax auction resulting in \$250,000.00 profit;
- The County underwent a financial audit with no findings;
- Worked closely with departments to monitor State aid claims; and
- Accounting of IGT funds

C. Taylor reviewed Schedule B dated December 31, 2008 showing an Unappropriated Balance in the General Fund of \$24,325,506.00 and reviewed the other funds. She explained that the Center for Nursing and Rehabilitation balance is usually negative at this time of year, however this year it is not. She also pointed out that the Compensation Fund Reserve is \$3,065,141.00.

C. Taylor reviewed Schedule C dated December 31, 2008, which highlighted the balances in the following capital project accounts: Tax Mapping, E911 Upgrades, ERP Wilcox Press, Campus Upgrades, Millennium Drive Dialysis, Infrastructure, Conesus Sewer, Groveland Station Sewer, Barilla, and Groveland Station Water.

County Administrator Ian Coyle explained he would be reviewing some highlights that were also presented to the bond rating companies.

2008 General Fund Financial Highlights:

- Year-End fund balance figures:
- Total fund balance - \$30.2 million
- Unreserved, unappropriated fund balance of \$24.5 million or 27% of General Fund operations
- Sales Tax Revenues were \$24,617,974, exceeding projections by 4%
- Actual Revenues were \$84,746,226, exceeding projections by 3.5%
- Due to strong fund balance position, County was able to leverage a net additional \$3.2 million in IGT funding
- Departments collectively returned over \$1 million in surplus appropriations to the County’s General Fund

Review of 2009 Budget Highlights:

- Sales tax revenues budgeted at \$24.3 million, compared to \$24.6 million realized in 2008
- County has historically budgeted sales tax very conservatively
- \$1,750,000 in fund balance was appropriated for capital projects
- Successful property revaluation processes every four (4) years keep the equalization rate at or near 100%; Property values have grown by \$867 million or 29% since 2005
- Retirement contributions budgeted at \$3,667,051 (estimated bill from NYS Retirement System is \$2,815,618)
- Tax levy support for the Center for Nursing and Rehabilitation has decreased from \$3.6 million to \$2.2 million for the 2009 budget cycle
- \$1,750,000 in fund balance was appropriated for General Fund support. The County has historically not

expended the appropriated amount.

County Administrator I. Coyle reviewed the General Fund Balance Analysis slide indicating Livingston County's cash position remains strong with prudent utilization and healthy balances of unappropriated fund balance. He also reviewed the County Sales Tax Revenues slide and mentioned that we do not budget growth, so when we do see growth it is essentially "gravy."

County Treasurer Carolyn Taylor reviewed the Tax Collection Record reflecting that the percentage of uncollected taxes in 2003 was 7.95% and in 2008 it is down to 5.03% as a result of the County's aggressive foreclosure procedures.

C. Taylor commented that she wished the Board could have been in attendance for the bond rating presentation. She stated it was very impressive and Livingston County had its best foot forward. She explained that after the first presentation, she had made the remark that she loved this County and one analyst told her he could tell that from the group's comments and interactions as a team. She stated she appreciates working with the Departments Heads and acknowledged her Deputy, Amy Mann, in attendance. She thanked the Board of Supervisors for supporting her.

A copy of the power-point presentation is on file.

Chairman Merrick thanked the County Treasurer and County Administrator for the presentation.

### **PREFERRED AGENDA**

#### **RESOLUTION NO. 2009-217 PROVIDING FOR A PUBLIC HEARING FOR SUBMISSION OF APPLICATION UNDER THE RECOVERY ACT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM TO ENHANCE THE SALARIES OF ASSISTANT DISTRICT ATTORNEYS**

RESOLVED, that the Livingston County Board of Supervisors will hold a Public Hearing on the FY2009 Edward Byrne Memorial Justice Assistance Grant Program grant application on July 22, 2009, at 1:35 p.m. in the Board of Supervisors Chambers at the Livingston County Government Center, 6 Court Street, Third Floor, Geneseo, NY, 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

July 8, 2009

Public Services 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. Yendell and seconded by Mr. Schuster to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

Chairman Merrick pulled resolution #14 from the Agenda Docket. This resolution will be presented at the July 22, 2009 meeting after the Small Cities Public Hearing.

### **RESOLUTIONS**

#### **RESOLUTION NO. 2009-218 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: NEW YORK STATE DEPARTMENT OF HEALTH (2), JACK VENESKY, CPA & ASSOCIATES**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>New York State Department of Health</b>	4/1/09-3/31/10	Not to Exceed \$37,015.00
Empire State Plaza		
Corning Tower, Room 878		
Albanv. NY 12237-0657		

For: Immunization Action Plan.

**New York State Department of Health**

4/1/09-3/31/10

Not To Exceed \$43,971.00

Div. Family Health, Fiscal Unit

Empire State Plaza

Corning Tower, Room 878

Albany, NY 12237-0657

For: Childhood Lead Poisoning Prevention Program.

**Jack Venesky, CPA & Associates**

6/1/10-11/30/12

Annually \$10,000.00

6114 Route 31

Cicero, New York 13039

For: AHCF-1 Cost Report.

Dated at Geneseo, New York

July 8, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-219 ESTABLISHING THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH CERTIFIED HOME HEALTH AGENCY FEES EFFECTIVE JULY 1, 2009**

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

WHEREAS, after a review of the Agency's 2008 cost/unit of service, the estimated cost/unit of service, the Medicare and Medicaid cost limits, as well as the 2009 Medicaid Rates, it has been determined that the Agency charge structure, to maximize 2009 third-party revenues, should increase as follows, now, therefore, be it

RESOLVED that the following schedule of charges for the Livingston County Certified Home Health Agency be effective July 1, 2009:

<b>Discipline</b>	<b>Billing</b>	<b>1/1/04</b>	<b>7/1/04</b>	<b>1/1/05</b>	<b>1/1/06</b>	<b>7/1/07</b>	<b>1/1/09</b>	<b>7/1/09</b>
Skilled Nursing	Per Visit	\$130.00	\$140.00	\$142.00	\$145.00	\$155.00	\$165.00	<b>\$165.00</b>
Physical Therapy	Per Visit	\$100.00	\$100.00	\$100.00	\$100.00	\$125.00	\$125.00	<b>\$125.00</b>
Speech Therapy	Per Visit	\$110.00	\$120.00	\$120.00	\$120.00	\$125.00	\$125.00	<b>\$125.00</b>
Occupational Therapy	Per Visit	\$110.00	\$110.00	\$110.00	\$115.00	\$125.00	\$125.00	<b>\$125.00</b>
Medical Social Services	Per Visit	\$110.00	\$110.00	\$110.00	\$160.00	\$160.00	\$160.00	<b>\$160.00</b>
Home Health Aide	Per Visit	\$ 65.00	\$ 70.00	\$ 70.00	\$ 70.00	\$ 75.00	\$ 75.00	<b>\$ 85.00</b>
Home Health Aide	Per Hour	\$ 40.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	<b>\$ 60.00</b>
Nutrition	Per Visit	\$120.00	\$120.00	\$120.00	\$120.00	\$120.00	\$120.00	<b>\$120.00</b>

Dated at Geneseo, New York

July 8, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-220 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: GENESEE COMMUNITY COLLEGE, COUNTY OF STEUBEN**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Genesee Community College</b>	8/1/09-7/31/10	\$297,841.00

One College Road

Batavia, NY 14020

For: This contract provides for a large part of the training our staff receives, including training provided by the County ITS Department.

**County of Steuben**

1/1/09-12/31/09

\$39,000.00

3 East Pulteney Square

Bath, NY 14810

For: Non-secure detention facility for children who are remanded to non-secure detention by the Livingston County Family Court. Guarantee one bed at \$195/day at 200 days.

Dated at Geneseo, New York

July 8, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-221 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION: MEDICAL STAFF NETWORK, COMFORCE NURSE STAFFING SERVICES, SIBLEY NURSING PERSONNEL SERVICES, NURSEFINDERS, MAXIM HEALTHCARE SERVICES, WORKFIT MEDICAL, LLC, JOURNEY EMPLOYMENT SERVICES**

Mr. Martello 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 Center for Nursing and Rehabilitation, according to the term(s) designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Medical Staff Network</b> 1948 S. Clinton Avenue Rochester, New York 14618 For: Supplemental Staffing Services. Term is with two (2) 1-year renewal options.	7/1/09-6/30/10	Fee schedule
<b>COMFORCE Nurse Staffing Services</b> 1000 Pittsford Victor Road Pittsford, New York 14534 For: Supplemental Staffing Services. Term is with two (2) 1-year renewal options.	7/1/09-6/30/10	Fee schedule
<b>Sibley Nursing Personnel Services</b> 3111 S. Winton Road Rochester, New York 14623 For: Supplemental Staffing Services. Term is with two (2) 1-year renewal options.	7/1/09-6/30/10	Fee schedule
<b>Nursefinders</b> 1900 S. Clinton Avenue Rochester, New York 14618 For: Supplemental Staffing Services. Term is with two (2) 1-year renewal options.	7/1/09-6/30/10	Fee schedule
<b>Maxim Healthcare Services</b> 311 Alexander Street Rochester, New York 14604 For: Supplemental Staffing Services. Term is with two (2) 1-year renewal options.	7/1/09-6/30/10	Fee schedule
<b>Workfit Medical, LLC</b> 311 Alexander Street Rochester, New York 14604 For: Supplemental Staffing Services. Term is with two (2) 1-year renewal options.	7/1/09-6/30/10	Fee schedule
<b>Journey Employment Services</b> 2125 Buffalo Road Rochester, New York 14624 For: Supplemental Staffing Services. Term is with two (2) 1-year renewal options.	7/1/09-6/30/10	Fee schedule

Dated at Geneseo, New York

July 8, 2009

Human Services Committee

The roll was called as follows: Aves - 1.728; Noes - 0; Absent - Davis. 24; Adopted.

**RESOLUTION NO. 2009-222 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY PLANNING DEPARTMENT: CR ENVIRONMENTAL, INC.**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>CR Environmental, Inc.</b>	7/09/09-12/31/09	\$24,748.50

639 Boxberry Hill Road  
East Falmouth, MA 02536

For: Preparation of a bathymetric map of the bottom of Conesus Lake in support of the implementation of the Conesus Lake Watershed Management Plan.

Dated at Geneseo, New York  
July 8, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-223 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) REVISION FOR THE LIVINGSTON COUNTY OFFICE FOR THE AGING: LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES AND LIVINGSTON/WYOMING ARC**

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

WHEREAS, Res. No. 2009-119 authorized a contract amount of \$58,000.00 for the Door Through Door Transportation Services, and

WHEREAS, the State of New York reduced the grant funding and the contract amount must be revised, now, therefore be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Liv Co DSS &amp; Livingston/Wyoming ARC</b>	4/1/09 – 3/31/10	\$49,225.00

For: Door Through Door Transportation Services. Office for the Aging department share is \$4,605.00 (Office for the Aging State Transportation Grant).

Dated at Geneseo, New York  
July 8, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-224 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT (S) FOR THE LIVINGSTON COUNTY YOUTH BUREAU: THE LEGAL AID SOCIETY OF ROCHESTER, CENTER FOR DISPUTE SETTLEMENT, CATHOLIC CHARITIES OF LIVINGSTON COUNTY (2), HILLSIDE CHILDREN’S CENTER (2)**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>The Legal Aid Society of Rochester</b>	1/1/09-12/31/09	\$24,230.00

One West Main St., Suite 800  
Rochester, N Y 14614

For: Youth Advocate Services.

<b>Center for Dispute Settlement</b> 16 East Main St. Suite 800 Rochester, N Y 14614 For: Youth and Family Mediation Services.	1/1/09-12/31/09	\$ 6,314.00
<b>Catholic Charities of Livingston County</b> 10 Chapel St. Mt. Morris, N Y 14510 For: Community of Caring Program, providing services to pregnant and parenting teens.	1/1/09-12/31/09	\$9,040.00
<b>Catholic Charities of Livingston County</b> 10 Chapel St. Mt. Morris, N Y 14510 For: HOPE Mentoring Program.	1/1/09-12/31/09	\$3,552.00
<b>Hillside Children's Center</b> 1183 Monroe Ave. Rochester, N Y 14620 For: Community Service Program that oversees the completion of court ordered community service for juveniles.	1/1/09-12/31/09	\$11,239.00
<b>Hillside Children's Center</b> 1183 Monroe Ave. Rochester, N Y 14620 For: Youth Court. Dated at Geneseo, New York July 8, 2009 Human Services Committee The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.	1/1/09-12/31/09	\$4,758.00

**RESOLUTION NO. 2009-225 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY OFFICE OF WORKFORCE DEVELOPMENT: CORNELL COOPERATIVE EXTENSION**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Cornell Cooperative Extension</b>	7/1/09-9/1/09	Not to Exceed \$10,273.00

158 Main St.  
Mt. Morris, N Y 14510  
For: Providing a Career Exploration program for SYEP eligible youth in Dansville.  
Dated at Geneseo, New York  
July 8, 2009  
Human Services Committee  
The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-226 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE WORKFORCE INVESTMENT BOARD CHIEF ELECTED OFFICIAL AGREEMENT**

Mr. Martello 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 agreement for the Livingston County Workforce Development Department, according to the term designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>GLOW Workforce Investment Board</b>	7/1/09-6/30/10	N/A

587 East Main Street, Suite 100  
Batavia. NY 14020

For: Chief Elected Official Agreement  
 Dated at Geneseo, New York  
 July 8, 2009  
 Human Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-227      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT (S) FOR LIVINGSTON COUNTY ON BEHALF OF GLOW WIB: BYRON BERGEN CENTRAL SCHOOL, GENESEE COUNTY JOB DEVELOPMENT (2), GENESEE VALLEY BOCES, LIBERTY LIFE PARTNERSHIP PROGRAM, LIV CO OFC OF WORKFORCE DEVELOPMENT (2), ORLEANS COUNTY JOB DEVELOPMENT (2), ORLEANS AND GENESEE COMMUNITY ACTION, ORLEANS UPWARD BOUND, WYOMING BUSINESS EDUCATION COUNCIL, WYOMING COMMUNITY ACTION (2), WYOMING UPWARD BOUND**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Byron Bergen Central School</b> 6917 West Bergen Road Bergen, NY 14416	7/1/09-6/30/10	\$ 17,890.00
<b>Genesee County Job Development</b> 587 East Main Street Batavia, NY 14020	7/1/09-6/30/10	\$3,785.00
<b>Genesee County Job Development</b> 587 East Main Street Batavia, NY 14020	7/1/09-6/30/10	\$107,559.00
<b>Genesee Valley BOCES</b> 8250 State Street Rd. Batavia, NY 14020	7/1/09-6/30/10	\$36,976.00
<b>Liberty LIFE Partnership Program</b> 458 West Avenue GCC Orleans Campus Albion, NY 14411	7/1/09-6/30/10	\$24,568.00
<b>Liv Co Ofc of Workforce Development</b> 6 Court St. Room 105 Geneseo, N Y 14454	7/1/09-6/30/10	\$2,851.00
<b>Liv Co Ofc of Workforce Development</b> 6 Court St. Room 105 Geneseo, N Y 14454	7/1/09-6/30/10	\$154,257.00
<b>Orleans County Job Development</b> 458 West Avenue Albion, NY 14411	7/1/09-6/30/10	\$4,281.00
<b>Orleans County Job Development</b> 458 West Avenue Albion, NY 14411	7/1/09-6/30/10	\$86,840.00
<b>Orleans and Genesee Community Action</b> 5073 Clinton Street Road, Batavia, NY 14020	7/1/09-7/31/10	\$53,100.00

For: the provision of the Disability Navigator Program (DPN) that provides services to those with disabilities to locate the most appropriate programs to achieve employability.

<b>Orleans Upward Bound</b> 350 New Campus Dr.	7/1/09-6/30/10	\$17,500.00
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Brockport, NY 14420

<b>Wyoming Business Education Council</b>	7/1/09-6/30/10	\$30,065.00
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6470 Route 20A

Perry, NY 14530

<b>Wyoming Community Action</b>	7/1/09-6/30/10	\$5,798.00
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6470 Route 20A

Perry, NY 14530

<b>Wyoming Community Action</b>	7/1/09-6/30/10	\$43,759.00
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6470 Route 20A

Perry, NY 14530

<b>Wyoming Upward Bound</b>	7/1/09-6/30/10	\$33,126.00
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38 Duncan Street

Warsaw, NY 14569

For: the provision of youth services for the GLOW Workforce Investment Board upon recommendation of the GLOW Youth Council and approved by GLOW WIB. Per the Workforce Investment Act (WIA), a Request for Proposal must be done for youth services.

Dated at Geneseo, New York

July 8, 2009

Human Services Committee

Keith Mitchell, Director of Workforce Development and Youth Bureau, explained that the GLOW Workforce Development Board recently changed the grant recipient administrator from Genesee County to Livingston County. Livingston County will now receive the federal monies and distribute them accordingly.

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-228      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY: NEW YORK STATE DEPARTMENT OF LABOR**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>New York State Dept. of Labor</b>	7/8/09-8/31/09	N/A
Building 12 State Campus		
Albany, N Y 12240		

For: This is a Non-Financial Agreement with state DOL to cover the wages and other costs of state DOL auditors who will complete the work on the Genesee County Job Development reconciliation/audit that they could not complete by June 30, 2009. The contract reduces the amount of administration funding that will go to Genesee County - up to \$13,311.00.

Dated at Geneseo, New York

July 8, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-229      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT: DAY AUTOMATION SYSTEMS, INC.**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Dav Automation Svstems. Inc.</b>	5/1/09-4/30/10	\$9,490.00

Jeffrey E. Day, Director  
 7931 Rae Boulevard  
 Victor, NY 14564-8931

For: Energy Management and Control Systems Service Agreement for Mt. Morris Campus Facilities, Government Center Facility and Courthouse Facility.

Dated at Geneseo, New York

July 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-230      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A SUB-RECIPIENT AGREEMENT BETWEEN LIVINGSTON COUNTY AND THE LIVINGSTON COUNTY DEVELOPMENT CORPORATION AND TERMINATING THE EXISTING AGREEMENT WITH THE GENESEO FOUNDATION, INC.**

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

WHEREAS, beginning in March 2009, the Livingston County Development Corporation assumed the responsibilities of the Geneseo Foundation, Inc. for the administration of the Alliance for Business Growth and the 2007 Small Cities Microenterprise Grant, now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Livingston County Development Corporation</b>	4/1/07-3/31/08	\$30,450.00

6 Court Street  
 Geneseo, NY 14454

For: Assuming responsibilities of the Geneseo Foundation, Inc. for the administration of the Alliance for Business Growth and the 2007 Small Cities Microenterprise Grant.

And, be it further

RESOLVED, that the existing agreement with the Geneseo Foundation, Inc. is hereby terminated.

Dated at Geneseo, New York

July 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-231      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY EMERGENCY MANAGEMENT SERVICES: NYS OFFICE OF HOMELAND SECURITY**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Office of Homeland Security</b>	9/1/08-8/31/11	\$121,500.00

1220 Washington Ave., Suite 610  
 Albany NY 12242

For: Purchasing training equipment, equipment for responder safety at incidents, response trailer and GIS equipment.

Dated at Geneseo, New York

July 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-232      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A OUIT CLAIM DEED AND RELATED DOCUMENTS TO**

**TRANSFER A PARCEL ON WHITE SETTLEMENT ROAD – ROBINSON & TIMOTHY – TOWN OF NUNDA**

Mr. Yendell 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 parcels to the party listed upon payment to the County of Livingston of \$100.00 per transfer:

Mark A. Robinson & MacKenzie L. Timothy

All that Tract or parcel of land situate in the Town of Nunda, County of Livingston, State of New York, and being more particularly bounded and described as follows:

Commencing at a point on the southerly highway line of Fox Road at its intersection with the West line of town lot 67: Thence S 87°-07'-43" E, along the South line of Fox Road, a distance of 114.60 feet to a point; said point being the true point of beginning.

- 1) S83°-36'-15"E, along the South line of Fox Road, a distance of 39.70 feet to a point on the East line of former White Settlement Road; thence
- 2) S27°-22'-43"E, along the former East line of White Settlement Road, a distance of 100.64 feet to a point; thence
- 3) S24°-14'-49"E, along the former East line of White Settlement Road, a distance of 194.41 feet to a point; thence
- 4) S21°-59'-07"E, along the former East line of White Settlement Road, a distance of 300.26 feet to a point; thence
- 5) Northwesterly, on a curve to the left, having a radius of 1186.00 feet, an arc length or 174.70 feet to a point; thence
- 6) N22°-35'-09"W, along the former centerline of White Settlement Road, a distance of 128.62 feet to a point; thence
- 7) N24°-14'-49"W, along the former centerline of White Settlement Road, a distance of 191.73 feet to a point; thence
- 8) N27°-22'-43"W, along the former centerline of White Settlement Road, a distance of 122.28 feet to the point of beginning.

Intending to describe a parcel of land containing 0.380 acres of land

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.

These conveyances 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

July 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-233 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN CONTRACTS FOR THE LIVINGSTON COUNTY DEPARTMENT OF PROBATION AS FOLLOWS: NEW YORK STATE DEPARTMENT OF PROBATION AND CORRECTIONAL ALTERNATIVES (2)**

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contracts for the Livingston County Probation Department, according to the terms designated, subject to review by the County Attorney and County Administrator.

Contractor	Term	Amount
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**NYS Dept of Probation & Correctional Alt.** 4/1/09-3/31/10 \$28,464.00  
 For: Sex Offender Program  
**NYS Dept of Probation & Correctional Alt.** 1/1/09-12/31/09 \$13,912.00  
 For: PED

Dated at Geneseo, New York  
 July 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-234 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY SHERIFF’S DEPARTMENT: NYS OFFICE OF HOMELAND SECURITY**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Office of Homeland Security</b> 1220 Washington Ave., Suite 610 Albany NY 12242	9/01/08- 8/31/11	\$40,500.00

For: Acquisition and training of explosives detection canine and acquisition and equipping of specialized canine transport vehicle.

Dated at Geneseo, New York  
 July 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTION NO. 2009-235 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING AMENDMENT FOR ENGINEERING SERVICES FOR THE LIVINGSTON COUNTY CONESUS SEWER PROJECT: CLARK PATTERSON LEE**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Clark Patterson Lee</b> 205 St. Paul Street, Suite 500 Rochester, NY 14604	Project Completion	\$19,671.60

For: Construction Administration and Construction Observations.

Dated at Geneseo, New York  
 July 8, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**CLOSE PUBLIC HEARING**

Chairman Merrick asked if anyone wished to comment regarding the public hearing. No one wished to speak. The Chairman declared the public hearing closed.

**OTHER BUSINESS**

**1. CHAIRMAN OF THE BOARD APPOINTMENT**

Name	Address	Represent/Title	Term Expires
<b>GLOW Workforce Investment Board</b>			

Scott Bischoping	Livonia Central School, PO Box 4, Livonia NY 14487	School Superintendents	At the pleasure
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**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Schuster to adjourn until Wednesday, July 22, 2009 at 1:30 p.m.  
Carried.

The Board adjourned at 2:10 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, JULY 22, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Pangrazio (Caledonia), Mr. DiPasquale (Mt. Morris), Mr. Martello (Ossian), Mr. Schuster (Sparta), and Mr. Davis (Portage).

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF MINUTES**

1. Minutes of 7/8/09 Regular Meeting were approved as presented.

**PUBLIC HEARINGS – 1:35 P.M.**

Chairman Merrick declared the Public Hearings open and asked Bernie Thoma, Grant Writer, to comment on the first public hearing.

1. SMALL CITIES GRANT PROGRAM – TO RECEIVE COMMENT ON THE COUNTY’S PROPOSAL TO SUBMIT AN APPLICATION FOR SMALL CITIES DEVELOPMENT BLOCK GRANT (CDGB) ASSISTANCE IN THE AMOUNT OF \$125,000.00 TO ASSIST IN THE FINANCING OF THE EXPANSION OF A PRODUCT LINE FOR KRAFT FOODS

Mr. Davis entered.

Grant Wright Bernie Thoma distributed a handout outlining the grant application (on file). He explained the Small Cities Block Grant Program requires two public hearings to be held and this is the second public hearing to receive comment on the County’s proposal to submit a Small Cities Grant application in the amount of \$125,000 to assist in the financing of the expansion of a lunchable product line for Kraft Foods. The total project will cost approximately \$4.7 million and will create at least 50 new jobs, and 51% of those jobs will be made available to low to moderate-income persons. The grant award is expected sometime in August and then the County must do an environmental assessment. Kraft Foods expects to begin hiring in the Fall 2009. He asked if there were any questions, and there were none.

2. TO RECEIVE COMMENT ON THE FY2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM GRANT APPLICATION

Chairman Merrick asked District Attorney Thomas Moran or Assistant District Attorney Victor Rowcliffe to comment on public hearing #2.

District Attorney Thomas Moran announced that the District Attorney’s Office is applying for \$14,609.00 through a Federal grant. He explained that historically, criminal justice initiatives were funded through block grants entitled The Edward Byrne Grant. Last year, the Federal government struck all the Edward Byrne grant funds; however, this year grant funding is available through the Federal stimulus money under the title Edward Byrne Grant funds. Because this is stimulus money, we are required to conduct a public hearing. This funding will supplement the salaries of the Assistant District Attorneys for the prosecution of traffic violations. Livingston County is one of 20 counties out of the 62 counties that prosecute traffic violations.

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

**COMMUNICATIONS**

1. Letter from Senator Dale M. Volker acknowledging receipt of Res. No. 2009-185, 186, 187 and 188.
2. Copy of letter from Assemblyman Daniel J. Burling to Executive Chamber encouraging Governor Paterson to sign Senate Bill S.3800 and Assembly Bill A.7429 as it relates to continuing the one percent sales tax collect until November 30, 2011.
3. The NYSAC Report entitled Adopted 2009 County Budgets is on file.

4. The Clerk of the Board appointed County Administrator Ian M. Coyle as Deputy Clerk of the Board effective immediately.
5. Notice of Claim in the matter of Bryan J. Chapman, individual and as Administrator of the Estate of Jaime Lynn Chapman versus Livingston County, filed in this office on July 20, 2009.
6. Letter from Senator Catharine M. Young acknowledging receipt of Res. No. 2009-185, 186, 187 and 188.
7. Portage Supervisor Ivan Davis thanked the Board of Supervisors for the flowers in memory of his brother Marlie Buchinger, who was a patient at the Dialysis Center and was very appreciative of the services provided.

### **ABSTRACT OF CLAIMS**

#### **RESOLUTION NO. 2009-236      APPROVING ABSTRACT OF CLAIMS #7B – JULY 22, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #7B dated July 22, 2009 in the total amount of \$1,452,882.32.

Dated at Geneseo, New York

July 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

### **PRIVILEGE OF THE FLOOR**

1. Northern American Red Cross Chair Christopher Feuerstein and Philanthropy Chair David W. Parish – Overview of the Red Cross movement, which was founded in Livingston County, and 2008 Report of Activities

David W. Parish thanked the Board for Privileges of the Floor and on behalf of the Northern American Red Cross Chapter and the Clara Barton Chapter, he invited the Board of Supervisors for refreshments after the Board meeting in the lobby of the third floor to meet some of the volunteers who donate their time to the American Red Cross. He spoke of the history of the American Red Cross and explained how the two chapters were formed. He indicated that Chair Christopher Feuerstein would inform the Board of the Northern Chapter's accomplishments. He reflected on a young volunteer in the late 1940's, Judge Austin Erwin II and commended him for his accomplishments. He indicated he became the Chairman of the Board in 1954, and indicated that today we don't find too many young people who volunteer their time. D. Parish introduced the youngest Chairperson for the Northern Chapter and who was also an Eagle Scout, Christopher Feuerstein. D. Parish stated Christopher took an interest in the American Red Cross at a very young age and he was a member of the Board for several years. D. Parish stated that Christopher has two younger brothers and his parents Beth and Jim always told him to give back to the community. D. Parish introduced Christopher Feuerstein as the youngest chairman of the Northern American Red Cross Chapter.

Christopher Feuerstein stated the following remarks:

*Good afternoon members of the Livingston County Board of Supervisors, County Administrator Coyle, staff, and guests. It is my privilege as a Red Cross volunteer and board chairperson to speak with you this afternoon on behalf of the Northern Livingston County Chapter of the American Red Cross.*

*Our local chapter, consisting of over 150 volunteers, has been very busy during the past year serving the needs of this community.*

*Red Cross disaster services, both volunteers and chapter staff, came to the aid of 9 families who were victims of 8 different fires in the towns of Livonia, Leicester, Mount Morris, and Conesus.*

*Our chapter successfully responded to the needs of 42 military families this past year, providing important information regarding the status of their loved ones serving our country.*

*Red Cross Health and safety services had a particularly busy year, completing a total of 522 classes throughout northern Livingston County!*

*This represents an outstanding effort on the part of our 208 instructors.*

- *Enrollment in Babysitter training was up 17% over last year for a total of 174 trained;*
- *Enrollment in Aquatic classes was up 3% for a total of 3,649 students;*
- *Finally enrollment in First Aide/CPR/AED classes was up 48% over last year for a total of 4,486 trained.*
- *All in all, 8,309 people were trained. Please keep in mind that every person trained takes skills with them that keep them safe or that increase the safety of others in our communities.*

*Another service provided by the Red Cross, particularly relevant in our current economy, was assistance related to heating costs during the cold winter months. 92 families benefited from Red Cross support.*

*Our dedicated volunteers and staff are pivotal in the provision of these services, but none of this would be possible without the support of our donors. Each contribution to the local Red Cross finds its way back into the community to help support those in need. I would like to thank all of you here, on behalf of your local Red Cross chapter, for your support of our cause over the years and for your continued support into the future. Even in tough economic times our chapter remains strong and focused on serving the community to the best of our ability.*

2. Clara Barton Chapter #1 Chair Barry Haywood – Overview of Clara Barton Chapter #1

Barry Haywood stated it was a pleasure to speak before the Board of Supervisors. He stated that David Parish and Christopher Feuerstein explained the history and the services provided by the American Red Cross, and he did not want to repeat any of that information because the missions are the same. He explained that the Clara Barton Chapter provides services to Livingston County towns including North Dansville, Ossian, Sparta, West Sparta, Springwater, Groveland and Wayland located in Steuben County. He stated the Chapter appreciates the working relationship among those communities including the involvement and support of each Supervisor. The Clara Barton Chapter is administered by two part-time personnel, Chapter Executive Sandy Shaw and Director of Health and Safety Christine Ferrigno. He stated the Chapter was formed in 1881 and we all take pride in the historical distinction. He explained that a couple from Akron, Ohio wanted to see where the American Red Cross formed and reminded everyone how tourism affects us all. B. Haywood stated the Clara Barton Chapter takes pride in the fact that the Chapter has 107 active volunteers and 16 of which serve on the Board of Directors and the others assist with blood drives, the disaster team, festival participation or the maintenance of the house. He acknowledged David and Nancy Leven, who were in attendance, and who have donated their time over the years to the American Red Cross. He stated that someone once said, “Volunteerism is the rent you pay for your place on earth.” He thanked the Board for their ongoing financial commitment and invited the Board and their families to visit the Clara Barton Chapter house. He indicated that tours of the Clara Barton House are available—just call a day or two in advance. He also invited the Board to attend the reception immediately following the Board meeting.

**RESOLUTIONS**

**RESOLUTION NO. 2009-237      AWARDING BID FOR THE CENTRAL SERVICES DEPARTMENT AUTHORIZING REPAIR AND MAINTENANCE OF ELEVATORS - THYSSENKRUPP ELEVATOR**

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

WHEREAS, after the proper legal advertisement seeking bids for repair and maintenance of elevators, three (3) bids were received and opened on July 1, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>Thyssenkrupp Elevator</b>	9/1/09-8/31/12	Annually \$18,288.00

245 Summit Point Dr, Suite 2-B  
Henrietta NY 14467

For: Elevator repair and maintenance including monthly inspections.

Dated at Geneseo, New York

July 22, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**RESOLUTION NO. 2009-238      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING LEASE AGREEMENT: THE RUSHVILLE HEALTH CENTER, INC.**

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

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

following lease agreement, according to the term(s) designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>The Rushville Health Center, Inc.</b>	2010-2015	Per Month \$700.00

2 Rubin Drive  
Rushville, NY 14544

For: Lease a portion of Building No. 1 for the purpose of providing dental services to low income residents of Livingston County. Amount increasing 10% on each subsequent anniversary date that this lease remains in effect. Term commencing in early 2010 and Amount shown is for the first year.

Dated at Geneseo, New York

July 22, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**RESOLUTION NO. 2009-239      AWARDING BID FOR THE COUNTY HIGHWAY DEPARTMENT – CONSTRUCTION CONTRACT, BAKER ROAD BRIDGE REPLACEMENT, NYSDOT PIN 4753.84 – BABCOCK ENTERPRISES, LTD.**

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

WHEREAS, after the proper legal advertisement seeking bids for a construction contract for Federal/State-Aid Bridge Replacement Bridge Project PIN 4753.84, Baker Road over Keshequa Creek, Town of Portage (BIN 3316600), six (6) bids were received and opened on June 30, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Babcock Enterprises, Ltd.</b>	Not to Exceed \$309,987.00

10121 Poags Hole Road  
Dansville, NY 14437

For: Construction Contract for replacement of Baker Road Bridge, Town of Portage.

Dated at Geneseo, New York

July 22, 2009

Public Services Committee

County Highway Superintendent D. Higgins stated Baker Road Bridge replacement is the first of three Federal-Aid bridge projects. He reported that six bids were received and all bids were very competitive. He added that Babcock Enterprises, Ltd. was the lowest responsible bidder and that \$20,000 was included in the contingency line for fuel escalations.

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**RESOLUTION NO. 2009-240      AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION INSPECTION SERVICES, FEDERAL/STATE-AID BRIDGE REPLACEMENT PROJECT PIN 4753.84, BAKER ROAD OVER KESHEQUA CREEK, TOWN OF PORTAGE - STANTEC CONSULTING SERVICES, INC.**

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

WHEREAS, the County of Livingston Resolution No. 2007-404 awarded a professional services contract to Stantec Consulting Services, Inc. for Engineering, Design, ROW Incidentals and Construction Support for the above-noted bridge replacement project; and

WHEREAS, said Resolution and contract provided for Construction Inspections Services to be negotiated and added at a later date following the construction bid opening, now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Stantec Consulting Services, Inc.</b>	07/22/2009-12/31/10	Not to Exceed \$87,000.00

2250 Brighton-Henrietta Town Line Road  
Rochester, NY 14623

For: Construction Inspection Services for Federal/State-Aid Bridge Replacement Project, PIN 4753.84, Baker Road over Keshequa Creek, Town of Portage.

Dated at Geneseo, New York

July 22, 2009

Public Services Committee

County Highway Superintendent D. Higgins stated this resolution covers the construction inspection component for Baker Road Bridge replacement and the next resolution wraps up all the contract amounts into one Agreement with the NYS Department of Transportation.

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**RESOLUTION NO. 2009-241 AUTHORIZING THE IMPLEMENTATION AND SUPPLEMENTAL AGREEMENT WITH NYS DEPARTMENT OF TRANSPORTATION FOR PRELIMINARY ENGINEERING, DESIGN, ROW INCIDENTALS, ROW ACQUISITION, CONSTRUCTION, CONSTRUCTION INSPECTION AND CONSTRUCTION SUPPORT PHASES, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT (PIN 4753.84, BIN 3316600), AND APPROPRIATING FUNDS THEREFOR: REPLACEMENT OF BAKER ROAD BRIDGE OVER KESHEQUA CREEK, TOWN OF PORTAGE**

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

WHEREAS, a project for the Replacement of the Baker Road Bridge over Keshequa Creek, Town of Portage, Livingston County (NYSDOT PIN 4753.84; BIN 3316600) (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Livingston desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Engineering, Design, ROW Incidentals, ROW Acquisition, Construction, Construction Inspection and Construction Support phases; and

WHEREAS, Livingston County Resolution No. 20074-404 authorized and funded a total of \$95,000.00 for Preliminary Engineering, Design, ROW Incidentals, ROW Acquisition and Construction Support project phases; and

WHEREAS, the Project is now ready to be advanced to Construction and Construction Inspection phases, now, therefore be it

RESOLVED, that the Board of Supervisors, duly convened, does hereby approve the above-subject Project, and be it further

RESOLVED, that the Board of Supervisors hereby authorizes the Chairman of the Board to pay in the first instance 100% of the Federal and non-Federal share of the cost of Engineering, Design, ROW Incidentals, ROW Acquisition, Construction, Construction Inspection and Construction Support phases for the Project or portions thereof, and be it further

RESOLVED, the total sum of Four Hundred and Ninety-One Thousand, Nine Hundred and Eighty-Seven Dollars (\$491,987.00) (of which, with anticipated NYS Marchiselli Aid, the County share will be approximately \$38,850.00) is hereby appropriated from the Board of Supervisors and made available to cover the cost of participation in the following phases of the Project:

- \$ 95,000 - Prelim. Eng., Design, ROW Incidentals, ROW Acquisition, Construction Support
- \$ 309,987 - Construction Contract, incl. contingencies & possible price adjustments
- \$ 87,000 - Construction Inspection, incl. contingencies
- \$ 491,987 - TOTAL

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 notification by the New York State Department of Transportation thereof, and be it 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 or 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 be it 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 be it further

RESOLVED, that this Resolution shall take effect immediately.

Dated at Geneseo, New York

July 22, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**RESOLUTION NO. 2009-242      AWARDING BID FOR THE HIGHWAY DEPARTMENT AUTHORIZING PURCHASE OF PRETREATED AND UNTREATED BULK SODIUM CHLORIDE (CRUSHED ROCK SALT) FOR LIVINGSTON COUNTY AGENCIES - AMERICAN ROCK SALT (3), IMUS**

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

WHEREAS, after the proper legal advertisement seeking bids for Crushed Rock Salt, four (4) bids were received and opened on June 16, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>American Rock Salt</b> P.O. 190 Mt. Morris, NY 14510 For: Untreated FOB Stockpile.	07/01/09-06/30/2010	Per Ton \$36.50
<b>American Rock Salt</b> P.O. 190 Mt. Morris, NY 14510 For: Untreated Delivered.	07/01/09-06/30/2010	Per Ton \$39.07
<b>American Rock Salt</b> P.O. 190 Mt. Morris, NY 14510 For: Treated Delivered.	07/01/09-06/30/2010	Per Ton \$46.07
<b>IMUS</b> P.O. Box 712 Niagara Falls, NY 14302 For: Treated FOB Stockpile.	07/01/09-06/30/2010	Per Ton \$49.98

Dated at Geneseo, New York

July 22, 2009

Public Service Committee

County Highway Superintendent D. Higgins indicated the bid that is most widely used is the Untreated Delivered (\$39.07 per ton). This rate is \$3.61 over last year's amount, which equates to an 11.7% increase. D. Higgins stated this increase is reasonable and attractive compared to the price the counties are paying in the northern part of State.

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**RESOLUTION NO. 2009-243      AWARDING BID FOR THE COUNTY HIGHWAY DEPARTMENT – CONSTRUCTION CONTRACT, FEDERAL ARRA PAVING PROJECTS, NYSDOT PIN 4LS002, SLIKER HILL ROAD (CR-33) AND PERRY ROAD (CR – 64) – BABCOCK ENTERPRISES, LTD.**

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

WHEREAS, after the proper legal advertisement seeking bids for a construction contract for Federal ARRA Paving Projects, NYSDOT PIN 4LS002, Sliker Hill Road (CR-33, Town of Conesus) and Perry Road (CR-64, Town of Leicester), six (6) bids were received and opened on July 9, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Babcock Enterprises, Ltd.</b>	Not to Exceed \$1,662,880.00
10121 Poags Hole Road	
Dansville, NY 14437	

For: Construction Contract for Federal ARRA Paving Projects, CR-33 and CR-64.

Dated at Geneseo, New York

July 22, 2009

Public Services Committee

County Highway Superintendent D. Higgins announced this is the County’s first project that is benefiting from stimulus funding. This resolution awards the construction contract for the paving of CR 33 and CR 64. D. Higgins indicated that the Highway Department had done a tremendous amount of preliminary work, which resulted in us being in the position to obtain these funds. Paving will be done over the next three weeks. The contract amount includes an extra \$80,000 in anticipation of asphalt escalations, which we may not have to use. D. Higgins also reported that the Highway Department is working on Groveland Road (CR 10), which is a “stand by” project for additional Federal stimulus funding. We are committed to this paving project totaling \$1.9 million. He added Livingston County is doing well receiving stimulus funding.

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**RESOLUTION NO. 2009-244      APPROVING CHANGE ORDER NO. 1 FOR SEWER TELEVISIONING CONESUS SEWER PROJECT - SEWER SPECIALTY SERVICES**

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

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

Contractor	For	Net Change Not To Exceed	New Contract
<b>Sewer Specialty Services</b>	Sewer Televisioning	Credit (\$131.90)	\$21,664.10

and, it is further,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the necessary change order, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

July 22, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**RESOLUTION NO. 2009-245      AMENDING 2009 LIVINGSTON COUNTY BUDGET - HIGHWAY**

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

RESOLVED, that the 2009 Highway Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	DM5130	2770	Other Unclassified	\$16,200.00
Increase Appropriation	DM5130	4124	Gasoline	\$16,200.00

Dated at Geneseo, New York

July 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**RESOLUTION NO. 2009-246 AMENDING 2009 LIVINGSTON COUNTY BUDGET – OFFICE FOR THE AGING**

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

RESOLVED, that the 2009 Office for the Aging Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6778	2680	Insurance Recovery	\$1,000.00
Increase Appropriation	A6778	4120	Vehicle Maintenance	\$1,000.00

Dated at Geneseo, New York

July 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**RESOLUTION NO. 2009-247 AMENDING 2009 LIVINGSTON COUNTY BUDGET – SHERIFF'S DEPARTMENT**

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

RESOLVED, that the 2009 Sheriff's Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3110	2680	Insurance Recovery	\$649.64
Increase Appropriation	A3110	4127	Outside Repairs	\$649.64

Dated at Geneseo, New York

July 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

For those in the audience, Chairman Merrick explained there usually is not a lot of discussion regarding the resolutions at the Board meeting. He stated that the Supervisors have three committees and each Committee has seven members and other Supervisors attend those committees as well. The majority of the resolutions are discussed at the committee level.

**RESOLUTION NO. 2009-248 ESTABLISHING ACCOUNTS – WORKFORCE DEVELOPMENT**

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

RESOLVED, that the following accounts be established for the Workforce Development Department:

Account	Dept.	Code	Description	Amount
Establish Revenue	J6293	4790	Federal Aid	\$150,000.00
Establish Appropriation	J6293	4160	Contractual Expense	\$150,000.00
			Total	\$150,000.00

And,

Account	Dept.	Code	Description	Amount
Establish Revenue	J6294	4790	Federal Aid	\$65,000.00
Establish Appropriation	J6294	4160	Contractual Expense	\$65,000.00
			Total	\$65,000.00

Dated at Geneseo, New York

July 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**RESOLUTION NO. 2009-249 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT: ECC TECHNOLOGIES, INC.**

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

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

<u>Contractor</u>	<u>Amount</u>
<b>ECC Technologies Inc.</b>	Not to Exceed \$25,000.00

1387 Fairport Road, Suite 845  
Fairport, NY 14450

For: Broadband Business Study Proposal.

Dated at Geneseo, New York

July 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**RESOLUTION NO. 2009-250 CORRECTING TAX ROLL – TOWNS OF CALEDONIA AND OSSIAN**

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

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to two (2 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 Ossian 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 chargebacks as hereinafter set forth for the applications.

<b>Year, Town &amp; Parcel</b>	<b>Taxing Jurisdiction</b>	<b>Original Tax Bill</b>	<b>Corrected Tax Bill</b>	<b>Refund to Owner</b>	<b>Chargebacks To Taxing Jurisdictions</b>
<b>1. 2009 Caledonia</b>	Livingston County	\$650.15	\$361.19	\$288.96	\$288.96
Boswick, Germaine L.	Caledonia Town Tax	139.55	77.53	62.02	62.02
3239 Philmore Avenue	Caledonia Fire 1	<u>119.15</u>	<u>119.15</u>	<u>0.00</u>	<u>0.00</u>
Caledonia, NY 14423	Total		\$557.87	\$350.98	\$350.98
Tax Map Number					
8.09-3-44					
<b>2. 2009 Ossian</b>	Livingston County	\$ 355.07	\$177.53	\$0.00	\$177.54
Delaney, Donald A.	Livingston County Penalties	24.39	0.00	0.00	24.39
Delaney, Jo Ann	Ossian Town Tax	510.79	255.40	0.00	255.39
4707 Ossian Hill Road	Dansville School Relevy	348.43	0.00	0.00	348.43
Dansville, NY 14437	Ossian Fire 1	<u>18.04</u>	<u>18.04</u>	<u>0.00</u>	<u>0.00</u>
Tax Map Number	Total	\$1,256.72	\$450.97	\$0.00	\$805.75
211.-1-32.1					

Dated at Geneseo, New York

July 22, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 - 319; Adopted.

**CLOSE PUBLIC HEARINGS**

Chairman Merrick asked if anyone wished to comment regarding the public hearings. No one wished to speak. The Chairman declared the public hearings closed.

**RESOLUTIONS cont.****RESOLUTION NO. 2009-251 APPROVING SUBMISSION OF APPLICATION UNDER THE RECOVERY ACT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM TO ENHANCE THE SALARIES OF ASSISTANT DISTRICT ATTORNEYS**

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

RESOLVED, that the District Attorney's Office is hereby authorized to submit a grant application under the Recovery Act Edward Byrne Memorial Justice Assistant Grant (JAG) Program to enhance the salaries of Assistant District Attorneys.

Dated at Geneseo, New York

July 22, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,433; Noes - 0; Absent - Pangrazio, 126, DiPasquale, 126, Martello, 21, Schuster, 46 – Total 319; Adopted.

**OTHER BUSINESS****1. COUNTY ADMINISTRATOR IAN M. COYLE UPDATE**

County Administrator I. Coyle commented that today we authorized a contract with The Rushville Health Center, Inc. and coincidentally, there was an article in the Democrat & Chronicle newspaper on 7/21/09 entitled "Finding a Rural Dentist A Struggle in New York" that mentions many low-income residents go without dental care. The County Administrator stated we are attempting to fight this battle in Livingston County and the resolution passed today is testament that the Board of Supervisors is trying to address this problem.

**2. FISH & WILDLIFE MANAGEMENT MEETING**

Portage Supervisor Ivan Davis stated he recently attended a Fish & Wildlife Management meeting. He reported that the NYS Department of Environmental Conservation would be monitoring stores to ensure they are providing a recycle bin for plastic bags and if a store does not have such a bin, they could be fined. In addition, if a store refuses to take a soda bottle in return that they sell in their store, they could also be fined.

**ADJOURNMENT**

Motion made by Mr. Mahus and seconded by Mr. Yendell to adjourn until Wednesday, August 12, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:15 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, AUGUST 12, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mrs. Donohue (Conesus) and Mr. Yendell (Lima).

**PLEDGE OF ALLEGIANCE**

Portage Supervisor Ivan Davis led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 7/22/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. Thank you note from Mt. Morris Supervisor Charles DiPasquale for the card and Wegmans Gift card.
2. Thank you note from Counselors of Camp Stella Maris thanking the Board for sending a camper and how much enjoyment the camper has had during this experience.
3. Notice of Intent to establish lead agency from the Village of Geneseo, SEQR Classification Type I Action, for the renovation and restoration of the existing Village and Town Office Building at 119 Main Street, Geneseo, NY.
4. Petition filed in this office on July 21, 2009 regarding the Village of Dansville Sewer Plant.
5. The Finger Lakes Tourism Alliance 2008 Audited Financial Statements and Independent Auditor's Report are on file.
6. An Application For Extension Of Redemption Period from Gertrude Houston for the property located at 3402 Jones Bridge Road, Geneseo, NY is on file.
7. Letter from Assemblyman Daniel J. Burling notifying the County that Governor Paterson has signed Assembly Bill A.7429, legislation to continue the one percent sales and use tax.
8. InterCounty Association of Western New York meeting will be held in Schuyler County on August 21, 2009 at Watkins Glen Harbor Hotel, Watkins Glen, NY. Registration is at 9:30 a.m. Please inform the Clerk if you plan to attend.  
PROGRAM: Leveraging Resources for Economic Development/Revitalization, Kelsey Jones, Director, Schuyler County Partnership for Economic Development (SCOPED).
9. Letter from Senator Catharine M. Young urging Governor Paterson to address the escalating dairy crisis and to use \$60 million of New York's federal stimulus money to aid the faltering industry.
10. Thank you note from Chairman James C. Merrick for the gift certificate he received after his surgery.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-252      APPROVING ABSTRACT OF CLAIMS #8A – AUGUST 12, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #8A dated August 12, 2009 in the total amount of \$5,708,045.84.

Dated at Geneseo, New York

August 12, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,561; Noes - 0; Absent – Donohue, 66; Yendell, 125 - Total 191; Adopted.

**PRIVILEGE OF THE FLOOR**

1. Carrie Malone, Executive Director of Business Education Alliance (BEA) – Update

Carrie Malone thanked the Board for allowing her time on the agenda. She indicated that this year she has invited students to attend the meeting that have participated in the BEA programs, and explained she had asked one student to offer some remarks on the advantages of the BEA programs.

Mrs. Donohue entered.

Carrie Malone introduced David Longhini, a student from Dansville Central School District, who commented on the BEA programs and what it takes for a student to succeed.

David Longhini presented the following remarks:

*Hello I am David Longhini from Dansville High School, and I have a presentation prepared that is designed to help you better understand the advantages and effects of the BTE program and the Business Luncheon program in our communities.*

*Now BTE stands for Bridge To Employment, is sponsored by Johnson & Johnson family company and is intended for students who are interested in going into fields of Science and Healthcare. The program has a selection process to ensure that there would be students who were actually interested and would benefit most from it. Once the students were selected we have been taken on various trips, job shadows, tours, workshops and more designed around its goals. The program hopes to increase participation in math and science, expose students to career paths in math, science and healthcare. They try to make the entire entrance to college process easier to increase number of students receiving higher level learning, try to improve soft skills and professional development, give them the skills to become a more desirable employee, increase self-esteem and confidence in the students, and boost amount of students pursuing healthcare careers. Thats a long list and a tall order isn't it? But thats what you've probably already heard, but what you want to know is what it translates to. Does it succeed in its goals? What is its effect on students, and is it really making a difference? Or is it just a bunch of kids having fun missing school twice a month?*

*Well, when it all comes down to it, I can tell you that this is probably the most positive influence on my life, and transformed my high school career. Starting my freshman year, everything changed. BTE opened the doors and gave me the options. This program changed my focus and invigorated me. Before I was stuck in the opinion that there was nothing to do, no outlet for my desire to do something, to make a difference, and that there were no opportunities at my high school. Then when I joined BTE I began to think a bit differently and do more. In addition to BTE I do 3 sports a year, the musical, and I'm in Future Business Leaders of America and went to nationals this summer for Community Service Project Presentation and came in the Top 8 in the state for Public Speaking, President of Student Council, Environmental Whackos, Leo Club, and Rotary Club, and still manage to maintain my academics.*

*This wouldn't have been possible without the effects BTE has had on me. It gave me people to be around the shared the same interest and who I could talk, not to mention argue, with people of similar interests. It gave me the opportunity to pursue one of my strongest interests, public speaking. It gave me an invaluable mentor who has helped me succeed and understand the college process. It has given me extra funds for educational opportunities. It has helped me clearly understand what career I want to pursue.... And made me realize I REALLY don't like the smell of formaldehyde and dead body parts kinda freak me out... It took me to communications courses, and since most of you are married...you probably know the value of communication... But when it really came down to it, it gave me the confidence I need, not in my academic abilities, but in my ability to make a difference. That's what matters most to me, practicality of what I was learning and the results of what I'm doing...which is probably why I've decided to pursue a business career. Before this program I was of the general opinion of most teenagers...that I couldn't make a difference, despite how much I wanted to. Why should I try when nothing will happen? This has showed me that anything is possible and I'm doing all that I can to improve everything I lay my hands on, to be able to say that I made a difference. At the moment I have tried to demonstrate to my classmates that we can achieve by making it to Nationals, to transform our student government to actually govern, not just plan the homecoming dance, to improve our community through events for the youth and promoting involvement in the community. It is in essence a self-perpetuating program, and this small change among 30 students will make a difference on countless others.*

*So what these two programs try to do, is to bring realistic preparation for the future back into education. It is a reminder that what's just important as facts and formulas, is communication and career exploration. They are invaluable programs that help as many people as they can and really make a difference.*

Carrie Malone concluded by saying she wanted the Board to be apprised of what the BEA had been doing for youth, and she thanked the Board for their continued support.

2. Joan Ellison, Director of Public Health

Director of Public Health Joan Ellison stated she is here to celebrate successes and sometimes we do things and then we do not see the end results. On August 19, 1999, this Board prohibited smoking in public places, and she announced we are now celebrating the 10<sup>th</sup> Anniversary. She indicated this was probably the largest and most vocal public hearing in this County.

J. Ellison presented a power-point presentation (on file). Some highlights included local headlines regarding the local law banning smoking in public places, and she commented that acute MI (heart attack), cardiovascular disease and lung cancer data decreased for 2006 compared to 1995. She reported that hospitalizations have increased slightly for diseases of the heart only and indicated that this could be due to a change in hospital coding. The mortality data for cardiovascular disease, disease of the heart, lung cancer for 2006 compared to 1995 decreased and also from 1991 to 2006. The twelfth grade heavy cigarette use (1/2 pack per day) decreased from 2005 at 10.7% to 8.7% in 2008.

J. Ellison extended congratulations to the Livingston County Board of Supervisors and thanked the Board for making a difference and making Livingston County a healthier place to live.

### **PREFERRED AGENDA**

#### **RESOLUTION NO. 2009-253 PROCLAIMING THE WEEK OF SEPTEMBER 6-12, 2009 AS EMERGENCY SERVICES PROVIDER WEEK**

WHEREAS, on April 24, 2002 the Livingston County Board of Supervisors adopted Res. No. 2002-173 entitled 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 6-12, 2009 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 12, 2009

Public Services Committee

#### **RESOLUTION NO. 2009-254 SUPPORTING SENATE BILL S5922 AND ASSEMBLY BILL A8765 TO PROVIDE COUNTIES WITH PERMANENT AUTHORITY IN THE IMPOSITION OF SALES AND USE TAX RATES**

WHEREAS, counties currently have the authority to impose a sales tax rate up to three percent and must obtain special state legislation to impose a sales tax at a higher rate on a "temporary" basis; and

WHEREAS, in total, there are now 52 out of 57 counties with special state authority to impose a sales tax rate above the 3 percent ceiling; and

WHEREAS, these "temporary" sales tax rate increases are routinely extended by the State Legislature, with some in place for close to twenty years; and

WHEREAS, counties have found it increasingly difficult to have this issue addressed by the State Legislature on a case by case basis; and

WHEREAS, because all but a few counties have sales tax rates above the current 3 percent ceiling, a change to state law which will empower local governments to impose sales tax rates up to four (4) percent without further state legislation is warranted; and

WHEREAS, such a change is in the best interest of county "Home Rule" authority, and permitting these fiscal decisions to be made at the local level would reduce waste and redundancy in the state legislative process; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors urges the State Legislature to support Senate Bill S 5922 and Assembly Bill A8765 to provide counties with permanent authority to impose sales and use tax rates up to four (4) percent; and, be it further

RESOLVED, that certified copies of this resolution be forwarded Senators Dale M. Volker and Catharine M. Young and Assemblymen Daniel J. Burling and Joseph A. Errigo.

Dated at Geneseo, New York

August 12, 2009

Ways and Means Committee

#### **RESOLUTION NO. 2009-255 DECLARING SURPLUS PROPERTY – PROBATION**

WHEREAS, the County of Livingston owns surplus personal property that is no longer necessary for public use, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following item(s) as surplus property to be disposed of as determined by the County Administrator:

**Probation**

Quantity	Item	Model #	VIN #
1	Chevrolet - 2001	Lumina	2G1WL52J211305146

Dated at Geneseo, New York  
August 12, 2009  
Ways and Means 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. Davis and seconded by Mr. Deming to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTIONS**

**RESOLUTION NO. 2009-256 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF MENTAL HEALTH: CATHOLIC CHARITIES, HILLSIDE FAMILY OF AGENCIES (2)**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Catholic Charities</b> 34 East State Street Mt. Morris, New York 14510 For: Hispanic Outreach/ Case Management, Hope Mentoring.	01/01/09 - 12/31/09	\$69,642.00
<b>Hillside Family of Agencies</b> 24 Main Street Mt. Morris, New York 14510 For: Customized Services for children with serious emotion disturbance (SED).	01/01/09 – 12/31/09	Customized Rates
<b>Hillside Family of Agencies</b> 24 Main Street Mt. Morris, New York 14510 For: GLOW Family Support.	01/01/09 – 12/31/09	\$147,271.00

Dated at Geneseo, New York  
August 12, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-257 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: GLENN BAUGHMAN, TODAY'S OPTIONS d/b/a/ THE PYRAMID LIFE INSURANCE COMPANY (PYRAMID) & AMERICAN PROGRESSIVE LIFE & HEALTH INSURANCE COMPANY OF NEW YORK (AMERICAN PROGRESSIVE) COLLECTIVELY, STATE UNIVERSITY COLLEGE AT GENESEO, ST. JOHN FISHER COLLEGE, ALFRED STATE, AVON MEDICAL GROUP OF HIGHLAND**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Glenn Baughman</b> 2328 Rolling Ridge Drive Avon, NY 14414 For: Occupational Therapy.	8/1/09-7/31/11	Per visit all inclusive \$62.00 Non-patient activities \$25.00
<b>Today's Options d/b/a/ The Pyramid Life Insurance Company (Pyramid) &amp; American Progressive Life &amp; Health Insurance Company of New York (American Progressive) collectively</b> Theodore M. Carpenter, Jr. Executive Vice-President 4888 Loop Central Drive, Suite 700 Houston, Texas 77091 For: Medicare Advantage.	1/1/10-12/31/10	
<b>State University College at Geneseo</b> 1 College Circle Geneseo, NY 14454 For: Renewal for use of Lauderdale Health Center by the Reproductive Health Center.	9/1/09-5/11/10	Daily \$39.65
<b>St. John Fisher College</b> Carolyn A. Martin Assistant to the Dean Wegman's School of Nursing 3690 East Ave. Rochester, NY 14618 For: Precept a St. John Fisher College Family Nurse Practitioner student.	9/1/09-12/15/09	
<b>Alfred State</b> SUNY College of Technology 10 Upper College Drive Alfred, New York 14802 For: Student Clinical Experience.	9/1/09-8/31/10	
<b>Avon Medical Group of Highland</b> Amy Matroniano, Associate Director URMC Center for Primary Care 155 Corporate Woods, Suite 100 Rochester, NY 14623 For: Lease Agreement for Reproductive Health Center Avon Site. Dated at Geneseo, New York August 12, 2009 Human Services Committee The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.	8/1/09-7/31/10	Monthly \$450.00

**RESOLUTION NO. 2009-258 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: RESIDENTIAL TREATMENT CENTERS, AVON, CAL-MUM, DANSVILLE & LIVONIA CENTRAL SCHOOLS**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Residential Treatment Centers</b>	7/1/09-6/30/10	Various Rates

For: The placement of children in the custody of the Commissioner who need this specialized level of care.

**Avon, Cal-Mum, Dansville & Livonia Schools** 9/1/09-8/31/10

For: School Based Preventive Case Management including services for children and their families, which are supportive and rehabilitative. State and school funds, no local share.

Dated at Geneseo, New York

August 12, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-259 AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO SIGN A CONTRACT WITH THE FOLLOWING: LIVINGSTON COUNTY ATTORNEY'S OFFICE**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Livingston County Attorney's Office</b>	1/1/09-12/31/09	

For: provision of attorney services for Child Support, Child Protective, Adult Protective, and other duties as determined appropriate for DSS.

Dated at Geneseo, New York

August 12, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-260 AWARDING BID FOR THE CENTER FOR NURSING AND REHABILITATION AND LIVINGSTON COUNTY JAIL FOR PHARMACY SERVICES – BPNY ACQUISITION CORPORATION d/b/a OMNICARE PHARMACY OF WESTERN NEW YORK**

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

WHEREAS, after the proper legal advertisement seeking bids for Pharmacy Services Vendor, six bids were received and opened on July 24, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>BPNY Acquisition Corporation d/b/a Omnicare Pharmacy of Western New York</b>	11/1/09 – 10/31/12	Set By Contract

2410 North America Drive

West Seneca, NY 14224

For: Pharmacy Services. The term is for three (3) years with the County's sole option for two additional one-year renewal ending 10/30/14.

Dated at Geneseo, New York

August 12, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-261 AUTHORIZING CONTRACT WITH THE TOWN OF LIVONIA FOR ADMINISTRATION OF ENVIRONMENTAL PROTECTION FUND GRANT AND AUTHORIZING AGREEMENTS WITH THE TOWN OF CONESUS AND THE VILLAGE OF LIVONIA**

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

WHEREAS, the Town of Livonia, on behalf of Livingston County and the Town of Conesus and the Village of Livonia, applied for a grant from the New York State Department of State under the Local Waterfront Revitalization Program (LWRP) to restore and stabilize streambanks in the Conesus Lake Watershed, and was awarded a grant of \$382,870: now therefore be it

RESOLVED, that the Chairman is hereby authorized to sign a contract with the Town of Livonia for administration of the Environmental Protection Fund grant, after review by the County Attorney and County Administrator; and be it further

RESOLVED, that the Chairman is hereby authorized to sign contracts with the Town of Conesus and the Village of Livonia for streambank remediation, after review by the County Attorney and County Administrator.

Dated at Geneseo, New York

August 12, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-262 SUPPORTING ENVIRONMENTAL PROTECTION FUND APPLICATION FOR STREAMBANK REMEDIATION WORK (PHASE II) AND AUTHORIZING CONTRACT FOR PROGRAM ADMINISTRATION WITH THE TOWNS OF LIVONIA AND GENESEO**

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

WHEREAS, the Livingston County Planning Department serves as the lead agency for the implementation of the Conesus Lake Watershed Management Plan; and

WHEREAS, the “State of Conesus Lake: Watershed Characterization Report” identified erosion and sediment as a significant contributor to water quality problems in Conesus Lake, including problems of weed and algae growth; and

WHEREAS, Recommendation C-1 of the Conesus Lake Watershed Management Plan recommends the restoration and stabilization of streambanks as a means to reduce the amount of sediment and nutrients that enter Conesus Lake; and

WHEREAS, the restoration and stabilization of streambanks in the Conesus Lake watershed will help to protect and improve the water quality of Conesus Lake; and

WHEREAS, the Town of Livonia, in cooperation with Livingston County and the Town of Geneseo, is applying for a grant from the New York State Department of State under the Environmental Protection Fund Local Waterfront Revitalization Program (LWRP) to restore and stabilize streambanks; and

WHEREAS, the Town of Livonia will contract with Livingston County for program administration of the grant, if approved; now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors does hereby endorse and support the application of the Town of Livonia to the New York State Department of State for an Environmental Protection Fund Local Waterfront Revitalization Program (LWRP) grant to implement the Conesus Lake Watershed Management Plan; and, be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign necessary contract documents with the Town of Livonia and the New York State Department of State for grant administration, after review by the County Attorney and County Administrator; and, be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign necessary contract documents with the Town of Geneseo for streambank remediation, after review by the County Attorney and County Administrator.

Dated at Geneseo, New York

August 12, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-263 AUTHORIZING DELEGATE AGENCY AGREEMENTS FOR FFY 2009-2010 COMMUNITY SERVICES BLOCK GRANT PROGRAM - CATHOLIC CHARITIES, CHANCES AND CHANGES, INC., FOCUS ON THE CHILDREN, INC., FOODLINK, INC., GENESEO PARISH OUTREACH CENTER, LEICESTER KID'S PLACE, LITERACY VOLUNTEERS OF LIVINGSTON COUNTY, LIVINGSTON COUNTY HABITAT FOR HUMANITY, LIVINGSTON-WYOMING ARC, NOYES MEMORIAL HOSPITAL**

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

WHEREAS, Resolution 2009-191 authorized the Chairman of the Board of Supervisors to enter into a contract

with the New York State Department of State for the FFY 2009-2010 Community Services Block Grant Program; and  
 WHEREAS, the Planning Department is the administrator of the program on behalf of 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 Planning Director is hereby authorized to sign FFY 2009-2010 Delegate Agency Agreements and any amendments thereto with Catholic Charities, Chances And Changes, Inc., Focus On The Children, Inc., Foodlink, Inc., Geneseo Parish Outreach Center, Leicester Kid's Place, Literacy Volunteers Of Livingston County, Livingston County Habitat For Humanity, Livingston-Wyoming ARC, Noyes Memorial Hospital, 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, Vouchers, and other required Certifications.

Dated at Geneseo, New York

August 12, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-264      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR LIVINGSTON COUNTY ON BEHALF OF GLOW WIB: WYOMING COMMUNITY ACTION, WYOMING UPWARD BOUND**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Wyoming Community Action</b> 6470 Route 20A Perry, NY 14530	5/19/09-9/30/09	\$102,541.80
<b>Wyoming Upward Bound</b> 38 Duncan Street Warsaw, NY 14569	5/19/09-9/30/09	\$ 13,299.00

For: the provision of a Summer Youth Employment Programs in Wyoming County.

Dated at Geneseo, New York

August 12, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-265      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT: CLARK PATTERSON LEE**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Clark Patterson Lee</b> 205 St. Paul Street Rochester, NY 14604	8/14/09-10/14/09	\$13,700.00

For: CPL will provide Abatement Design, Bid, and Construction Administration Services at Building Three at the Murray Hill Campus.

Dated at Geneseo, New York

August 12, 2009

Public Services Committee

The roll was called as follows: Aves - 1.627: Noes - 0: Absent – Yendell. 125: Adopted.

**RESOLUTION NO. 2009-266 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY CENTRAL SERVICES DEPARTMENT: DAY AUTOMATION SYSTEMS, INC. (3) AND RESCINDING RESOLUTION NO. 2009-229**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Day Automation Systems, Inc.</b> 7931 Rae Boulevard Victor, NY 14564-8931 For: Energy Management and Control System Maintenance Service Agreement for the Mt. Morris Campus Facilities.	5/1/09-4/30/10	\$4,995.00
<b>Day Automation Systems, Inc.</b> 7931 Rae Boulevard Victor, NY 14564-8931 For: Energy Management and Control System Service Agreement for the Government Center Facility.	5/1/09-4/30/10	\$2,800.00
<b>Day Automation Systems, Inc.</b> 7931 Rae Boulevard Victor, NY 14564-8931 For: Energy Management and Control System Service Agreement for the Courthouse.	5/1/09-4/30/10	\$1,705.00

And, it is further

RESOLVED, that Res. No. 2009-229 is hereby rescinded.

Dated at Geneseo, New York

August 12, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-267. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR LIVINGSTON COUNTY EMERGENCY MANAGEMENT SERVICES: NEW YORK STATE OFFICE OF HOMELAND SECURITY**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Office of Homeland Security</b> For: Equipment purchases for Hazardous Material Response Team.	7/1/06 – 6/30/08	\$55,700.00

Dated at Geneseo, New York

August 12, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-268 AWARDING BID FOR THE COUNTY HIGHWAY DEPARTMENT – CONSTRUCTION CONTRACT, PIONEER ROAD BRIDGE REPLACEMENT, NYSDOT PIN 4753.85 (BIN 3316480) – RAMSEY CONSTRUCTORS, INC.**

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

WHEREAS, after the proper legal advertisement seeking bids for a construction contract for Federal/State-Aid Bridge Replacement Bridge Project PIN 4753.85, Pioneer Road over Canaseraga Creek, Town of Groveland (BIN 3316480), six (6) bids were received and opened on August 3, 2009, now, therefore, be it

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

RESOLVED, that this Resolution shall approve an additional \$52,000.00 (4% of contract) to provide for contingencies and possible NYSDOT-approved steel/fuel/asphalt escalations:

<u>Contract</u>	<u>Amount</u>
<b>Ramsey Constructors, Inc.</b>	\$1,303,483.00

5711 Gateway Park  
Lakeville, NY 14480

For: Construction Contract for replacement of Pioneer Road Bridge, Town of Groveland. Not to exceed the contract amount shown plus \$52,000.00 contingencies/escalations.

Dated at Geneseo, New York

August 12, 2009

Public Services Committee

County Highway Superintendent D. Higgins indicated that this resolution and the next two resolutions pertain to the Federal bridge replacement project on Pioneer Road, Town of Groveland. He explained that once this project is completed, a lot of problems would be resolved. Currently, the water floods agriculture fields and the bridge itself. When Route 258 floods, Pioneer Road traffic increases from approximately 40 cars to 1,000 cars per day. D. Higgins explained that Chairman Merrick is seeking additional funding for this road and he already has received \$50,000 of member-item funding. D. Higgins explained we received six competitive bids and the total cost was \$100,000 under the engineer's original estimate.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-269 AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION INSPECTION SERVICES, FEDERAL/STATE-AID BRIDGE REPLACEMENT PROJECT PIN 4753.85, PIONEER ROAD OVER CANASERAGA CREEK, TOWN OF GROVELAND – C&S ENGINEERS, INC.**

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

WHEREAS, County of Livingston Resolution No. 2008-200 awarded a professional services contract to C&S Engineers, Inc. for Engineering, Design, ROW Incidentals and Construction Support for the above-noted bridge replacement project; and

WHEREAS, said Resolution and contract provided for Construction Inspections Services to be negotiated and added at a later date following the construction bid opening, now, therefore, be it

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

RESOLVED, that this Resolution shall approve an additional \$7,320.00 (4% of contract) to provide for possible contingencies:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>C&amp;S Engineers, Inc.</b>	08/12/2009 - 12/31/10	\$183,000.00

150 State Street, Suite 120  
Rochester, NY 14614

For: Construction Inspection Services for Federal/State-Aid Bridge Replacement Project, PIN 4753.85, Pioneer Road over Canaseraga Creek, Town of Groveland. Not to exceed the contract amount shown plus \$7,320.00 contingency.

Dated at Geneseo, New York

August 12, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-270 AUTHORIZING THE IMPLEMENTATION AND SUPPLEMENTAL AGREEMENT WITH NYS DEPARTMENT OF TRANSPORTATION FOR PRELIMINARY ENGINEERING, DESIGN, ROW INCIDENTALS, ROW ACQUISITION, CONSTRUCTION, CONSTRUCTION INSPECTION AND CONSTRUCTION SUPPORT PHASES. AND FUNDING IN THE**

**FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT (PIN 4753.85, BIN 3316480), AND APPROPRIATING FUNDS THEREFOR: REPLACEMENT OF PIONEER ROAD BRIDGE OVER CANASERAGA CREEK, TOWN OF GROVELAND**

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

WHEREAS, a project for the Replacement of the Pioneer Road Bridge over Canaseraga Creek, Town of Groveland, Livingston County (NYSDOT PIN 4753.85; BIN 3316480) (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Livingston desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Engineering, Design, ROW Incidentals, ROW Acquisition, Construction, Construction Inspection and Construction Support phases; and

WHEREAS, Livingston County Resolution No. 2008-201 authorized and funded a total of \$245,000.00 for Preliminary Engineering, Design, ROW Incidentals, ROW Acquisition and Construction Support project phases; and

WHEREAS, the Project is now ready to be advanced to Construction and Construction Inspection phases, now, therefore be it

RESOLVED, that the Board of Supervisors, duly convened, does hereby approve the above-subject Project, and be it further

RESOLVED, that the Board of Supervisors hereby authorizes the Chairman of the Board to pay in the first instance 100% of the Federal and non-Federal share of the cost of Engineering, Design, ROW Incidentals, ROW Acquisition, Construction, Construction Inspection and Construction Support phases for the Project or portions thereof, and be it further

RESOLVED, the total sum of \$1,788,803.00 (of which, with anticipated NYS Marchiselli Aid, the County share will be approximately \$130,000.00 is hereby appropriated from the Board of Supervisors and made available to cover the cost of participation in the following phases of the Project:

\$ 245,000 – Prelim. Eng., Design, ROW Incidentals, ROW Acquisition, Construction Support  
 \$ 1,353,483 – Construction Contract, plus contingencies & possible price escalations  
 \$ 190,320 – Construction Inspection, plus possible contingencies  
 \$ 1,788,803 -- TOTAL

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 notification by the New York State Department of Transportation thereof, and be it 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 or 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, be it, 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 be it further

RESOLVED, that this Resolution shall take effect immediately.

Dated at Geneseo, New York

August 12, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-271 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A NEW ONE-YEAR SNOW AND ICE CONTRACT WITH MUNICIPALITIES**

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

WHEREAS, the Public Services Committee recommends that the Livingston County Board of Supervisors approve a one-year contract with 18 municipalities for snow and ice control on County roads; due to expire on October 14, 2009, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to sign a one-year contract with eighteen (18) municipalities for snow and ice control on County roads, according to the term designated, at the rate of \$4,000.00 per center line mile, subject to the approval of the municipalities, the County Attorney and the County Administrator.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Town of Avon	10/15/09 – 10/14/10	\$968,968.00
Town of Caledonia		
Town of Conesus		
Town of Geneseo		
Town of Groveland		
Town of Leicester		
Town of Lima		
Town of Livonia		
Town of Mt. Morris		
Town of N. Dansville		
Town of Nunda		
Town of Ossian		
Town of Portage		
Town of Sparta		
Town of Springwater		
Town of West Sparta		
Town of York		
Town of Naples		
Dated at Geneseo, New York		
August 12, 2009		
Public Services Committee		

County Administrator Ian Coyle and Chairman of the Special County Road Work By Towns Committee, reported that last year there was a concern whether \$3,900 was sufficient payment for snow and ice control and there was a question as to how to arrive at a future center winger costs. He stated that the Highway staff collected data for five months supplied by 10 towns. He commended the Highway staff for doing this extra work. He explained that the actual costs differed by each town and the consensus of this Special Committee was to increase the cost per center lane mile to \$4,000 and to forward the recommendation to the Board of Supervisors.

Conesus Supervisor Brenda Donohue stated she is not in favor of this recommendation. She explained that Conesus Highway Superintendent Steve Martucio served on the Committee. She stated she does not feel that \$4,000 is appropriate and indicated that many other counties have rates of \$5,221, \$6,284 and \$5,461. She added that the towns should be plowing the roads, however, the town is responsible for purchasing the materials and repairing and buying new equipment. She stated that the County does not have to buy snow and ice equipment. She commented she would like to see her town treated fairly and that the \$100 increase is standard.

Sparta Supervisor Mark Schuster questioned why Livingston County is paying the Town of Naples to plow county roads. County Highway Superintendent Don Higgins explained that a very small portion of CR36A crosses into Ontario County and they have maintained this stretch for many years.

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-272. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY DEPARTMENT OF PROBATION: NYS DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES (2)**

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

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contracts for the Livingston County Probation Department, according to the terms designated, subject to review by the County Attorney and County Administrator.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Division of Probation and Correctional Alternatives</b>	1/1/09-12/31/09	\$12,784.00
For: ATI Program.		
<b>NYS Division of Probation and Correctional Alternatives</b>	1/1/09-12/31/09	\$140,426.00
For: State Aid.		

Dated at Geneseo, New York

August 12, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-273 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT: MONROE COUNTY PUBLIC SAFETY**

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

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

Contractor

**Monroe County Public Safety**

50 West Main Street, Room 4123

Rochester, NY 14614

For: Interoperable communications radio network/six county.

Dated at Geneseo, New York

August 12, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-274 AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR INDIGENT DEFENSE / CONFLICT DEFENDER – WYOMING COUNTY ATTICA LEGAL AID BUREAU, INC.**

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

WHEREAS, the County of Livingston solicited a Request for Proposal for conflict indigent representation for Livingston County, and two proposals were received on July 31, 2009, now, therefore, be it

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

Contractor

**Wyoming County Attica Legal Aid Bureau, Inc.**

14 Main Street

Attica, NY 14011

For: Conflict indigent representation.

Dated at Geneseo, New York

August 12, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

Term

9/1/09-8/31/2011

Amount

Yearly \$185,000.00

**RESOLUTION NO. 2009-275. AMENDING 2009 LIVINGSTON COUNTY BUDGET – SHERIFF'S DEPARTMENT**

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

RESOLVED, that the 2009 Sheriff's Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3110	2680	Sheriff 's Ins. Recovery	\$6,432.54
Increase Appropriation	A3110	4127	Outside Repairs	\$6,432.54
and				
Increase Revenue	A3110	3395	Homeland Defense (K-9)	\$40,500.00
Increase Appropriation	A3110	2400	Sheriff's Law Enforce. Fire & Safety	\$40,500.00
and				
Increase Revenue	A3110	2680	Insurance Recovery	\$1,393.93
Increase Appropriation	A3110	4127	Outside Repairs	\$1,393.93

Dated at Geneseo, New York

August 12, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-276 INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

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

WHEREAS, the New York State Legislature has authorized the County of Livingston to impose an additional 1% local sales and compensating use tax rate; and

WHEREAS, it is necessary for the County of Livingston to amend its existing Sales and Use Tax resolution to impose such additional rate; now, therefore,

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

SECTION 1. Section 4-A of Resolution No. 67-190, enacted by the Board of Supervisors of the County of Livingston on November 30, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes. Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2003, and ending November 30, 2011. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (B) of subdivision (1) of Section 11 of Resolution No. 67-190 enacted by the Board of Supervisors of the County of Livingston on November 30, 1967, imposing sales and use taxes, as amended, is amended to read as follows:

B) With respect to the additional tax of one percent imposed for the period beginning June 1, 2003, and ending November 30, 2011, in respect to the use of property used by the purchaser in this county prior to June 1, 2003.

SECTION 3. Section 14 of Resolution No. 67-190, enacted by the Board of Supervisors of the County of Livingston on November 30, 1967, imposing sales and use taxes, as amended, is amended to read as follows:

SECTION 14. Disposition of Revenue

Net collections distributed to the County by the State Comptroller pursuant to section twelve hundred sixty-one of the New York Tax Law shall be disposed of as follows:

(a) 100 percent of such monies from taxes imposed at the rate of three percent shall be set aside for County

*purposes and shall be available for any County purpose.*

(b) Notwithstanding subdivision (a) of this section, six and two-third percent (6 2/3%) of such net collections from such taxes imposed at the rate of three percent shall be allocated quarterly to the entire area of the County and shall be applied first to reduce County taxes levied upon real property in the several towns in such area. Any balance remaining shall then be applied to reduce general town taxes levied upon real property in such area. Any town, by local law, ordinance or resolution, however, may provide that all or any specified part of the amounts which would be so applied to reduce the County taxes and general town taxes levied upon real property in such town shall be paid directly to such town to be used for any town purpose. If any village, by local law, ordinance or resolution shall so provide, the amounts which would be so applied to reduce the County and general town taxes levied upon real property in such village shall be paid directly to such village in lieu of such tax reduction. Where any village has elected to be paid directly as provided in this subdivision, the amount to be paid to such village shall be determined by the ratio that the full valuation of real property in the village or portion thereof within the town in which such village is located bears to the full valuation of real property in the entire town. If a village wholly or partially within a town has so elected to be paid directly, but the town in which such village is located has not so elected, the amount allocated to the town in which such village is wholly or partially situated shall be applied to reduce county taxes and general town taxes in the area of the town outside such village. If the amount allocated to a town exceeds the amount of the County taxes and general town taxes levied upon real property in the town, the excess shall be apportioned between the town and each village, if any, wholly or partially situated therein, in the ratios that the full valuation of real property in each such village or portion thereof within the town, and the full valuation of real property in the portion of the town outside of such village or villages, respectively, bear to the aggregate full valuation of the entire town. The share of each such village shall be paid directly to such village. The share of the town shall be applied, first, to reduce taxes levied for part-town activities, and any balance remaining shall be paid directly to the town, to be used only for part-town activities. If a town and all the villages therein shall have elected to be paid directly as provided in this subdivision, the share of such town shall be applied to reduce taxes levied for part-town activities, and any balance remaining or portion thereof, in the discretion of the town board, may be applied to reduce general town taxes, county taxes levied in the area of the town outside of such villages or may be used for part-town activities, or any combination thereof. If a town containing more than one village shall have elected to be paid directly and one or more but not all of the villages shall have also elected to be paid directly, the share of the town shall be applied to reduce general town taxes levied in the area of the town outside of the village or villages that have so elected, and any balance remaining or portion thereof, in the discretion of the town board, may be applied to reduce county taxes levied in the area of the town outside of such village or villages.

*Fifty percent (50%) of the amount to be applied in reduction of County taxes and general town taxes in each town shall be determined on the basis of the ratio which the full valuation of real property in each town bears to the aggregate full valuation of real property in all of the towns in the county. The remaining fifty percent (50%) of the amount to be applied in reduction of County taxes and general town taxes in each town shall be determined on the basis of the respective populations of the several towns in the County, determined in accordance with the latest federal census or special population census taken pursuant to section twenty of the general municipal law, completed and published prior to the end of the quarter for which the allocation is made, which special census must include the entire area of the county.*

*Any local law, ordinance or resolution enacted by a town or village pursuant to this subdivision shall only be effective for the calendar year or years subsequent to its enactment and, further, shall only be effective if it is mailed by registered or certified mail to the chief fiscal officer of the County before the first day of September preceding the calendar year for which the election is made by such local law, ordinance or resolution. Such local law, ordinance or resolution shall remain in effect for subsequent calendar years until rescinded by local law, ordinance or resolution, but the enactment shall rescind the election only if it is mailed, in the same manner already provided for in this subdivision, to the chief fiscal officer of the County before the first day of September preceding the calendar year for which the rescission is to apply.*

(c) Notwithstanding subdivision (a) or (b) of this section or any contrary provision of law, all net collections from the additional one percent rate of sales and compensating use taxes imposed for the period beginning June 1, 2003, and ending November 30, 2011, shall be used to pay the county's expenses for Medicaid. Such net

collections shall be deposited in a special fund created by the County separate and apart from any other funds and accounts of the County. Any and all remaining net collections from such additional one percent tax, after the Medicaid expenses are paid, shall be deposited by the County in the general fund of the County for any county purpose.

(d) *As used in this resolution, the following terms shall mean or include:*

- 1) Net collections. The monies collected from a tax or taxes imposed by this enactment, after the New York State Commissioner of Taxation and Finance deducts therefrom expenses of administration and collection and amounts refunded or to be refunded.
- 2) General town taxes. Taxes levied for any town purpose, including highways, upon the entire area of a town.
- 3) Full valuation of real property. The assessed valuation of real property divided by the equalization rate as determined in accordance with article eight of the real property tax law.
- 4) Part-town activities. Activities of town government, including highway programs, which are chargeable to the area of the town outside of villages, exclusive of special district purposes, unless such special district is a fire protection district coterminous with the area of a town outside of villages.

SECTION 4. This enactment shall take effect December 1, 2009.

Dated at Geneseo, New York

August 12, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-277      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT: DANSVILLE CENTRAL SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Dansville Central School District</b>	7/1/09-6/30/10	\$58,512.00

284 Main Street

Dansville, New York 14454

For: School Resource Officer.

Dated at Geneseo, New York

August 12, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-278      AWARDING BID FOR LIVINGSTON COUNTY PRE-K TRANSPORTATION FOR CHILDREN WITH SPECIAL NEEDS – LIVINGSTON-WYOMING ARC**

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

WHEREAS, after the proper legal advertisement seeking bids for Pre-K Transportation for Children with Special Needs, two bids were received and opened on July 31, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>Livingston-Wyoming ARC</b>	9/1/09-8/31/11	According to prices on file.

18 Main Street

Mt. Morris, New York 14510

For: Pre-K Transportation for Children with Special Needs. The County has the option to renew the contract for one additional year.

Dated at Geneseo, New York  
 August 12, 2009  
 Ways and Means Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-279 CORRECTING TAX ROLL – SUPREME COURT SETTLEMENT FOR THE TOWN OF LIMA**

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

WHEREAS, the Director of the Real Property Tax Services has transmitted a written report of his recommendation with regard to one (1 parcel/5 years) correction of the tax rolls, pursuant to the Real Property Tax Law, for the Town of Lima on the tax roll for the years hereinafter set forth, and

WHEREAS, said parcel was incorrectly assessed and/or taxed for reasons set forth in the Supreme Court decision for a correction requested from the Director of Real Property Tax Services attached hereto, now, therefore, be it

RESOLVED, that the Director of Real Property Tax Services is authorized and directed to forward a copy of this resolution to the officer having jurisdiction of the tax rolls so that the rolls can be corrected; and 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 the Supreme Court decision.

<u>Year, Town &amp; Parcel</u>	<u>Taxing Jurisdiction</u>	<u>Original Tax Bill</u>	<u>Corrected Tax Bill</u>	<u>Refund of Taxes 9% interest included per settlement</u>	<u>Chargeback to Taxing Jurisdiction</u>
<b>1. 2009 Lima</b>	Livingston County	\$1,563.35	\$1,399.01	\$171.11*	\$171.11
180 Clinton Corp.	Lima Town Tax	<u>619.94</u>	<u>554.77</u>	<u>67.85**</u>	<u>0.00</u>
Tax Map Number	Total	\$2,183.29	\$1,953.78	\$238.96	\$171.11
37.13-1-9.2					
<b>2. 2008 Lima</b>	Livingston County	\$1,563.54	\$1,399.18	\$185.92*	\$185.92
180 Clinton Corp.	Lima Town Tax	<u>620.36</u>	<u>555.15</u>	<u>73.76**</u>	<u>0.00</u>
Tax Map Number	Total	\$2,183.90	\$1,954.33	\$259.68	\$185.92
37.13-1-9.2					
<b>3. 2007 Lima</b>	Livingston County	\$1,523.72	\$1,363.54	\$196.12*	\$196.12
180 Clinton Corp.	Lima Town Tax	<u>607.09</u>	<u>543.27</u>	<u>78.14**</u>	<u>0.00</u>
Tax Map Number	Total	\$2,130.81	\$1,906.81	\$274.26	\$196.12
37.13-1-9.2					
<b>4. 2006 Lima</b>	Livingston County	\$1,768.92	\$1,582.97	\$244.32*	\$244.32
180 Clinton Corp.	Lima Town Tax	<u>679.05</u>	<u>607.67</u>	<u>93.79**</u>	<u>0.00</u>
Tax Map Number	Total	\$2,447.97	\$2,190.64	\$338.11	\$244.32
37.13-1-9.2					
<b>5. 2004 Lima</b>	Livingston County	\$1,695.25	\$1,517.04	\$266.01*	\$266.01
180 Clinton Corp.	Lima Town Tax	<u>662.01</u>	<u>592.42</u>	<u>103.87**</u>	<u>0.00</u>
Tax Map Number	Total	\$2,357.26	\$2,109.46	\$369.88	\$266.01
37.13-1-9.2					
			Livingston County <i>Original</i> Tax		\$8,114.78
			Lima Town <i>Original</i> Tax		\$3,188.45
			Livingston County <i>Corrected</i> Tax		\$7,261.74
			Lima Town <i>Corrected</i> Tax		\$2,853.28
			<b>Livingston County Total</b>		<b>\$1,063.48*</b>
			<b>Lima Town Tax Total</b>		<b>\$ 417.41**</b>

**REFUND TOTALS (Includes 9% interest)**

\* Refunded by County Treasurer  
 \*\* Refunded by Town of Lima

Dated at Geneseo, New York  
 August 12, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-280 AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE:  
SHERIFF'S DEPARTMENT**

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

RESOLVED, that the 2009 Hourly Employee Salary Schedule is amended as follows:

Sheriff's Department

Create one full-time Clerk/Typist position.

Delete one full-time Senior Typist position effective January 6, 2010.

Create one full-time Principal Clerk position effective August 7, 2009.

Delete one full-time Principal Clerk position effective January 6, 2010.

Dated at Geneseo, New York

August 12, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**RESOLUTION NO. 2009-281 APPOINTING DIRECTOR OF PATIENT SERVICES – PRUDENCE E.  
KING**

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

RESOLVED, that the 2009 Department Head Salary Schedule is amended as follows:

Department of Health

Appoint Prudence E. King of 110 South Lackawanna Street, Wayland, New York 14572 to the position of full time Director of Patient Services effective August 31, 2009, at an annual salary of \$62,000.00.

Dated at Geneseo, New York

August 12, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**EXECUTIVE SESSION**

Motion made by Mr. Moore and seconded by Mr. Mahus that the Board adjourn and reconvene as a Committee of the Whole for the purpose of discussing the employment history of particular persons; and that James C. Merrick act as Chairman, Virginia O. Amico act as Secretary, and County Administrator Ian M. Coyle, County Attorney David J. Morris, Personnel Director Tish Lynn, Labor Attorney David Lippitt 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 the employment history of particular persons, hereby reports as follows:

No action taken.

Dated August 12, 2009

James C. Merrick, Chairman

Virginia O. Amico, Clerk of the Board

Motion made by Mr. Moore and seconded by Mr. Deming that the Report of the Executive Session be accepted. Carried.

**RESOLUTION NO. 2009-282 APPROVING SETTLEMENT AGREEMENT WITH WILLIAM  
WUERTZER**

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

RESOLVED, that the Livingston County Administrator is authorized to sign a settlement agreement with William Wuertzer, after review by the County Attorney and County Administrator.

Dated at Geneseo, New York

August 12, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,627; Noes - 0; Absent – Yendell, 125; Adopted.

**OTHER BUSINESS**

1. Discussion Of Increasing Mortgage And Transfer Taxes - County Administrator Ian M. Coyle  
 County Administrator Ian Coyle stated that he had previously sent out information to the Board regarding the revenues that could be obtained from increasing the mortgage and transfer taxes. He thought it would be advantageous to review this proposal before the entire Board. He reviewed the following handout:

***Financial Implications- Mortgage Tax Increase / Creation of Transfer Tax***

***Mortgage Tax***

- § *Currently, of the (1.00%) RGRTA takes a portion, NYS takes a portion, and Towns/Villages receive the rest (.50%)*
- § *2008 income for Towns @ .50% was 800,000*
- § *Regionally, total mortgage rates vary:*

<b><i>County</i></b>	<b><i>Mortgage Tax Rate</i></b>
<i>Allegany</i>	<i>1.00</i>
<i>Genesee</i>	<i>1.25</i>
<i>Livingston</i>	<i>1.00</i>
<i>Monroe</i>	<i>1.00</i>
<i>Ontario</i>	<i>.75</i>
<i>Orleans</i>	<i>1.00</i>
<i>Steuben</i>	<i>1.25</i>
<i>Wyoming</i>	<i>1.25</i>

- § *Proposal is to increase 1.00% rate in Livingston County to 1.25% with the extra .25% returning to the County’s General Fund to support additional jail related expenses.*
- § *Annual income estimates range from \$350K-\$500K. These estimates are dependent upon real estate market conditions.*

***Transfer Tax***

- NYS takes the entire amount of the current transfer tax- \$4.00/1000*
- 2008 income for NYS was \$538K. Current estimates place the expected income in the range of \$75,000 for every \$1*
- Broome, Columbia, Erie, Nassau and Tompkins are the only Counties to implement a transfer tax. Their rates vary. Additionally, a handful towns and cities in the Long Island/Downstate region also impose this tax.*
- Initial proposal was to increase the transfer tax in Livingston County to \$9.00/1000 with the extra \$5.00/1000 returning to the County’s General Fund to support additional jail related expenses. However, Erie County is the only county with a rate that high and considering their Control Board status, this may have needed additional, special state authorization. Upon further research, most counties are either one or two dollars per thousand. Based on perceived acceptability at the State level, I am proposing \$2/1000.*
- § *Annual income estimates range from \$150-200K. These estimates are dependent upon real estate market conditions.*

The County Administrator provided an example if someone purchased a \$150,000 home. If the mortgage tax were raised to 1.25%, the dollar difference would be \$375. The seller pays the transfer tax, and the example showed the transfer tax as 6/1000 and the dollar difference being \$300.

In summary, he proposed to increase the mortgage rate from 1.00% to 1.25% with the extra .25% returning to the County’s General Fund to support the additional jail related expenses and the transfer tax at \$6.00/1,000 with \$2.00/1,000 returning to the County.

Livonia Supervisor Eric Gott explained that he had concerns about this proposal during the Ways and Means Committee, however, he did not realize that the seller paid the transfer tax. He indicated this is an easier pill to swallow now.

Caledonia Supervisor Daniel Pangrazio and Chairman of the Ways and Means Committee stated that this proposal is easier than putting the burden on the property taxes.

The County Administrator explained that this proposal will be referred back to the Ways and Means Committee for approval and if approved, be presented to the Board at the 8/26/09 Board meeting.

Avon Supervisor David LeFeber stated he was opposed to the first proposal and indicated he appreciated the decrease in the transfer tax. He added that there was never any mention of seeking additional revenues for the jail project debt. He indicated he is more comfortable with the proposal than he was.

2. County Administrator Ian Coyle explained that when the Livingston County Center for Nursing and Rehabilitation was in the preliminary design phases, the County sent out an informational letter to County residents explaining the project. He added that we will be providing a similar informational letter for the jail project and also mentioned that a webcam has been set up and the Board can monitor the project through the website.

### **ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, August 26, 2009 at 1:30 p.m. Carried.

The Board adjourned at 3:20 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, AUGUST 26, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present.

**PLEDGE OF ALLEGIANCE**

Avon Supervisor David LeFeber led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 8/12/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. Letter from James P. Ward Senior Companion Coordinator of Finger Lakes Developmental Disabilities Service Office commending Emergency Management Services Director Kevin Niedermaier for the tour provided.
2. The Livingston County Department of Health will be conducting a flu clinic for County Officials on September 23, 2009 from 12:30 p.m. to 3:00 p.m. in Livingston County Government Center, Room 303A.
3. Notice of Claim in the matter of Dorothy M. Wilkins versus the County of Livingston, filed in this office on August 21, 2009.
4. Letter from Assemblyman Joseph A. Errigo acknowledging receipt of Res. No. 2009-254 supporting permanent authority in the imposition of sales and use tax rates.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-283      APPROVING ABSTRACT OF CLAIMS #8B – AUGUST 26, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #8B dated August 26, 2009 in the total amount of \$1,775,303.25.

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**PRIVILEGE OF THE FLOOR**

There was no request for Privilege of the Floor.

**PREFERRED AGENDA****RESOLUTION NO. 2009-284      REAPPOINTING MEMBER TO THE LIVINGSTON/WYOMING COUNTY MICRO-LOAN JOINT LOAN COMMITTEE – CARL LUTZ**

RESOLVED, that the following member is hereby reappointed to the Livingston/Wyoming County Micro-Loan Joint Loan Committee for the term designated:

Name	Address	Rep./Title	Term
<b>Micro-Loan Joint Loan Committee</b>			
Carl Lutz	53 Genesee Street, Avon NY 14414	Member	Pleasure of the Board

Dated at Geneseo, New York

August 26, 2009

Public Services Committee

**RESOLUTION NO. 2009-285      DECLARING SURPLUS PROPERTY – SHERIFF'S DEPARTMENT, BOARD OF SUPERVISORS**

WHEREAS, the County of Livingston owns surplus personal property that is no longer necessary for public use, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following item(s) as surplus property to be disposed of as determined by the County Administrator:

**Sheriff's Department**

Quantity	Item	Model #	Serial #
1	2006 Jeep Cherokee	Former 144	1J4GR48K66C176926
1	2004 Chevy Impala	Former 128	2G1WF52E549161060
1	2004 Chevy Impala	Former 152	2G1WF52E449461947
1	2004 Chevy Tahoe	Former K9-1	1GNEK13Z24J293794
1	2003 Ford CV	Former 129	2FAFP71W23X106950

**Board of Supervisors**

1	2006 Chevy Tahoe		1GNEK13Z86J119585
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Dated at Geneseo, New York

August 26, 2009

Ways and Means 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. Davis and seconded by Mr. Deming to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTIONS****RESOLUTION NO. 2009-286 AUTHORIZING SETTLEMENT AGREEMENT WITH SUNSHINE ENVIRONMENTAL SERVICES, INC.**

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

WHEREAS, by Resolution No. 2007-292, Sunshine Environmental Services, Inc. ("Sunshine") was awarded a contract for asbestos abatement work at Building #1, Livingston County Campus, Mt. Morris, New York; and

WHEREAS, Livingston County sought backcharges from Sunshine and Sunshine filed a Notice of Claim seeking damages, and

WHEREAS, Livingston County and Sunshine have negotiated a settlement of all issues, now, therefore, be it

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the settlement agreement authorizing a payment to Sunshine in the amount of \$53,101.43 in full settlement of all claims and backcharges.

Dated at Geneseo, New York

August 26, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-287 APPROVING CHANGE ORDER(S) FOR THE WILCOX PRESS DEMOLITION PROJECT - BIANCHI INDUSTRIAL SERVICES, LLC**

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

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

Contractor	For	Net Change Not to Exceed	New Contract
<b>Bianchi Industrial Services, LLC</b>	Removal of concrete	Not to exceed \$11,850.00	\$303,072.22

and, it is further,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the necessary change order(s), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

August 26, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-288 APPROVING CHANGE ORDER(S) FOR JAIL RENOVATION PROJECT  
– BILLITIER ELECTRIC, INC.**

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

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

Contractor	For	Net Change Not to Exceed	New Contract
<b>Billitier Electric, Inc.</b>	Electrical Service – RG&E	\$23,959.00	\$2,018,959.00

and, it is further,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the necessary change order(s), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

August 26, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**RESOLUTION NO. 2009-289 AUTHORIZING 2009 AGREEMENT WITH LIVINGSTON COUNTY  
CHAMBER OF COMMERCE, INC. FOR THE PROMOTION OF TOURISM**

Mr. Yendell 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, funds in the amount of \$111,500.00 have been budgeted in the 2009 County budget, now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Livingston County Chamber of Commerce</b>	1/1/09-12/31/09	\$111,500.00

4635 Millennium Drive

Geneseo, NY 14454

For: Tourism promotion.

Dated at Geneseo, New York

August 26, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**RESOLUTION NO. 2009-290 DESIGNATING THE LIVINGSTON COUNTY CHAMBER OF  
COMMERCE AS THE 2010 OFFICIAL TOURISM PROMOTION AGENCY**

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

WHEREAS, the New York State Grants Program is designed to encourage tourism promotion throughout the regions of New York State, and

WHEREAS, the Livingston County Chamber of Commerce qualifies as an official Tourism Promotion Agency, now, therefore, be it

RESOLVED, that the Livingston County Chamber of Commerce, be and hereby is designated by the Livingston County Board of Supervisors as their Tourism Promotion Agency under this program and is 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 Livingston County Chamber of Commerce.

Dated at Geneseo, New York

August 26, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-291 AUTHORIZING TRANSFER OF FUNDS – DEPARTMENT OF HEALTH, HIGHWAY, PLANNING**

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

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

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-292 AMENDING 2009 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

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

RESOLVED, that the 2009 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A4035	3472	State Aid Special Health	\$6,990.00
		4489	Other Federal Health	\$1,836.00
			<b>Increase Revenue Total</b>	<b>\$8,826.00</b>
Increase Appropriation	A4035	2200	D.P. Equipment	\$101.00
		4025	Conferences	\$700.00
		4040	Rent	\$2,000.00
		4070	Service Contracts	\$1,025.00
		4200	Print & Ads	\$5,000.00
			<b>Increase Appropriation Total</b>	<b>\$8,826.00</b>

And,

Increase Revenue	A4093	2610	Fines	\$550.00
Increase Appropriation	A4093	4020	Training/Education	\$550.00

And,

Increase Revenue	A3510	2680	Insurance Recovery	\$378.61
Increase Appropriation	A3510	4120	Motor Equipment Repair/Maintenance	\$378.61

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-293 AMENDING 2009 LIVINGSTON COUNTY BUDGET – HIGHWAY**

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

RESOLVED, that the 2009 Highway Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	DM5130	2770	Other Unclassified	\$40,331.00
Increase Appropriation	DM5130	4124	Gasoline	\$40,331.00

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-294 AMENDING 2009 LIVINGSTON COUNTY BUDGET – LIABILITY INSURANCE**

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

RESOLVED, that the 2009 Liability Insurance budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	CS0599	0000	Appropriated Fund Balance	\$50,000.00
Increase Appropriation	CS1930	4310	Judgments & Claims	\$50,000.00

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**RESOLUTION NO. 2009-295 AMENDING 2009 LIVINGSTON COUNTY BUDGET – OFFICE FOR THE AGING**

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

RESOLVED, that the 2009 Office for the Aging budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6774	4489	Other Federal Funds (stimulus)	\$4,657.00
Increase Appropriation	A6774	1000	Personnel	\$1,435.00
		8100	FICA	\$359.00
		4020	Travel	\$556.00
		4190	Agency Contracts	\$2,307.00
			<b>Increase Appropriation Total</b>	<b>\$4,657.00</b>

And,

Increase Revenue	A6774	4489	Other Federal Funds (stimulus)	\$9,463.00
Increase Appropriation	A6774	1000	Personnel	\$4,991.00
		8100	FICA	\$1,238.00
		4020	Travel	\$144.00
		4060	Office Supplies	\$142.00
		4190	Agency Contract	\$2,844.00
		4450	Food	\$104.00
			<b>Increase Appropriation Total</b>	<b>\$9,463.00</b>

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**RESOLUTION NO. 2009-296 AMENDING 2009 LIVINGSTON COUNTY BUDGET - PROBATION**

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

RESOLVED, that the 2009 Probation Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A1000	2801	Interfund Revenue	\$50,000.00
Increase Appropriation	A3140	1000	Personal Services	\$50,000.00

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

**RESOLUTION NO. 2009-297 REQUESTING THE NEW YORK STATE LEGISLATURE TO ENACT LEGISLATION TO AUTHORIZE THE COUNTY OF LIVINGSTON TO INCREASE THE MORTGAGE TAX AND ESTABLISH A TRANSFER TAX**

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

WHEREAS, the Livingston County Board of Supervisors recognizes the increased tax burden that has been placed on property owners in Livingston County in recent years necessitated by economic factors beyond the control of County government, and

WHEREAS, these economic factors will not improve in the near future, and

WHEREAS, the Livingston County Board of Supervisors has decided to seek an increase in the local portion of the mortgage tax and the imposition of a local transfer tax, as some counties have previously done, to help reduce any further increase in the property tax burden, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors requests that the New York State Legislature enact legislation authorizing the County of Livingston to impose an additional .25% mortgage tax and a \$2.00 per thousand transfer tax on real estate transactions, both to be used for County purposes, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Senators Dale M. Volker and Catharine M. Young and Assemblymen Joseph A. Errigo and Daniel J. Burling and the New York State Association of Counties.

Dated at Geneseo, New York

August 26, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-298 ACCEPTING THE REPORT OF COMMITTEE ON WORKERS' COMPENSATION INSURANCE ESTIMATE AND APPORTIONMENT OF COUNTY SELF- INSURANCE FOR THE YEAR 2010**

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

WHEREAS, the Ways and Means Committee has submitted the annual estimate and apportionment of expenses for the Livingston County Self-Insurance Plan for the fiscal year beginning January 1, 2010, and ending December 31, 2010, pursuant to Section 67 Paragraph 1 of the Workers' Compensation Law.

**LIVINGSTON COUNTY SELF INSURANCE PLAN  
ANNUAL ESTIMATE AND APPORTIONMENT OF EXPENSES  
JANUARY 1, 2010**

AWARDS:	\$1,500,000.00		
MEDICAL	\$700,000.00		
CLAIM EXP:	\$50,000.00		
REHAB SVCS:	\$30,000.00		
		SUBTOTAL	\$2,280,000.00
ADMINISTRATIVE COSTS:			
.4	Contractual Expenses		
	Administration (USA-TPA)	\$83,200.00	
	Legal Fees	\$40,000.00	
	W.C. Board Assessments	\$450,000.00	
	Insurance	\$115,000.00	
	Office Supplies	\$1,000.00	
	Public Goods Pool	\$21,000.00	
		SUBTOTAL	\$710,200.00
CONTRIBUTION TO RESERVE FUND		SUBTOTAL	\$300,000.00
		TOTAL	\$3,290,200.00
LESS: RECOVERIES	\$425,000.00		
LESS: INTEREST INCOME	\$10,000.00		
LESS: INTERFUND REVENUES	\$1,800,000.00		
		LESS:	\$2,235,000.00
AMOUNT TO BE RAISED BY TAX			\$1,055,200.00

**APPORTIONMENT OF WORKERS' COMPENSATION  
INSURANCE FOR THE YEAR 2010**

<u>PARTICIPANTS RATIO</u>	<u>ASSESSED VALUES 2008</u>	<u>FULL VALUES</u>	<u>% OF TOTAL COST</u>	<u>2009 SHARE OF PARTICIPANT</u>	<u>2010 SHARE OF PARTICIPANT</u>	
<b>TOWNS</b>						
Avon	100.00%	\$384,818,566	\$384,818,566	5.05%	\$61,098	\$53,288
Caledonia	100.00%	\$237,607,961	\$237,607,961	3.11%	\$37,874	\$32,817
Conesus	93.50%	\$161,105,386	\$172,305,226	2.26%	\$25,606	\$23,847
Geneseo	95.00%	\$476,035,261	\$501,089,748	6.57%	\$76,224	\$69,327
Groveland	98.00%	\$124,966,989	\$127,517,336	1.67%	\$19,890	\$17,622
Leicester	100.00%	\$115,339,810	\$115,339,810	1.51%	\$18,580	\$15,933
Lima	100.00%	\$243,573,543	\$243,573,543	3.19%	\$38,827	\$33,661
Livonia	95.00%	\$492,319,495	\$518,231,047	6.79%	\$78,368	\$71,648
Mt. Morris	98.00%	\$163,126,157	\$166,455,262	2.18%	\$26,202	\$23,003
North Dansville	99.00%	\$204,776,752	\$206,845,204	2.71%	\$32,872	\$28,596
Nunda	98.00%	\$121,474,765	\$123,953,842	1.63%	\$19,294	\$17,200
Ossian	100.00%	\$48,512,708	\$48,512,708	0.64%	\$7,741	\$6,753
Portage	98.00%	\$37,308,707	\$38,070,109	0.50%	\$5,955	\$5,276
Sparta	99.00%	\$75,664,045	\$76,428,328	1.00%	\$12,029	\$10,552
Springwater	99.00%	\$107,297,348	\$108,381,160	1.42%	\$17,150	\$14,984
West Sparta	99.00%	\$62,832,074	\$63,466,741	0.83%	\$10,004	\$8,758
York	100.00%	\$197,974,617	\$197,974,617	2.60%	\$31,681	\$27,435
<b>TOTALS</b>		<b>\$3,254,734,184</b>	<b>\$3,330,571,208</b>	<b>43.66%</b>	<b>\$519,395</b>	<b>\$460,700</b>

**COUNTY**

Livingston County		\$3,254,734,184	\$3,330,571,208	43.66%	\$519,395	\$460,700
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**VILLAGES**

Avon	100.00%	\$164,471,941	\$164,471,941	2.15%	\$26,202	\$22,687
Caledonia	100.00%	\$99,843,525	\$99,843,525	1.31%	\$15,959	\$13,823
Dansville	99.00%	\$158,756,315	\$160,359,914	2.10%	\$25,487	\$22,159
Geneseo	95.00%	\$219,586,081	\$231,143,243	3.03%	\$35,492	\$31,973
Leicester	100.00%	\$19,577,819	\$19,577,819	0.26%	\$3,216	\$2,744
Lima	100.00%	\$86,957,973	\$86,957,973	1.14%	\$13,935	\$12,029
Livonia	95.00%	\$65,253,404	\$68,687,794	0.90%	\$10,481	\$9,497
Mt. Morris	98.00%	\$93,242,867	\$95,145,783	1.25%	\$15,007	\$13,190
Nunda	98.00%	\$40,179,527	\$40,999,517	0.54%	\$6,431	\$5,698
<b>TOTALS</b>		<b>\$947,869,452</b>	<b>\$967,187,509</b>	<b>12.68%</b>	<b>\$152,210</b>	<b>\$133,800</b>
<b>GRAND TOTALS</b>		<b>\$7,457,337,820</b>	<b>\$7,628,329,925</b>	<b>100.00%</b>	<b>\$1,191,000</b>	<b>\$1,055,200</b>

and

WHEREAS, the Ways and Means Committee recommends the adoption of the report, it is hereby RESOLVED, that the estimate and apportionment of expenses be approved as submitted, and, be it further RESOLVED, that pursuant to Section 67, Paragraph 1, of the Workers' Compensation Law, the amount apportioned to the County and each of the participating towns as set forth in the foregoing report be levied and assessed upon the taxable property of the County, and that other participating municipalities make payment to the County Treasurer not later than thirty days after the commencement of the participants next fiscal year, and, be it further RESOLVED, that certified copies of this report and resolution be forwarded to each participant of this plan.

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-299 AUTHORIZING CONVEYANCE OF COUNTY PROPERTIES ACQUIRED BY TAX DEEDS**

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

WHEREAS, the County of Livingston acquired title to the following parcels of land, and

WHEREAS, the Livingston County Board of Supervisors' Ways and Means Committee has approved the sale of said parcels, it is, hereby

RESOLVED, that the following conveyances be approved with a net profit of \$270,406.23.

Tax Map No.	Formerly Owned /Assessed to	Conveyed to Purchaser	Village/Town	Price
129.-1-40	Reed, William G	<b>Meacham, Ray L. &amp; Jacquelyn N.</b>	Conesus	\$22,000.00
129.-1-45.21	Ernst, Charles Estate – Ernst, Judith Estate	Drake, Ted D.	Conesus	\$3,500.00
129.-1-50.2	Hammond, Joseph W	Mitchell, Christopher M.	Conesus	\$750.00
110.47-1-20	Pecora, Sam & Angela M.	Fahy, Robert C.	Conesus	\$13,500.00
110.55-1-13	Parsons, Frank A. & Susan J.	Muchler, Terry J. & Robin M.	Conesus	\$4,250.00
110.55-1-20.11	Schratz, David R	Scriven, Jeramya B.	Conesus	\$400.00
203.6-2-12	Snyder, Robert J & Marjorie A.	Kuhn, David K & Susan L	Village of Dansville, Town of North Dansville	\$7,000.00
203.11-4-13	Creative Investments LLC	Kuhn David K & Susan L	V-Dansville, T-North Dansville	\$15,000.00
203.16-1-39.11	Lynn, Christopher	Lebar, Terry	V-Dansville, T-North Dansville	\$1,750.00
203.7-1-16	Fidell, Allen R.	Jane M. Schryver Living Trust	V-Dansville, T-North Dansville	\$29,000.00
203.11-7-20.1	Avery, Jason	Leitten, Matthew P.	V-Dansville, T-North Dansville	\$4,250.00
203.10-2-37	Brockington, Terri	Lazaroff, Zeno P.	V-Dansville, T-North Dansville	\$26,000.00
100.43-1-20	JP & AJ Malone Enterprises, Inc.	Gray, Richard A.	Town of Geneseo	\$55,000.00
135.-1-1.12	Brown, Wheeler Mae	Sparta Farms LP	Groveland	\$7,000.00
36.-2-56.11	NRLL East, LLC	Wright, Steven & James	Town of Lima	\$3,500.00
92.-1-18.2	Miller, Brian	Robinson, Douglas D.	Town of Livonia	\$2,000.00
75.11-1-30	Bunnell, Robert	Buzzell, Korey	Town of Livonia	\$53,000.00
157.-1-50	Dwyer, James & Cynthia	DeMay, Richard & Barbara E.	Town of Mt. Morris	\$2,000.00
106.19-1-24	Geraci, Greg J & Lisa M	O'Connell, Gregory	Village of Mt. Morris, Town of Mt. Morris	\$4,000.00
185.-1-19	Lookout Enterprises, Inc.	Comer, Charles & Scoville, Lawrence	Town of Nunda	\$23,000.00
184.13-1-24	Secker, Robert C	Cohen, Jeffrey N	Village of Nunda, Town of Nunda	\$600.00

200.-1-31.1	Parrinello, Thomas	Wells-Bowen, Susan D.	Ossian	\$16,000.00
200.-1-14	County of Livingston, FNA: Moore, Melvin & Beatrice	Wood, Bradley R.	Ossian	\$1,750.00
197.-1-23	Coon, Denman B & Deborah J	Piper, David & Teresa	Portage	\$14,000.00
197.-1-22	Coon, Deborah J.	Piper, David & Teresa	Portage	\$15,000.00
162.-1-49.12	Kicherer, Karen	Phelps, Craig R.	Sparta	\$1,600.00
141.-2-6.1	County of Livingston FNA:Bratt, Jonathan	Chilson, Alvin W.	Springwater	\$2,250.00
138.-2-86	GRP Real Estate		Springwater	
& 138.-2-87	Lewis, Carl L.	Mitchell, Christopher M	Springwater	\$700.00
138.-2-68	GRP Real Estate, LLC	.	Springwater	
& 138.-2-95	GRP Real Estate, LLC	Babbitt, Deborah J.	Springwater	\$900.00
147.-1-38	Galton, Arlene	Turtlestone Property, Inc.	West Sparta	\$500.00
172.-1-12	Carvalho, John J.	O'Brien, Sean P. & Patrick L.	West Sparta	\$12,500.00
70.-1-40	Scondras, George L	Empire Housing, LLC	York	\$14,000.00
62.-1-8.112	Townsend (Dec.), Gordon Lee	Borie, Deborah	York	\$9,250.00
42.5-1-47.2	Lords Automotive	Kapperman, Bradley J.	York	\$21,000.00
41.-1-12.52	Trathen Land Company LLC	Wing, Alan A.	York	\$2,400.00
31.-1-21	Landers, George P. & Eleanor M.	Seifert, Timothy M.	York	\$11,500.00

and, be it, further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to execute the quit-claim deeds of conveyance and any and all related documents prepared by the County Attorney to complete the aforesaid conveyances.

Dated at Geneseo, New York

August 26, 2008

Ways & Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

Chairman Merrick asked County Treasurer Carolyn Taylor if she would like to comment on the tax auction results. Carolyn Taylor thanked Chairman Merrick, Vice Chairman Moore and County Attorney David Morris for attending the tax sale on August 20, 2009. She indicated there were two vacant properties that were not sold; one with very high taxes and a parcel located in Mt. Morris with no bidders. Overall, she stated the auction went very well, and this was probably the largest crowd we have ever had. She again thanked County Attorney David Morris for his assistance throughout this process.

#### **RESOLUTION NO. 2009-300 MODIFYING THE LIVINGSTON COUNTY AMERICANS WITH DISABILITIES ACT (ADA) EMPLOYMENT POLICY**

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

RESOLVED that the Livingston County Americans With Disabilities Act (ADA) Employment Policy is hereby modified as shown below:

##### **LIVINGSTON COUNTY AMERICANS WITH DISABILITIES ACT (ADA) EMPLOYMENT POLICY**

It is the policy of Livingston County to full comply with the provisions and spirit of the ADA and ensure equal employment opportunity for all qualified persons with disabilities. All employment practices, such as recruitment, hiring, promotion, demotion, layoff and return from layoff, compensation, job assignments, job classifications, paid or unpaid leave, fringe benefits, training, employer-sponsored activities, including recreational or social programs will be conducted so as not to discriminate unlawfully against persons with disabilities. This also extends to prohibit discrimination based upon a person's relationship or association with a disabled individual. Reasonable accommodation is available to all qualified employees and applicants with disabilities, unless it imposes an undue hardship on the operations of a program.

**Interviewing and Hiring.** Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position, not any disabling condition. Pre-employment physical exams will only be requested when in compliance with the law. The County intends to base employment decisions on principles of equal employment opportunity and nondiscrimination, as defined by law.

**Compensation and Benefits.** Qualified individuals with disabilities are entitled to equal pay and other forms of compensation along with work assignments, classifications, seniority, leave and all other forms of employment compensation or advantage.

**Complaints of Discrimination.** The County has designated Tish Lynn, Personnel Officer, Livingston County Government Center, 6 Court Street, Room 206, Geneseo, New York 14454, 585-243-7570 to monitor efforts to ensure the County's compliance with the ADA, and to receive complaints of discrimination against disabled persons. Any person who believes they are a victim of discrimination can direct a written complaint to this person. In the event that a complaint cannot be made to the Personnel Officer, the complaint may be made to Ian Coyle, County Administrator, Livingston County Government Center, 6 Court Street, Room 302, Geneseo, New York 14454, 585-243-7040. This procedure is not intended to restrict an individual's rights to make a complaint to a federal or state agency.

**Investigation.** The County's policy is to investigate all such complaints thoroughly and promptly. To the fullest extent practical, the County will keep complaints and their resolutions confidential. If an investigation confirms that discrimination has occurred, the County will take corrective action, including any discipline that is appropriate up to and including immediate termination of employment. The County will cooperate with any state or federal agency in the investigation of any complaints.

**THIS DIRECTIVE IS FOR COUNTY USE ONLY AND DOES NOT APPLY IN ANY CRIMINAL OR CIVIL PROCEEDING. THE COUNTY POLICY SHALL NOT BE CONSTRUED AS A CREATION OF HIGHER LEGAL STANDARD OF SAFETY OR CARE IN AN EVIDENTIAL SENSE WITH RESPECT TO THIRD PARTY CLAIMS. VIOLATIONS OF THIS DIRECTIVE WILL ONLY FORM THE BASIS FOR COUNTY ADMINISTRATIVE SANCTIONS. VIOLATIONS OF LAW WILL FORM THE BASIS FOR CIVIL AND CRIMINAL SANCTIONS IN A RECOGNIZED JUDICIAL SETTING.**

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

Chairman Merrick asked Personnel Officer Tish Lynn to comment on the next few resolutions. Tish Lynn explained the following:

**ADA Policy:** Has been updated to substitute name of new County Administrator.

**Affirmative Action Plan:** has been updated to:

- Substitute name of new County Administrator,
- Include "domestic violence victim status" to the list of protected classifications per a recent change to the NYS Human Rights Law, and
- Remove the requirement that new employees be provided with a copy at processing.

**EEO Policy:** has been updated to:

- Substitute name of new County Administrator, and
- Include "domestic violence victim status" to the list of protected classifications per a recent change to the NYS Human Rights Law.

**Computer Use Policy:** has been updated to substitute name of new County Administrator.

**Sexual Harassment Policy:** has been updated to substitute name of new County Administrator.

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

## **RESOLUTION NO. 2009-301 MODIFYING THE LIVINGSTON COUNTY AFFIRMATIVE ACTION PLAN POLICY STATEMENT**

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

RESOLVED that the Livingston County Affirmative Action Plan is hereby modified as shown below:

**LIVINGSTON COUNTY  
AFFIRMATIVE ACTION PLAN**

**James C. Merrick, Chairman**  
Livingston County Board of Supervisors

**Ian M. Coyle**  
County Administrator

**Tish E. Lynn**  
Affirmative Action Officer  
Civil Service/Personnel Officer

(Revised August 4, 2009)

**PART I  
LIVINGSTON COUNTY AFFIRMATIVE ACTION  
POLICY STATEMENT**

It is the policy of the County of Livingston to provide equal employment opportunity to all people without regard to race, color, sex, sexual preference, religion, age, national origin, disability, veteran status, genetic information, or domestic violence victim status. As Chairman of the Livingston County Board of Supervisors, I am personally committed to ensuring that the County will act affirmatively to develop avenues of entry and mobility for those in protected categories through the following activities:

Development and implementation of programmatic approaches to the elimination of all unjust exclusionary employment practices and policies including removing barriers to employment by providing reasonable accommodations for individuals having disabilities;

Development and implementation of staff development and training programs for all employees, with due emphasis on our goal of providing mobility and career opportunities for those in protected categories;

Development and implementation of personnel practices, policies and career ladders to assist and encourage the entry of new employees and the upward mobility of employees;

Development of mechanisms for swift and judicious resolution of allegations of human rights discrimination consistent with our policy, Governor's executive orders and applicable legal standards.

In updating this policy, we have designed a plan which conforms with all relevant Federal and State non-discrimination and affirmative action regulations, including but not limited to: the Civil Rights Act of 1964, as amended; the Rehabilitation Act of 1973; the New York State Human Rights Law; Federal Executive order 11246; Federal Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act, and the Federal Equal Pay Act of 1963. It applies equally to all job classifications and titles in the County Service and all types of appointments under Livingston County's jurisdiction. This plan governs all the County's employment policies, practices and actions including but not necessarily limited to: recruitment, employment, disciplinary actions, rate of pay or reallocation, promotion, demotion and all employee benefits.

To assist in the responsibility of achieving an effective affirmative action program, the Livingston County Civil Service/Personnel Officer has been designated the Affirmative Action Officer to be responsible for day-to-day implementation of necessary programs and policies as outlined in the plan which will be available in the Personnel Office. I will see that the Affirmative Action officer is provided with all agency resources necessary for the execution of program responsibilities. Moreover, all managers, supervisors and employees must make consistently diligent efforts to implement this policy in day-to-day program and employment decisions.

The County of Livingston has a mission of providing a wide range of services to Livingston County agencies to ensure that they are able to meet their human resource needs in a timely fashion. Affirmative Action considerations are an integral part of all activities performed in the furtherance of our mission and in meeting our responsibilities to the residents and employees of Livingston County.

James C. Merrick, Chairman

Livingston County  
Board of Supervisors

## PART II

### DISSEMINATION OF POLICY

The County will undertake the activities listed below to disseminate its Affirmative Action Plan and Program, both internally and externally.

- A. Internal - Copies of the County's Affirmative Action Policy Statement will be made available as follows:
1. A copy will be posted in each department on at least one bulletin board that is conspicuous and accessible to employees and, to the extent possible, to the public.
  2. Each County Department will include the Affirmative Action Policy Statement in the department's policy manual.
  3. Union/Association representatives will be informed of the County's Affirmative Action Policy.
  4. All County Department Heads will be asked to annually review the Policy and discuss the program goals, objectives and their responsibilities for continued implementation.
- B. External -
1. Livingston County's Affirmative Action Policy will be made available to the public upon request to the County's Personnel Office.
  2. The Policy Statement will be made available to recruitment sources, organizations, colleges and community groups interested in encouraging equal employment opportunities for those in protected categories.
  3. All vendors and suppliers with whom the County conducts business will be notified of the Affirmative Action Policy and their cooperation will be sought.
  4. The County will ensure that purchase orders and position vacancy notices indicate that the County is an Equal Opportunity/Affirmative Action employer.

## PART III

### IMPLEMENTATION RESPONSIBILITIES

A. Chairman of the Livingston County Board of Supervisors

Consistent with applicable laws, rules and regulations, ultimate responsibility for the achievement of equal opportunity in the County Service through the use of the Affirmative Action Policy and other means lies with the Chairman of the Board of Supervisors.

B. Affirmative Action Officer

The Chairman of the Board of Supervisors has designated day-to-day programmatic responsibility to the County's Affirmative Action Program to the Personnel Officer.

The duties of the Affirmative Action Officer include, but are not limited to, the following:

- § Planning, developing, coordinating, implementing and monitoring the County's Affirmative Action Program;
- § Reviewing existing and proposed minimum qualifications for all positions;
- § Reviewing, monitoring and making recommendations on department personnel policies and practices assuring that reasonable accommodations are provided to all known disabled applicants and employees;
- § Participating in conferences, meetings and seminars concerned with affirmative action and equal employment opportunity;
- § Keeping abreast of and being aware of the impact of laws, rules, regulations and court decisions impacting on the County's Affirmative Action Program;
- § Coordinating affirmative action activities in the County service and ensuring that all locations are in compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act;
- § Developing an internal discrimination complaint procedure;
- § Investigating and resolving complaints of discrimination by employees and applicants who are members of the protected class;
- § Informing complainants of rights and external avenues of redress;
- § Assuring that all personnel records are maintained in a manner consistent with applicable laws and regulations;
- § Determining affected titles listed in the personnel office to avoid adverse impact during layoffs.

C. Responsibilities of Department Heads and Supervisors

*The Department Heads and Supervisors shall meet periodically with the Affirmative Action Officer to ensure that the Affirmative Action Officer is informed of the activities of their departments and has the opportunity to evaluate the affirmative action impact of these activities. Through these meetings we can ensure that affirmative action goals and objectives are met within their respective departments.*

The obligations of the Department Heads and Supervisors include, but are not limited to:

- § Assisting the Affirmative Action Officer in the identification of problem recruitment areas and the establishment and implementation of numerical and programmatic goals;
- § Providing all protected class staff members with full opportunity to participate in training and career enrichment activities, including workshops and seminars;
- § Conducting periodic evaluations of targeted program areas to assure equal treatment of protected class service consumers;
- § Consistently and equitably applying discipline rules and other personnel actions and procedures;
- § Providing accurate reports and information as required for affirmative action purposes.

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

## **RESOLUTION NO. 2009-302      MODIFYING THE LIVINGSTON COUNTY EQUAL EMPLOYMENT OPPORTUNITY POLICY**

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

RESOLVED that the Livingston County Equal Employment Opportunity Policy is hereby modified as shown below:

### **LIVINGSTON COUNTY EQUAL EMPLOYMENT OPPORTUNITY POLICY**

Livingston County is an equal opportunity employer. Discrimination on the basis of race, color, sex, sexual orientation, religion, age, national origin, marital status, disability, veteran status, genetic information, domestic violence victim status, or for any other reason prohibited by law will not be tolerated.

Scope. This policy applies to all terms and conditions of employment including, but not limited to: employment advertising, hiring, placement, compensation, training, promotion, demotion, termination, layoff, transfer, disciplinary actions, leaves of absence or any other benefits. Discrimination based upon any of the above is strictly prohibited and any supervisor, administrator or employee who engages in or tolerates such behavior is subject to disciplinary action in accordance with the Civil Service Law, collective bargaining agreements or any other applicable state or federal Laws.

Complaints of Discrimination. If an employee believes he/she has encountered violations of this policy, the employee may advise his/her Department Head. In addition, an employee may file a written complaint with Tish Lynn, Personnel Officer, Livingston County Government Center, 6 Court Street, Room 206, Geneseo, New York 14454, 585-243-7570 within 30 calendar days of the incident. In the event that a complaint cannot be made to the Department Head or the Personnel Officer, the complaint may be made to Ian Coyle, County Administrator, Livingston County Government Center, 6 Court Street, Room 302, Geneseo, New York 585-243-7040. Retaliation against the complainant will not be tolerated. False accusations will be treated as a disciplinary offense and will result in the same level of punishment as that applied to one who engages in such behavior.

Investigation. Livingston County's policy is to investigate all such complaints. If an investigation confirms that a violation has occurred, the County will take corrective action, including any discipline that is appropriate up to and including immediate termination of employment.

**THIS DIRECTIVE IS FOR COUNTY USE ONLY AND DOES NOT APPLY IN ANY CRIMINAL OR CIVIL PROCEEDING. THE COUNTY POLICY SHALL NOT BE CONSTRUED AS A CREATION OF HIGHER LEGAL STANDARD OF SAFETY OR CARE IN AN EVIDENTIAL SENSE WITH RESPECT TO THIRD PARTY CLAIMS. VIOLATIONS OF THIS DIRECTIVE WILL ONLY FORM THE BASIS FOR MUNICIPAL ADMINISTRATIVE SANCTIONS. VIOLATIONS OF LAW WILL FORM THE BASIS FOR CIVIL AND CRIMINAL SANCTIONS IN A RECOGNIZED JUDICIAL SETTING.**

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

The roll was called as follows: Aves - 1.752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-303    MODIFYING THE LIVINGSTON COUNTY COMPUTER USE POLICY**

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

RESOLVED that the Livingston County Computer Use Policy is hereby modified as shown below:

**LIVINGSTON COUNTY COMPUTER USE POLICY**

**PURPOSE:** The purpose of this policy is to establish guidelines for the use of County computer equipment and software with the goal of insuring that such equipment and software are used in an appropriate and professional manner.

**POLICY:**

1. **Use of Computer Equipment and Software.** Computer equipment and software shall only be used for proper purposes as described herein. All improper uses of such equipment and software are prohibited. Employees who engage in the improper use of computer equipment and software shall be subject to discipline which may involve termination of employment.
  - a. **Proper-** Computer equipment and software may be used to enable an employee to carry out his/her job duties and for the furtherance of County business.
  - b. **Improper-** Computer equipment and software may not be used for any reason unrelated to County business, including, but not limited to:
    - personal use;
    - accessing and/or attempting to access information contained on County computers without proper authorization;
    - performing any action which has the purpose or effect of disrupting County business;
    - performing any action which has the purpose or effect of harassing another person;
    - creating or distributing materials that are discriminatory or offensive;
    - violating any Federal, State, Local law or regulation or violating any County work rule or policy;
    - creating, accessing or distributing pornographic or sexually explicit materials;
    - engaging in any other behavior which would be considered unprofessional and inappropriate in the workplace by a reasonably prudent person.

In addition, improper use shall include the installation, connection or modification of any computer hardware, software or computer devices on County computer equipment without the express, written authorization from the Director of Livingston County Information and Technology Services ("ITS").
2. **Installation of Hardware and Software.** Any employee with a request to have County business related computer hardware or software installed on or connected to County computer equipment must direct this request to his/her Department Head. If the Department Head approves the request, the Department Head must contact ITS to request installation or connection. All installations and connections shall be performed by ITS unless express, written authorization is given to another person to make an installation or connection.
3. **Record Retention Requirements.** Employees who create E-mails or other computer documents which involve:
  - policies and directives,
  - correspondence or memoranda related to official business,
  - work schedules and assignments,
  - agendas and minutes of meetings,
  - drafts of documents that are circulated for comment or approval,
  - any document that initiates, authorizes, or completes a business transaction,
  - final reports or recommendations, and
  - any other document which is subject to record retention requirements

must retain such documents pursuant to record retention requirements. Such documents should be retained by printing off a hard copy of the document and retaining this document as required. Documents should not be retained on a computer for more than six months unless there is a reasonable expectation that the user will need computer access to such documents in the future.
4. **Monitoring Use.** **No employee should have an expectation of privacy in his/her use of computer equipment or software.** Employee use of computer equipment and software may be monitored by the County in its discretion.

5. **Further Information.** Any employee who needs further information regarding the proper and improper uses of computer equipment and software should contact the Director of ITS at 243-7191.
6. **Modifications to Policy.** The County reserves the right to modify this policy at any time.

**DEFINITIONS:**

***“Computer equipment and software”*** as used herein means County owned computer equipment (including, but not limited to, personal computers, laptops, hand held devices and any peripheral devices), software provided by the County, E-mail systems provided by the County, Internet services provided by the County, and any other equipment or software related to County computer use which are made available to employees by the County. Software also includes any County business related software: licensed to the County from third parties, obtained from other agencies (State, Federal, etc.), and downloaded from the Internet.

***“County business”*** as used herein means the areas of service which the County provides to the public pursuant to the directives of the Federal Government, State Government, Livingston County Board of Supervisors, and/or the County Administrator.

***“Hard copy”*** as used herein means a tangible, written document. When a computer document has been printed, the result is the “hard copy.”

***“Job duties”*** as used herein means the responsibilities of an employee relating to his/her work for Livingston County.

**EFFECTIVE DATE:** This policy shall be effective immediately.

Ian M. Coyle

County Administrator

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent – 0; Adopted.

## **RESOLUTION NO. 2009-304    MODIFYING THE LIVINGSTON COUNTY SEXUAL HARASSMENT POLICY**

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

RESOLVED that the Livingston County Sexual Harassment Policy is hereby modified as shown below:

### **LIVINGSTON COUNTY SEXUAL HARASSMENT POLICY**

Sexual harassment is a form of gender discrimination and is a violation of state and federal civil rights laws. It is the policy of Livingston County to strongly oppose and prevent any form of discrimination. We recognize that any employee's ability to perform his/her job may be adversely affected by harassment based upon sex. Therefore, this policy has been prepared to aid our employees in understanding and helping to prevent sexual harassment.

**Definition of Sexual Harassment.** The Equal Employment Opportunity Commission defines sexual harassment as "unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature" when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer, or termination, affecting such individual, or;
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or otherwise offensive working environment.

**Examples of Sexual Harassment.** Examples of sexual harassment include, but are not limited to: abusive verbal language related to an employee's sex, sexually oriented comments about an individual's body that are unwelcome and/or reasonably interfere with an employee's work performance or create an intimidating, hostile, or offensive working environment; displays of obscene printed or visual material; and physical contact, such that it unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

**Sexual Relations Between Supervisors and Subordinates.** While consensual sexual relationships between supervisors and subordinates do not constitute sexual harassment per se, they pose a serious risk for sexual harassment and can undermine employee morale in a department; therefore, sexual relations between supervisors and their subordinates are prohibited. A person is a subordinate of a supervisor if: (1) the person reports directly to the

supervisor in question, or (2) the supervisor in question is a higher level supervisor in the direct chain of command within the department or the County government.

Employee Responsibilities. Each County employee is responsible for assisting in the prevention of harassment by: (1) refraining from participation in, or encouragement of, actions that could be perceived as harassment, (2) reporting acts of harassment, and (3) encouraging any employee who confides that he/she is being harassed or discriminated against to report these acts. Failure of any employee to carry out the above responsibilities will be considered in any performance evaluation or promotional decision and may be grounds for discipline.

Supervisor Responsibilities. Each supervisor is responsible for preventing acts of harassment. This responsibility includes: (1) monitoring the work environment on a daily basis for signs that harassment may be occurring, (2) counseling all employees on the types of behavior prohibited, and the procedures for reporting and resolving complaints of harassment, (3) stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision, and (4) taking immediate action to prevent retaliation towards the complaining party and to eliminate the hostile work environment where there has been a complaint of harassment, pending investigation. Failure to carry out these responsibilities will be considered in any evaluation or promotional decision and may be grounds for discipline.

Procedure for Reporting Sexual Harassment. Any employee who believes that another employee is initiating sexual harassment may file a written complaint with Tish Lynn, Personnel Officer, Livingston County Government Center, 6 Court Street, Room 206, Geneseo, New York, 14454, 585-243-7570 within 30 calendar days of the incident. In the event that a complaint cannot be made to the Personnel Officer, the complaint may be made to Ian Coyle, County Administrator, Livingston County Government Center, 6 Court Street, Room 302, Geneseo, New York, 585-243-7040. Charges will be kept confidential and will only be communicated to those having a legitimate need to know. Retaliation against the complainant will not be tolerated. Due to the serious nature of this offense, false accusations of sexual harassment are and will be treated as a disciplinary offense and will result in the same level of punishment as that applied to one who engages in such behavior.

Investigation and Disciplinary Action. The policy of Livingston County is to investigate all such complaints. If an investigation confirms that harassment has occurred, the County will take corrective action, including any discipline that is appropriate up to and including immediate termination of employment. The outcome of each case will depend upon the provable facts and individual circumstances. Both the employee lodging the complaint and the accused will be advised of the final resolution of the complaint.

THIS DIRECTIVE IS FOR COUNTY USE ONLY AND DOES NOT APPLY IN ANY CRIMINAL OR CIVIL PROCEEDING. THIS POLICY SHALL NOT BE CONSTRUED AS A CREATION OF HIGHER LEGAL STANDARD OF SAFETY OR CARE IN AN EVIDENTIAL SENSE WITH RESPECT TO THIRD PARTY CLAIMS. VIOLATIONS OF THIS DIRECTIVE WILL ONLY FORM THE BASIS FOR COUNTY ADMINISTRATIVE SANCTIONS. VIOLATIONS OF LAW WILL FORM THE BASIS FOR CIVIL AND CRIMINAL SANCTIONS IN A RECOGNIZED JUDICIAL SETTING.

Dated at Geneseo, New York

August 26, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

## **OTHER BUSINESS**

### **1. COUNTY ADMINISTRATOR IAN M. COYLE – UPDATE**

County Administrator Ian Coyle thanked Catherine “Kit” Potwora, ITS Department, for her spearheading of the "Proudly Serving" Wall in the 2nd floor lobby, which recognizes immediate family members of county staff that are serving in the Armed Forces and encouraged Supervisors to visit this display. He also thanked Supervisor of Buildings, Grounds and Parks David Allen and Central Services staff for installing the frames.

The County Administrator also briefed the Board of Supervisors on the 2010 budget process and indicated he has met with at least half of the department heads. He indicated that 2010 would be quite a challenging year as we have a lot working against us. He noted the increased health insurance & retirement rates, in addition to the onset of the jail-related debt as negative factors.

The County Administrator mentioned that the Workers' Compensation Apportionment Report was presented today and thanked County Auditor Terrence Donegan for his oversight of the Worker's Compensation program and for working closely with our TPA, USA-TPA, on claims administration. He also thanked the County Treasurer and

County Attorney for their work on the tax auction. He reported that the net income for the tax auction was approximately \$270,000. He explained we budgeted \$125,000 and consequently, we have a surplus of \$145,000 in that revenue account, which bodes well for the current fiscal year.

**ADJOURNMENT**

Motion made by Mr. Martello and seconded by Mr. Yendell to adjourn until Wednesday, September 9, 2009 at 1:30 p.m. Carried.

The Board adjourned at 1:55 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, SEPTEMBER 9, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Davis (Portage).

**PLEDGE OF ALLEGIANCE**

Mt. Morris Supervisor Charles DiPasquale led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 8/26/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. Summons and Complaint in the matter of Sarah Watkins versus the John C. Coniglio, Kevin Niedermaier, the County of Livingston, Conesus Fire District #1, Conesus Volunteer Fire Department, Inc. and The Town of Conesus, filed in this office on August 31, 2009.
2. Letter from Senator Dale M. Volker acknowledging receipt of Res. No. 2009-254 Supporting Senate Bill S.5922 and Assembly Bill A.8765 To Provide Counties With Permanent Authority in the Imposition of Sales and Use Tax Rates.
3. Letter from Assemblyman Daniel J. Burling acknowledging receipt of Res. No. 2009-254 Supporting Senate Bill S.5922 and Assembly Bill A.8765 To Provide Counties With Permanent Authority in the Imposition of Sales and Use Tax Rates.
4. Letter from NYSAC acknowledging receipt of Res. No. 2009-297 Requesting the NYS Legislature to Enact Legislation to Authorizing the County of Livingston to Increase the Mortgage Tax and Establish a Transfer Tax
5. Letter from the NYS Office of the State Comptroller acknowledging receipt of Res. No. 2009-276 Increasing Taxes on Sales and Uses of Tangible Personal Property and of Certain Services, On Occupancy of Hotel Rooms and On Amusement Charges Pursuant to Article 29 of the Tax Law of the State of New York.
6. Letter from Senator Catharine M. Young acknowledging receipt of Res. No. 2009-254 Supporting Senate Bill S.5922 and Assembly Bill A.8765 To Provide Counties With Permanent Authority in the Imposition of Sales and Use Tax Rates.
7. Notification from the New York State Office of Parks, Recreation and Historic Preservation that the Boyd & Parker and Groveland Ambuscade Parks are listed on the State Register of Historic Places and will be nominated to the National Register of Historic Places.
8. A copy of the GLOW Region Solid Waste Management Committee Compliance Report dated January 1, 2007 through December 31, 2008 in on file and has been filed with the New York State Department of Environmental Conservation.
9. The Livingston County Department of Health will be conducting a flu clinic for County Officials on September 23, 2009 from 12:30 p.m. to 3:00 p.m. in Livingston County Government Center, Room 303A.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-305      APPROVING ABSTRACT OF CLAIMS #9A – SEPTEMBER 9, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #9A dated September 9, 2009 in the total amount of \$1,342,024.02.

Dated at Geneseo, New York

September 9, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**PRIVILEGE OF THE FLOOR**

There was no request for Privilege of the Floor.

**PREFERRED AGENDA****RESOLUTION NO. 2009-306 PROCLAIMING THE MONTH OF OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH**

WHEREAS, domestic violence affects all New Yorkers, and its damage is inflicted not only upon victims, but their children, families and communities; sadly, far too many people suffer abuse at the hands of their partner and these victims can be of any age, race, religion, or economic status; and

WHEREAS, New York State has taken decisive steps to develop and strengthen policies and laws to hold domestic violence offenders accountable while increasing measures that ensure the safety of victims and their children through our legal, law enforcement, human services, education and healthcare systems; and

WHEREAS, critical legislation was signed into law this year to provide greater protection for New York State's victims by allowing those previously excluded individuals in intimate relationships to seek an order of protection from Family Courts; and

WHEREAS, New York State and Livingston County recognizes the importance of a comprehensive community response – such as, local task forces and advisory councils, domestic violence shelters and services and

WHEREAS, New York and Livingston County remains dedicated to increasing public awareness and understanding of domestic violence, and teen dating violence, through campaigns and expert materials that provide essential guidance to the community; and

WHEREAS, New York State and Livingston County has had the benefit of a strong network of nonprofit service providers and county agencies that have collaborated to address this issue; and

WHEREAS, New Yorkers and Livingston County residents join with all Americans in supporting victims of domestic violence and share the worthy goals of this month-long observance, and likewise, support the work of public and private entities that strive to provide the best coordinated response to domestic violence in communities across this State, therefore send an unwavering message to abusers that domestic violence will not be tolerated in our State and county: now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby proclaim October 2009 as Domestic Violence Awareness Month in Livingston County.

Dated at Geneseo, New York

September 9, 2009

Human Services Committee

**RESOLUTION NO. 2009-307 PROCLAIMING THE WEEK OF SEPTEMBER 20-26, 2009 AS ADULT DAY SERVICES WEEK IN LIVINGSTON COUNTY IN CELEBRATION OF NATIONAL ADULT DAY SERVICES WEEK**

WHEREAS, adult day care centers at the local, state and national level provide vital medical care, including medication monitoring, therapies, and health education, and provide invaluable opportunities for social interaction to disabled elderly Americans; and

WHEREAS, the medical model adult day care center, located at the Livingston County Center for Nursing and Rehabilitation, known as the Garden of Life is the only adult day care program in Livingston County and provides a high quality of care and services to meet the needs of elderly Livingston County residents, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors proclaims September 20-26, 2009 as Adult Day Services Week in Livingston County in honor of the valuable contributions Livingston County's Garden of Life Adult Day Health Care Program and its staff make to the quality of life in our county.

Dated at Geneseo, New York

September 9, 2009

Human Services Committee

**RESOLUTION NO. 2009-308 PROVIDING FOR PUBLIC HEARING TO CONSIDER OBJECTIONS TO SPECIAL ASSESSMENT ROLL**

WHEREAS, the special assessment rolls for all County districts have been filed, and

WHEREAS, the Livingston County Board of Supervisors is required to hold a public hearing to hear any objections to those rolls, 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 the notice of the public hearing be mailed to property owners in the districts, and be it further  
RESOLVED, that a public hearing be set for October 28, 2009 at 1:35 pm in the Board of Supervisors  
Chambers, Livingston County Government Center, 6 Court Street, Geneseo, NY 14454 to consider objections to the  
special assessment roll.

Dated at Geneseo, New York

September 9, 2009

Public Services Committee

**RESOLUTION NO. 2009-309 PROCLAIMING THE WEEK OF SEPTEMBER 12-18, 2009 AS CHILD PASSENGER SAFETY WEEK**

WHEREAS, every year, thousands of children are tragically injured or killed in automobile crashes; and

WHEREAS, motor vehicle crashes are the leading cause of death for children 3 to 6 and 8 to 14 years old in the  
United States; and

WHEREAS, three out of four safety seats are not used properly and parents and caregivers need to make certain  
their children are buckled up every time; and

WHEREAS, proper use of safety seats will help reduce the number of deaths and injuries occurring on  
America's roadways; and

WHEREAS, the U.S. Department of Transportation's National Highway Traffic Safety Administration,  
sponsors Child Passenger Safety Week and urges parents and caregivers to visit their local child safety seat inspection  
stations, where certified child passenger safety technicians inspect child safety seats, and teach and help parents install  
safety seats correctly free of charge; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby proclaims the week of September 12-18,  
2009 as Child Passenger Safety Week, and be it further

RESOLVED, that a copy of this resolution be sent to Cornell Cooperative Extension of Livingston County.

Dated at Geneseo, New York

September 9, 2009

Public Services 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. Yendell and seconded by Mr. Schuster to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent - Davis, 24; Adopted.

**RESOLUTIONS**

**RESOLUTION NO. 2009-310 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: REGIS UNIVERSITY, TODD D'AMBROSIO**

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

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

Contractor

Term

**Regis University**

8/24/09-8/24/10

Candace Berardinelli, RN, PhD

Dean, School of Nursing

Regis University, Mail Code G-8

3333 Regis Blvd.,

Denver, CO 80221-1099

For: Student Affiliation Agreement

**Todd D'Ambrosio**

10/1/09-12/31/13

4972 Lake Rd.

Avon, NY 14414-9797

For: Early Intervention Speech Therapy Services  
 Dated at Geneseo, New York  
 September 9, 2009  
 Human Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-311 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACTS FOR THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION: SUNY GENESEO, TODAY’S OPTIONS**

Mr. Martello 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 Center for Nursing and Rehabilitation, according to the term(s) designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>SUNY Geneseo</b> Erwin 217 1 College Circle Geneseo, New York 14454	8/15/09-8/14/12	\$0

For: Speech-Language Pathology Affiliation Agreement.

**Today’s Options d.b.a. The Pyramid Life Insurance Company (Pyramid) & American Progressive Life & Health Insurance Company of New York (American Progressive) collectively**

Theodore M. Carpenter, Jr.  
 Executive Vice-President  
 4888 Loop Central Drive, Suite 700  
 Houston, Texas 77091

1/1/10-12/31/10

For: Medicare Advantage Contractor for Nursing Home Enrolled Plan Members.

Dated at Geneseo, New York  
 September 9, 2009  
 Human Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-312 AUTHORIZING AGREEMENT WITH THE TOWN OF LIVONIA FOR AN INFORMATIONAL KIOSK FOR THE CONESUS LAKE WATERSHED AT VITALE PARK**

Mr. Martello 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 received NYS Department of Environmental Conservation (NYSDEC) funds for its water quality program under the Finger Lakes-Lake Ontario Watershed Protection Alliance FY 2007-2008 (Livingston County CLAWS XVIII); and

WHEREAS, the Livingston County CLAWS XVIII water quality program includes funding to implement public education recommendations in the Conesus Lake Watershed Management Plan, including funding for a project to develop an informational kiosk on Town of Livonia property at Vitale Park in an amount not to exceed \$3,500.00; and

WHEREAS, the Town of Livonia has expressed a willingness to coordinate and complete the project for Livingston County; now therefore be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Town of Livonia</b> P.O. Box 43 Livonia, NY 14487	9/09/09-5/31/10	\$3,500.00

For: Coordination and completion of an informational kiosk for the Conesus Lake Watershed at Vitale Park

Dated at Geneseo, New York

September 9, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-313      AWARDING BID FOR THE CENTRAL SERVICES DEPARTMENT FOR BUILDING #4 ART CENTER STORAGE CLIMATE CONTROL**

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

WHEREAS, after the proper legal advertisement seeking bids for Building #4 Art Center Storage Climate Control, five bids were received and opened on August 13, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Cogenic, LLC</b>	\$25,060.00

405 Lyell Avenue

Rochester, NY 14606-1609

For: Building #4 Art Center Climate Control

Dated at Geneseo, New York

September 9, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-314      AWARDING BID FOR THE CENTRAL SERVICES DEPARTMENT FOR CUSTODIAL SERVICES**

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

WHEREAS, after the proper legal advertisement seeking bids for custodial services, four bids were received and opened on August 25, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>Triangle Services, Inc.</b>	10/1/09-9/30/11	per year \$476,300.04

10 Fifth Street

Valley Stream, NY 11581

For: Custodial services. Two-year contract with one-year extension at County's option.

Dated at Geneseo, New York

September 9, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-315      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DISTRICT ATTORNEY'S OFFICE: NYS DIVISION OF CRIMINAL JUSTICE SERVICES (2)**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Division of Criminal Justice Services</b>	4/1/09-3/31/10	\$35,300.00

Albany, New York

For: Aid to Prosecution

<b>NYS Division of Criminal Justice Services</b>	8/1/09-8/31/10	\$40,000.00
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Albanv. New York

For: Video recording of statements equipment  
 Dated at Geneseo, New York  
 September 9, 2009  
 Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-316 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY ECONOMIC DEVELOPMENT DEPARTMENT: NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Department of Economic Development</b>	7/1/08 – 6/30/09	\$21,229.00

For: Empire Zone Administrative Funding.

Dated at Geneseo, New York  
 September 9, 2009  
 Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-317 AUTHORIZING ADDITIONAL COSTS FOR PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION INSPECTION SERVICES: FEDERAL/STATE-AID BRIDGE REPLACEMENT PROJECT, WHITE BRIDGE ROAD OVER CANASERAGA CREEK (NYS DOT PIN 475311) FOR COUNTY HIGHWAY DEPARTMENT– FRA ENGINEERING & ARCHITECTURE, PC**

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

WHEREAS, County of Livingston Resolution No. 2008-170 authorized an Agreement with FRA Engineering & Architecture, PC for Construction Inspection Services on Federal/State-Aid Bridge Replacement Project, White Bridge Road over Canaseraga Creek, Town of Sparta & West Sparta, (PIN 475311) in an amount not to exceed \$91,000.00, and

WHEREAS, during the project additional testing of piles and materials beyond the scope of the contract was required due to unforeseen site conditions, and NYSDOT officials have approved of said additional cost, now, therefore, be it

RESOLVED, that an additional cost and payment of \$10,500.00 (of which, with Federal and State reimbursement, the final County share will be 5% or \$525.00) is hereby approved by the Livingston County Board of Supervisors, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>FRA Engineering &amp; Architecture, PC</b>	Expires 12/31/09	Not to exceed \$10,500.00

255 East Avenue  
 Rochester, NY 14604

For: Additional Costs, Construction Inspection Services, Federal/State-Aid Bridge Replacement, White Bridge Road over Canaseraga Creek, PIN 475311.

Dated at Geneseo, New York  
 September 9, 2009  
 Public Services Committee

County Highway Superintendent Don Higgins stated this is the final cost for construction inspection for this project.

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-318 AWARDING BID FOR THE HIGHWAY DEPARTMENT FOR PURCHASE OF LIQUID CALCIUM CHLORIDE WITH ORGANIC BASED PERFORMANCE ENHANCER (OBPE) FOR LIVINGSTON COUNTY AGENCIES – MILLENNIUM ROADS, LLC**

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

WHEREAS, after the proper legal advertisement seeking bids for Liquid Calcium Chloride with Organic Based performance Enhancer (OBPE), one (1) bid was received and opened on June 16, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Term</u>	<u>Amount</u>
<b>Millennium Roads, LLC</b> 12118 East Yates Center Road Lyndonville, NY 14098	07/01/09-06/30/10	100% OBPE 25% Calcium Chloride \$.97/gal 75% OBPE 50% Calcium Chloride \$.93/gal 50% OBPE 75% Calcium Chloride \$.90/gal 25% OBPE 75% Calcium Chloride \$.90/gal 7% OBPE 93% Calcium Chloride \$.90/gal

For: Purchase of liquid calcium chloride with Organic Based Performance Enhancer (OBPE) (Product Name: Ice Ban)

Dated at Geneseo, New York

September 9, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-319 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT: NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR 2010 STOP DWI PLAN**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Governor's Traffic Safety Committee</b> C/O Charles DeWeese, Assistant Commissioner 6 Empire Plaza, Room 414 Albany, New York 12228	1/1/2010 – 12/31/2010	\$421,705.00

For: 2010 STOP DWI Plan

Dated at Geneseo, New York

September 9, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-320 AUTHORIZING TRANSFER OF FUNDS – DEPARTMENT OF HEALTH, OFFICE FOR THE AGING**

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

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

Dated at Geneseo, New York

September 9, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-321 AMENDING 2009 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

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

RESOLVED, that the 2009 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
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Increase Revenue	A4010	3401	NYS State Aid	\$14,978.00
Increase Appropriation	A4010	2050	Office Equipment	\$14,978.00

Dated at Geneseo, New York

September 9, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-322 AMENDING 2009 LIVINGSTON COUNTY BUDGET – OFFICE FOR THE AGING**

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

RESOLVED, that the 2009 Office for the Aging Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6778	4773	Federal Cash In Lieu	\$4,892.56
Increase Appropriation	A6778	1000	Personal Services	\$4,892.56

And,

Increase Revenue	A6780	3772	State Funds	\$7,180.00
Increase Appropriation	A6780	8300	Health Insurance	\$7,180.00

And,

Increase Revenue	A6780	3772	State Funds	\$2,799.00
Increase Appropriation	A6780	8300	Health Insurance	\$2,799.00

And,

Increase Revenue	A6774	4772	Federal Funds	\$212.00
Increase Appropriation	A6774	4020	Advertising	\$212.00

And,

Increase Revenue	A6785	4772	Federal Funds	\$57,441.00
Increase Appropriation	A6785	4190	Agency Contracts	\$50,296.00
Increase Appropriation	A6785	1000	Personal Services	\$6,637.00
Increase Appropriation	A6785	8100	FICA	\$508.00
			TOTAL	\$57,441.00

And,

Increase Revenue	A6774	4772	Federal Funds	\$2,271.00
Increase Appropriation	A6774	4060	Office Supplies	\$500.00
Increase Appropriation	A6774	4070	Service Contracts	\$500.00
Increase Appropriation	A6774	4020	Travel	\$1,271.00
			TOTAL	\$2,271.00

And,

Increase Revenue	A6778	3772	State Funds	\$10,181.00
Increase Appropriation	A6778	1000	Personal Services	\$3,000.00
Increase Appropriation	A6778	8100	FICA	\$230.00
Increase Appropriation	A6778	8200	Retirement	\$2,141.00
Increase Appropriation	A6778	8300	Health Insurance	\$3,610.00
Increase Appropriation	A6778	4200	Advertising	\$1,200.00
			TOTAL	\$10,181.00

And,

Increase Revenue	A6783	4772	Federal Funds	\$27,641.00
Increase Appropriation	A6783	1000	Personal Services	\$11,500.00
Increase Appropriation	A6783	8100	FICA	\$880.00
Increase Appropriation	A6783	8300	Health Insurance	\$8,250.00
Increase Appropriation	A6783	4020	Travel	\$1,200.00
Increase Appropriation	A6783	4055	Telephone	\$500.00
	A6783	4060	Office Supplies	\$325.00

	A6783	4075	Data Processing	\$2,486.00
	A6783	4111	Weatherization	\$2,500.00
			TOTAL	\$27,641.00

Dated at Geneseo, New York  
September 9, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-323 CLOSING CAPITAL PROJECT ACCOUNT – EMERGENCY OPERATIONS CENTER (EOC) PROJECT**

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

WHEREAS, Capital Project H3640 EOC Project has been completed, now, therefore, be it

RESOLVED, that the County Treasurer be authorized to close said Capital fund project and return any unexpended balances to the General Fund.

Dated at Geneseo, New York  
September 9, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**RESOLUTION NO. 2009-324 AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE: SHERIFF'S DEPARTMENT**

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

RESOLVED, that the 2009 Hourly Employee Salary Schedule is amended as follows:

**Sheriff's Department**

Create two full-time Deputy Sheriff Road Patrol positions

Dated at Geneseo, New York  
September 9, 2009

Ways & Means Committee

Ossian Supervisor Martello asked if these positions were included in the 2009. The County Administrator stated yes these positions are backfilling for the School Resource Officer positions.

The roll was called as follows: Ayes - 1,728; Noes - 0; Absent – Davis, 24; Adopted.

**OTHER BUSINESS**

**1. RETIREMENT REPORTING REQUIREMENTS – COUNTY ATTORNEY DAVID MORRIS & COUNTY ADMINISTRATOR IAN COYLE**

County Attorney David Morris reported that the Retirement Reporting Regulations have been enacted, and the regulations apply to most elected officials and certain salaried part-time officials in Livingston County whose terms commence after the effective date of the regulations, which is 7/1/09. He indicated that the new regulations would apply to all Supervisors with terms beginning January 1, 2010. County Officials will be required to maintain a three-month log of activities, and we will then use that for reporting purposes to the NYS Retirement System/Comptroller's Office. This log shall incorporate three consecutive months of activities and must be completed within 150 days of the commencement of the term of office. He stated that sample logs would be provided and stated an example of entries such as 1:00-3:00 office work; 2:00-4:00 contact with constituents. He explained that a list would be developed as to who is required to file a log with the Clerk of the Board, and that a resolution must be sent to the NYS Comptroller's Office within 180 days to set forth the standard work day for each official and the retirement calculations.

County Administrator Ian Coyle clarified that if a Supervisor is not enrolled in the NYS Retirement System, you are not required to complete a log. The County Attorney stated that under the old regulations, those Supervisors whose terms do not end this year are still required to complete a one-month log. We have not done this in the past; however, we will begin this requirement in 2010. The County Attorney clarified that the Supervisors will also have to do a separate log for their Town business.

The County Administrator clarified that Supervisors will be required to do two separate logs—for Town and County. He stated that this is a lot of information to retain and that he would be providing a memorandum explaining the regulations and what is required and a sample calendar to make this task as easy as possible.

County Clerk James Culbertson asked if these retirement reporting regulations apply to individuals in Tier 1. The County Attorney stated he is not sure how much the Comptroller's Office will use the log for reporting purposes, and he added he did not see where Tier 1 was exempt in the regulations.

Chairman Merrick reminded the Board that their Town Attorney must complete a log. The County Attorney concurred.

County Attorney David Morris clarified that a lot of our full-time appointed officials maintain time sheets, and they will not be required to complete a log.

## 2. LIVINGSTON COUNTY CHAMBER AFTER HOURS

Lima Supervisor Yendell reminded the Board that the Livingston Arts Center is hosting a Chamber After Hours, today, September 9, 2009 from 4:00-6:00 PM, honoring the American Hotel in Lima because the Hotel was selected as the 2009 Small Business Award Recipient. He urged the Board to attend this event.

## **ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, September 23, 2009 at 1:30 p.m. Carried.

The Board adjourned at 1:55 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, SEPTEMBER 23, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mrs. Donohue (Conesus) and Mr. Schuster (Sparta).

**PLEDGE OF ALLEGIANCE**

Springwater Supervisor Buckley led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 9/9/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. The Livingston County Department of Health will be conducting a flu clinic for County Officials on September 23, 2009 from 12:30 p.m. to 3:00 p.m. in Livingston County Government Center, Room 303A.
2. Letter from Jay Griffith of Dansville thanking the Board of Supervisors for your involvement and investment in the cleanup of the former Wilcox Press property.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-325      APPROVING ABSTRACT OF CLAIMS #9B – SEPTEMBER 23, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #9B dated September 23, 2009 in the total amount of \$1,906,312.71.

Dated at Geneseo, New York

September 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**PRIVILEGE OF THE FLOOR**

1. Kaaren Smith, Director of Office for the Aging and Paul Cypher, Executive Director of the Genesee Valley Health Partnership – NY Connects Service

Mr. Martello asked for Privilege of the Floor for Kaaren Smith and Paul Cypher.

Kaaren Smith thanked the Board for privileges to speak today. She explained the NY Connects program is a 100% New York State Office for the Aging funded initiative that provides easier access to residents seeking medical or non-medical support services needed to improve and/or maintain one's health and daily function. This program is made possible through a county contract with ABVI/Goodwill/2-1-1 Center, Rochester, NY. Such services are referred to as Long Term Care Services. Long Term Care Services may be provided in the home, in the community, or in a residential setting. NY Connects is a joint initiative of the Livingston County Office for the Aging, Livingston County Department of Social Services, Livingston County Department of Health and Genesee Valley Health Partnership and is now part of a larger 51 county New York State NY Connects network that assists residents in locating services for adults of any age and children with disabilities. Residents of Livingston County may access NY Connects by calling toll free 1-888-443-7520, 24 hours a day, 7 days a week. This service is free and confidential and available in seven different languages and TTY is available for the hearing impaired. K. Smith personally thanked Commissioner of Social Services Sandra Wright, Public Health Director Joan Ellison, Director of Information and Technology Services Dale Nieswiadomy, all members of the NY Connects program and Paul Cypher and Carol Burke of the Genesee Valley Health Partnership for making this service possible.

Paul Cypher announced that the NYS Connects is launched today to the Board of Supervisors. Marketing materials and press releases have been prepared along with a mass advertising campaign through radio shows and organizations such as Rotary, Lions, Kiwanis, and several other entities. He again reiterated that a person could contact the NY Connects program by calling 1-888-443-7520 or logging onto [www.NYConnectsLivingstonCounty.org](http://www.NYConnectsLivingstonCounty.org), 24 hours a day, 7 days a week. This is a confidential, free service available in seven different languages. He highlighted some of case management services available through this program and how to access the web site. He asked the Board of Supervisors if they had any questions.

Ossian Supervisor Martello asked if Supervisors get questions from their constituents, where should they be referred. K. Smith responded that they should be referred to the Office for the Aging. She indicated that the call center is open 24/7 and the constituent will be able to speak to a person.

Vice Chairman Moore asked if this program would be advertised, and K. Smith responded yes.

**RESOLUTIONS**

**RESOLUTION NO. 2009-326 ESTABLISHING THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH IMMUNIZATION VACCINE RATES EFFECTIVE SEPTEMBER 1, 2009**

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

WHEREAS, the rates for select vaccines have increased and new vaccines have been added and,

WHEREAS, the fees for vaccines are based on the actual cost of the vaccine, now therefore, be it

RESOLVED, that the following schedule of charges for the Livingston County Center for Preventive Services Immunization Program be effective September 1, 2009:

Vaccine	Billing	10/1/07	10/1/08	9/1/09
Hep A	One Dose	\$ 20.00	\$ 22.00	\$ 30.00
MMR	One Dose	\$ 45.00	\$ 55.00	\$ 55.00
Varicella	One Dose		\$ 91.00	\$ 85.00
Zostavax	One Dose		\$194.00	\$160.00
Menactra	One Dose	\$ 90.00	\$ 94.00	\$105.00
HPV	One Dose	\$121.00	\$147.00	\$110.00
Twinrix	One Dose		\$ 78.00	\$ 50.00
PPD	One Dose		\$ 4.00	\$10.00
Influenza	One Dose	\$ 32.00	\$ 33.00	\$ 35.00
Pneumococcal	One Dose	\$ 48.00	\$ 52.00	\$ 60.00
Rabies	One Dose			\$180.00

Dated at Geneseo, New York  
September 9, 2009

Human Services Committee

Mr. Martello announced that this resolution was not presented at a Human Services Committee meeting; however, the Committee has signed the resolution.

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-327 AWARDING BID FOR THE CENTRAL SERVICES DEPARTMENT SEWER REHABILITATION PROJECT – MT. MORRIS CAMPUS**

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

WHEREAS, after the proper legal advertisement seeking bids for the sewer rehabilitation project at the Mt. Morris Campus, two bids were received and opened on September 14, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Morsch Pipeline, Inc.</b>	not to exceed \$129,245.00
3929 South Avon Road	
Avon, NY 14414	

For: Sewer rehabilitation project at the Mt. Morris Campus. Amount includes base bids and all alternates.

Dated at Geneseo, New York  
September 23, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-328 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A QUIT CLAIM DEED AND RELATED DOCUMENTS TO TRANSFER A PARCEL ON WEST LAKE ROAD – DEWAR – TOWN OF GENESEO**

Mr. Yendell 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 per transfer:

David R. Dewar

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Geneseo, County of Livingston and State of New York, and being a portion of Discontinuance Parcel NO. 5G, as shown on Map Sheet 5 or 10, bounded and described as follows:

Beginning at a point marked by a masonry nail on the retention line and new highway boundary line along West Lake Road, Scottsburg-Upper Lakeville, Part 2, S.H. No. 8397, N.Y.S. Route 256, per Discontinuance Maps, said point being 44.76 feet easterly, measured at right angles from Baseline station 179+65.60, said point also being the southwest corner of lands now or formerly of Kenneth M. Book & Terrel D. Book (Liber 747 of Deeds at page 282 & Liber 1087 of Deeds at page 52); thence

- 1) South 76°40'20" East and along the southerly line of lands of said Book for a distance of 53.41 feet to a point on the Discontinuance Line; thence
- 2) South 15°49'55" West and along the Discontinuance Line for a distance of 104.36 feet to a point on the northerly line of lands now or formerly of Alfred M. Dietrich, III & Lynn M. Dietrich (Liber 534 of Deeds at page 249); thence
- 3) North 75°29'31" West and along the northerly line of lands of said Dietrich for a distance of 54.81 feet to a point marked by a iron pipe on the retention line and new highway boundary line, said point being 34.04 feet easterly, measured at right angles from Baseline station 178+56.34: thence
- 4) North 16°37'52" East and along the retention line and new highway boundary line for a distance of 103.31 feet to the point of beginning.

Containing: 0.129 acres of land.

Subject to an easement granted to the Conesus Lake County Sewer District in Liber 414 of Deeds at page 1138 as noted on the survey map.

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.

Excepting and reserving to the County of Livingston a permanent easement for all existing water and sewer transmission lines. Said easements to be ten (10) feet in width centered on said transmission lines. Together with the right of access for repair, maintenance and replacement of said transmission lines.

Being and intending to convey a portion of lands designated as Discontinuance Parcel 5G, Sheet 5 or 10, on a set of Discontinuance Maps prepared by the New York State Department of Transportation dated April 11, 1990 and approved April 13, 1990. Said parcels are also part of an Official Order No. H2302 dated March 16, 1993 wherein the New York Sate Department of Transportation released their jurisdiction of lands that were no longer needed for highway purposes by document entitled "Abandonment of Portions of Scottsburg-Upper Lakeville, Part 2, S.H. No. 8397, Towns of Conesus, Groveland, and Geneseo, Livingston County".

All as shown on a map entitled "Map of a Survey of Lands to be conveyed by The Estate of Donna L. Dewar" prepared by Donald R. Thomas, Land Surveyor, dated August 6, 2009 and designated as Job No. L5-09-16, to be filed in the Livingston County Clerk's Office simultaneously herewith.

Dated at Geneseo, New York

September 23, 2009

Public Services Committee

Mr. Yendell announced that this resolution and the next resolution were not presented at a Public Services Committee meeting; however, the Committee has signed the resolutions.

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-329 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A QUIT CLAIM DEED AND RELATED DOCUMENTS TO TRANSFER A PARCEL ON WEST LAKE ROAD – WARNER – TOWN OF GROVELAND**

Mr. Yendell 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 per transfer:

John Warner

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Groveland, County of Livingston and State of New York, being more particularly bounded and described as follows:

Commencing at the point of intersection of the south line of lands conveyed to Amy Warner et al by Liber 010 of Deeds, Page 77 with the east right of way line of Old West Lake Road; thence

- 1) N 87°16'00" W, on a prolongation of the south line of said Warner, a distance of 50.37 feet to a point on the proposed new east highway line of West Lake Road, as shown on an abandonment map dated April 6, 1992 of portions of state highway No. 8397, Part 2, Sheet 3 of 10, said point being 38.61 feet east of baseline D station 115+83.16; thence
- 2) N 14°-38'-18" E, along the proposed new east line of West Lake Road, a distance of 41.19 feet to a point, said point being 44.00 feet east of Station 116+24.00; thence
- 3) N 72°-27'-49" E, the proposed new east line of West Lake Road, a distance of 27.99 feet to a point; thence
- 4) S 87°-16'00" E, along a prolongation of the north line of said Warner, a distance of 12.15 feet to the northwest corner of Warner; thence
- 5) S 01°-13'-26" E, along the east right of way line of Old West Lake Road, a distance of 50.12 feet to the point of beginning.

Intending to describe a parcel of land containing: 0.037 acres of land.

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.

Excepting and reserving to the County of Livingston a permanent easement for all existing water and sewer transmission lines. Said easements to be ten (10) feet in width centered on said transmission lines. Together with the right of access for repair, maintenance and replacement of said transmission lines.

Dated at Geneseo, New York

September 23, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-330 AUTHORIZING TRANSFER OF FUNDS – CENTRAL SERVICES, PLANNING, PUBLIC HEALTH, SHERIFF, SOCIAL SERVICES**

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

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

Dated at Geneseo, New York

September 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-331 AMENDING 2009 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

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

RESOLVED, that the 2009 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A4099	2280	Health Services	\$18,921.00
Increase Appropriation	A4099	1951	Overtime	\$800.00
		2200	DP Equipment	\$1,600.00
		4020	Training	\$10,200.00
		4080	Professional Services	\$6,321.00
			TOTAL	\$18,921.00

And,

Increase Revenue	A4099	4489	Other Federal Health	\$15,344.00
Increase Appropriation	A4099	1000	Personal Services	\$310.00
		4060	Office Supplies	\$563.00
		4160	Contractual Expense	\$13,549.00
		4200	Print/Ads	\$900.00
		8100	FICA	\$22.00
			TOTAL	\$15,344.00

Dated at Geneseo, New York

September 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-332 AMENDING 2009 LIVINGSTON COUNTY BUDGET – HIGHWAY**

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

RESOLVED, that the 2009 Highway Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	DM5130	2770	Other unclassified	\$50,000.00
Increase Appropriation	DM5130	4124	Gasoline	\$50,000.00

Dated at Geneseo, New York

September 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-333 AMENDING 2009 LIVINGSTON COUNTY BUDGET – OFFICE FOR THE AGING**

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

RESOLVED, that the 2009 Office for the Aging Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6789	3772	State Revenue	\$11,000.00
Increase Appropriation	A6789	4045	Maintenance in Lieu of Rent	\$1,436.00
		4055	Telephone	\$3,000.00

		4020	Travel	\$1,000.00
		4200	Advertising	\$5,564.00
			TOTAL	\$11,000.00

Dated at Geneseo, New York  
 September 23, 2009  
 Ways and Means Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-334 AMENDING 2009 LIVINGSTON COUNTY BUDGET – PUBLIC WORKS**

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

RESOLVED, that the 2009 Public Works Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A8037	2189	Other Income	\$25,000.00
Increase Appropriation	A8037	1951	Overtime	\$25,000.00

Dated at Geneseo, New York  
 September 23, 2009  
 Ways and Means Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-335 AMENDING 2009 LIVINGSTON COUNTY BUDGET – SHERIFF’S DEPARTMENT**

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

RESOLVED, that the 2009 Sheriff’s Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3110	2680	Sheriff’s Insurance Recovery	\$747.13
Increase Revenue	A3110	2680	Sheriff’s Insurance Recovery	\$750.00
			TOTAL	\$1,497.13
Increase Appropriation	A3110	4127	Outside Repairs	\$747.13
Increase Appropriation	A3110	4127	Outside Repairs	\$750.00
			TOTAL	\$1,497.13

And,

Increase Revenue	A3110	2680	Sheriff’s Insurance Recovery	\$21,521.00
Increase Appropriation	A3110	2100	Sheriff’s Automotive	\$21,521.00

Dated at Geneseo, New York  
 September 23, 2009  
 Ways and Means Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-336 AMENDING 2009 LIVINGSTON COUNTY BUDGET – SOCIAL SERVICES**

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

RESOLVED, that the 2009 Social Services Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6109	4688	TANF Fed	\$298,560.00
Increase Revenue	A6109	3688	TANF State	\$74,640.00
			TOTAL	\$373,200.00
Increase Appropriation	A6109	4240	TANF – Assistance	\$373,200.00

Dated at Geneseo, New York  
 September 23, 2009  
 Ways and Means Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-337      RESCINDING RES. NO. 2009-246 AMENDING 2009 COUNTY BUDGET – OFFICE FOR THE AGING**

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

WHEREAS, a budget amendment for the Office for the Aging was adopted on July 22, 2009, and it was unnecessary; now, therefore, be it

RESOLVED, that Res. No. 2009-246 is hereby rescinded.

Dated at Geneseo, New York

September 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-338      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT WITH THE COUNTY OF LIVINGSTON: ARC CHILDREN'S SERVICES**

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

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

<u>Contractor</u>	<u>Term</u>
ARC Children's Services	9/1/09 – 8/31/12

18 Main Street

Mt. Morris, NY 14510

For: Pre-K Program. The rate is set by NYS Education Department.

Dated at Geneseo, New York

September 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**RESOLUTION NO. 2009-339      AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE: PLANNING DEPARTMENT**

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

RESOLVED, that the 2009 Hourly Employee Salary Schedule is amended as follows:

**Planning Department**

Create one full-time Senior Account Clerk position.

Delete one full-time Senior Account Clerk position effective December 1, 2009.

Dated at Geneseo, New York

September 23, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,640; Noes - 0; Absent – Donohue, 66; Schuster, 46; Total 112; Adopted.

**OTHER BUSINESS**

1. CHAIRMAN OF THE BOARD APPOINTMENTS

Name	Address	Represent/Title	Term Expires
<b>Livingston County Youth Board</b>			
Carol Godsave	17 Stuyvesant Manor, Geneseo NY 14454	Public Schools	8/31/11
Joni Nilsson	6996 Harder Road, Hemlock NY 14466	Town of Livonia	8/31/11
William Chichester	18 Erie Street, Mt Morris NY 14510	Town of Mt. Morris	8/31/11
Rita Wittig	10055 McNinch Road, Dansville NY 14437	Town of Ossian	8/31/11

2. COUNTY ADMINISTRATOR IAN M. COYLE – UPDATE

The County Administrator acknowledged a letter received by Jay Griffith, Dansville resident, commending the Board regarding the Wilcox Press project. He mentioned that the County has received many favorable comments about this project, the contractors and the work that was completed. The County Administrator updated the Board of Supervisors on the timeline of the project, noting that the demolition phase is complete and the additional testing component is the only phase left at this point. He indicated we should have some final information on the status of the site in the next few months.

The County Administrator informed the Board of Supervisors that the bids for the renovation work at the Rushville Dental Clinic area of Bldg #1 were rejected. The County has allocated 150K and the low bid was ~199K. He reported that we are working on paring down the specifications and reducing the amount of required work to get under our appropriation.

The County Administrator presented the Board of Supervisors with information on the 2010 budget process. He reported that the 2010 Budget Workshop will be held on Monday, October 26, 2009 at 10:00 AM and the public hearings for the proposed budget are scheduled for the November 18, 2009 Board meeting at 1:30 PM and 7:00 PM. He indicated he expects to have a draft proposed budget submitted to the Ways and Means committee at their next meeting on October 13, 2009.

The County Administrator mentioned he and a few Supervisors attended the recent NYSAC conference in Saratoga Springs, NY and added that "doom and gloom" was presented at the conference concerning the NYS budget situation and the retirement costs. Overall, he indicated it was an excellent, educational conference.

### 3. OTHER

Lima Supervisor Yendell mentioned Livingston County received a second distribution check at the NYSAC Conference from NYMIR totaling \$11,500.

Vice Chairman Moore reported if anyone is interested, that there is a mock jail cell at the corner of the building to view.

Clerk of the Board Virginia Amico stated she has received approximately 39 applications for the Secretary to the Clerk position. She and Chairman Merrick will begin the interview process on September 30, 2009. She intends to interview 10 candidates during the first round of interviews and invite three candidates back for a second interview. The Chairman of the Board, the County Administrator and the Clerk will conduct the second interviews. She still intends to have the position filled by mid-November.

### ADJOURNMENT

Motion made by Mr. Deming and seconded by Mr. Gott to adjourn until Wednesday, October 14, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:03 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, OCTOBER 14, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present.

**PLEDGE OF ALLEGIANCE**

West Sparta Supervisor Cansdale led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Minutes of 9/23/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. Letter from Senator Catharine M. Young acknowledging receipt of Res. No. 2009-297 in support of increasing the County Mortgage Tax and establishing a Transfer Tax.
2. InterCounty Association of Western New York meeting will be held in Wyoming County on October 16, 2009 at the Breezy Hill Party House, Warsaw, NY. Registration is 9:30 a.m., \$20.00 includes lunch.  
PROGRAM: "LETPP & SHSP = CP in WC" (Law Enforcement Terrorism Prevention Program + State homeland Security Program = Command Post in Wyoming County ) "Leveraging Resources for Economic Development/Revitalization"

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-340      APPROVING ABSTRACT OF CLAIMS #10A – OCTOBER 14, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #10A dated October 14, 2009 in the total amount of \$4,623,265.52.

Dated at Geneseo, New York

October 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**PRIVILEGE OF THE FLOOR**

1. Board of Elections Commissioners Susan Guenther and Nancy Leven – Presentation of New Voting Machine  
Commissioner Susan Guenther introduced herself as the Democratic Commissioner and thanked the Board for their continued support and referred to Commissioner Leven for comments.

Commissioner Nancy Leven introduced herself as the Republican Commissioner and commented that at the beginning of each Election Inspector training session, the Commissioners introduced themselves just as they did today and added they have taught 21 sessions with a couple more to do. On behalf of the Commissioners, Commissioner Leven presented the following remarks:

*Due to the Help America Vote Act requiring that the Board of Elections train, assign and pay the inspectors and after discussions with County Administrator, Attorney, Treasurer, Personnel and our Public Services Committee it was decided that the inspectors must become county employees. Since August 3<sup>rd</sup> we have trained 285 election inspectors to be added to the county payroll.*

*HAVA also required that all states implement new voting machines. New York State is the last state to comply and is reporting its progress weekly to a Federal Judge since the state was sued by the federal government to implement the Act of 2002.*

*Each machine cost \$11,500, and we purchased 45 machines. 95% of the cost was paid for by the HAVA money and the remaining 5% was paid for by Livingston County.*

*Although the majority of the initial cost of the machine was covered by Federal dollars, many incidentals are not such as bags to catch the ballots, privacy sleeves, privacy booths security labels and seals are just some of the items that were not covered.*

*Machine storage had to found. Taking up valuable space now, the machines are stored in what was the laundry/sewing room in former Skilled Nursing facility on Millennium Drive. They are protected by an intrusion and camera system that had to be purchased.*

*Ballots currently cost between 50 and 60 cents apiece. The State Board is advising us that we should purchase 10% above our current registration levels to accommodate for spoilage. We have about 40,000 registered voters. So we are looking at 44,000 ballots, for a general election.*

*Two part-time staff persons have been added to help prepare, test and move the machines from our warehouse to the poll sites and back by a rented U-haul truck.*

*Many of our procedures in the office remain the same as these new machines are in addition to our former workloads. One procedure that will continue and happy to report is that the town clerks or their representative from the town will be picking up the suitcases before the election and will be returning them the day after election. This agreement came about after meetings with our Public Services Committee and the Town Clerks at their June Association meeting.*

*Since the machines will not be certified until after the November election, the State Board created a Pilot program in April and asked each county to participate to show that progress was being made and to satisfy the Judge. The Commissioners discussed the idea and decided that we would enter into the program. 47 counties signed on to participate. Then we had to decide what towns to include. We also factored in many variables like which polling locations, inspectors, number of voters and contests on the ballot. It was decided that Ossian and York would be entered into the program. Last week, those inspectors were trained and then public demonstrations were held in the town halls. Many voters exclaimed at how easy it is.*

*We are here today to show you just how easy, accurate and foolproof the new voting system is.*

The Commissioners demonstrated the new voting machine and encouraged the Board to complete the sample ballot provided to them so they could observe how the machine operates. The Commissioners reviewed the sample ballot (on file) and answered a few questions from the Supervisors.

The Commissioners thanked the Board for allowing them to speak and reminded the Board to complete their sample ballot so they could try out the voting machine.

2. James Wissler, Chairman of Genesee Valley Health Partnership and CEO Of Noyes Hospital and Paul Cypher, Executive Director of Genesee Valley Health Partnership – Genesee Valley Health Partnership Prescription Drug Card

James Wissler thanked the Board of Supervisors for their continued support to the Genesee Valley Health Partnership. He commended the Board for authorizing the Prescription Discount Card in 2006 and reported that those participating in the program have reaped a savings totaling \$568,352.23. J. Wissler commented if the Board knows of anyone that could benefit from this program, encourage them to get a card.

Paul Cypher also thanked the Board for their ongoing support.

**RESOLUTION NO. 2009-341 APPOINTING MEMBER TO THE LIVINGSTON COUNTY COMMUNITY SERVICES BOARD – FRED DIETZ**

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

Name	Address	Rep./Title	Term
<b>Livingston County Community Services Board</b>			
Fred Dietz	P.O. Box 265, Nunda, NY 14517	Parent	10/1/09-9/30/12

Dated at Geneseo, New York  
 October 14, 2009  
 Human Services Committee

**RESOLUTION NO. 2009-342 DECLARING THE MONTH OF NOVEMBER AS ADOPTION AWARENESS MONTH**

WHEREAS, each November, when Americans offer thanks for the abundant blessings of this great Nation and our homes and families, Livingston County joins in the annual observance of Adoption Month, recognizing that the

citizens of Livingston County have a compassionate tradition for opening their hearts to children in need of a permanent home; and

WHEREAS, the children of this county, state and nation are our most precious resource and each deserves the safety and security of a nurturing and stable home that provides a strong foundation for a healthy and productive life; and

WHEREAS, it is important that we remember children who are in foster care waiting to be adopted as part of a loving and caring family; and

WHEREAS, finding permanent homes for these children is an objective throughout the year, and during Adoption Awareness Month, a special effort is made to match children with caring adoptive parents; and

WHEREAS, many children awaiting adoption have special needs and require the compassion that is found in a loving family, and many adoptive parents have discovered that caring for such a special child has proven to be one of the most rewarding experiences in life; and

WHEREAS, it is important to recognize the enduring and valuable contributions of adoptive parents who continually strive to improve the quality of life for the children they bring into their lives; and

WHEREAS, this special observance reminds us that we can offer the hope of a better tomorrow to many children through adoption, and as families and communities across our county, state and nation gather to celebrate and give thanks for our many blessings, it is the hope of all of us that every child awaiting adoption will find a permanent and loving family; now, therefore be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares November 2009 as Adoption Awareness Month in Livingston County.

Dated at Geneseo, New York

October 14, 2009

Human Services Committee

**RESOLUTION NO. 2009-343 SCHEDULING PUBLIC HEARING ON PETITIONS TO JOIN EXISTING AGRICULTURAL DISTRICTS AND REFERRING THEM TO THE LIVINGSTON COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD**

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law provides for the inclusion of viable agricultural land within a certified Agricultural District; and

WHEREAS, Livingston County has received petitions from landowners requesting the inclusion of their land in Agricultural Districts; now, therefore, be it

RESOLVED, that a public hearing on the inclusion of viable agricultural land within existing Agricultural Districts will be held at 1:35 PM on November 18, 2009, in the Board Room at the Livingston County Government Center, Geneseo; and, be it further

RESOLVED, that a notice of the public hearing be published in the County's official newspaper and as otherwise provided for by law; and, be it further

RESOLVED, that the petitions shall be referred to the Livingston County Agricultural and Farmland Protection Board as provided for by law.

Dated at Geneseo, New York

October 14, 2009

Human Services Committee

**RESOLUTION NO. 2009-344 DETERMINING SIGNIFICANCE FOR SEQR FOR THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS 2008-2009 FARMLAND PROTECTION IMPLEMENTATION GRANT – TRIPLE H FARMS AND SUNNY KNOLL FARM**

WHEREAS, the Livingston County Board of Supervisors plans to sign an agreement with the New York State Department of Agriculture and Markets for the 2008-2009 Farmland Protection Implementation Grant awarded to the County to assist with its farmland preservation efforts through purchase of development rights on Triple H Farms and Sunny Knoll Farm; and

WHEREAS, the approval of funding, purchase of development rights and creation of conservation easements and related work constitutes an "Action" to be reviewed under the State Environmental Quality Review Act (SEQR); and

WHEREAS, a Short Environment Assessment Form (EAF) regarding the project has been prepared and

submitted to this Board; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby declares itself to serve as the "Lead Agency" for the environmental review of this "Action"; and, be it further

RESOLVED, that based upon the EAF that the "Action" is hereby determined to be an "Unlisted Action" as that term is defined under SEQR; and be it further

RESOLVED, that coordinated review of this "Unlisted Action" shall not be conducted; and be it further

RESOLVED, that the Livingston County Board of Supervisors does hereby determine that the proposed project will not have a significant effect on the environment, a draft Environmental Impact Statement will not be prepared, and Livingston County Board of Supervisors does hereby adopt the Negative Declaration for the project and authorizes the Chairman to sign the Environmental Assessment Form prepared for the project and file it according to law.

Dated at Geneseo, New York

October 14, 2009

Human Services Committee

**RESOLUTION NO. 2009-345 PROCLAIMING THE WEEK OF OCTOBER 23-31, 2009 AS RED RIBBON 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 proclaims the week of October 23-31, 2009 as Red Ribbon Campaign Week.

Dated at Geneseo, New York

October 14, 2009

Human Services Committee

**RESOLUTION NO. 2009-346 PROCLAIMING OCTOBER 18-24, 2009 AS SHERIFF'S WEEK IN LIVINGSTON COUNTY**

WHEREAS, the Office of Sheriff has been an integral part of the criminal justice system in New York State and in Livingston County throughout our history, having been established in the State's first constitution and having been continued in every succeeding constitution, and having been one of the original constitutional offices of our County; and

WHEREAS, despite changes in its function, status and powers during its long history, the Office of Sheriff has maintained a continuous existence, preserved its distinguishing heritage, and continued to be an essential component of our criminal justice community; and

WHEREAS, the Office of Sheriff has evolved into a modern, professional, full-service law enforcement agency, manned by fully trained police officers, using state-of-the-art technology and applying the latest and most advanced theories and practices in the criminal justice field; and

WHEREAS, the Office of Sheriff is unique in the community, and the duties of the Office go far beyond the traditional role of "Keeper of the Peace," and extend into many facets of public service, including maintaining the county jail, providing security in our courts, dispatching emergency services, and serving and executing civil process for our courts; and

WHEREAS, as a constitutionally empowered entity directly responsible to the People, the Office of Sheriff remains, even today, responsive and accountable to the public it serves; and

WHEREAS, it is fitting to celebrate the historical contributions of the Office of Sheriff and the significant role which the Sheriffs play in our modern criminal justice system; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby proclaims the week of October 18-24, 2009 as Sheriff's Week in Livingston County.

Dated at Geneseo, New York

October 14, 2009

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

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

### **RESOLUTIONS**

#### **RESOLUTION NO. 2009-347 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF MENTAL HEALTH: NYS CATHOLIC HEALTH PLAN, INC. D/B/A/ FIDELIS CARE NEW YORK**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Catholic Health Plan, Inc.</b>	11/01/09 – 10/31/10	N/A

**d/b/a Fidelis Care New York**

40 John Glenn Drive Suite 200

Amherst, NY 14228

For: Behavioral Health Services Reimbursement

Dated at Geneseo, New York

October 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

#### **RESOLUTION NO. 2009-348 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: ALBANY COLLEGE OF PHARMACY, GENESEE COMMUNITY COLLEGE, NEW YORK STATE DEPARTMENT OF HEALTH (5), ROBERTS WESLEYAN COLLEGE, ROCHESTER REGIONAL HEALTHCARE ASSOCIATION, DR. JENNIFER GRAHAM**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Albany College of Pharmacy</b>	9/1/09-8/31/10	

106 New Scotland Ave.

Albany, NY 12208

For: Student Practicum

**Genesee Community College**

8/31/09-8/31/10

Batavia Campus

One College Road

Batavia, NY 14020-9704

For: Clinical Fieldwork Experience

**New York State Department of Health**

8/1/09-6/30/11

\$300,000

Div. Chronic Disease and Injury Prevention

Lynn Heffernan

Senior Finance Officer

ESP, Corning Tower, Room 515

Albany, NY 12237-0675

For: Tobacco Control Grant Renewal

**New York State Department of Health**

1/1/09-12/31/09

\$435,946

Div. Family Health, Fiscal Unit

John Sterling

Health Program Administrator I  
 ESP, Corning Tower, Room 878  
 Albany, NY 12237-0657

For: Appendix to NYS Title X Family Planning Grant

**New York State Department of Health** 10/1/09-9/30/10 \$33,056

Bureau of Community Environmental Health  
 And Food Protection

Michael J. Cambridge, Director

Flanigan Square

547 River St.,

Troy, NY 12180-2216

For: Adolescent Tobacco Use Prevention Act (ATUPA)

**New York State Department of Health** 10/1/09-9/30/10 \$623,689

Division of Nutrition

150 Broadway, 6<sup>th</sup> Floor West

Albany, NY 12204-2719

For: WIC Contract

**New York State Department of Health** 1/1/09-12/31/09 \$436,946

Div. of Family Health, Fiscal Unit

ESP, Corning Tower, Room 878

Albany, NY 12237-0657

For: Amendment to Family Planning contract

**Roberts Wesleyan College** 1/1/09-12/31/10

Sandra Brzoza, RN, MS

Director, Modular RN to BS Program

2301 Westside Drive

Rochester, NY 14624-1997

For: Clinical Affiliation Agreement

**Rochester Regional Healthcare Association** 1/1/10-12/31/12

(RRHA)

3445 Winton Place

Suite 222

Rochester, NY 14623-2950

For: Community-Wide Transfer Agreement. The Livingston County agencies participating through this agreement are:

Livingston County Center for Nursing and Rehabilitation, Livingston County Garden of Life Day Program, Livingston

County Health Department, Livingston County Health Department Hospice.

**Dr. Jennifer Graham** 10/1/09-10/1/10 Per hour \$50.00

Stony Brook Pediatrics

Red Jacket St.

Dansville, NY 14437

For: Reproductive Health Center Medical Director Services

Dated at Geneseo, New York

October 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-349 AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO SIGN THE FOLLOWING CONTRACTS: LIVINGSTON COUNTY OFFICE FOR THE AGING & LIVINGSTON COUNTY PLANNING DEPARTMENT**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Livingston County Office for the Aging</b> 8 Murray Hill Drive Mt. Morris, NY 14510 For: Home Energy Assistance Program for the Elderly (HEAP)	10/1/09-9/30/10	\$30,000.00
<b>Livingston County Planning Dept.</b> Livingston Co. Gov't Ctr. 6 Court St., Rm. 305 Geneseo, NY 14454 For: Weatherization and Packaging Program (WRAP)	10/1/09-9/30/10	\$22,000.00

Dated at Geneseo, New York  
October 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-350      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: BONADIO GROUP, CATHOLIC CHARITIES, VARIOUS EMPLOYERS FOR THE TEAP**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Bonadio Group</b> 171 Sully's Trail Pittsford, NY 14534 For: Review of Medicaid cases of self-employed recipients and complex Chronic Care cases. The Bonadio group has expertise in these complex areas and can analyze this information very quickly.	9/1/09-8/31/10	\$30,000.00
<b>Catholic Charities</b> 34 East State St. Mt. Morris, NY 14510 For: Case Management Services for SSI/SSD individuals	1/1/08-12/31/09	Per year \$42,000.00

**Various Employers**

For: TEAP Contract

Director's Comments: Program for provision of subsidized employment by private or public employers supported in part by TANF and SNA funds by agreement with such employers.

Dated at Geneseo, New York  
October 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-351      AWARDING BID FOR A MINI-VAN FOR THE DEPARTMENT OF SOCIAL SERVICES**

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

WHEREAS, after the proper legal advertisement seeking bids for a mini-van, six bids were received and opened on September 24, 2009, now, therefore, be it

RESOLVED, that the Department of Social Services is authorized to purchase a 2010 Dodge Grand Caravan SE from Simmons Rockwell, 7327 Hammondsport Road, Bath, New York 14810 for the price of \$20,100.00, which was the lowest responsible bid received.

Dated at Geneseo, New York

October 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-352 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY PLANNING DEPARTMENT: NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS FOR THE FY2008-2009 AGRICULTURAL AND FARMLAND PROTECTION IMPLEMENTATION GRANT (FPIG): TRIPLE H FARMS (FPIG AWARD # C800738) AND SUNNY KNOLL FARM (FPIG AWARD # C800757)**

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

WHEREAS, Livingston County received notice on May 13, 2009, that the New York State Department of Agriculture and Markets awarded Livingston County the total sum of \$2,287,152.00 through the FY2008-2009 Agricultural and Farmland Protection Implementation Grant program to assist the County with its farmland preservation efforts through purchase of development rights on Triple H Farms (FPIG Award # C800738) and Sunny Knoll Farm (FPIG Award # C800757); and

WHEREAS, Triple H Farms (FPIG Award # C800738) has been awarded up to \$1,290,824.00 and Sunny Knoll Farm (FPIG Award # C800757) has been awarded up to \$996,328.00; now, therefore, be it

RESOLVED, that the Chairman is authorized to sign a contract, and any amendments thereto, with the New York State Department of Agriculture and Markets for the FY2008-2009 Agricultural and Farmland Protection Implementation Grant, for Triple H Farms (FPIG Award # C800738) and Sunny Knoll Farm (FPIG Award # C800757), subject to review by the County Administrator and County Attorney.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Department of Agriculture and Markets</b> 10B Airline Drive Albany, New York 12235-0001 For: Triple H Farms (FPIG Award # C800738)	5/13/09-11/12/13	\$1,290,824.00
<b>NYS Department of Agriculture and Markets</b> 10B Airline Drive Albany, New York 12235-0001 For: Sunny Knoll Farm (FPIG Award # C800757).	5/13/09-11/12/13	\$996,328.00

Dated at Geneseo, New York

October 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-353 AUTHORIZING THE PLANNING DIRECTOR TO SIGN AGREEMENTS FOR AMERICAN REINVESTMENT AND RECOVERY ACT (ARRA) FUNDS RECEIVED THROUGH THE COMMUNITY SERVICES BLOCK GRANT PROGRAM: LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES, LIVINGSTON COUNTY DEVELOPMENT CORPORATION, LIVINGSTON COUNTY WORKFORCE DEVELOPMENT, LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION, ROCHESTER HOME BUILDERS' ASSOCIATION, CHILD CARE COUNCIL OF ROCHESTER, AND GENESEE VALLEY COUNCIL ON THE ARTS**

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

WHEREAS, Resolution 2009-191 authorized the Chairman of the Board of Supervisors to enter into a contract with the New York State Department of State for the FFY 2009-2010 Community Services Block Grant American Reinvestment and Recovery Act (ARRA) Program; and

WHEREAS, the Planning Department is the administrator of the CSBG ARRA Program on behalf of Livingston County; and

WHEREAS, the Community Initiatives Council has allocated these funds to the following agencies; now, therefore, be it

RESOLVED, that the Planning Director is hereby authorized to sign FFY 2009-2010 Delegate Agency Agreements and any amendments thereto with the Livingston County Department of Social Services, Livingston County Development Corporation, Livingston County Workforce Development, Livingston County Center for Nursing and Rehabilitation, Rochester Home Builders' Association, Child Care Council of Rochester, and Genesee Valley Council on the Arts, 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 ARRA Financial Reports, Program Reports, Vouchers, and other required Certifications.

<u>Contractors</u>	<u>Term</u>	<u>Amount</u>
<b>Department of Social Services</b> For: DSS Child Care Subsidy Program	4/1/09 - 10/30/10	Not to exceed \$94,000.00
<b>Livingston County Development Corporation</b> For: Conducting Business Ownership Training Program	4/1/09 - 10/30/10	Not to exceed \$38,000.00
<b>Livingston County Workforce Development</b> For: Summer Youth Employment & Training Program(s)	4/1/09 - 10/30/10	Not to exceed \$40,000.00
<b>Livingston County Center</b> <b>For Nursing &amp; Rehabilitation</b> For: On behalf of the CNR and Livingston County Department of Health for education towards Dual Certification in Certified Nursing Assistant and Home Health Aide	4/1/09 - 10/30/10	Not to exceed \$40,000.00
<b>Rochester Home Builders' Association</b> 20 Wildbriar Road Rochester, New York 14623 For: Conducting Certified Aging-In-Place Specialists Education Program for construction workers	4/1/09 - 10/30/10	Not to exceed \$40,000.00
<b>Child Care Council of Rochester</b> 595 Blossom Road, Suite 120 Rochester, New York 14610-1825 For: Conducting Child Care Professional Development Program	4/1/09 - 10/30/10	Not to exceed \$42,000.00
<b>Genesee Valley Council on the Arts</b> 4 Murray Hill Drive Mt. Morris, New York 14510 For: Teaching Artistry Program in Livingston County School Districts	4/1/09 - 10/30/10	Not to exceed \$40,000.00

Dated at Geneseo, New York  
October 14, 2009  
Human Services Committee  
The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-354 AMENDING RESOLUTION 2009-227 AND AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR LIVINGSTON COUNTY ON BEHALF OF GLOW WIB: BYRON BERGEN CENTRAL SCHOOL, GENESEE COUNTY JOB DEVELOPMENT (2), GENESEE COMMUNITY COLLEGE (2), GENESEE VALLEY BOCES, LIVINGSTON COUNTY WORKFORCE DEVELOPMENT (2), ORLEANS COUNTY JOB DEVELOPMENT (2), THE RESEARCH FOUNDATION AT SUNY BROCKPORT, WYOMING COMMUNITY ACTION (2), WYOMING BUSINESS COUNCIL, INC.**

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

WHEREAS, resolution 2009-227 authorized various contracts to be signed for Livingston County on behalf of GLOW WIB, and

WHEREAS, resolution 2009-227 referenced several incorrect dates, contractors and contract amounts necessitating a revised resolution; now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Bvron Bergen Central School</b>	5/19/09-6/30/10	\$17,890.00

6917 West Bergen Road Bergen, NY 14416 <b>Genesee County Job Development</b>	5/19/09-6/30/10	\$ 3,785.00
587 East Main Street Batavia, NY 14020 <b>Genesee County Job Development</b>	5/19/09-6/30/10	\$ 68,945.84
587 East Main Street Batavia, NY 14020 <b>Genesee Community College</b>	5/19/09-6/30/10	\$24,568.00
Liberty Partnership LIFE Program 458 West Avenue GCC Orleans Campus Albion, NY 14411 <b>Genesee Community College</b>	5/19/09-6/30/10	\$33,126.00
Wyoming Upward Bound 38 Duncan Street Warsaw, NY 14569 <b>Genesee Valley BOCES</b>	5/19/09-6/30/10	\$36,976.00
8250 State Street Rd. Batavia, NY 14020 <b>Livingston County Workforce Development</b>	5/19/09-6/30/10	\$2,851.00
Office of Workforce Development 6 Court St. Room 105 Geneseo, N Y 14454 <b>Livingston County Workforce Development</b>	5/19/09-6/30/10	\$115,684.14
Office of Workforce Development 6 Court St. Room 105 Geneseo, N Y 14454 <b>Orleans County Job Development</b>	5/19/09-6/30/10	\$4,281.00
458 West Avenue Albion, NY 14411 <b>Orleans County Job Development</b>	5/19/09-6/30/10	\$48,226.40
458 West Avenue Albion, NY 14411 <b>The Research Foundation at SUNY Brockport</b>	5/19/09-6/30/10	\$17,500.00
Orleans Upward Bound 350 New Campus Dr. Brockport, NY 14420 <b>Wyoming Community Action</b>	5/19/09-6/30/10	\$5,789.00
6470 Route 20A Perry, NY 14530 <b>Wyoming Community Action</b>	5/19/09-6/30/10	\$5,146.00
6470 Route 20A Perry, NY 14530 <b>Wyoming Business Education Council Inc.</b>	5/19/09-6/30/10	\$30,065.00
6470 Route 20A Perry, NY 14530		

For: the provision of youth services for the GLOW Workforce Investment Board upon recommendation of the GLOW Youth Council and approved by GLOW WIB.

Dated at Geneseo, New York

October 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-355 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR LIVINGSTON COUNTY ON BEHALF OF GLOW WIB: GENESEE COUNTY JOB DEVELOPMENT, LIVINGSTON COUNTY OFFICE OF WORKFORCE DEVELOPMENT, ORLEANS COUNTY JOB DEVELOPMENT, WYOMING COMMUNITY ACTION**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Genesee County Job Development</b> 587 East Main Street Batavia, NY 14020	9/15/09-6/30/10	\$38,613.60
<b>Livingston County Office of Workforce Development</b> 6 Court St. Room 105 Geneseo, N Y 14454	9/15/09-6/30/10	\$38,613.60
<b>Orleans County Job Development</b> 458 West Avenue Albion, NY 14411	9/15/09-6/30/10	\$38,613.60
<b>Wyoming Community Action</b> 6470 Route 20A Perry, NY 14530	9/15/09-6/30/10	\$38,613.60

For: the provision of youth services using ARRA funding for the GLOW Workforce Investment Board upon recommendation of the GLOW Youth Council and approved by GLOW WIB.

Dated at Geneseo, New York

October 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-356 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE WORKFORCE INVESTMENT ACT LOCAL PLAN MODIFICATION FOR PROGRAM YEAR 2009-2010 FOR WORKFORCE INVESTMENT ACT TITLE I-B AND WAGNER PEYSER PROGRAMS**

Mr. Martello 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 Workforce Investment Act Local Plan Modification, Attachment B, for Program Year 2009-2010 for Workforce Investment Act Title I-B and Wagner Peyser Programs, subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

October 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-357 AMENDING RESOLUTION 2009-264 AND AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR LIVINGSTON COUNTY ON BEHALF OF GLOW WIB: GENESEE COMMUNITY COLLEGE**

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

WHEREAS, resolution 2009-264 authorized various contracts to be signed for Livingston County on behalf of GLOW WIB. and

WHEREAS, resolution 2009-264 referenced an incorrect contractor necessitating a revised resolution; now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Genesee Community College</b>	5/19/09-9/30/09	\$13,299.00

Wyoming Upward Bound

38 Duncan Street

Warsaw, NY 14569

For: the provision of Summer Youth Employment Program in Wyoming County

Dated at Geneseo, New York

October 14, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-358 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY DISTRICT ATTORNEY OFFICE: NEW YORK STATE CRIME VICTIMS BOARD**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>New York State Crime Victim Board</b>	10/01/09-9/30/12	\$145,268.00

For Crime Victim Grant extension whose funds are allocated as follows: 2009-2010 - \$47,020; 2010-2011 - \$48,409; 2011-2012 - \$49,839

Dated at Geneseo, New York

October 14, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-359 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A GRANT AGREEMENT WITH THE NEW YORK STATE HOUSING TRUST FUND CORPORATION FOR THE KRAFT FOODS SMALL CITIES PROJECT**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>New York State Housing Trust Fund Corporation</b>	9/1/09-9/30/11	\$139,000.00

Office of Community Renewal

Hampton Plaza

38-40 State Street

Albany, NY 1227-2804

For: Kraft Foods Small Cities Project

Dated at Geneseo, New York

October 14, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-360 AUTHORIZING A GRANT AGREEMENT BETWEEN THE COUNTY OF LIVINGSTON AND THE LIVINGSTON COUNTY DEVELOPMENT CORPORATION FOR THE ADMINISTRATION OF THE NEW YORK STATE HOUSING TRUST FUND CORPORATION SMALL CITIES KRAFT FOODS AWARD**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Livingston County Development Corporation</b>	9/1/09-9/30/11	\$139,000.00

Livingston County Government Center  
6 Court Street, Room 306  
Geneseo, NY 14454

For: Kraft Foods

Dated at Geneseo, New York  
October 14, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-361 AMENDING A SUBRECIPIENT AGREEMENT WITH THE LIVINGSTON COUNTY DEVELOPMENT CORPORATION FOR THE IMPLEMENTATION OF MICROENTERPRISE PROGRAMMING**

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

WHEREAS, Livingston County entered into an agreement with the Livingston County Development Corporation (the "LCDC") on October 22, 2003 governing the use of Community Development Block Grant program income by the LCDC (hereinafter the "2003 Agreement"), and

WHEREAS, the 2003 Agreement restricts the use of such program income to the provision of Microenterprise loans, and

WHEREAS, the County and the LCDC are desirous of using such funding to support the implementation of all of the County's Microenterprise programming including loans, business instruction, technical assistance, and downtown revitalization, and

WHEREAS, the LCDC has sufficient additional resources to meet the ongoing demand for Microenterprise loans, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an Agreement with the LCDC to allow Community Development Block Grant program income to be used for implementation of all of the County's Microenterprise programming including loans, business instruction, technical assistance, and downtown revitalization, subject to review by the County Attorney and County Administrator, and, be it further

RESOLVED, that the County Office of Economic Development is hereby directed to amend the County's Community Development Block Grant Program Income Plan accordingly and to file such Plan with the U. S. Department of Housing and Urban Development.

Dated at Geneseo, New York  
October 14, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-362 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT SERVICES: NYS OFFICE OF HOMELAND SECURITY**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Office of Homeland Security</b>	8/31/2009-7/31/2012	\$149,222.00

For: State Homeland Security Program

Dated at Geneseo, New York

October 14, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-363 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY PROBATION DEPARTMENT: NYS DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Division of Probation And Correctional Alternatives</b>	1/1/09 – 12/31/09	\$8,554.00

**And Correctional Alternatives**

For: Intensive Supervision Program

Dated at Geneseo, New York

October 14, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-364 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT: NYS DEPARTMENT OF STATE, CENTRAL NY PSYCHIATRIC CENTER ONEIDA COUNTY**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Department of State</b>	4/1/09-3/31/12	\$34,945.00

Bureau of Fiscal Management

Contract Administration Unit-LEWP

One Commerce Plaza, 11<sup>th</sup> Floor

Albany, New York 12231

For: Local Enhanced Wireless 911 Program

**Central NY Psychiatric Center Oneida County** 1/1/10-12/31/10 Per Day/Per Inmate \$140.00

Old River Road, Box 300

Marcy, New York 13404-0300

For: Psychiatric Services

Dated at Geneseo, New York

October 14, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-365 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE CONESUS SEWER PROJECT: OPTIMATION TECHNOLOGY. INC.**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Optimation Technology, Inc.</b>	Until complete	\$7,820.00

50 High Tech Drive  
Rush, NY 14543

For: A Radio Study and recommendation for hardware for the four sewer stations for the Conesus Sewer Project.

Dated at Geneseo, New York

October 14, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-366      AUTHORIZING TRANSFER OF FUNDS – BOARD OF ELECTIONS, CENTRAL SERVICES, DEPARTMENT OF HEALTH, HIGHWAY, VETERANS' AFFAIRS**

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

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

Dated at Geneseo, New York

October 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-367      AMENDING 2009 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

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

RESOLVED, that the 2009 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A4095	4494	Federal Stimulus Health	\$20,000.00
Increase Appropriation	A4095	1950	Temp Services	\$13,383.00
		1951	Overtime	\$200.00
		4060	Office Supplies	\$241.00
		4200	Ads	\$3,000.00
		4340	Travel	\$500.00
		4440	Med Supplies	\$500.00
		8100	FICA	\$1,039.00
		8200	Retirement	\$817.00
		8400	Wkrs Comp	\$320.00
			TOTAL	\$20,000.00

AND,

Account	Dept.	Code	Description	Amount
Increase Revenue	A4014	2680	Insurance Recovery	\$2,116.75
Increase Appropriation	A4014	4127	Outside Repairs	\$2,116.75

AND,

Account	Dept.	Code	Description	Amount
Increase Revenue	A4112	4489	Other Federal Hlth	\$27,778.00
Increase Appropriation	A4112	1950	Temp Services	\$8,723.00
		1951	Overtime	\$100.00
		2250	Medical Equipment	\$11,228.00

		4020	Training	\$300.00
		4060	Office Supplies	\$46.00
		4080	Professional Srv	\$5,700.00
		4440	Medical Supplies	\$1,006.00
		8100	FICA	\$675.00
			TOTAL	\$27,778.00

AND,

Account	Dept.	Code	Description	Amount
Increase Revenue	A4087	3472	St Aid Special Health	\$34,000.00
Increase Appropriation	A4087	1950	Temp Srvcs	\$4,219.00
		4020	Training	\$200.00
		4060	Office Supplies	\$744.00
		4080	Prof Services	\$2,300.00
		4100	Postage	\$100.00
		4200	Ads	\$25,286
		4340	Mileage	\$436.00
		8100	FICA	\$323.00
		8200	Retirement	\$292.00
		8400	Wrks Comp	\$100.00
			TOTAL	\$34,000.00

Dated at Geneseo, New York

October 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-368 AMENDING 2009 LIVINGSTON COUNTY BUDGET – OFFICE FOR THE AGING**

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

RESOLVED, that the 2009 Office for the Aging budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6784	4772	Federal Revenue	\$6,000.00
Increase Appropriation	A6784	1000	Personal Services	\$4,000.00
		4055	Telephone	\$244.00
		4060	Office Supplies	\$150.00
		4200	Advertising Fees	\$1,300.00
		8100	FICA	\$306.00
			TOTAL	\$6,000.00

Dated at Geneseo, New York

October 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-369 AMENDING 2009 LIVINGSTON COUNTY BUDGET – SHERIFF'S DEPARTMENT**

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

RESOLVED, that the 2009 Sheriff's Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3110	2680	Sheriff's Ins. Recovery	\$1,124.49
Increase Appropriation	A3110	4127	Sheriff's Outside Repairs	\$1,124.49
			TOTAL	\$1,124.49

Dated at Geneseo, New York

October 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-370 AMENDING 2009 LIVINGSTON COUNTY BUDGET – SOCIAL SERVICES**

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

RESOLVED, that the 2009 Department of Social Services budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6010	4610	Federal Administration	\$62,030.00
Increase Appropriation	A6010	4190	Agency Contracts	\$62,030.00

Dated at Geneseo, New York

October 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-371 AMENDING 2009 LIVINGSTON COUNTY BUDGET – WORKFORCE DEVELOPMENT**

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

RESOLVED, that the 2009 Workforce Development Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	J6292	4790	Federal Aid	\$275,000.00
Increase Appropriation	J6292	1000	Personal Services	\$30,000.00
	J6292	4080	Professional Services	\$15,000.00
	J6292	4531	Training Facility	\$170,000.00
	J6292	4532	OJT	\$58,000.00
	J6292	8100	FICA	\$2,000.00
			TOTAL	\$275,000.00

Dated at Geneseo, New York

October 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-372 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY TREASURER'S DEPARTMENT: PHILIPS LYTLE LLP**

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

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

Contractor

**Philips Lytle LLP**

1400 First Federal Plaza

Rochester, NY 14614

For: 2008 In Rem Foreclosure Proceedings

Dated at Geneseo, New York

October 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

Amount

\$250.00 per parcel referred for foreclosure

**RESOLUTION NO. 2009-373 CORRECTING TAX ROLL – TOWN OF OSSIAN**

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

WHEREAS, the Director of Real Property Tax Services has transmitted a written report of his investigation and recommendation with regard to one (1 parcel/2 years) application for correction of the tax roll, pursuant to the Real Property Tax Law, prepared by the Assessor for the Town of Ossian on the tax roll for the years hereinafter set forth, and

WHEREAS, said parcel was incorrectly assessed and/or taxed for reasons set forth in the application for correction requested from the Director of Real Property Tax Services attached hereto, now, therefore, be it

RESOLVED, that the Director of Real Property Tax Services is authorized and directed to forward a copy of this resolution to the officer 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 correction and forward the corrected tax bill. The County Treasurer is authorized to issue refunds and/or make the appropriate chargebacks as hereinafter set forth for the application.

Year, Town & Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund to Owner	Chargebacks To Taxing Jurisdictions
<b>1. 2008 Ossian</b>	Livingston County	\$ 67.04	\$0.00	\$67.04	\$67.04
Alford, Roy	Livingston Co. Penalties	46.38	0.00	\$46.38	\$46.38
5360 Route 436	Ossian Town Tax	91.10	0.00	\$91.10	\$91.10
Dansville, NY 14437	<b>Dansville School Relevy</b>	7.35	0.00	\$7.35	\$7.35
Tax Map Number	<b>Ossian Fire 1</b>	3.21	0.00	\$3.21	\$3.21
202.-1-11.3	<b>Total</b>	<u>\$215.08</u>	<u>\$0.00</u>	<u>\$215.08</u>	<u>\$215.08</u>
<b>2. 2009 Ossian</b>	Livingston County	\$ 66.67	\$0.00	\$66.67	\$66.67
Alford, Roy	Livingston Co. Penalties	25.54	0.00	\$25.54	\$25.54
5360 Route 436	Ossian Town Tax	95.90	0.00	\$95.90	\$95.90
Dansville, NY 14437	<b>Dansville School Relevy</b>	7.69	0.00	\$7.69	\$7.69
Tax Map Number	<b>Ossian Fire 1</b>	3.39	0.00	\$3.39	\$3.39
202.-1-11.3	<b>Total</b>	<u>\$199.19</u>	<u>\$0.00</u>	<u>\$199.19</u>	<u>\$199.19</u>

Dated at Geneseo, New York  
October 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

**RESOLUTION NO. 2009-374 CORRECTING TAX ROLL-SUPREME COURT SETTLEMENT FOR THE TOWN OF LIMA**

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

WHEREAS, the Director of the Real Property Tax Services has transmitted a written report of his recommendation with regard to two (2 parcels/3 years) correction of the tax rolls, pursuant to the Real Property Tax Law, for the Town of Lima 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 Supreme Court decision for a correction requested from the Director of Real Property Tax Services attached hereto, now therefore, be it

RESOLVED, that the Director of Real Property Tax Services is authorized and directed to forward a copy of this resolution to the officer having jurisdiction of the tax rolls so that the rolls can be corrected; and 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 the Supreme Court decision.

Year, Town & Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund Of taxes	Chargeback To Taxing Jurisdi
<b>1. 2009 Lima</b>	Livingston County	\$14,400.72	\$11,854.87	\$2,545.85*	\$2,545.85

<b>Kenns, Inc.</b>	Lima Town Tax	\$8,804.45	\$7,247.94	\$1,556.51**	\$0.00
Tax Map Number***	Lima Fire 1	<u>\$ 1,884.27</u>	<u>\$1,581.18</u>	<u>\$303.09**</u>	<u>\$ 0.00</u>
	Total	<u>\$25,089.44</u>	<u>\$20,683.99</u>	<u>\$4,405.45</u>	<u>\$2,545.85</u>
<b>2. 2008 Lima</b>	Livingston County	\$14,041.99	\$11,495.83	\$2,546.16*	\$2,546.16
<b>Kenns Inc.</b>	Lima Town Tax	\$8,526.73	\$6,980.63	\$1,546.10**	\$0.00
Tax Map Number***	Lima Fire 1	<u>\$1,921.65</u>	<u>\$ 1,612.55</u>	<u>\$ 309.10**</u>	<u>\$ 0.00</u>
	Total	<u>\$24,490.37</u>	<u>\$20,089.01</u>	<u>\$4,401.36</u>	<u>\$2,546.16</u>
<b>3. 2007 Lima</b>	Livingston County	\$12,648.11	\$10,294.26	\$2,353.85*	\$2,353.85
<b>Kenns, Inc.</b>	Lima Town Tax	\$8,227.12	\$6,696.03	\$1,531.09**	\$0.00
Tax Map Number***	School Relevy	\$48,149.84	\$39,189.03	\$8,960.81*	\$8,960.81
	Lima Fire 1	<u>\$1,906.09</u>	<u>\$1,599.50</u>	<u>\$306.59**</u>	<u>\$0.00</u>
	Total	<u>\$70,931.16</u>	<u>\$57,778.82</u>	<u>\$13,152.34</u>	<u>\$11,314.66</u>

Combined Totals for Tax Map Numbers\*\*\*  
 47.-1-48.114  
 47.-1-15.1

Livingston County Original Tax	\$89,240.66*
Lima Town Original Tax	\$25,558.30**
Lima Fire 1 Original Tax	\$5,712.01**
Livingston County Corrected Tax	\$72,833.99*
Lima Town Corrected Tax	\$20,924.60**
Lima Fire 1 Corrected Tax	\$4,793.23**
<b>Livingston County Total</b>	<b>\$16,406.67*</b>
<b>Lima Town Tax Total</b>	<b>\$4,633.70**</b>
<b>Lima Fire 1 Total</b>	<b>\$918.78**</b>

#### REFUND TOTALS

\* Refunded by County Treasurer

\*\* Refunded by Town of Lima

Dated at Geneseo, New York

October 14, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,752; Noes - 0; Absent - 0; Adopted.

#### OTHER BUSINESS

##### 1. CHAIRMAN OF THE BOARD APPOINTMENTS

Name	Address	Represent/Title	Term Expires
<b>Livingston County Youth Board</b>			
Donald Haywood	8103 S. Main Street, Springwater, NY 14560	Town of Springwater	8/31/11

##### 2. COUNTY ADMINISTRATOR IAN M. COYLE – COMMUNITY PUBLICATION FOR JAIL PROJECT

The County Administrator distributed a draft version of a community publication for the jail expansion project that will be placed in the center of all the pennysavers and shoppers within the County (on file). He asked the Board to review the document and provide him feedback of any changes within the next week.

#### ADJOURNMENT

Motion made by Mr. Martello and seconded by Mr. Mahus to adjourn until Wednesday, October 29, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:24 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, OCTOBER 28, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Martello (Ossian), Mr. Davis (Portage) and Mr. Buckley (Springwater).

**PLEDGE OF ALLEGIANCE**

York Supervisor Deming led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Minutes of 10/14/09 Regular Meeting were approved as presented.

**PUBLIC HEARING – 1:35 P.M.**

1. TO HEAR OBJECTIONS TO THE SPECIAL ASSESSMENT ROLL OF THE LIVINGSTON COUNTY WATER DISTRICT NO. 1 ZONES 1,2,3,4,4A AND 5, CONESUS LAKE COUNTY SEWER DISTRICT EXTENSION #8 AND #9, AND GROVELAND STATION COUNTY SEWER DISTRICT

Chairman Merrick declared the Public Hearing open and asked the Public Works Director Cathy VanHorne to comment.

C. Muscarella explained that this public hearing is conducted on an annual basis to provide owners of property located within the County water and sewer districts the opportunity to state their objections to the special assessment roll. The special assessment roll shows how many units are charged for water and/or sewer on the property tax bill for 2010. A single family home is charged as one improved unit. C. Muscarella stated if there is a problem with units, the Real Property Tax Office corrects it at the time of discovery.

Chairman Merrick asked anyone interested in speaking to come forward and sign in at the podium. No one wished to speak. The Chairman asked if any Supervisor wished to comment. The Chairman announced that the public hearing would remain open until the end of the meeting.

**COMMUNICATIONS**

1. Application of the Town of Avon Route 39 Extension to the Consolidated Water District is on file.
2. The 2010 Budget of the Livingston County Industrial Development Agency is on file.
3. The 2007 Supervisors' Proceedings is on your desk. Please deliver the Proceedings to your Town Clerk.
4. The Livingston County Cost Allocation Plan for 2008 prepared by Venesky & Company is on file.
5. Thank you note from the Dansville Ambulance Company for the donation in memory of Deputy Jail Superintendent/Corrections Sergeant Jack Conklin.
6. Town Bonded Indebtedness reports are due 11/18/09.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-375      APPROVING ABSTRACT OF CLAIMS #10B – OCTOBER 28, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #10B dated October 28, 2009 in the total amount of \$2,719,039.90.

Dated at Geneseo, New York

October 28, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,642; Noes - 0; Absent – Martello, 21; Davis, 24; Buckley, 65; Total – 110; Adopted.

**PRIVILEGE OF THE FLOOR**

1. Anna Kowalchuk, Administrator - Livingston County Historical Society Update

Anna Kowalchuck introduced herself as the First Museum Administrator who has been the Administrator for one year. She indicated the goal today is to familiarize the Board with the progress that has been made to the Museum and its programs over the last year. She thanked the Board of Supervisors for their ongoing support of the Museum.

Anna Kowalchuck explained that the current structure was the Geneseo District #5 Schoolhouse built in 1838. She presented a power-point presentation including review of grants, strategic planning overview, collections consultant report, prioritization of projects, architectural assessment and recommendations, Environmental Protection Fund Grant Comprehensive Plan, building improvements, improvements to the site, various receptions and events throughout the County, different objectives to obtain new audiences, SUNY Geneseo Students assisting with lessons plans and volunteering to assist with cataloguing, and ongoing efforts to preserve the many artifacts and Wadsworth Coach.

Ann Kowalchuck thanked the Board for their attention and asked them to contact her with any questions.

Chairman Merrick thanked Anna Kowalchuck for the presentation and indicated the presentation was a very informational and commended her for doing a great job.

2. Commissioner of Social Services Sandra Wright - Adoption Services in Livingston County

Commissioner Wright announced that the Board declared November as Adoption Awareness Month at the October 14, 2009 Board meeting. She indicated that she and the Social Services staff feel strongly about adoption in Livingston County and adoption is a reason to celebrate. She thanked the Board for this opportunity to recognize some of the staff that work diligently to provide adoption services to children and families in Livingston County. Commissioner Wright recognized the following staff members in attendance: James Cornell, Director of Social Services; Donna Mankoff, Senior Caseworker; Erin Stanley, Caseworker; Kim Shifino, Caseworker; Brandy Chapman, Caseworker; Heather Mitchell, Caseworker; Becky Hughes, Senior Typist; Tracy McCaughey, Senior Caseworker. Commissioner Wright also acknowledged those who were not present: Laird Gelser, Case Supervisor; Nicole Marshland, Caseworkers; Christina Schneider, Caseworker; Bonnie Dietz, Family Resolutions Coordinator; Linda Haynes, Case Management Aide, Carla Cox, RN; and Maureen Randall, Volunteer. Commissioner Wright again thanked the entire staff for all the hard work they do and turned the program over to James Cornell, Director of Social Services.

James Cornell commented that today's presentation is about adoption and foster care and indicated that all children that are adopted have gone through foster care. He also indicated that a vast majority of the children have been neglected. He added that 65 children are currently in foster care and 13 have been freed for adoption. We have 45 foster care homes in Livingston County. He stated it does take a lot of people to do this job and their primary responsibility is to work to get the children reunited with families, and if that is not possible, children are placed in foster care and possibly freed for adoption. He indicated that the Adoption Services recruits foster homes, trains the foster parents and supports them on an ongoing basis as they have to comply with State regulations and mounds of paperwork. He added that of the entire Adoption Services staff, only four individuals are providing direct case management services to the 65 children resulting in 16 clients per Caseworker. Since the year 2000, the Department has placed 386 children in foster care and  $\frac{3}{4}$  of the caseload was due to abuse or neglect; 86 of the 386 have been freed for adoption. The current caseload of 65 has doubled compared to a decade ago. The number of children on PINS has declined tremendously. He invited Donna Mankoff, Senior Caseworker, to the podium to say a few remarks.

Donna Mankoff provided an overview of the foster care and adoption services in Livingston County. She explained the responsibilities of a Caseworker. She presented pictures on power-point and highlighted three adoption stories.

Commissioner Wright thanked the board for privilege of the floor and again thanked the staff for everything they do. She stated that if anyone had any questions, to feel free to call the office anytime.

**PREFERRED AGENDA**

**RESOLUTION NO. 2009-376 PROVIDING FOR PUBLIC HEARING ON PROPOSED LIVINGSTON COUNTY BUDGET FOR 2010 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 2010 at 1:35 p.m. in the afternoon and also at 7:00 p.m. in the evening on Wednesday, November 18, 2009 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 28, 2009

Ways and Means 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. Pangrazio and seconded by Mr. Deming to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,642; Noes - 0; Absent – Martello, 21; Davis, 24; Buckley, 65; Total – 110; Adopted.

**RESOLUTIONS****RESOLUTION NO. 2009-377 AMENDING 2009 LIVINGSTON COUNTY BUDGET – COUNTY TREASURER**

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

RESOLVED, that the 2009 County Treasurer Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A1362	1236	Buyer's Premium	\$40,085.00
Increase Appropriation	A1362	4086	Tax Auction Expense	\$40,085.00

Dated at Geneseo, New York

October 28, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,642; Noes - 0; Absent – Martello, 21; Davis, 24; Buckley, 65; Total – 110; Adopted.

**RESOLUTION NO. 2009-378 AMENDING 2009 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

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

RESOLVED, that the 2009 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A4035	1602	Family Planning	\$16,100.00
Increase Appropriation	A4035	2050	Office Equipment	\$5,000.00
Increase Appropriation	A4035	2200	DP Equipment	\$5,500.00
Increase Appropriation	A4035	4020	Training	\$1,700.00
Increase Appropriation	A4035	4060	Office Supplies	\$3,900.00
			TOTAL	\$16,100.00

And,

Increase Revenue	A4035	3472	St Aid Special Health	\$21,218.00
Increase Revenue	A4035	4489	Other Federal Health	\$19,586.00
			TOTAL	\$40,804.00
Increase Appropriation	A4035	4200	Print/Ads	\$40,804.00

And,

Increase Revenue	A4112	4489	Other Federal Health	\$128,656.00
Increase Appropriation	A4112	1000	Personal services	\$35,932.00
Increase Appropriation	A4112	1950	Temp services	\$55,765.00
Increase Appropriation	A4112	1951	Overtime	\$2,000.00
Increase Appropriation	A4112	4060	Office supplies	\$775.00
Increase Appropriation	A4112	4080	Professional services	\$11,828.00
Increase Appropriation	A4112	4100	Postage	\$256.00
Increase Appropriation	A4112	4200	Ads	\$9,137.00
Increase Appropriation	A4112	4340	Travel	\$3,795.00
Increase Appropriation	A4112	4440	Med supplies	\$2,000.00
Increase Appropriation	A4112	8100	FICA	\$7,168.00
			TOTAL	\$128,656.00

Dated at Geneseo, New York

October 28, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,642; Noes - 0; Absent – Martello, 21; Davis, 24; Buckley, 65; Total – 110; Adopted.

**RESOLUTION NO. 2009-379 AMENDING 2009 LIVINGSTON COUNTY BUDGET – SHERIFF'S DEPARTMENT**

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

RESOLVED, that the 2009 Sheriff's Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3110	3391	Sheriff's Seat Belt Enforcement	\$6,125.00
Increase Appropriation	A3110	1951	Sheriff's Overtime	\$6,125.00

Dated at Geneseo, New York

October 28, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,642; Noes - 0; Absent – Martello, 21; Davis, 24; Buckley, 65; Total – 110; Adopted.

**RESOLUTION NO. 2009-380 AMENDING THE DEPARTMENT HEAD SALARY SCHEDULE: BOARD OF SUPERVISORS**

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

RESOLVED, that the 2009 Department Head Salary Schedule is amended as follows:

**Board of Supervisors**

Ashley E. Scutt of 6277 Rowland Road, Conesus NY 14435, Confidential Secretary to the Clerk of the Board at an annual salary of \$28,000.00 effective November 16, 2009.

Dated at Geneseo, New York

October 28, 2009

Ways & Means Committee

Clerk of the Board Virginia Amico stated that she has been recruiting since September 2009 to fill the Confidential Secretary to the Clerk position. She indicated that 50 qualified candidates submitted applications and 13 candidates were invited for the first round. She and Chairman Merrick conducted the first round of interviews. Four candidates were invited back for a second interview and she, Chairman Merrick and County Administrator Ian Coyle conducted those interviews. The Clerk of the Board thanked Chairman Merrick and the County Administrator for participating in the recruitment process. She stated that it was a unanimous choice among the interview team to select Ashley E. Scutt of Conesus. The Clerk stated that Ashley Scutt is currently working at John Holtz BMW in Rochester, NY and has been there for 2.5 yrs. Ashley earned her Associates degree from Finger Lakes Community College in Hotel Management. The Clerk commented that Ashley interviewed well above all the other candidates throughout both interviews and her references were excellent and that she has excellent communication and computer skills. The Clerk recommended a salary of \$28,000 and announced that Ashley's first day of work would be 11/16/09. The Clerk commented that she believes Ashley will be a reliable, loyal and dedicated employee and asked the Board for their support of this recommended salary.

The roll was called as follows: Ayes - 1,642; Noes - 0; Absent – Martello, 21; Davis, 24; Buckley, 65; Total – 110; Adopted.

Clerk of the Board Virginia Amico stated it was her pleasure to introduce Ashley E. Scutt, Confidential Secretary to the Clerk of the Board.

Ashley E. Scutt stated she is excited and grateful for this opportunity and that she is thrilled to be part of the team. She briefly explained her work experience at John Holtz BMW and her reasons for leaving and what she was looking for in a new career. She indicated she believes this position will provide her the challenges she has been seeking.

**RESOLUTION NO. 2009-381 AUTHORIZING DIRECTOR TO ADD TAXES ON 2010 VARIOUS TOWN**

**TAX ROLLS**

Mr. Pangrazio 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 2010 various town tax rolls, the following taxes as provided by the town assessors as listed on his report attached hereto:

OWNER & PARCEL	TOWN ROLL		AMOUNT TO BE LEVIED	TOTAL PER TOWN
<b>VARNUM, Shane J.</b> 285 North Avenue Avon, NY 14414 Tax Map Number 24.18-1-37 SWIS Code 242001 (prior owner: Joseph Termini & Angeline T. Wilson) (former exemption holder: Mamie J. Termini)	Avon	Town	\$112.00	
		County	<u>318.80</u>	
		Total	\$430.80	
<b>SCHILLINGER, James K.</b> 42 Valley Lane Avon, NY 14414 Tax Map Number 34.5-1-49 SWIS Code 242001 (prior owner: William T. & Doris Boyd)	Avon	Town	\$232.16	
		County	<u>608.32</u>	
		Total	\$840.48	
<b>WALTERS, David G.</b> 39 Reed Street Avon, NY 14414 Tax Map Number 34.6-2-36.1 SWIS Code 242001 (prior owner: Carol Jo D'Angelo & Charles Valone)	Avon	Town	\$128.43	
		County	<u>322.16</u>	
		Total	\$450.59	
<b>COFFEY, Susan C.</b> 160 North Avenue Avon, NY 14414 Tax Map Number 34.6-3-26 SWIS Code 242001 (prior owner: Suzanne Plank)	Avon	Town	\$ 5.27	
		County	<u>15.00</u>	
		Total	\$20.27	
<b>MCLAUGHLIN, Casey</b> 224 North Avenue Avon, NY 14414 Tax Map Number 34.6-3-38 SWIS Code 242001 (prior owner: Joseph Gelsomino/ Rosemarie G. Salvemini / Philip C. Gelsomino)	Avon	Town	\$ 279.21	
		County	<u>733.96</u>	
		Total	\$1,013.17	
<b>SANOCKI, Annie W., As Trustee</b> 174 Sleepy Hollow Lane Hendersonville, NC 28792 Tax Map Number 34.7-1-42.18 SWIS Code 242001 (prior owner: Adair Wheeler)	Avon	Town	\$230.27	
		County	<u>594.96</u>	
		Total	\$825.23	
<b>DONNELLY, Kecia N.</b> 41 Hal Bar Road Avon, NY 14414 Tax Map Number 34.11-1-45 SWIS Code 242001	Avon	Town	\$ 92.22	
		County	<u>233.30</u>	
		Total	\$325.52	

(prior owner: James C. Fincher, Et Al)  
 (former exemption holder: Ruth H. Fincher)

<b>FAUGH, Stacey</b>	Avon	Town	\$266.79	
5510 Avon-East Avon Road		County	<u>439.53</u>	
Avon, NY 14414		Total	\$706.32	
Tax Map Number 35.-1-37.13				
SWIS Code 242089				

(prior owner: Joseph William & Ruth Jensen)

<b>WHITE, Christopher J.</b>	Avon	Town	\$10.21	
<b>DELTORO-WHITE, Kelly</b>		County	<u>17.82</u>	
2000 Lakeville Road		Total	\$28.03	
Avon, NY 14414				
Tax Map Number 35.17-1-14.1				
SWIS Code 242089				

(prior owner: Gerald & Vera V. Norry, As Trustees of the  
 Gerald & Vera V. Norry Joint Revocable Trust)

<b>CURTIS, Stacy &amp; Daniel</b>	Avon	Town	\$ 510.23	
2534 Avon-Geneseo Road		County	<u>891.03</u>	
Avon, NY 14414		Total	\$1,401.26	
Tax Map Number 43.-1-13.122				
SWIS Code 242089				

(prior owner: The Charity Fellowship of Truth Church)

<b>JULIAN, Richard J.</b>	Avon	Town	\$ 84.16	\$1,950.95
<b>OLSEN, Julie M.</b>		County	<u>146.97</u>	<u>4,321.85</u>
2922 Bronson Hill Road		Total	\$231.13	<u>\$6,272.80</u>
Avon, NY 14414				
Tax Map Number 55.-1-53.61				
SWIS Code 242089				

(prior owner: Diane C. Winter)

<b>HALL, Christine T.</b>	Caledonia	Town	\$ 42.09	
54 Jennifer Lane		County	<u>193.25</u>	
Caledonia, NY 14423		Total	\$235.34	
Tax Map Number 2.20-1-51.2				
SWIS Code 242201				

(prior owner: James P. & Judith B. Craig)

<b>NOTHNAGLE, Timothy &amp; Anne</b>	Caledonia	Town	\$ 50.67	
2864 McGovern Road		County	<u>232.22</u>	
Caledonia, NY 14423		Total	\$282.89	
Tax Map Number 7.8-1-12				
SWIS Code 242201				

(prior owner: Estate of John Myron Anderson)

<b>VOKES, James D.</b>	Caledonia	Town	\$ 27.71	
3182 Church Street		County	<u>120.82</u>	
Caledonia, NY 14423		Total	\$148.53	
Tax Map Number 7.8-2-46				
SWIS Code 242201				

(prior owner: Michael Callan / Kathleen Whiteside  
 MaryBeth Hall / Thomas Callan)

(former exemption holder: Mildred Callan)

<b>NEYHART, Michael B. &amp; Christine M.</b>	Caledonia	Town	\$16.20	
4210 Pennemite Road		County	<u>75.48</u>	
Livonia, NY 14487		Total	\$91.68	
Tax Map Number 7.8-3-79				

SWIS Code 242201

(prior owner: County of Livingston)

(former exemption holder:

Christopher Evarts &amp; Jean Koroliszyn)

**PERRY, Kenneth P.**

Caledonia	Town	\$ 49.22
	County	<u>222.57</u>
	Total	\$271.79

2962 Graney Road

Caledonia, NY 14423

Tax Map Number 7.11-1-11.13

SWIS Code 242201

(prior owner: Robert W. &amp; Sara A. Butler)

**CHILDERS, Billy C.**

Caledonia	Town	\$ 32.39
	County	<u>150.34</u>
	Total	\$182.73

339 Leicester Road

Caledonia, NY 14423

Tax Map Number 7.12-1-15

SWIS Code 242201

(prior owner: John C. Stewart)

**CONNOR, Gregory J. & Valerie H.**

Caledonia	Town	\$ 45.05
	County	<u>209.87</u>
	Total	\$254.92

PO Box 111

Scottsville, NY 14546

Tax Map Number 8.5-1-52

SWIS Code 242201

(prior owner: Frederick M. Hinsdale)

**KRENZER, Todd M.**

Caledonia	Town	\$128.39
	County	<u>581.25</u>
	Total	\$709.64

322 Grand Circle

Caledonia, NY 14423

Tax Map Number 8.9-1-22

SWIS Code 242201

(prior owner: Evelyn E. McQuilkin,

William G. McQuilkin, Jr. &amp; Karen McQuilkin)

**LAYLAND, James E., Jr.**

Caledonia	Town	\$ 22.77
	County	<u>99.28</u>
	Total	\$122.05

**LAYLAND, Jacqueline A.**

3312 Weitzel Lane

Caledonia, NY 14423

Tax Map Number 8.9-1-60

SWIS Code 242201

(prior owner: James Layland / Grace Layland

Richard Trier / Roberta Trier)

(former exemption holder: Jeanne Hubbard)

**FISHER, Carl**

Caledonia	Town	\$126.28
	County	<u>206.00</u>
	Total	\$332.28

6761 Canadice Lake Road

Springwater, NY 14560

Tax Map Number 7.-1-58

SWIS Code 242289

(prior owner: Cindy A. {Defalco} Polito)

**MARTIN, Thomas & Lauren**

Caledonia	Town	\$ 72.54
	County	<u>111.72</u>
	Total	\$184.26

810 McIntyre Road

Caledonia, NY 14423

Tax Map Number 11.-1-2.1

SWIS Code 242289

(prior owner: Raymond F. Krenzer)

**SPRAGUE, Clifford G.**

Caledonia	Town	\$241.30
	County	<u>365.27</u>
	Total	\$606.57

3539 Caledonia-Avon Road

Caledonia, NY 14423

Tax Map Number 13.-1-79 SWIS Code 242289 (prior owner: Elizabeth M. Sprague)				
<b>QUICK, Charles J.</b>	Caledonia	Town	\$ 84.85	\$ 939.46
1048 Middle Road		County	<u>138.42</u>	<u>2,706.49</u>
Caledonia, NY 14423		Total	\$223.27	<u>\$3,645.95</u>
Tax Map Number 22.-1-6 SWIS Code 242289 (prior owner: George A. Sabel)				
<b>SCUTT, Chase E. &amp; Ashley E.</b>	Conesus	Town	\$ 61.94	
6277 Rowland Road		County	<u>50.46</u>	
Conesus, NY 14435		Total	\$112.40	
Tax Map Number 101.-1-99.115 SWIS Code 242400 (prior owner: Estate of Florence P. Smith)				
<b>ABBOTT, Lisa</b>	Conesus	Town	\$ 98.69	
6346 Cole Road		County	<u>108.36</u>	
Conesus, NY 14435		Total	\$207.05	
Tax Map Number 102.-1-56.1 SWIS Code 242400 (prior owner: Leon Randolph)				
<b>O'BARA, David M. &amp; Mary E.</b>	Conesus	Town	\$ 560.78	
1601 Como Park Boulevard		County	<u>615.72</u>	
Depew, NY 14043		Total	\$1,176.50	
Tax Map Number 110.62-1-7 SWIS Code 242400 (prior owner: John R. Roe)				
<b>BRAUN, Bradley P. &amp; Bonnie Jo</b>	Conesus	Town	\$360.22	
PO Box 582		County	<u>86.75</u>	
Livonia, NY 14487		Total	\$446.97	
Tax Map Number 111.-1-29.2 SWIS Code 242400 (prior owner: Lorraine Simpson)				
<b>LAWRENCE, Teresa M.</b>	Conesus	Town	\$459.53	\$1,541.16
6445 Conesus-Sparta Town Line Road		County	<u>503.21</u>	<u>1,364.50</u>
Conesus, NY 14435		Total	\$962.74	<u>\$2,905.66</u>
Tax Map Number 129.-1-13.11 SWIS Code 242400 (prior owner: Carlton J. & Alice K. Wing)				
<b>MACK, Michael &amp; Debra</b>	Geneseo	Town	\$11.56	
37 Oak Street		County	<u>41.57</u>	
Geneseo, NY 14454		Total	\$53.13	
Tax Map Number 80.12-1-50 SWIS Code 242601 (prior owner: Doris E. Bailor)				
<b>DEVRIES, Neil &amp; Judith</b>	Geneseo	Town	\$ 308.69	
14 Center Street		County	<u>1,111.06</u>	
Geneseo, NY 14454		Total	\$1,419.75	
Tax Map Number 80.16-1-5.1 SWIS Code 242601 (prior owner: Village of Geneseo)				
<b>CLEVELAND, Nancy E.</b>	Geneseo	Town	\$ 67.80	
PO Box 576		County	244.25	

Geneseo, NY 14454	Total	\$312.05	
Tax Map Number 80.16-2-59			
SWIS Code 242601			
(prior owner: Roger B. Least)			
<b>CAROCCIO, Todd M. &amp; Heather</b>	Geneseo	Town	\$113.07
207 Lima Road		County	<u>405.19</u>
Geneseo, NY 14454		Total	\$518.26
Tax Map Number 81.5-1-6.1			
SWIS Code 242601			
(prior owner: Betty H. Deragon)			
<b>SMITH, Leslie F. &amp; Sally</b>	Geneseo	Town	\$123.35
12 Seminole Avenue		County	<u>442.44</u>
Geneseo, NY 14454		Total	\$565.79
Tax Map Number 81.17-1-6			
SWIS Code 242601			
(prior owner: Ernest & Judith Ann Frye)			
<b>REYNOLDS, Cheryll</b>	Geneseo	Town	\$14.59
<b>REYNOLDS, Susan</b>		County	<u>51.78</u>
22 Temple Hill Acres		Total	\$66.37
Geneseo, NY 14454			
Tax Map Number 81.17-3-37			
SWIS Code 242601			
(prior owner: Estate of Walter M. Raczka)			
<b>AUSTIN, Irvin &amp; Patricia</b>	Geneseo	Town	\$ 91.14
3341 North Road		County	<u>200.42</u>
Geneseo, NY 14454		Total	\$291.56
Tax Map Number 64.-1-41.1			
SWIS Code 242689			
(prior owner: Elbridge L. & Gladys P. LaFever)			
SECOR, Jeremy	Geneseo	Town	\$ 97.51
<b>D'ANGELO-SECOR, Kristine M.</b>		County	<u>213.32</u>
4571 Lakeville-Groveland Road		Total	\$310.83
Geneseo, NY 14454			
Tax Map Number 82.-1-21			
SWIS Code 242689			
(prior owner: Darren J. & Janice S. Hamilton)			
<b>PASCALAR, Leo R. &amp; Ava</b>	Geneseo	Town	\$17.31
4438 West Lake Road		County	<u>38.42</u>
Geneseo, NY 14454		Total	\$55.73
Tax Map Number 82.60-1-3			
SWIS Code 242689			
(prior owner: Leo J. Pascalar)			
<b>BROWN, Michael</b>	Groveland	Town	\$124.81
<b>WOLKE, Kara M.</b>		County	<u>246.19</u>
4465 Reservoir Road		Total	\$371.00
Geneseo, NY 14454			
Tax Map Number 109.-1-6			
SWIS Code 242800			
(prior owner: Grace & Truth Christian Fellowship)			
(f/k/a Calvary Chapel of the Genesee Valley)			
<b>BEACH, Nancy A.</b>	Groveland	Town	\$174.51
5745 West Lake Road		County	<u>342.38</u>
Conesus, NY 14435		Total	\$516.89
			\$845.02
			<u>2,748.45</u>
			<u>\$3,593.47</u>
			\$299.32
			<u>588.57</u>
			\$887.89

Tax Map Number 109.27-1-5 SWIS Code 242800 (prior owner: Ralph A. Durbin) <b>BERTRAM, Roy W. &amp; Brenda L.</b> 5347 Upper Mt. Morris Road Leicester, NY 14481	Leicester	Town County Total	\$175.43 <u>205.06</u> \$380.49	\$175.43 <u>205.06</u> <u>\$380.49</u>
Tax Map Number 88.-2-28.118 SWIS Code 243089 (prior owner: Gerald W. & Diana L. Pattridge) <b>GRASSO, Jonathan M. &amp; Heather</b> 1737 Parkside Place Lima, NY 14485	Lima	Town County Total	\$119.29 <u>300.76</u> \$420.05	
Tax Map Number 37.6-1-90 SWIS Code 243201 (prior owner: Roy W. Libby) <b>MCM Development LLC</b> 7108 Gale Road Lima, NY 14485	Lima	Town County Total	\$ .58 <u>40.72</u> \$41.30	
Tax Map Number 37.11-1-20 SWIS Code 243201 (prior owner: Estate of Harold Hennessy) <b>MASTERS, Jon C.</b> <b>GREY, Christine A.</b> 2027 Michigan Avenue Lima, NY 14485	Lima	Town County Total	\$152.70 <u>384.98</u> \$537.68	
Tax Map Number 37.13-1-18 SWIS Code 243201 (prior owner: Kevin S. Lyng) <b>PRAK, Sokha</b> <b>ZIZZI, Marjorie K.</b> 7188 Meadowview Drive Lima, NY 14485	Lima	Town County Total	\$ 91.31 <u>230.27</u> \$321.58	
Tax Map Number 37.17-1-4.44 SWIS Code 243201 (prior owner: Nancy J. Brule) <b>KNOWLTON, Jayne</b> 1081 Ideson Road Honeoye Falls, NY 14472	Lima	Town County Total	\$ 94.17 <u>154.08</u> \$248.25	
Tax Map Number 27.-1-20 SWIS Code 243289 (prior owner: Joyce Ott) <b>SCHILLINGER, Lisa M.</b> 2244 Poplar Hill Road Avon, NY 14414	Lima	Town County Total	\$ 4.63 <u>7.62</u> \$12.25	
Tax Map Number 36.-2-44 SWIS Code 243289 (prior owner: Estate of Alburtus Schillinger) <b>SWANSON, Nancy</b> 245 Stone Road Pittsford, NY 14534	Lima	Town County Total	\$ 67.76 <u>111.58</u> \$179.34	
Tax Map Number 38.-1-4 SWIS Code 243289 (prior owner: Estate of Carol A. Gugliuzza)				

<b>STEVENSON, Brett J. &amp; Elizabeth A.</b> 6679 Jenks Road Lima, NY 14485 Tax Map Number 46.-1-24 SWIS Code 243289 (prior owner: L. Victor & Catherine J. Myers)	Lima	Town County Total	\$131.30 <u>215.35</u> \$346.65	
<b>GREEN TREE CREDIT LLC</b> 3 Executive Park Drive, Suite 14 Bedford, NH 03110 Tax Map Number 57.-1-25.1 SWIS Code 243289 (prior owner: Joseph A. Konish, Jr.)	Lima	Town County Total	\$131.47 <u>215.13</u> \$346.60	\$ 793.21 <u>1,660.49</u> <u>\$2,453.70</u>
<b>LINSNER, Margaret Graf</b> 49 Linden Street Livonia, NY 14487 Tax Map Number 75.5-1-23 SWIS Code 243401 (prior owner: United Church of Livonia Fellowship Hall)	Livonia	Town County Total	\$ 434.09 <u>963.64</u> \$1,397.73	
<b>SMEARING, James E. &amp; Katrina A.</b> PO Box 315 Livonia, NY 14487 Tax Map Number 75.5-1-43.111 SWIS Code 243401 (prior owner: Anthony M. & Christine M. Coniglio & Jenny C. Coniglio – transferred 9/5/2008) (former exemption holder: Ethel Gaczynski)	Livonia	Town County Total	\$159.28 <u>363.20</u> \$522.48	
<b>PERRIN, Michael &amp; Steven</b> 5 North Street Livonia, NY 14487 Tax Map Number 75.5-1-50 SWIS Code 243401 (prior owner: Kathleen Perrin, Richard Rowland, Mark Rowland) (former exemption holder: William V. Rowland)	Livonia	Town County Total	\$236.46 <u>538.34</u> \$774.80	
<b>FOX, Mark</b> PO Box 584 Lakeville, NY 14480 Tax Map Number 65.81-1-19 SWIS Code 243489 (prior owner: Estate of Gary M. Muck)	Livonia	Town County Total	\$146.63 <u>195.94</u> \$342.57	
<b>GRZENDA, Gerald E.</b> 3222 Poplar Hill Road Livonia, NY 14487 Tax Map Number 66.-1-10.11 SWIS Code 243489 (prior owner: John W. & Deborah G. Vonglis)	Livonia	Town County Total	\$154.71 <u>215.16</u> \$369.87	
<b>HYNES, Robert J. STRUBLE, Michelle A.</b> 3775 East Lake Road Livonia, NY 14487 Tax Map Number 74.-1-35.1 SWIS Code 243489 (prior owner: Henry A. Adams, III & Marlene J. Pike)	Livonia	Town County Total	\$185.20 <u>259.53</u> \$444.73	
<b>SALTER, Michael S.</b>	Livonia	Town	\$39.93	

6111 Big Tree Road	County	<u>96.95</u>	
Livonia, NY 14487	Total	\$136.88	
Tax Map Number 74.26-1-2			
SWIS Code 243489			
(prior owner: Christopher A. Wells)			
(former exemption holder: Lorraine S. Wells)			
<b>RAU, Arthur V.</b>	Livonia	Town	\$256.72
3691 Pebble Beach Road	County	<u>355.98</u>	
Lakeville, NY 14480	Total	\$612.70	
Tax Map Number 74.30-1-13			
SWIS Code 243489			
(prior owner: Erwin D. & Evelyn R. Lindsley)			
<b>MASTASIO, John</b>	Livonia	Town	\$161.14
4 Summers Street	County	<u>225.71</u>	
Livonia, NY 14487	Total	\$386.85	
Tax Map Number 83.-1-11.2			
SWIS Code 243489			
(prior owner: Marion L. Swager)			
<b>VISALLI, Philip M.</b>	Livonia	Town	\$361.20
<b>DEMCHOCK, Alaina M.</b>	County	<u>499.71</u>	
4517 East Lake Road	Total	\$860.91	
Livonia, NY 14487			
Tax Map Number 83.39-1-11			
SWIS Code 243489			
(prior owner: Richard & James Vetuskey)			
(former exemption holder: Bernadine Vetuskey)			
<b>CASEY, James L.</b>	Livonia	Town	\$304.41
11185 Poags Hole Road	County	<u>422.50</u>	
Dansville, NY 14437	Total	\$726.91	
Tax Map Number 83.47-1-6			
SWIS Code 243489			
(prior owner: Thomas A. Bowman)			
<b>COUGHLIN, Christopher &amp; Paula</b>	Livonia	Town	\$ 45.74
4896 South Livonia Road	County	<u>64.63</u>	
Livonia, NY 14487	Total	\$110.37	
Tax Map Number 84.-1-39			
SWIS Code 243489			
(prior owner: Sylvia L. Woolston)			
<b>BROSEKER, Leonard &amp; Barbara</b>	Livonia	Town	\$ 76.66
PO Box 487	County	<u>102.44</u>	
Jayton, TX 79528	Total	\$179.10	
Tax Map Number 85.15-1-22			
SWIS Code 243489			
(prior owner: Estate of Lucy I. Hendrickson)			
<b>KRAFT, Rudolph A. &amp; Margaret A.</b>	Livonia	Town	\$126.95
<b>KRAFT, Eric B. &amp; Cinda L. Kraft</b>	County	<u>177.40</u>	\$2,689.12
3358 Riverside Avenue	Total	\$304.35	<u>4,481.13</u>
Jacksonville, FL 32204			<u>\$7,170.25</u>
Tax Map Number 92.30-1-23			
SWIS Code 243489			
(prior owner: Richard J. & Velma R. Donals)			
<b>SAWYER, Alan B. &amp; Sylvia M.</b>	Mt. Morris	Town	\$119.01
61 North Main Street	County	262.49	

Mt. Morris, NY 14510	Total	\$381.50		
Tax Map Number 106.10-1-29				
SWIS Code 243601				
(prior owner: Josie Maldonado & Concetta Finley)				
(former exemption holder: Santa Cascio)				
<b>YENCER, Deborah C.</b>	Mt. Morris	Town	\$ 9.87	
20 Narry Lane		County	<u>21.71</u>	
Mt. Morris, NY 14510		Total	\$31.58	
Tax Map Number 106.18-1-68				
SWIS Code 243601				
(prior owner: Village of Mt. Morris)				
<b>BUCHANAN, Gary L. &amp; Deborah A.</b>	Mt. Morris	Town	\$ 61.99	
85 Chapel Street		County	<u>136.38</u>	
Mt. Morris, NY 14510		Total	\$198.37	
Tax Map Number 106.18-3-14				
SWIS Code 243601				
(prior owner: Gary L. & Paul Buchanan)				
(former exemption/life use holder: Lelia Buchanan)				
<b>STUTZMAN, Richard G., Jr.</b>	Mt. Morris	Town	\$ 67.27	
3 Breen Street		County	<u>148.00</u>	
Mt. Morris, NY 14510		Total	\$215.27	
Tax Map Number 115.7-1-6				
SWIS Code 243601				
(prior owner: Yvonne Stutzman)				
<b>STANLEY, Barbara</b>	Mt. Morris	Town	\$134.53	
3 Bonadonna Avenue		County	<u>296.52</u>	
Mt. Morris, NY 14510		Total	\$431.05	
Tax Map Number 115.7-3-47				
SWIS Code 243601				
(prior owner: Rose M. Starr)				
<b>BAKER, Brian R. &amp; Tammy H.</b>	Mt. Morris	Town	\$239.76	\$ 632.43
8291 Mt. Morris-Nunda Road		County	<u>267.35</u>	<u>1,132.45</u>
Nunda, NY 14517		Total	\$507.11	<u>\$1,764.88</u>
Tax Map Number 157.-1-44.2				
SWIS Code 243689				
(prior owner: Roger W. & Frances M. Banker)				
<b>BALL, George W.</b>	North Dansville	Town	\$ 44.28	
6929 County Line Road		County	<u>111.63</u>	
Wayland, NY 14572		Total	\$155.91	
Tax Map Number 189.18-2-21				
SWIS Code 243801				
(prior owner: Alice Johantgen, Bonnie Ayers, Vera Detmer, Donald Burns, Jane Baker, Laura M. Burns)				
<b>GOULD, Joseph W.</b>	North Dansville	Town	\$ 37.97	
27 Twin Drive		County	<u>96.43</u>	
Dansville, NY 14437		Total	\$134.40	
Tax Map Number 189.19-1-27				
SWIS Code 243801				
(prior owner: Dennis W. & Diane M. Gould)				
<b>NAGLE, Kevin D. &amp; Robin L.</b>	North Dansville	Town	\$ 36.00	
11 VanCampen Street		County	<u>91.39</u>	
Dansville, NY 14437		Total	\$127.39	
Tax Map Number 203.7-1-21				

SWIS Code 243801 (prior owner: Gerald P. Graves)				
<b>FOSTER, Michael</b>	North Dansville	Town	\$175.53	
51 Seward Street		County	<u>446.03</u>	
Dansville, NY 14437		Total	\$621.56	
Tax Map Number 203.8-1-4				
SWIS Code 243801 (prior owner: Larry Smalt)				
<b>GONZALES, Fabian O.</b>	North Dansville	Town	\$23.29	
31 Highland Avenue		County	<u>58.73</u>	
Dansville, NY 14437		Total	\$82.02	
Tax Map Number 203.8-2-16				
SWIS Code 243801 (prior owner: Estate of Maynard A. Kenney)				
<b>CHAPMAN, Donald &amp; Dawn</b>	North Dansville	Town	\$23.32	
6 Jefferson Street		County	<u>59.14</u>	
Dansville, NY 14437		Total	\$82.46	
Tax Map Number 203.10-2-70.2				
SWIS Code 243801 (prior owner: Samuel R. & Deborah J. Folts)				
<b>HAMLER, Donald G.</b>	North Dansville	Town	\$ 294.71	
8 West Liberty Street		County	<u>748.81</u>	
Dansville, NY 14437		Total	\$1,043.52	
Tax Map Number 203.11-6-7				
SWIS Code 243801 (prior owner: Dansville Assembly of God Church, Inc.)				
<b>NAGLE, Michael</b>	North Dansville	Town	\$ 46.11	
<b>SMYDER, Donna</b>		County	<u>117.08</u>	
43 Washington Street		Total	\$163.19	
Dansville, NY 14437				
Tax Map Number 203.11-6-39				
SWIS Code 243801 (prior owner: Donald R. & Susan A. Carlini)				
<b>BEECHER, Stephen C.</b>	North Dansville	Town	\$ 37.75	
1 Meadowbrook Terrace		County	<u>95.17</u>	
Dansville, NY 14437		Total	\$132.92	
Tax Map Number 203.15-2-41				
SWIS Code 243801 (prior owner: John H. & Barbara L. Mikolajczyk)				
<b>WETHERBEE, Jeremy M.</b>	North Dansville	Town	\$ 52.88	
<b>DEMERS, Charlene K.</b>		County	<u>91.38</u>	
9714 Highland Avenue		Total	\$144.26	
Dansville, NY 14437				
Tax Map Number 204.-1-14.1				
SWIS Code 243889 (prior owner: Stewart J. & Donna E. Akryn)				
<b>HAMILTON, Cassie L.</b>	North Dansville	Town	\$ 7.49	\$ 779.33
10256 Perkinsville Road		County	<u>12.95</u>	<u>1,928.74</u>
Dansville, NY 14437		Total	\$20.44	<u>\$2,708.07</u>
Tax Map Number 204.-1-29				
SWIS Code 243889 (prior owner: Karen M. Bovee)				
(former exemption holder: Howard & Bettv Buchanan)				

<b>CARPENTER, Susan M.</b>	Nunda	Town	\$ 55.58	
4 West Street		County	<u>85.22</u>	
Nunda, NY 14517		Total	\$140.80	
Tax Map Number 183.12-1-35				
SWIS Code 244001				
(prior owner: Robert J. Bennett & JoAnne Hudson)				
<b>HURLBURT, Daniel A.</b>	Nunda	Town	\$ 88.31	
15 Water Street		County	<u>135.95</u>	
Nunda, NY 14517		Total	\$224.26	
Tax Map Number 184.13-1-27				
SWIS Code 244001				
(prior owner: Earl E. & Florence Jones)				
<b>SLAWSON, Peter L.</b>	Nunda	Town	\$ 414.68	
35 South Church Street		County	<u>641.72</u>	
Nunda, NY 14517		Total	\$1,056.40	
Tax Map Number 184.13-1-32				
SWIS Code 244001				
(prior owner: Mary T. Slawson)				
<b>HOOKER, Roy Jr.</b>	Nunda	Town	\$142.97	
PO Box 771		County	<u>220.41</u>	
Nunda, NY 14517		Total	\$363.38	
Tax Map Number 184.14-1-4				
SWIS Code 244001				
(prior owner: Lorraine Hooker)				
<b>STRAIN, Thomas E. &amp; Alice M.</b>	Nunda	Town	\$44.33	\$ 745.87
8612 Scipio Road		County	<u>41.27</u>	<u>1,124.57</u>
PO Box 164		Total	\$85.60	<u>\$1,870.44</u>
Nunda, NY 14517				
Tax Map Number 171.-1-7				
SWIS Code 244089				
(prior owner: Lyle F. & Joan L. Orton)				
<b>HENRY, Larry L. &amp; Dana A.</b>	Ossian	Town	\$ 94.08	
9801 Denton Road		County	<u>65.40</u>	
Dansville, NY 14437		Total	\$159.48	
Tax Map Number 202.-1-22.1				
SWIS Code 244200				
(prior owner: Estate of Sylvia A. Sessler)				
<b>CROWLEY, Regina &amp; Ryan</b>	Ossian	Town	\$ 630.68	
10310 Valley Road		County	<u>440.65</u>	
Dansville, NY 14437		Total	\$1,071.33	
Tax Map Number 211.-1-41.12				
SWIS Code 244200				
(prior owner: Estate of Wesley Heineman)				
<b>WYBLE, Thomas Jay</b>	Ossian	Town	\$44.33	
<b>MAYER, Thomas John</b>		County	<u>32.62</u>	
<b>GUNTHER, Robert A.</b>		Total	\$76.95	
<b>GUNTHER, Daniel J.</b>				
6106 Eddy Ridge Road				
Williamson, NY 14589				
Tax Map Number 221.-1-6.11				
SWIS Code 244200				
(prior owner: E. Philip Saunders)				
(former exemption/life use holder: Dorothy Wampole)				

<b>DEUTSCH BANK NATIONAL TRUST COMPANY, AS TRUSTEE</b> 10801 6 <sup>th</sup> Street – Suite 130 Rancho Cucamonga, CA 91730 Tax Map Number 224.-1-34.12 SWIS Code 244200 (prior owner: Tara Jo Allen & John C. MacNeal, II)	Ossian	Town	\$266.07	\$1,035.16
		County	<u>186.87</u>	<u>725.54</u>
		Total	\$452.94	<u>\$1,760.70</u>
<b>CLAUD, Donald L.</b> 9402 Short Tract Road Portage, NY 14846 Tax Map Number 182.-1-6 SWIS Code 244400 (prior owner: Roger A. Braddock)	Portage	Town	\$129.18	\$129.18
		County	<u>74.28</u>	<u>74.28</u>
		Total	\$203.46	<u>\$203.46</u>
<b>GALLANT, Andrew J. &amp; Patricia C.</b> 5300 Barber Road Dansville, NY 14437 Tax Map Number 148.-1-31.12 SWIS Code 244689 (prior owner: Estella A. Stone)	Sparta	Town	\$293.46	
		County	<u>342.66</u>	
		Total	\$636.12	
<b>SHEFLIN, Richard J.</b> (Sheflin, Thomas – land contract) 4611 Lakeville-Groveland Road Geneseo, NY 14454 Tax Map Number 137.9-1-24.11 SWIS Code 244689 (prior owner: Estate of Charles Moore)	Sparta	Town	\$ 53.27	
		County	<u>62.20</u>	
		Total	\$115.47	
<b>WOLFE, John H.</b> 8875 Route 256 Dansville, NY 14437 Tax Map Number 175.-2-20 SWIS Code 244689 (prior owner: John & Hilda M. Cartwright)	Sparta	Town	\$114.12	\$460.85
		County	<u>133.16</u>	<u>538.02</u>
		Total	\$247.28	<u>\$998.87</u>
<b>BENEFICIAL HOMEOWNER SERVICE CORPORATION</b> 961 Weigel Drive Elmhurst, IL 60126 Tax Map Number 138.-2-41.21 SWIS Code 244800 (prior owner: Keith D. & Lauraine F. Perkins)	Springwater	Town	\$210.87	
		County	<u>180.72</u>	
		Total	\$391.59	
<b>GRIFFIN, John</b> 8685 Lawrence Gull Road Wayland, NY 14572 Tax Map Number 138.-2-92.1 SWIS Code 244800 (prior owner: Kelly Dale)	Springwater	Town	\$24.57	
		County	<u>22.54</u>	
		Total	\$47.11	
<b>FAKLIS, Julie E.</b> 7752 Wheaton Hill Road Springwater, NY 14560 Tax Map Number 140.-1-40.116 SWIS Code 244800 (prior owner: Paul J. & Kristine P. TeBeau)	Springwater	Town	\$163.91	
		County	<u>140.52</u>	
		Total	\$304.43	
<b>WAGER, Mark W</b> 8063 Wheaton Hill Road	Springwater	Town	\$ 71.60	
		County	65.69	

Springwater, NY 14560	Total		\$137.29	
Tax Map Number 140.-1-72				
SWIS Code 244800				
(prior owner: Barbara Parker)				
<b>WALTHER, John B.</b>	Springwater	Town	\$174.12	
7894 Kellogg Road		County	<u>159.74</u>	
Springwater, NY 14560		Total	\$333.86	
Tax Map Number 151.-1-50.11				
SWIS Code 244800				
(prior owner: Michael Keenan, Kenneth Keenan Kitty Hatch, Victoria Hodo)				
<b>DYER, Scott E.</b>	Springwater	Town	\$121.06	
470 Hoffman Avenue		County	<u>104.92</u>	
SanFrancisco, CA 94114		Total	\$225.98	
Tax Map Number 163.-2-39				
SWIS Code 244800				
(prior owner: Harvey S. & Scott E. Dyer) (former exemption holder: Oliver & Bertha Dyer)				
<b>OTIS, Christopher M. &amp; Jessica R.</b>	Springwater	Town	\$115.92	
8310 Harpers Ferry Road		County	<u>100.67</u>	
Springwater, NY 14560		Total	\$216.59	
Tax Map Number 164.-1-6.1				
SWIS Code 244800				
(prior owner: Michael A. & Monette M. Mahoney)				
<b>CASTER, Jessica R.</b>	Springwater	Town	\$ 53.49	
8184 Dutch Hollow Road		County	<u>46.73</u>	
Wayland, NY 14572		Total	\$100.22	
Tax Map Number 166.-1-16.2				
SWIS Code 244800				
(prior owner: Estate of Daisy Gauer)				
<b>NARDI, Michael G. &amp; Andrea L.</b>	Springwater	Town	\$ 94.20	\$1,029.74
29 Constitution Circle		County	<u>86.42</u>	<u>907.95</u>
Rochester, NY 14624		Total	\$180.62	\$1,937.69
Tax Map Number 176.-2-6.123				
SWIS Code 244800				
(prior owner: Homesales, Inc. of Delaware {July 24, 2008}) (former exemption holder: Ronald Ellerstein)				
<b>RICOTTA, Paul &amp; Marcy</b>	West Sparta	Town	\$98.49	
7534 Dansville-Mt. Morris Road		County	<u>75.59</u>	
Dansville, NY 14437		Total	\$174.08	
Tax Map Number 147.-1-35.11				
SWIS Code 245000				
(prior owner: James Cosimano)				
<b>PARTRIDGE, Matthew</b>	West Sparta	Town	\$163.88	\$262.37
<b>BABCOCK, Leonard Jr.</b>		County	<u>126.16</u>	<u>201.75</u>
3446 Redmond Road		Total	\$290.04	<u>\$464.12</u>
Nunda, NY 14517				
Tax Map Number 172.-1-15.2				
SWIS Code 245000				
(prior owner: Susan Calkins Pernicone)				
<b>ELL, Carol</b>	York	Town	\$244.78	
2682 Main Street – Box 115		County	<u>426.45</u>	
York, NY 14592		Total	\$671.23	

Tax Map Number 51.5-1-21

SWIS Code 245200

(prior owner: David Cecil Coleman)

**HILYARD, Lance W. & Melanie A.**

York	Town	\$ 42.04	
	County	<u>73.87</u>	
	Total	\$115.91	

2797 Genesee Street

Piffard, NY 14533

Tax Map Number 61.-1-45

SWIS Code 245200

(prior owner: Dorothy Bolsei)

**HAINSWORTH, Alan C. & Charles D.**

York	Town	\$110.10	\$ 396.92
	County	<u>191.02</u>	<u>691.34</u>
	Total	\$301.12	<u>\$1,088.26</u>

5911 Logan Road

Mt. Morris, NY 14510

Tax Map Number 61.-1-69.1

SWIS Code 245200

(prior owner: Catherine Leach)

Dated at Geneseo, New York

October 28, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,642; Noes - 0; Absent – Martello, 21; Davis, 24; Buckley, 65; Total – 110;

Adopted.

#### **RESOLUTION NO. 2009-382 ESTABLISHING RATIOS FOR THE YEAR 2009**

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

The Ways and Means Committee presents the following equalization ratios for each township of the County for the apportionment of the 2010 County Tax Levy:

<b>Avon</b>	95.00	North Dansville	94.00
Caledonia	95.00	Nunda	94.00
Conesus	88.00	Ossian	100.00
Geneseo	92.00	Portage	94.00
Groveland	94.00	Sparta	94.00
Leicester	100.00	Springwater	94.00
Lima	95.00	West Sparta	94.00
Livonia	92.00	York	100.00
Mt. Morris	94.00		

Dated at Geneseo, New York

October 28, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,642; Noes - 0; Absent – Martello, 21; Davis, 24; Buckley, 65; Total – 110;

Adopted.

#### **RESOLUTION NO. 2009-383 DIRECTING THE REAL PROPERTY TAX DIRECTOR TO SPREAD UNPAID WATER CHARGES AND UNPAID SEWER CHARGES ON 2010 TAX ROLLS - LIVINGSTON COUNTY WATER & SEWER AUTHORITY**

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

WHEREAS, the Livingston County Water and Sewer Authority, pursuant to Section 1199-yyy(2) of the Public Authorities Law, has provided to the Board a statement of unpaid sewer and water charges in the district serviced by the LCWSA, and

WHEREAS, such statement of unpaid charges is on file with the Clerk to the Board, now, therefore, be it

RESOLVED, that pursuant to said Section 1199-yyy (2) of the Public Authorities Law, the Real Property Tax Director is hereby authorized and directed to levy the sums stated in said statements against property liable, and state the amount of the charge in a separate column in the 2009 annual tax rolls of the County under the heading "Water Charge" or "Sewer Disposal Charge," as applicable, and to pay such amounts, excluding penalties and interest, to the Livingston County Water & Sewer Authority.

Dated at Geneseo, New York

October 28, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,642; Noes - 0; Absent – Martello, 21; Davis, 24; Buckley, 65; Total – 110; Adopted.

### **CLOSE PUBLIC HEARING**

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

The Chairman declared the public hearing closed.

### **OTHER BUSINESS**

#### 1. CHAIRMAN OF THE BOARD APPOINTMENTS

Name	Address	Represent/Title	Term Expires
<b>Livingston County Youth Board</b>			
Sharon Deming	2560 Main Street, P.O. Box 127, York, NY 14592	Town of York	8/31/11
Howard Mankoff	2700 Perry Road, Mt. Morris, NY 14510	Town of Leicester	8/31/11
Carrie Malone	Liv. Cty. Gov. Ctr, Room B10, 6 Court Street, Geneseo NY 14454	Business Education Alliance	8/31/11
<b>GLOW Workforce Investment Board</b>			
David Rumsey, Commissioner	Wyoming County Dept. of Social Services, P.O. Box 231, Warsaw, NY 14569	Dept. of Social Services At- Large member	At pleasure

### **ADJOURNMENT**

Motion made by Mr. Deming and seconded by Mr. Mahus to adjourn until Wednesday, November 18, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:28 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, NOVEMBER 18, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Davis (Portage) and Mr. Deming (York).

Chairman Merrick announced we have developed a new procedure for the Pledge of Allegiance and asked County Administrator Ian M. Coyle to explain.

**PLEDGE OF ALLEGIANCE**

County Administrator Ian M. Coyle stated that it is our intention to have a veteran lead the Pledge of Allegiance at the second Board meeting of the month. He explained this idea was crafted by Livingston County Veterans' Affairs Director Frank Hollister when he worked in Wyoming County prior to coming to our County. Wyoming County continues to maintain this tradition. The County Administrator asked Veterans' Affairs Director Frank Hollister to escort Mr. Vincent (Pete) P. Tollis to the podium.

The County Administrator introduced Vincent P. Tollis:

Mr. Tollis, a resident of Lima, enlisted into the U.S. Army on June 25, 1941. He graduated from Aviation Cadet Training in May of 1943.

Mr. Tollis was trained to fly B-24 bombers and was assigned to the 8<sup>th</sup> Air Force in Europe. He was shot down over Germany on December 30, 1943 and was held as a Prisoner of War until May 2, 1945 (16 ½ months).

For his service to his country during World War II, he was awarded the Purple Heart, Prisoner of War Medal, Air Medal, World War II Victory Medal, Europe African Middle Eastern Theater Campaign Ribbon, American Defense Service Medal, American Theater Campaign Medal, Good Conduct Medal and the New York State Conspicuous Service Cross.

VINCENT P. TOLLIS, a WWII, P.O.W. led the Pledge of Allegiance.

The County Administrator and Chairman Merrick, on behalf of the Livingston County Board of Supervisors, presented a Certificate of Appreciation to Vincent P. Tollis. The audience presented a standing ovation.

**APPROVAL OF MINUTES**

1. Minutes of 10/28/09 Regular Meeting were approved as presented.

**PUBLIC HEARINGS – 1:35 P.M.**

1. PROPOSED LIVINGSTON COUNTY BUDGET FOR 2010 PURSUANT TO SECTION 359 OF COUNTY LAW – PRESENTATION BY COUNTY ADMINISTRATOR IAN M. COYLE
2. PROPOSED MODIFICATION OF LIVINGSTON COUNTY AGRICULTURAL DISTRICTS #2, #3, AND #4

Chairman Merrick declared the Public Hearings open and asked the County Administrator Ian M. Coyle to present the 2010 Proposed Livingston County.

County Administrator Ian M. Coyle stated the budget must be adopted by December 20, 2009, and this public hearing give the public an opportunity to comment. He presented the following presentation:

**County of Livingston  
Tentative Budget Presentation  
November 18, 2009**

**Introductions & Recognitions**

Chairman of the Board

James C. Merrick

Vice Chairman of the Board

Gary D. Moore

Ways and Means Committee

Daniel L. Pangrazio, Chairman  
 Eric R. Gott, Vice Chairman  
 Dennis P. Mahus  
 Marjorie Cansdale  
 Thomas B. Baldwin

Financial Management Team

Ian M. Coyle, County Administrator  
 Carolyn Taylor, County Treasurer  
 Terry Donegan, County Auditor

Budget Support Staff

Lisa Grosse, Administrative Assistant  
 Dale Nieswiadomy, Director of ITS  
 Michele Rees, Secretary to County Administrator

**Goals for the 2010 Budget Process**

- Preserve the high quality of services that Livingston County provides to residents
- Prepare conservative forecasts
- Limit tax burdens as much as possible in a very difficult economy
- Plan now so that the County will be well-positioned to meet future challenges
- Avoid reliance on one-shot revenues

**Table Of Contents**

- Current Financial Conditions
- Tentative Budget Summary & Highlights
- Fund Balances and 2010 Capital Budget
- Looking Ahead
- Closing Remarks

**Numerous Negative Factors**

- The September 2009 County unemployment rate was 7.5%; September 2008 was 5.4%; The percentage rate increase is nearly 40%
- Interest earnings = \$2 million in 2007; \$200K in 2009
- State Retirement System lost \$40 billion in assets in 2008; Rates for 2010 payment = 40-60% increase or >\$1.0 million in new expense
- Health insurance costs increased ~20%; >\$1.0 million in new expense
- All else equal, every additional \$1.0 million in new expense / revenue loss represents a 4% increase to the tax rate in the current budget

**Sales Tax Decline**

- 2009 sales tax revenues = \$1 million loss forecasted; Budget “flat” for 2010; Decline of \$40 million in consumer spending from 2008 to 2009; Unprecedented lack of growth. (See handout for graphs)

**2009-2011 Jail Expansion Project** (See handout for graphs)

- A state-mandated jail expansion project brings \$1.9 million in additional debt service expense
- With the retirement of some general fund debt at year-end 2009, the adjusted additional expense is \$1.55 million
- Absent cost-cutting or revenue enhancements in other areas, this expense – by itself – would cause the County tax rate to increase by 6%

Mr. Davis entered.

**Tentative Budget Summary** (See handout for summary)

The total appropriations is \$144,191,123 with a 6.9% change in the tax levy and the tax rate increasing from \$7.26 to \$7.69 or a 5.97% increase in the tax rate.

### **Tax Rate History** (See handout for chart and graph)

The overall ten-year average tax rate increase is 1.19%.

### **2010 Tentative Budget Highlights** (See handout for graph)

- Proposed tax rate change of 5.97% represents a \$0.43/1000 increase (\$7.26 – \$7.69). A review of proposed tax rates of regional counties showed Livingston still under Genesee, Orleans, Monroe, and Steuben.
- The impact to a single-family home owner with an average assessed valuation of \$118,000 would be \$50.74/year or \$4.23/month
- Forecasted (in 2007/08) impact of jail debt was accurate (~6% on the rate)•Eliminates six (6) positions through attrition & vacancy elimination
- Funding for County's non-profit partners remains at 2009 levels
- Worker's Compensation program budget decreased
- CNR tax levy/IGT match support decreased
- Workforce Development budget increased as a result of pass-through grant recipient responsibilities
- Interest Earnings budgeted at \$200,000
- Sales Tax – no budget change from 2009; Assumes some rebound in 2010
- Assumes less than one quarter in realized new revenues from new transfer/mortgage taxes (placeholder from fund balance- see fund balance slide)
- ~\$600,000 in cuts from the first budget draft
- No Small Cities grant, so no Community Development budget
- Highway tax levy up < 1%

### **Appropriations By Fund** (See handout for graphs)

### **Appropriations By Service Area** (See handout for graphs)

### **Income By Category** (See handout for graphs)

### **Mandated Programs** (See handout for graphs)

The mandated programs include Social Services, Preschool Special Education, Early Intervention, Community College, Public Defender, and Probation.

### **2010 Collected Real Property Taxes** (See handout for graphs)

81¢ out of every Real property tax dollar collected by Livingston County goes to pay the New York state Real Property Tax.

### **Fund Balance Usage – 2010 Tentative Budget**

- The County's Fund Balance position remains strong with prudent utilization in 2010 and healthy balances of projected unappropriated Fund Balance in the out years
- Use in 2010 Draft Budget (\$4,000,000)
  - Tax Levy: \$1,750,000
  - Placeholder: \$400,000 (for new taxes)
  - Capital Investment: \$1,250,000
  - Highway: \$350,000
  - FMAP: \$250,000 (for Non-Recurring Expense)

### **2009/2010 Fiscal Year-End Surplus Estimates** (See handout for graphs)

### **2010 Capital Budget Plan** (See handout for graphs)

### **Fiscal Futures**

- New York State's financial outlook is bleak
- Governor Paterson's DRP is sobering
- 2010 cost-shifts from the State to Counties are a possibility
- Cuts to grants are likely
- Long term NYSRS rates are high
- Long term health insurance costs are expected to increase
- Effect of NYS actions on the CNR
- Uncertainty of State and Federal highway funding
- Cost factors associated with NYSCOC Jail staffing analysis

### **Closing Remarks/Important Questions**

- Will sales tax collections rebound?
- Will interest rates rise?
- Will unemployment decrease?
- Will DSS caseloads stabilize?
- Will NYS fix the Public Defender MOE requirements?
- When will we receive NYS authorization on our new taxes?
- What will NYS do in SFY 2010-11?
- Is 2010 really the “brace” year for 2011?

### **Assurances**

#### **Thank You**

- Special Thanks to the Department Heads for working with me on crafting a budget plan that is conservative, practical and reflective of the difficult circumstances facing Counties in New York State.

Chairman Merrick thanked County Administrator Ian M. Coyle for his presentation.

Chairman Merrick asked Planning Director Angela Ellis to comment on Public Hearing #2.

Planning Director Angela Ellis commented that effective September 17, 2004, the New York State Agricultural and Markets Law was amended with Section 303-b, which allows for parcels to be added into Agricultural Districts on an annual basis. The Livingston County Board of Supervisors has designated the month of September as the thirty-day annual period for submission of petitions by landowners to join an existing Agricultural District. She indicated the four agricultural districts in Livingston County currently have over 210,000 acres of land included in the County’s Agricultural District Program. This year, seventeen (17) petitions for inclusion of predominantly viable agricultural land within a certified agricultural district have been filed with the Livingston County Board of Supervisors pursuant to Section 303-b of the NYS Agriculture and Markets Law. The Livingston County Agricultural and Farmland Protection Board is recommending that fifteen (15) of these petitions be considered for inclusion of predominantly viable agricultural land within a certified agricultural district. These fifteen petitions comprise a total of 1,108 acres and include parcels located in the Towns of Conesus, Geneseo, Lima, Livonia, Groveland, Sparta, Mount Morris, and Nunda. A. Ellison explained that the public hearing today is to allow public comment on the consideration of these petitions to modify Livingston County Agricultural Districts #2, #3 and #4 and the recommendation of the Agricultural and Farmland Protection Board.

A. Ellis thanked the audience for their attention.

Chairman Merrick asked anyone interested in speaking to come forward and sign in at the podium. No one wished to speak. The Chairman asked if any Supervisor wished to comment. The Chairman announced that the public hearing would remain open until the end of the meeting.

### **COMMUNICATIONS**

1. Thank you note from the family of Tim Shay for the flowers sent on behalf of the Board.
2. Thank you letter from Daystar for the donation in memory of Lia Higgins, granddaughter of County Highway Superintendent Donald Higgins.
3. Thank you letter from County Highway Superintendent Donald Higgins for the donation to Daystar.
4. The County Administrator filed the proposed 2010 Livingston County Budget on November 6, 2009.
5. InterCounty Association of Western New York meeting will be hosted by Chemung County on November 20, 2009 at 9:30 a.m. at the Log Cabin on the Robert S. Turner Chemung County Fairgrounds, Fairview Road, Horseheads, New York. Registration is \$20.00.  
PROGRAM: Scott Smith from the NYS DEC will give a presentation on coyotes.
6. The new Livingston County Pin was placed on the desks of the Board of Supervisors.
7. Reminder to notify the Clerk if you plan to attend dinner tonight.

### **INTRODUCTION OF LOCAL LAW**

**LOCAL LAW NO. B – 2009 COUNTY OF LIVINGSTON PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2010**

**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 \$1,000.00.

Section 2. Effective as hereinafter provided, the annual salary of the Director of Real Property Tax Services shall be increased by \$1,000.00.

Section 3. Effective as hereinafter provided, the annual salary of the County Highway Superintendent shall be increased by \$1,000.00.

Section 4. Effective as hereinafter provided, the annual salary of the County Treasurer shall be increased by \$1,000.00.

Section 5. Effective as hereinafter provided, the annual salary of the Personnel Officer shall be increased by \$1,000.00.

Section 6. Effective as hereinafter provided, the annual salary of the Commissioner of Social Services shall be increased by \$1,000.00.

Section 7. All salaries set forth herein shall be effective as of January 1, 2010.

Section 8. 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 9. This Local Law is subject to permissive referendum.

Dated at Geneseo, New York

November 18, 2009 (Introduced)

Chairman Merrick asked County Attorney Davis Morris to explain the foregoing local law. The County Attorney stated that this local law is presented annually for those officers who are in the middle of their term and require their salary to be included in the local law. A salary increase of \$1,000 has been proposed for each officer for the year 2010.

### **ABSTRACT OF CLAIMS**

#### **RESOLUTION NO. 2009-384      APPROVING ABSTRACT OF CLAIMS #11A – NOVEMBER 10, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #11A dated November 10, 2009 in the total amount of \$3,455,682.52.

Dated at Geneseo, New York

November 18, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

### **PRIVILEGE OF THE FLOOR**

1. Karen Tremer, Executive Director of Chances and Changes – Recognition of Board of Supervisors

Karen Tremer introduced herself and stated she is here today to recognize the Board for their ongoing support to Changes and Changes and to review some of the services provided by the agency. She explained that interpersonal abuse has been a growing issue along with domestic violence abuse. The agency continues to work with the homeless, veterans and provide extensive community and business education. Karen Tremer presented a plaque to Chairman Merrick which reads:

Chances & Changes, Inc.  
Partners in Change Award 2009  
Board of Supervisors of Livingston County  
In appreciation of your support to the programs and  
Services of Chances and Changes, Inc.,  
The domestic/family violence homeless shelter and  
Services agency for Livingston County

Chairman Merrick thanked Karen Tremer for her remarks and for the plaque bestowed to the Board of Supervisors.

### **PREFERRED AGENDA**

#### **RESOLUTION NO. 2009-385      PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. B - 2009 COUNTY OF LIVINGSTON PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2010**

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on November 18, 2009, a proposed Local Law entitled Local Law No. B – 2009 County Of Livingston Providing Salaries For Certain County Officers For The Year 2010, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 9<sup>th</sup> day of December, 2009 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

November 18, 2009

Ways and Means Committee

**RESOLUTION NO. 2009-386 APPOINTING MEMBER TO THE LIVINGSTON COUNTY BOARD OF ETHICS – LISA M. GROSSE**

WHEREAS, Terrence P. Donegan was appointed to the Livingston County Board of Ethics pursuant to Res. No. 2006-353 for a term expiring December 31, 2009, and

WHEREAS, he has served two consecutive terms and can no longer serve on the Board of Ethics, it is hereby RESOLVED, that Lisa M. Grosse of 8400 Dudley Road, Nunda, NY 14517 is hereby appointed to the Livingston County Board of Ethics for a term commencing January 1, 2010 and expiring December 31, 2012.

Dated at Geneseo, New York

November 18, 2009

Ways and Means 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. Yendell and seconded by Mr. Schuster to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTIONS**

**RESOLUTION NO. 2009-387 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: UNIVERSITY AT BUFFALO**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>University at Buffalo</b>	9/10/09-8/31/10	

The State University of New York

Stockton Kimball Tower, Rm 1010

3435 Main St., Bldg. 37

Buffalo, NY 14214-3079

For: Clinical Experience for School of Nursing Students.

Dated at Geneseo, New York

November 18, 2009

Humans Services Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-388 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY CENTER FOR NURSING AND REHABILITATION: RELIABLE HEALTH SYSTEMS, FINGER LAKES COMMUNITY COLLEGE**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Reliable Health Systems</b> 2610 Nostrand Avenue Brooklyn, New York 11210 For: Software Acquisition, setup and training.	N/A	\$186,750
<b>Finger Lakes Community College</b> 4340 Lakeshore Drive Canandaigua, New York 14424-8102 For: Dual Certification HHA/CNA Training	1/1-12/31/10	\$2,250 per trainee

Dated at Geneseo, New York  
November 18, 2009  
Human Services Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-389 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY OFFICE FOR THE AGING: GENESEE VALLEY HEALTH PARTNERSHIP, ABVI-2-1-1/GOODWILL, LIVINGSTON WYOMING ARC & LIVINGSTON COUNTY DSS TRANSPORTATION UNIT**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Genesee Valley Health Partnership</b> 61 State Street Nunda, NY 14517 For: NY Connects Information & Assistance Initiative	10/1/09 – 9/31/10	\$35,000
<b>ABVI-2-1-1/Goodwill</b> One Mt. Hope Rochester, NY For: NY Connects Livingston County Call Center Service	10/1/09 – 9/31/10	\$5,000

<b>Livingston Wyoming ARC &amp; Livingston County DSS Transportation Unit</b> 18 Main Street Mt. Morris, NY 14510 For: Door Through Door Escort Transportation Services	4/1/09 – 3/31/10	\$4,605.00
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Dated at Geneseo, New York  
November 18, 2009  
Human Services Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-390 APPROVING CHANGE ORDER(S) FOR JAIL RENOVATION PROJECT – BILLITIER ELECTRIC, INC.**

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

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

Contractor	For	Net Change Not to Exceed	New Contract
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Billitier Electric, Inc.	Light Fixture Changes	+\$1,581.86	\$2,003,192.36
	Inner Duct in lieu of conduit	-\$17,348.08	
		Total -\$15,766.22	

and, it is further,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the necessary change order(s), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

November 18, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-391 APPROVING CHANGE ORDER(S) FOR JAIL RENOVATION PROJECT – MANNING SQUIRES HENNIG CO., INC.**

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

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

Contractor	For	Net Change Not to Exceed	New Contract
Manning Squires Hennig Co., Inc.	Retaining Wall Foundation Undercut	+\$108,781.46	\$6,231,715.54
	Grade Beam Changes – 6” Plank	+\$28,381.87	
	Added Grade Beam for Trench Drain	+\$1,046.43	
	Getextile Fabric	+\$14,716.31	
	Field Modifications to DMH #1	+\$1,289.47	
		Total +\$154,215.54	

and, it is further,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the necessary change order(s), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

November 18, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-392 APPROVING CHANGE ORDER(S) FOR JAIL RENOVATION PROJECT – TINDALL CORPORATION**

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

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

Contractor	For	Net Change Not to Exceed	New Contract
Tindall Corporation	Grade beam changes – 6” plank	-\$28,381.87	\$8,788,026.13

and, it is further,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the necessary change order(s), subject to review by the County Attorney and County Administrator.

Dated at Geneseo, New York

November 18, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-393 APPROVING CHANGE ORDER(S) FOR THE WILCOX PRESS DEMOLITION PROJECT – BIANCHI INDUSTRIAL SERVICES, LLC**

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

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

Contractor	For	Net Change Not to Exceed	New Contract
Bianchi Industrial Services, LLC	Additional concrete removal	+\$11,850.00	\$300,169.17
	Additional work due to ink filled piping	+\$2,129.33	
	Electrical connection to provide power to site	+\$467.62	
	Credit for non-hazardous petroleum contaminated water which did not require removal	-\$5,500.00	
		Total +\$8,946.95	

and, it is further,

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is authorized to sign the necessary change order(s), subject to review by the County Attorney and County Administrator; and be it further

RESOLVED, that the change order previously authorized by resolution No. 2009-287 is rescinded.

Dated at Geneseo, New York

November 18, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-394 AUTHORIZING BID FOR NEW AND/OR USED GRADALL XL-3100, SINGLE AXLE, EXCAVATOR**

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

WHEREAS, New York State competitive bidding requirements generally require municipalities to draft bid specifications that allow vendors supplying reasonably equivalent items to compete on an equal basis; and

WHEREAS, in limited circumstances a municipality may specify a brand-name product, without standardization, provided the municipality can justify, in good faith and without the intent to arbitrarily restrict competition, that a particular brand name item is required in the public interest; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors makes the following findings to show that the single-axle Gradall XL-3100, as compared to a normal hydraulic excavator, is required in the public interest:

1. The Gradall XL-3100 has a telescoping boom allowing operation in areas with less clearance, such as under utility wires and tree branches, resulting in safer operation for employees;
2. The Gradall XL-3100 can operate at a roadspeed of 50-55 mph providing quicker response time;
3. The Gradall XL-3100 does not require a trailer to transport resulting in an employee cost savings to the County;
4. The Gradall XL-3100 bucket operation provides for greater versatility in grading, ditch work and operation around obstacles;
5. The only other telescopic boom excavator has tandem axles and two engines resulting in increased maintenance and repair costs;
6. No product other than the single axle Gradall XL-3100 excavator provides substantially equivalent benefits to the County;
7. The cost differential compared to a normal hydraulic excavator, approximately \$50,000.00, is reasonable considering the benefits received by the County; and, it is further

RESOLVED, based upon the above-mentioned factors, the Livingston County Highway Superintendent is authorized to bid a new and/or used single-axle Gradall XL-3100 excavator.

Dated at Geneseo, New York

November 18, 2009

Public Services Committee

Chairman Merrick asked County Highway Superintendent Don Higgins to explain the foregoing resolution. D. Higgins reviewed a packet of information (on file) that he provided to each Supervisor, which outlines the findings shown

above in the resolution. He added that the Badger model excavator does not make a single-axle single-engine machine. D. Higgins stated that the County Attorney advised that the Board adopt a resolution such as this. County Attorney David Morris stated he is in favor of bidding a single-axle Gradall excavator provided the Board adopts this resolution. The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-395      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN A QUIT CLAIM DEED AND RELATED DOCUMENTS TO TRANSFER A PARCEL ON WEST LAKE ROAD – PINTO – TOWN OF GENESEO**

Mr. Yendell 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 per transfer:

Marty L. Pinto and Janice C. Pinto

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Geneseo, County of Livingston and State of New York, and being a portion of Discontinuance Parcel No. 9D as shown on Map Sheet 9 of 10, bounded and described as follows:

Beginning at a point on the easterly toe of slope along West Lake Road, Scottsburg-Upper Lakeville, Part 2, S.H. No. 8397, N.Y.S. Route 256, said point being south 73°44'00" east for a distance of 37.89 feet from centerline station 666+31.80; thence

- 1 South 73°44'00" east and partially along the southerly line of lands now or formerly of Alison M. DeMarco (Liber 1073 of Deeds at page 227) for a distance of 39.19 feet to a point on the Discontinuance Line; thence
- 2 South 19° 06'29" west and along the Discontinuance Line for a distance of 53.04 feet to a point on the northerly line of lands now or formerly of Gary F. Johnson and Gail Johnson, et al (Liber 875 of Deeds at page 336); thence
- 3 North 73°44'00" west and along the northerly line of lands of said Johnson for a distance of 38.87 feet to a point on the easterly tow of slope of West Lake Road; thence
- 4 North 18D46'07" east and along the toe of slope for a distance of 53.03 feet to the point of beginning.

Containing 0.047 acres

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.

Excepting and reserving to the County of Livingston a permanent easement for all existing water and sewer transmission lines. Said easements to be ten (10) feet in width centered on said transmission lines. Together with the right of access for repair, maintenance and replacement of said transmission lines.

Dated at Geneseo, New York

November 18, 2009

Public Services Committee

Mr. Yendell announced that this resolution was not presented at a Public Services Committee meeting; however, the Committee has signed the resolution.

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-396      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT: NYS GOVERNOR'S TRAFFIC SAFETY, U.S. DEPARTMENT OF JUSTICE. NEW WORLD SYSTEMS CORPORATION**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Governor's Traffic Safety</b> Department of Motor Vehicles 6 Empire Plaza Albany, NY 12228 For: "Buckle Up New York!" Campaign	10/1/09	\$6,125.00
<b>US Department of Justice</b> Office of Director 1100 Vermont Av. NW Washington, DC 20530 For: COPS Secure Our Schools Grant	9/1/09-8/31/11	(Federal/County match) \$17,250.00
<b>New World Systems Corporation</b> 888 W. Big Beaver Rd. Troy, MI 48084-4749 For: Standard Software Maintenance Agreement Dated at Geneseo, New York November 18, 2009 Public Services Committee	1/1/2010-12/31/2011	TOTAL \$34,500.00 \$110,635.00

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

#### **RESOLUTION NO. 2009-397      AUTHORIZING LEASE WITH TOWN OF GENESEO**

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

RESOLVED, that the Livingston County Board of Supervisors finds that approximately 7,500 square feet located in the former Geneseo Skilled Nursing Facility are no longer necessary for Livingston County public purposes; and, be it further

RESOLVED, that the Livingston County Board of Supervisors authorizes the Chairman of the Board to sign a lease with the Town of Geneseo for said 7,500 square feet in the former Geneseo Skilled Nursing Facility for a period of five years at the County's current MLR rate, said lease to be subject to the approval of the County Attorney and County Administrator; and be it further

RESOLVED, that the current lease with the Town of Geneseo shall terminate upon the signing of the new lease.

Dated at Geneseo, New York

November 18, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

#### **RESOLUTION NO. 2009-398      AUTHORIZING TRANSFER OF FUNDS – PLANNING, RECORDS MANAGEMENT**

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

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

Dated at Geneseo, New York

November 18, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

#### **RESOLUTION NO. 2009-399      AMENDING 2009 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

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

RESOLVED, that the 2009 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A4014	2680	Insurance Recovery	\$157.80
Increase Appropriation	A4014	4127	Outside Repairs	\$157.80

Dated at Geneseo, New York  
November 18, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-400 AMENDING 2009 LIVINGSTON COUNTY BUDGET – HIGHWAY**

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

RESOLVED, that the 2009 Highway Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	DM5130	2770	Other Unclassified	\$123,900.00
Increase Appropriation	DM5130	4124	Gasoline	\$40,000.00
Increase Appropriation	DM5130	4125	Diesel	\$83,900.00
			TOTAL	\$123,900.00

Dated at Geneseo, New York  
November 18, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-401 AMENDING 2009 LIVINGSTON COUNTY BUDGET – PLANNING**

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

RESOLVED, that the 2009 Planning Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6316	4688	ARRA Federal Stimulus	\$354,563.00
Increase Appropriation	A6316	4020	Travel, Training Dev.	\$2,563.00
Increase Appropriation	A6316	4076	Copier	\$3,000.00
Increase Appropriation	A6316	4080	Professional Services	\$82,000.00
Increase Appropriation	A6316	4100	Postage	\$3,000.00
Increase Appropriation	A6316	4190	Agency Contracts	\$262,000.00
Increase Appropriation	A6316	4200	Advertising	\$2,000.00
			TOTAL	\$354,563.00

Dated at Geneseo, New York  
November 18, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-402 MODIFYING THE LIVINGSTON COUNTY CELLULAR TELEPHONE / WIRELESS NETWORK DEVICE POLICY**

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

RESOLVED that the Livingston County Cellular Telephone / Wireless Network Device Policy is hereby modified as shown below:

**LIVINGSTON COUNTY CELLULAR  
TELEPHONE / WIRELESS NETWORK DEVICE POLICY**

I. INTRODUCTION. This policy governs the purchase or lease, assignment, maintenance and use of County owned / paid for cellular telephones and other wireless network devices intended for use with Livingston County’s networked resources. In addition, it governs the use of personal cellular telephones on County property and/or while conducting County business.

II. PURCHASING OR LEASING OF COUNTY CELLULAR TELEPHONES / WIRELESS DEVICES.

Whenever a department head wishes to obtain a new, or replace an existing, cellular telephone / device for a County employee, regardless of the cost of the device, a *Livingston County Cell Phone Request Form* must be completed and forwarded to the County Auditor. A copy of this form is attached to this policy as Exhibit 1. Departments may no longer deal directly with cell phone vendors.

All new hardware, software, and/or related components that provide wired and / or wireless connectivity and services to the Livingston County networked resources will be managed by Livingston County's Information and Technology Services Department. The installation and/or use of hardware, software, and/or related components not approved by Information and Technology Services, is not allowed.

This policy is complementary to any previously implemented policies dealing specifically with network access, wireless access and remote access to the Livingston County network (and proper use thereof).

### III. ASSIGNMENT OF COUNTY CELLULAR TELEPHONES.

#### A. Eligibility for County Cellular Telephone.

1. Discretion of County. The determination of who shall be eligible for assignment of a County cellular telephone shall rest solely with the County. The assignment of a County cellular telephone to an employee shall not create any continuing obligation on the part of the County to provide a County cellular telephone in the future.
2. Criteria for Eligibility. Any department head who considers the assignment of a County cellular telephone / wireless network device to any of his/her departmental staff shall consider the following criteria to determine whether such an assignment is appropriate:
  - a. The staff member must spend a significant amount of time working away from an accessible line telephone;
  - b. There is a regular business need for the staff member to have the cellular telephone during these periods of time in order to make or receive calls; and
  - c. The value of having the cellular telephone / wireless network device must outweigh the costs, both monetary and administrative, of the telephone.
  - d. For wireless network devices, justification of the device must address the off-duty use of the device by hourly staff and the overtime regulations concerning that use.

B. Assignments of County Cellular Telephones. Before a County cellular telephone is provided to an employee, the Department Head, or his/her designee, shall review this policy with the employee, provide a copy to him/her, and have the employee sign a Cellular Telephone Use Agreement. (For those employees who already possess a County cellular telephone on the effective date of this policy, the Department Head shall take these actions within thirty days of the implementation of the policy.) Additionally, each Department Head shall retain the original agreement in the employee's personnel file, send a copy to the County Auditor, and may provide a copy to the employee. A copy of the agreement is attached to this policy as Exhibit 2.

C. Return of County Cellular Telephone. Any employee who has been assigned a County cellular telephone shall return such promptly upon a request from his/her department head or the County Administrator or upon termination of employment. In addition, such employees may be required to produce an assigned County cellular telephone for inspection at any time, upon request.

### IV. MAINTENANCE AND USE OF COUNTY CELLULAR TELEPHONES / WIRELESS DEVICES WITH CELLUAR FUNCTIONS.

A. Maintenance of County Cellular Telephones / Wireless Devices. Any employee who is assigned a County cellular telephone shall exercise reasonable and prudent care to keep such telephone in good working order and protect it from damage and/or theft. If the employee has mismanged the device and/or not used prudent judgement, he/she may be responsible for the replacement of such a device should it become damaged.

#### B. Use of County Cellular Telephones / Wireless Devices.

1. Generally. County cellular telephones / wireless devices are provided to employees as a tool to carry out the business of Livingston County when other communications options are not reasonably available. They are not provided for the personal benefit or use of employees.
2. Personal Use. County cellular telephones / wireless devices are not intended for the personal use of employees. Personal use of such telephones shall be limited to infrequent, incidental and emergency use only. Any employee who engages in personal use of a County cellular telephone

shall report such use to his/her Department Head within two business days of such use and shall be responsible for any charges to the County associated with the personal use.

#### V. MAINTENANCE AND USE OF WIRELESS NETWORK DEVICES

1. It is the responsibility of any Livingston County employee who is connecting to the County's network via a wireless network device or service to ensure that all components of his/her wireless connection remain as secure as his/her network access within the office. It is imperative that any wireless connection be utilized appropriately, responsibly, and ethically.
2. Employees using wireless network devices and services for remote wireless access will, without exception, use secure remote access procedures.
3. Prior to initial use or connecting to the County's network, all wireless network device hardware, software and related services must be registered with Information Technology. No county employees or contractors will make modifications of any kind to county-owned and installed wireless hardware or software without the express approval of Information Technology.
4. The wireless network device user agrees to immediately report to his/her manager and the county's Information Technology department any incident or suspected incidents of unauthorized access and/or disclosure of company resources, databases, networks, etc.
5. Software should not be downloaded or otherwise loaded and installed on to the wireless network device. The downloading of games and ringtones is strictly prohibited. Only Authorized Information Technology technical staff may carry out the following:
  - a. Operating system upgrades
  - b. Software installation
6. Failure of the wireless network device as a result of not conforming to this policy will result in the device being attempted to be reset to factory settings. This will usually mean a loss of all settings, addresses, uniquely stored emails and other data from the device.
7. Information Technology reserves the right to turn off without notice any wireless access to the network that puts the county's systems, data and users at risk.
8. Wireless devices are the property of Livingston County and may not be given, loaned, or used by anyone other than the employee to whom it is assigned.
9. Report damaged or physically malfunctioning wireless devices to the supervisor.

#### VI. USE OF PERSONAL CELLULAR TELEPHONES FOR COUNTY BUSINESS.

- A. Permissive Use. Employees may use personal cellular telephones for County business unless they are prohibited from doing so by their Department Head or the County Administrator. Employees shall not be required to utilize a personal cellular telephone for County business.
- B. Reimbursement for Use. Employees shall not be reimbursed for the use of their personal cellular telephone for County business unless they have advance, written authorization from their Department Head to engage in such use, unless there is a contrary provision in an applicable collective bargaining agreement. If an employee has authorization to engage in such use, the employee must submit proof of actual out-of-pocket cost associated with such call(s) together with a voucher for payment in accordance with standard County practice in order to receive reimbursement.

#### VII. USE OF ALL CELLULAR TELEPHONES.

- A. Applicability of Section.
  1. County Owned/Leased Cellular Telephones. Section VI of this policy applies to the usage of County owned or leased cellular telephones at any time and at any location.
  2. Personal Cellular Telephones. Section VI of this policy applies to the usage of all other cellular telephones in the possession of an employee at any time the employee is on County property, in a County owned or leased vehicle, on County work time, or engaged in County business.
- B. Compliance with Laws. Employees shall comply with all Federal, State and/or Local laws, rules and regulations governing the use of cellular telephones. An employee who is charged with a violation of any such law, rule or regulation will be solely responsible for any liability associated with the violation.
- C. Safe Usage of Cellular Telephones. Employees shall at all times exercise reasonable care in the use of cellular telephones in order to insure the safety of the employee and others. All employees, other than law enforcement personnel, shall refrain from using cellular telephones while driving a motor vehicle or operating motorized equipment whenever possible.

D. Privacy and Confidentiality.

1. Privacy. Employees are not permitted to carry or use cellular telephones that have photographic or any other audio and/or visual recording capabilities into patient care areas, rest rooms, locker rooms or other areas where there is a reasonable expectation of privacy.
2. Confidentiality. Employees are advised that cellular telephone communications are not confidential and may be overheard by third parties. Employees must exercise reasonable care to insure that confidential matters are not improperly disclosed through the use of cellular telephones.

E. Personal Calls on Work Time. Personal telephone calls, including cellular telephone calls, on paid work time should be limited to infrequent, incidental and emergency calls only.

VIII. DEPARTMENT HEAD RESPONSIBILITIES. In addition to the Department Head obligations discussed in sections II and III of this policy, Department Heads have the following responsibilities under this policy:

A. Policy Distribution. Each Department Head shall post a copy of this policy in one or more prominent location(s) within the department. In addition, each department head shall provide a copy of this policy to all departmental employees who have been assigned a County cellular telephone in accordance with section III.B of this policy.B. Compliance.

1. Take action to enforce this policy, as needed, which may include providing training regarding the terms of this policy, and counseling and/or disciplining employees who are not complying with the policy.
2. Monitor all County cellular telephone bills relating to departmental usage to insure that usage is appropriate and compliant with this policy.

C. Cell – Free Zones. Each Department Head may establish areas within the department in which cellular telephones will not be permitted. These areas may be limited to specified areas or encompass the entire physical area of the department. If such cell-free zones are established, the Department Head will communicate this fact to departmental employees, and others as needed.

## IX. DEFINITIONS.

“*County cellular telephones*” means those cellular telephones that are owed or leased by Livingston County.

“*Other communications options*” means options including, but not limited to: land-line telephones, two-way radios, call boxes, in-person communications, etc.

X. POLICY VIOLATIONS. Violations of this policy may result in disciplinary action, up to and including termination of employment, and/or civil or criminal action, if appropriate.

XI. QUESTIONS REGARDING POLICY. Questions regarding this policy should be directed to the Administrative Assistant to the County Administrator or the County Auditor at 6 Court Street, Room 302, Geneseo, NY 14454, (585) 243-7040.

### LIVINGSTON COUNTY CELL PHONE REQUEST FORM

Please check one:     New phone request     Replacement phone request

Department Name: \_\_\_\_\_

Employee to receive the phone: \_\_\_\_\_

Employee's position/title: \_\_\_\_\_

Date phone needed: \_\_\_\_\_

Justification – need of phone:

Department Head Signature:

Date: \_\_\_\_\_

**This form is to be returned to the County Auditor,  
Livingston County Government Center, Room 302.**

Administrative Approval: \_\_\_\_\_

EXHIBIT 1

**CELLULAR TELEPHONE USE AGREEMENT**

I have received and read a copy of Livingston County’s Cellular Telephone Policy and agree to follow all policies and procedures that are set forth therein. I am aware that violations of the policy may subject me to disciplinary action, up to and including discharge from employment.

I acknowledge receipt or possession of the following cellular telephone(s) and any related equipment:

\_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Printed Name

**Original to employee’s personnel file  
Copy to County Auditor**

EXHIBIT 2

Dated at Geneseo, New York

November 18, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-403 AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE:  
CENTER FOR NURSING AND REHABILITATION**

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

RESOLVED, that the 2009 Hourly Employee Salary Schedule is amended as follows:

**Center for Nursing and Rehabilitation**

Create six full-time Neighborhood Assistant positions.

Delete all full-time and part-time Cleaner positions effective January 1, 2010.

Dated at Geneseo, New York

November 18, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-404 ADOPTING 2010 LIVINGSTON COUNTY DEPARTMENT HEAD  
SALARY SCHEDULE**

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

RESOLVED, the 2010 Livingston County Department Head Salary Schedule is hereby adopted effective January 1, 2010, a copy of which is attached hereto and is incorporated herein by reference.

	Dept.	Title	Name	FT/PT	DOH	2009 Rate	2010 Rate	Note
1	BOS	Chairman of the Board	N/A	PT	N/A	40,375.00	40,375.00	No increase
2	BOS	Vice Chairman of the Board	N/A	PT	N/A	20,300.00	20,300.00	No increase
3	BOS	Members of the Board	N/A	PT	N/A	14,875.00	14,875.00	No increase
4	BOS	County Administrator	Coyle, Ian	FT	7/14/2008	130,000.00	130,000.00	Contract
5	BOS	Administrative Assistant to the County Administrator	Grosse, Lisa	FT	1/22/1990	57,400.00	58,400.00	
6	BOS	Clerk to the Board of Supervisors	Amico, Virginia	FT	3/12/1990	60,000.00	61,000.00	
7	BOS	Confidential Secretary to the Clerk	Scutt, Ashley	FT	11/16/2009	28,000.00	28,000.00	Started 11/16/09
8	BOS	Secretary to the County Administrator	Rees, Michele	FT	12/27/1994	45,875.00	46,875.00	
9	BOS	County Auditor	Donegan, Terrence	FT	9/17/1990	67,500.00	68,500.00	
10	BOS	Deputy County Administrator	vacant	FT	N/A	90,000.00	0.00	
11	BOS	Records Inventory Supervisor	Montemarano, Katherine	FT	1/1/1993	45,875.00	46,875.00	
12	AGIN	Office for the Aging Director	Smith, Kaaren	FT	12/15/1979	69,025.00	70,025.00	
13	AGIN	Aging Services Caseworker	DeMarte, Anne	FT	9/10/1997	48,025.00	49,025.00	
14	AGIN	Case Manager	Robinson, Lynda	FT	7/30/2001	44,450.00	45,450.00	
15	AGIN	Finance Supervisor	Bagley, Sue	FT	8/29/2008	44,550.00	45,550.00	
16	AGIN	Foster Grandparent Program Director	Gage, Deborah	FT	10/4/2004	46,875.00	47,875.00	
17	AGIN	Nutrition Coordinator	Wilkins, Jessica	FT	2/25/2008	43,525.00	44,525.00	
18	BOE	Commissioner	Guenther, Susan	FT	7/23/1984	51,400.00	52,400.00	
19	BOE	Commissioner	Leven, Nancy	FT	12/18/1991	51,400.00	52,400.00	
20	BOE	Deputy Commissioner	Griffo, Matthew	FT	1/2/2009	45,700.00	46,700.00	
21	BOE	Deputy Commissioner	Schoonover, Laura	FT	7/13/1987	45,700.00	46,700.00	
22	CNR	Director of Long Term Care	Bassett, Franklin	FT	7/13/1992	115,810.00	116,810.00	

23	CNR	Deputy Director of Long Term Care	Wheeler, Mark	FT	1/22/2007	81,650.00	82,650.00	
24	CNR	Director of Nursing Services	Sauerbier, Mary Theresa	FT	3/3/2003	73,050.00	74,050.00	
25	CNR	Director of Rehabilitative Services	Jarzyna, Anthony	FT	10/20/1997	79,300.00	80,300.00	
26	CNR	Assistant Director of Nursing	Britton, Cynthia	FT	5/30/2006	64,575.00	65,575.00	
27	CNR	Director of Fiscal Services	Keefe, Barbara	FT	10/27/2008	75,000.00	76,000.00	
28	CNR	Administrative Secretary	McConnell, Jeannine	FT	7/9/2007	29,375.00	30,375.00	
29	CNR	Administrative Secretary	Pearson, Lorri	FT	10/31/2003	32,650.00	33,650.00	
30	CNR	Director of Social Work Services	Parker, Kandie	FT	7/10/2006	57,675.00	58,675.00	
31	CNR	Leisure Time Activities Director	Kavanagh, Kimberly	FT	9/18/2006	45,425.00	46,425.00	
32	CNR	Medical Director	Hadley MD, Cynthia	PT	3/1/2001	120.00	120.00	No increase
33	CNR	Purchasing Coordinator	Wood, Leroy	FT	2/12/2007	39,325.00	40,325.00	
34	CS	Supervisor of Buildings & Grounds	Allen, David	FT	8/24/1992	77,500.00	78,500.00	
35	CS	Buildings & Grounds Working Foreperson	Simons, Laird	FT	6/20/1977	62,700.00	63,700.00	
36	CS	Buildings & Grounds Working Foreperson	Helles, Thomas R.	FT	1/31/2002	59,550.00	60,550.00	
37	CS	Buildings & Grounds Working Foreperson	Fraser, Jeffrey	FT	1/22/2007	53,625.00	54,625.00	
38	CLER	County Clerk	Culbertson, James A.	FT	1/1/1986	78,775.00	81,950.00	2010 81,950
39	CLER	Deputy County Clerk	Strickland, Mary	FT	3/2/1983	63,575.00	64,575.00	
40	CLER	Second Deputy County Clerk	Olson, Kathleen	FT	1/2/1996	45,000.00	46,000.00	Appt. to position 6/1/2009; was Co empee immediately before

41	ATNY	County Attorney	Morris, David	FT	1/1/1992	104,650.00	105,450.00	4/5ths position
42	ATNY	Assistant County Attorney	Mallaber, Jeffrey	FT	3/1/2009	65,000.00	66,000.00	
43	ATNY	Assistant County Attorney	Sisson, Wendy	PT	1/1/2006	50,725.00	51,225.00	1/2 increase
44	DA	District Attorney	Moran, Thomas	FT	12/29/1992	119,800.00	136,700.00	Salary set by state.
45	DA	Assistant District Attorney	Rowcliffe, Victor	FT	4/6/1998	67,750.00	68,750.00	
46	DA	Assistant District Attorney	Schiener, Eric R.	FT	11/29/1999	82,275.00	83,275.00	
47	DA	Assistant District Attorney	Quintilone, Lindsay	FT	11/26/2007	53,825.00	54,825.00	
48	DA	Assistant District Attorney	Mackay, Kyle	FT	5/9/1993	67,750.00	68,750.00	
49	DA	Assistant District Attorney	Tonra, Joshua J.	FT	1/14/2008	53,825.00	54,825.00	
50	DA	Assistant District Attorney	Cicoria, Ronald	PT	9/2/2008	29,000.00	29,500.00	1/2 increase
51	DA	Secretary to the District Attorney	Ehrmentraut, Geraldine	FT	1/7/1993	52,925.00	53,925.00	
52	DA	Victim/Witness Assistant Coordinator	Corrigan, Richard	FT	11/1/1995	47,350.00	48,350.00	
53	ECOD	Economic Developer	Rountree, Patrick	FT	9/30/1988	90,375.00	91,375.00	
54	ECOD	Deputy Economic Developer	Marshall, Julie	FT	9/18/2000	70,825.00	71,825.00	
55	EMS	Emergency Management Services Director	Niedermaier, Kevin	FT	11/20/1995	67,500.00	68,500.00	
56	EMS	Emergency Medical Services Coordinator	Sheahan, William	FT	4/9/2001	57,850.00	58,850.00	
57	DOH	Public Health Director	Ellison, Joan H.	FT	8/6/1979	101,275.00	102,275.00	
58	DOH	Director of Environmental Health	Mazurowski, James	FT	8/14/2000	70,800.00	71,800.00	
59	DOH	Director of Patient Services	Stallone, Mary M.	FT	4/13/1992	72,500.00	73,500.00	
60	DOH	Director of Patient Services	King, Prudence	FT	12/11/2000	62,000.00	63,000.00	Started position 8/31/09. Was Co. empee immediately before.

61	DOH	Director of Patient Services	Sheflin, Cynthia	FT	2/13/1990	60,000.00	61,000.00	
62	DOH	Dog Control Officer	Clark, Roxanne	FT	10/17/1994	46,475.00	47,475.00	
63	DOH	Finance Supervisor	Henderson, Erik	FT	2/25/1999	43,525.00	44,525.00	
64	DOH	Financial Manager	Peraino, James J.	FT	8/2/1993	67,500.00	68,500.00	
65	DOH	Physician	Matlin MD., Arnold	PT	9/16/2008	80.00	80.00	No increase
66	DOH	Supervising ALS Technician	McKinley, Bryan L.	FT	7/24/2006	40,500.00	41,500.00	
67	HWAY	County Highway Superintendent	Higgins, Donald N.	FT	4/20/1987	82,575.00	83,575.00	
68	HWAY	Deputy Highway Superintendent	Barefoot, Dennis	FT	6/30/1997	69,600.00	70,600.00	
69	HWAY	Deputy Highway Superintendent	Cowley, Stephen M.	FT	6/24/1986	64,950.00	65,950.00	
70	HWAY	Highway Administrative Manager	Szoczei-Brehm, Elaine D.	FT	10/5/1998	52,475.00	53,475.00	
71	HIST	County Historian	Alden, Amie	FT	1/1/2004	39,850.00	40,850.00	
72	ITS	Director of I.T.S.	Nieswiadomy, Dale	FT	5/2/1988	89,025.00	90,025.00	
73	ITS	Deputy Director of I.T.S.	VanSon, Elaine	FT	1/22/1990	75,550.00	76,550.00	
74	MH	Director of Community Mental Health Services	Long, Gail	FT	1/11/1993	72,350.00	73,350.00	
75	MH	Deputy Director of Community Mental Health	Miller, Ann	FT	9/24/2001	58,000.00	59,000.00	Appt. to position 4/27/09. Was Co empee immediately before.
76	MH	Financial Manager	Goodness, Barbara	FT	12/19/2002	53,300.00	54,300.00	
77	PERS	Personnel Officer	Lynn, Tish E.	FT	9/5/1995	85,750.00	86,750.00	
78	PERS	Personnel Assistant	Beach, Lauraine	FT	3/31/1982	45,900.00	46,900.00	\$24.77
79	PERS	Administrative Secretary	Griffith, Amy	FT	7/13/1995	41,075.00	42,075.00	\$23.12
80	PERS	Account Clerk/Typist	Hettrick, Brenda Lee	FT	5/25/2006	27,550.00	28,550.00	\$15.69
81	PERS	Clerk/Typist	Schirmer, Marcy	FT	1/5/2009	22,932.00	23,950.00	Started 1/5/09.
82	PLAN	Planning Director	Ellis, Angela	FT	4/14/2008	75,450.00	76,450.00	
83	PROB	Probation Director II	Erhard, Edward	FT	2/23/1976	72,625.00	73,625.00	

84	PD	Public Defender	Clark Tetamore, Marcea	FT	7/27/2000	86,700.00	87,700.00	
85	PD	Assistant Public Defender	McCann, James	3/4	3/16/1992	54,525.00	55,275.00	3/4 increase
86	PD	Assistant Public Defender	Donohue, Kelly	PT	1/1/1996	28,325.00	28,825.00	1/2 increase
87	PD	Assistant Public Defender	Michalski, Jeannie	PT	9/8/2008	21,750.00	22,250.00	1/2 increase
88	PD	Assistant Public Defender	Lockhart III, John M.	PT	3/9/1998	26,675.00	27,175.00	1/2 increase
89	PD	Assistant Public Defender	Laragy, Christopher	FT	11/27/2000	67,750.00	68,750.00	
90	PD	Confidential Secretary	Dugan, Lisa P.	FT	9/8/2000	39,500.00	40,500.00	
91	PW	Public Works Director	VanHorne, Catherine	FT	3/19/1990	76,525.00	77,525.00	
92	PW	Financial Manager	Travis, Judy	FT	7/28/1989	58,475.00	59,475.00	
93	RPTS	Director of Real Property Tax Services I	Pukos, Joseph	FT	2/1/1982	62,825.00	63,825.00	
94	SHER	Sheriff	York, John	FT	1/9/1969	89,500.00	89,717.00	Increase split between two positions.
95	SHER	Stop DWI Coordinator	York, John	PT	1/9/1969	20,600.00	21,383.00	Increase split between two positions.
96	SHER	Undersheriff	Herkimer, Martin D.	FT	10/19/1976	80,950.00	81,950.00	
97	SHER	D.S./Major (Corrections)	Rose, James	FT	9/18/1990	67,575.00	68,575.00	
98	SHER	D.S./Major (Investigations)	Szczesniak, James	FT	6/1/1986	74,650.00	75,650.00	
99	SHER	D.S./Major (Criminal-Rd. Patrol)	Smith, Christopher L.	FT	8/16/1986	73,300.00	74,300.00	
100	SHER	Secretary to the Sheriff	Vacant	FT	10/7/1988	53,850.00	0.00	
101	DSS	Commissioner of Social Services	Wright, Sandra	FT	5/21/1970	101,875.00	102,875.00	
102	DSS	Director of Social Services	Cornell, James	FT	5/10/1976	65,425.00	66,425.00	
103	DSS	Director of Administrative Services	Deane, Diane M.	FT	10/17/1988	67,575.00	68,575.00	
104	DSS	Employment Coordinator (JOBS FIRST)	Peck, David	FT	3/28/2005	56,650.00	57,650.00	

105	DSS	Head Social Welfare Examiner	Koch, Sharon	FT	6/1/1978	67,575.00	68,575.00	
106	DSS	Secretary to the Commissioner of Social Services	Gulesano, Kristine L.	FT	3/19/2001	41,000.00	42,000.00	
107	DSS	Social Services Attorney	Sylvester, John T.	FT	8/24/1987	101,250.00	102,250.00	
108	TRAF	Traffic Safety Board Executive Secretary	Johnston, Patricia	PT	5/14/1996	6,600.00	7,100.00	1/2 increase
109	TREA	County Treasurer	Taylor, Carolyn	FT	10/5/1987	80,900.00	81,900.00	
110	TREA	Deputy County Treasurer	Mann, Amy	FT	1/1/2000	52,375.00	53,375.00	
111	VET	Director of Veterans Services Agency	Hollister, Frank	4/5	5/17/2004	28,725.00	29,525.00	4/5 increase
112	W&M	Director of Weights & Measures I	Cloonan, Michael	FT	3/18/1991	51,375.00	52,375.00	
113	WDS	Workforce Development Services Director/Youth Bureau Director	Mitchell, C. Keith	FT	4/30/1990	69,550.00	70,550.00	

Dated at Geneseo, New York  
November 18, 2009

Ways and Means Committee

Ossian Supervisor Martello stated that although he values all of the County employees, he believes people are concerned about the current financial situation of the economy, and he would be voting no on this resolution.

The roll was called as follows: Ayes - 1,641; Noes – Martello, 21; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-405      AUTHORIZING DIRECTOR OF REAL PROPERTY TAX SERVICES TO APPLY CORRECTIONS FOR TAXES ON 2010 VARIOUS TOWN TAX ROLLS**

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

WHEREAS, the Director of Real Property Tax Services has attached ten (10) recommendations, applications and/or decisions (10 parcels) to correct the various 2009-2010 School Tax Rolls (Real Property Tax Law Sections 550 and 554), and

WHEREAS, the following corrections are hereby recommended for the 2010 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 2010 tax rolls,

**1.      Town of Avon**

**Owner: John & Laura Halleran**

**Tax Map Number: 242089 26.-1-12.21**

Reason for correction: Pursuant to a Small Claims Hearing decision, the assessment of this parcel was reduced from \$310,000 to \$294,000. The taxable assessed value should be corrected from \$310,000 to \$294,000.

**2.      Town of Caledonia**

**Owner: Louise Carson**

**Tax Map Number: 242289 13.-1-4**

Reason for correction: The investigation found that the assessment for this parcel should have been listed as \$175,000 instead of \$185,800. The taxable assessed value should be corrected from \$185,800 to \$175,000.

**3. Town of Geneseo**

Owner: Town of Geneseo Tax Map Number: 242689 90.-1-17.-1

Reason for correction: The investigation found that this parcel should be listed as wholly exempt. The taxable assessed value should be corrected from \$39,700 to \$0.

**4. Town of Groveland**

Owner: John & Linda Birecree Tax Map Number: 242800 100.83-1-31

Reason for correction: Pursuant to a Small Claims Hearing decision, the assessment of this parcel was reduced from \$324,000 to \$278,240. The taxable assessed value should be corrected from \$324,000 to \$278,240.

**5. Town of Lima**

Owner: Lima Crossroads Limited Partnership Tax Map Number: 243201 37.6-1-28.1

Reason for correction: Pursuant to Order of Settlement, the court determined the assessment on this parcel to be excessive. The taxable assessed value should be corrected from \$1,080,000 to \$500,000 for town and county purposes.

**6. Town of Lima**

Owner: Helen Phelps Tax Map Number 243289 38.-1-12

Reason for correction: Pursuant to a stipulation agreement, a valid 15% veteran's exemption should be applied to this parcel. The taxable assessed value should be corrected from \$128,000 to \$108,800 for town and county purposes.

**7. Town of Livonia**

Owner: Young Hi Dutton Tax Map Number: 243489 65.-1-73.2

Reason for correction: The investigation found that this parcel should have received a 50% senior citizen exemption. This exemption should be applied, which will correct the taxable assessed value from \$176,100 to \$88,050 for town and county purposes

**8. Town of Livonia**

Owner: Janet L. Braun Tax Map Number: 243489 93.13-1-10

Reason for correction: The investigation found that this parcel should have received a 50% senior citizen exemption. This exemption should be applied, which will correct the taxable assessed value from \$131,200 to \$65,600 for town and county purposes.

**9. Town of Ossian**

Owner: Roy Alford Tax Map Number: 244200 202.-1-11.3

Reason for correction: The investigation found that this parcel should have received a 100% disabled veteran's exemption. This exemption should be applied, which will correct the taxable assessed value from \$9,200 to \$0.

**10. Town of York**

Owner: Kirk Richenberg  
Nancy Glazier Tax Map Number: 245200 40.-1-11.2

Reason for correction: Pursuant to a Small Claims Hearing decision, the assessment of this parcel was reduced from \$500 to \$227. The taxable assessed value should be corrected from \$500 to \$227.

Dated at Geneseo, New York

November 18, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-406 AUTHORIZING ASSESSMENT ROLL FOOTINGS FOR 2009**

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

WHEREAS, the Ways and Means Committee has verified and corrected the footings of the Assessment Rolls referred to it, as made by the Assessors for each tax district:

2009				
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	\$ 194,951,677	\$ 5,252,134	\$200,203,811	\$357,264,499
Caledonia	114,946,832	3,110,929	118,057,761	212,643,142
Conesus	152,374,094	2,968,674	155,342,768	155,342,768
Geneseo	227,292,181	5,936,736	233,228,917	440,728,715
Groveland	106,106,124	3,185,822	109,291,946	109,291,946
Leicester	81,337,683	3,008,059	84,345,742	103,761,195
Lima	138,850,590	2,478,018	141,328,608	222,905,915
Livonia	400,269,861	7,536,666	407,806,527	470,114,650
Mount Morris	55,889,115	1,822,087	57,711,202	145,618,424
North Dansville	43,624,642	761,732	44,386,374	194,175,790
Nunda	72,115,627	1,624,416	73,740,043	111,847,820
Ossian	42,480,946	585,546	43,066,492	43,066,492
Portage	29,990,763	1,162,207	31,152,970	31,152,970
Sparta	68,072,408	859,819	68,932,227	68,932,227
Springwater	98,107,046	1,097,970	99,205,016	99,205,016
West Sparta	50,872,560	2,340,725	53,213,285	53,213,285
York	167,590,316	5,054,715	172,645,031	172,645,031
	\$2,044,872,465	\$48,786,255	\$2,093,658,720	\$2,991,909,885

Villages	Village Totals Real Property Exc. Exemptions	Village Special Franchises	Village Totals Real Property & Special Franchise	
Avon	\$153,659,494	\$ 3,401,194	\$157,060,688	
Caledonia	91,576,653	3,008,728	94,585,381	
Dansville (N.Dansville)	145,257,664	4,531,752	149,789,416	
Dansville (Sparta)				
Geneseo	204,240,058	3,259,740	207,499,798	
Leicester	18,658,529	756,924	19,415,453	
Lima	80,090,501	1,486,806	81,577,307	
Livonia	60,433,217	1,874,906	62,308,123	
Mount Morris	81,454,238	6,452,984	87,907,222	
Nunda	37,312,671	795,106	38,107,777	
TOTALS	\$872,683,025	\$25,568,140	\$898,251,165	

**2009****EXEMPTIONS - COUNTY**

EXEMPTIONS: Veteran, Agricultural, Clergy, Business, etc.

Towns	Town Exemptions	Village Exemptions	Total Exemptions
Avon	\$ 20,375,880	\$ 6,405,599	\$ 26,781,479
Caledonia	18,192,731	3,308,213	21,500,944
Conesus	5,561,945		5,561,945
Geneseo	24,905,520	11,554,609	36,460,129
Groveland	16,050,342		16,050,342
Leicester	18,791,959	653,810	19,445,769
Lima	14,185,693	3,235,856	17,421,549
Livonia	17,417,241	1,420,311	18,837,552

Mount Morris	12,250,211	4,202,564	16,452,775
North Dansville	1,940,647	6,964,568	8,905,215
Nunda	7,299,744	1,492,494	8,792,238
Ossian	6,591,990		6,591,990
Portage	6,397,392		6,397,392
Sparta	6,029,751		6,029,751
Springwater	7,598,591		7,598,591
West Sparta	9,394,194		9,394,194
York	36,178,755		36,178,755
<b>TOTALS</b>	<b>\$229,162,586</b>	<b>\$39,238,024</b>	<b>\$268,400,610</b>

**EXEMPTIONS: Senior Citizen**

Towns	Town Senior Citizen Exemptions	Village Senior Citizen Exemptions	Total Senior Citizen Exemptions
Avon	\$ 1,884,828	\$ 2,176,773	\$ 4,061,601
Caledonia	1,080,128	1,687,388	2,767,516
Conesus	1,374,610		1,374,610
Geneseo	1,135,001	514,576	1,649,577
Groveland	555,137		555,137
Leicester	801,862	120,989	922,851
Lima	1,995,811	1,249,111	3,244,922
Livonia	4,585,506	683,264	5,268,770
Mount Morris	427,444	1,156,075	1,583,519
North Dansville	422,426	2,084,593	2,507,019
Nunda	1,155,507	380,184	1,535,691
Ossian	505,326		505,326
Portage	579,908		579,908
Sparta	1,019,546		1,019,546
Springwater	882,338		882,338
West Sparta	456,281		456,281
York	1,788,074		1,788,074
<b>TOTALS</b>	<b>\$20,649,733</b>	<b>\$10,052,953</b>	<b>\$30,702,686</b>

**2009**

**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	\$ 192,548,398	\$ 5,252,134	\$ 197,800,532	\$ 354,861,220
Caledonia	114,946,832	3,110,929	118,057,761	212,643,142
Conesus	152,768,284	2,968,674	155,736,958	155,736,958
Geneseo	227,292,181	5,936,736	233,228,917	440,728,715
Groveland	106,215,814	3,185,822	109,401,636	109,401,636
Leicester	81,568,898	3,008,059	84,576,957	104,135,033
Lima	139,083,579	2,478,018	141,561,597	223,437,889
Livonia	400,823,963	7,536,666	408,360,629	470,772,847

Mount Morris	56,014,724	1,822,087	57,836,811	146,313,556
North Dansville	43,624,642	761,732	44,386,374	194,175,790
Nunda	72,013,820	1,624,416	73,638,236	111,746,013
Ossian	45,683,446	585,546	46,268,992	46,268,992
Portage	29,990,763	1,162,207	31,152,970	31,152,970
Sparta	68,072,408	859,819	68,932,227	68,932,227
Springwater	98,124,458	1,097,970	99,222,428	99,222,428
West Sparta	50,872,560	2,340,725	53,213,285	53,213,285
York	167,590,316	5,054,715	172,645,031	172,645,031
<b>TOTALS</b>	<b>\$2,047,235,086</b>	<b>\$48,786,255</b>	<b>\$2,096,021,341</b>	<b>\$2,995,387,732</b>

Villages	Village Totals Real Property Exc. Exemptions	Village Special Franchises	Village Totals Real Property & Special Franchise	
Avon	\$153,659,494	\$ 3,401,194	\$157,060,688	
Caledonia	91,576,653	3,008,728	94,585,381	
Dansville (N.Dansville)	145,257,664	4,531,752	149,789,416	
Dansville (Sparta)				
Geneseo	204,240,058	3,259,740	207,499,798	
Leicester	18,801,152	756,924	19,558,076	
Lima	80,389,486	1,486,806	81,876,292	
Livonia	60,537,312	1,874,906	62,412,218	
Mount Morris	82,023,761	6,452,984	88,476,745	
Nunda	37,312,671	795,106	38,107,777	
<b>TOTALS</b>	<b>\$873,798,251</b>	<b>\$25,568,140</b>	<b>\$899,366,391</b>	

**2009****EXEMPTIONS - TOWN**

EXEMPTIONS: Veteran, Agricultural, Clergy, Business, etc.

Towns	Town Exemptions	Village Exemptions	Total Exemptions
Avon	\$ 22,779,159	\$ 6,405,599	\$ 29,184,758
Caledonia	18,192,731	3,308,213	21,500,944
Conesus	5,092,557		5,092,557
Geneseo	24,905,520	11,554,609	36,460,129
Groveland	15,937,408		15,937,408
Leicester	18,520,224	511,187	19,031,411
Lima	13,856,246	2,891,266	16,747,512
Livonia	16,834,839	1,316,216	18,151,055
Mount Morris	12,124,602	3,589,356	15,713,958
North Dansville	1,940,647	6,964,568	8,905,215
Nunda	7,401,551	1,492,494	8,894,045
Ossian	6,591,990		6,591,990
Portage	6,397,392		6,397,392
Sparta	6,029,751		6,029,751
Springwater	7,598,591		7,598,591
West Sparta	9,394,194		9,394,194
York	36,178,755		36,178,755

TOTALS	\$229,776,157	\$38,033,508	\$267,809,665
EXEMPTIONS: Senior Citizen			
Towns	Town Senior Citizen Exemptions	Village Senior Citizen Exemptions	Total Senior Citizen Exemptions
Avon	\$ 2,176,773	\$1,884,828	\$ 4,061,601
Caledonia	1,080,128	1,687,388	2,767,516
Conesus	1,449,808		1,449,808
Geneseo	1,135,001	514,576	1,649,577
Groveland	558,381		558,381
Leicester	842,382	120,989	963,371
Lima	2,092,269	1,294,716	3,386,985
Livonia	4,613,806	683,264	5,297,070
Mount Morris	427,444	1,199,760	1,627,204
North Dansville	422,426	2,084,593	2,507,019
Nunda	1,155,507	380,184	1,535,691
Ossian	505,326		505,326
Portage	579,908		579,908
Sparta	1,019,546		1,019,546
Springwater	864,926		864,926
West Sparta	456,281		456,281
York	1,788,074		1,788,074
TOTALS	\$21,167,986	\$9,850,298	\$31,018,284

and,

WHEREAS, the Ways and Means Committee recommends to adopt the Assessment Roll Footings for 2009, 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 18, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

### **CLOSE PUBLIC HEARINGS**

Chairman Merrick asked if anyone wished to comment regarding the public hearings. No one wished to speak. The Chairman asked if any Supervisor wished to comment. No one wished to speak.

The Chairman declared the public hearings closed.

### **RESOLUTIONS cont.**

#### **RESOLUTION NO. 2009-407      ADOPTING SEQR NEGATIVE DECLARATION FOR ADDITIONS TO EXISTING AGRICULTURAL DISTRICTS**

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

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law provides for the inclusion of viable agricultural land within a certified agricultural district prior to the county established review period; now therefore be it

RESOLVED, that the Livingston County Board of Supervisors does hereby determine that the addition of parcels to existing Agricultural Districts is an Unlisted Action pursuant to the State Environmental Quality Review Act; and be it further

RESOLVED, that it is hereby determined that the addition of parcels to existing Agricultural Districts will not have a significant effect on the environment, and that a Draft Environmental Impact Statement will not be prepared.

Dated at Geneseo, New York  
November 18, 2009  
Human Services Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**RESOLUTION NO. 2009-408 APPROVING ADDITIONS TO EXISTING AGRICULTURAL DISTRICTS**

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

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law provides for the inclusion of viable agricultural land within a certified agricultural district prior to the county established review period; and

WHEREAS, upon recommendation of the Agricultural & Farmland Protection Board, the Livingston County Board of Supervisors established the month of September as the 30-day period in which landowners may petition Livingston County for the inclusion of parcels within existing agricultural districts; and

WHEREAS, Livingston County received 17 petitions for inclusion of 17 parcels within an existing agricultural district; and

WHEREAS, the Livingston County Agricultural & Farmland Protection Board determined that 15 petitions for inclusion of 15 parcels proposed for inclusion in the agricultural districts consist predominantly of viable agricultural land, and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the agricultural districts; and

WHEREAS, the Agricultural & Farmland Protection Board recommended inclusion of 15 parcels in Agricultural Districts #2, #3, and #4 as viable agricultural land, including parcel #110.-1-30.11 in the Town of Conesus; parcel #73.-1-47.512 in the Town of Geneseo; parcels #27.-2-46.5 and #56.-1-6.1 in the Town of Lima; parcel #98.-1-5.1 in the Town of Groveland; parcels #162.-1-49.12, #161.-1-7, and #149.-1-5.116 in the Town of Sparta; parcels #144.-1-22.2, #144.-1-22.1, #144.-1-21.1, #143.-1-19.1, #156.-1-1, and #157.-1-8.11 in the Town of Mount Morris; and parcel #199.-1-11.2 in the Town of Nunda; and

WHEREAS, the Livingston County Board of Supervisors held a public hearing on November 18, 2009; and

WHEREAS, the Livingston County Board of Supervisors has determined pursuant to the State Environmental Quality Review Act, that the proposed action will not have a significant impact on the environment; now therefore be it

RESOLVED, that the Board of Supervisors does hereby approve the inclusion of 15 parcels in Agricultural Districts #2, #3, and #4 as viable agricultural land, including parcel #110.-1-30.11 in the Town of Conesus; parcel #73.-1-47.512 in the Town of Geneseo; parcels #27.-2-46.5 and #56.-1-6.1 in the Town of Lima; parcel #98.-1-5.1 in the Town of Groveland; parcels #162.-1-49.12, #161.-1-7, and #149.-1-5.116 in the Town of Sparta; parcels #144.-1-22.2, #144.-1-22.1, #144.-1-21.1, #143.-1-19.1, #156.-1-1, and #157.-1-8.11 in the Town of Mount Morris; and parcel #199.-1-11.2 in the Town of Nunda.

Dated at Geneseo, New York  
November 18, 2009  
Human Services Committee

The roll was called as follows: Ayes - 1,662; Noes - 0; Absent – Deming, 90; Adopted.

**OTHER BUSINESS**

There was no other business to come before the Board.

**ADJOURNMENT UNTIL 7:00 P.M.**

Motion made by Mr. Yendell and seconded by Mr. Schuster to adjourn until 7:00 p.m. Carried.

The Board adjourned at 2:25 p.m.

**ROLL CALL**

The roll was called showing all members present except Mr. Davis (Portage), Mr. Buckley (Springwater) and Mr. Deming (York).

**PUBLIC HEARING – 7:00 P.M.**

1. **PROPOSED LIVINGSTON COUNTY BUDGET FOR 2010 PURSUANT TO SECTION 359 OF COUNTY LAW – PRESENTATION BY COUNTY ADMINISTRATOR IAN M. COYLE**

Chairman Merrick declared the Public Hearing open and asked County Administrator Ian M. Coyle to present the 2010 Proposed Livingston County Budget.

The County Administrator provided an abridged version of his afternoon presentation (on file). The presentation included review of State Mandates, Appropriations by Service Area, Mandated programs, 2010 Collected Real Property Taxes, Surplus Estimates, 2010 Capital Budget Plan, and Important Questions. In closing, he reported that the County is in good financial position and explained that the budget is a plan, and he encouraged us to keep within the plan. The County Administrator publicly thanked the Department Heads for their ongoing support of maintaining their budgets.

Mr. Davis entered.

Chairman Merrick asked anyone interested in speaking to come forward and sign in at the podium. No one wished to speak. The Chairman asked if any Supervisor wished to comment.

Chairman of Ways and Means Committee and Caledonia Supervisor Pangrazio thanked the County Administrator for his work on the budget and commended the Department Heads for a job well done and commented that the Board appreciates their hard work.

Chairman of Human Services Committee and Ossian Supervisor Martello restated his opposition to the department head salary increases; however, he would vote in favor of the budget because he believes the budget is fiscally prudent. He also thanked the County Administrator and Department Heads for doing an excellent job on this product.

In addition, Chairman Merrick commended the County Administrator on his first County Budget presentation and congratulated the Department Heads for submitting reductions for this budget.

**CLOSE PUBLIC HEARING**

Chairman Merrick asked if anyone wished to comment regarding the public hearing. No one wished to speak.. The Chairman declared the public hearing closed.

**RESOLUTION NO. 2009-409      ADOPTING BUDGET FOR FISCAL YEAR 2010**

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

RESOLVED, that the Proposed Budget for the County of Livingston for the year 2010 is hereby approved and adopted as the final budget for the County of Livingston for the year 2010.

Dated at Geneseo, New York

November 18, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent – Buckley, 65; Deming, 90 Total 155; Adopted.

**RESOLUTION NO. 2009-410      AUTHORIZING APPROPRIATION OF 2010 ADOPTED BUDGET**

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

RESOLVED, that the adopted Livingston County Budget for the year 2010, be appropriated by the County Treasurer and shall be classified by funds and administrative units as set forth in said budget.

Dated at Geneseo, New York

November 18, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,597; Noes - 0; Absent – Buckley, 65; Deming, 90 Total 155; Adopted.

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Schuster to adjourn until Wednesday, December 9, 2009 at 1:30 p.m. Carried.

The Board adjourned at 7:15 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, DECEMBER 9, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mr. Gott (Livonia) and Mr. Davis (Portage).

**PLEDGE OF ALLEGIANCE**

Ossian Supervisor Domenick J. Martello led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

1. Minutes of 11/18/09 Regular Meeting were approved as presented.

Mr. Davis entered.

**PUBLIC HEARING – 1:35 P.M.**

**LOCAL LAW NO. B – 2009 COUNTY OF LIVINGSTON PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2010**

Chairman Merrick declared the Public Hearing open.

Chairman Merrick stated anyone interested in speaking to please come forward and sign in at the podium.

1. Catherine Evershed of Geneseo spoke against the proposed local law.
2. Sharyn Duffy of Geneseo also spoke against the proposed local law. She asked what permissive referendum means and questioned whether there is some type of time limit. The County Attorney stated there is a time limit and he departed to review this information with Sharyn Duffy.

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

**COMMUNICATIONS**

1. Notification from the Town of Naples, County of Ontario, that a public hearing will be held on December 14, 2009 at 7:00 p.m. regarding the proposed Local Law for adoption of a Highway Entrance Construction.
2. Notification from the Villages of Avon, Caledonia, Dansville, Geneseo, Leicester, Lima, Livonia, Mt. Morris and Nunda authorizing the County Treasurer to collect delinquent Village taxes.
3. Livingston County Chamber of Commerce invites you to attend the Holiday Chamber After Hours hosted by the Valley Oak Event Center and the Quality Inn Geneseo on Wednesday, December 9, 2009, 4:00 p.m. – 6:00 p.m.
4. The Livingston County Chamber of Commerce also invites you to attend the 15<sup>th</sup> Annual Community Update Luncheon and Annual Membership Meeting on Friday, December 11, 2009, noon to 1:45 p.m. at the Valley Oak Event Center, Geneseo, NY honoring Linda Weaver as the Third Annual George Traber Community Service Award Recipient.
5. Please be sure to inform the Clerk whether your Town and Village bodies have separate franchise agreements with Time Warner Cable.

**ABSTRACT OF CLAIMS #11B**

**RESOLUTION NO. 2009-411      APPROVING ABSTRACT OF CLAIMS #11B – NOVEMBER 25, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #11B dated November 25, 2009 in the total amount of \$2,383,719.26.

Dated at Geneseo, New York

December 9, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**ABSTRACT OF CLAIMS #12A**

**RESOLUTION NO. 2009-412      APPROVING ABSTRACT OF CLAIMS #12A – DECEMBER 9, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #12A dated December 9, 2009 in the total amount of \$2,571,243.76.

Dated at Geneseo, New York

December 9, 2009

Ways and Means Committee

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

Mr. Yendell moved and Mr. Mahus seconded to move the Committee of the Whole resolution. Carried.

### **RESOLUTION NO. 2009-413 RECOGNIZING LIVINGSTON COUNTY TOWN HISTORIANS PAST AND PRESENT FOR THEIR DEDICATION TO THE PRESERVATION AND DISSEMINATION OF LOCAL HISTORY**

WHEREAS, the Town Historians have worked diligently to preserve and interpret local history in order to make the past more meaningful to those who live, work, or visit Livingston County; and

WHEREAS, the Town Historians individually and as a group, continue to promote the establishment and improvement of programs for the management and preservation of local government records with enduring value for historical or other research; and

WHEREAS, the Livingston County Board of Supervisors is proud to have this committed and dedicated group serving the citizens of the County of Livingston; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors congratulates the Town Historians and their predecessors for their dedicated service that adds to the knowledge, understanding and appreciation of the community's history for the citizens of the County of Livingston.

Dated at Geneseo, New York

December 9, 2009

Committee of the Whole

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

### **PRIVILEGE OF THE FLOOR**

#### 1. County Historian Amie Alden – Recognition of Town Historians

County Historian Amie Alden presented the following remarks:

*Thank you for allowing me time today to introduce a group of dedicated people whose work is visible in nearly every corner of our county: from historic markers, to numerous publications, dedications, programs and events. This group today has served a combined total of 160 years and 6 months!*

*To give a little background: In 1919, New York became the first state (and as far as I know the only state); to have a network of officially appointed local historians.*

*The State Historian, Dr. James Sullivan, understood that a network of local contacts could be very useful in the development of history programs across New York.*

*Sullivan also understood that grass roots preservation, historical research, and commemorative celebrations could be well handled by the local historian.*

*The position was also created to help document the service of WW I soldiers returning home.*

*Since that time town historians have documented not just returning veterans but a wide array of significant aspects of our local history.*

*As a whole, they seldom receive recognition for the vital role they play in preserving and interpreting our cultural heritage.*

*So I am pleased today to bring this group of public servants together in this chamber to acknowledge their contribution to the quality of life we enjoy here in Livingston County.*

County Historian Amie Alden introduced the following persons and indicated nearly all towns are represented today:

*Maureen Kingston, Town of Avon, appointed 1980, established office space at Town Hall, maintains regular office hours, developed annual publication in conjunction with Avon Preservation and Historical Society. Goal: moving to newly renovated office at the Opera Block on Friday 12/11/09.*

*Eileen LaFave, unable to attend, Town of Caledonia, appointed 2001, worked with veterans, active in Big Springs Historical Society and with local school groups.*

*Melissa Maxwell, Town of Conesus, appointed 6 months ago Summer 2009, getting her feet wet. Goals: outreach, becoming visible, organization of records and events and network with Historians.*

*David W. Parish, Town of Geneseo, appointed 1988, author of several publications, chaired 1989 Big Tree Commemoration and 175<sup>th</sup> Geneseo Village Celebration, has done several presentations. Goals: complete book on Horatio Jones, revitalize Geneseo's Town/Village Historian's advisory committee, get more records computerized.*

*Larry Turner, Town of Groveland, appointed 1996, worked diligently to get the Ambuscade Park listed on the State and National registers, very active in the Sullivan Campaign Book and County Historians. Goal: to get the fence around the historic Williamsburg cemetery restored.*

*Tom Roffe, Town of Leicester, appointed 2001, responsible for four listing on the National register, established Boyd-Parker Memorial Park as an identified site on the NYS Revolutionary War Heritage Trail. Goal: document decades of missing information on Leicester history.*

*Joyce Rapp, unable to attend, former Historian, Town of Lima, served 1997-2009. created and developed local history section at Lima Library, published two books on Lima history and contributed to the NYS Encyclopedia and the county millennium book, chaired Vets committee for the WWII monument, worked with kids. Goal: writing a new book on Livingston County trivia.*

*Doug Morgan, Town of Lima, appointed January 2009, digitally scanned hundreds of files and distributed around the Lima area and Livingston County Historical Office, videotaped several Lima events, posted photos on the web.*

*Dorothy Wilkins, unable to attend, Town of Livonia, appointed 1977, contributed to the Livingston County Celebrating Our Past book, maintains a presence at the Livonia museum, knows Conesus Lake like the back of her hand. Goal: maintain good records and do research on Livonia people.*

*Nick LoVerde, Town of Mt. Morris, appointed 1997, placed historic markers for Mary Seymour Howell and JW Powell, and dedication to the doctors and staff of TB Hospital, working on getting the grand stand at Bellamy Park on the National register and dedication to Ross Barnes, major league baseball player.*

*Quentin Masolotte, Town of N. Dansville, appointed 1986, assisted with Celebrating Our Past and Around Dansville books. Goals: getting photos organized and on computer.*

*Valerie Griffing, Town of Nunda, appointed 1998, helped to organize year-long Bicentennial celebration commemorative of wars and veterans. Goals: "Dig Deep Into Dalton" and history of Nunda Government Center.*

*Rhea Walker, Town of Ossian, appointed 2002, display of historic photos and maps at Town Hall, involved in Bicentennial celebration, compiling first history of Ossian. Goal: to continue to fill in the gaps.*

*Mary Ransom, unable to attend, former Historian for Town of Portage, served 1993-2008, collaborative effort to publish photography of Jason Hewitt.*

*Lorraine Rocker, unable to attend, Town of Portage, appointed 2008, upkeep at the Memorial Hall, sorting and organizing items for display, Town Historians going to Portage Summer 2010.*

*Mary Jo Marks, Town of Sparta, appointed 1998, busy creating files and scrapbooks with photos and letters, given many presentations to the community and schools, contributed to the book Celebrating Our Past and NYS Encyclopedia. Goal: history of Scottsburg, Civil War.*

*Havilah Toland, Town of Springwater, appointed 2000 and Deputy Historian Judy Trip-Neu, compiling historical data for individuals and organizations, very involved in Springwater Gala. Goal: process of updating the town history with an annotated review aimed particularly toward young people.*

*David Palmer, Town of West Sparta, appointed 1977, longest serving Historian, 32 years, encourage and promote new West Sparta Historical Society and in his words, "has put West Sparta on the map,"; wrote and published a new history of West Sparta in 2008. Goal: continue to promote local history in the schools, historical societies, and presenting Civil War talks.*

*Steve Gates, Town of York, appointed 2005, cemetery tour of seven cemeteries, slide show presentation of early pictures of town and people. Goal: inform people of seven hamlets*

County Historian Amie Alden thanked the Board for the privilege to speak and for giving her the opportunity to recognize those persons whom she respects and who help her do her job.

Chairman Merrick thanked the Town Historians for their service and Amie Alden for her presentation.

Bernie Thoma stated he appreciates the opportunity to present his 2009 Annual Report to the Board of Supervisors and indicated he provided a written report on their desks (on file). He indicated the report is actually a 15-month report because he was hired in September 2008. Initially, his firm's goal was to educate themselves about the County and to also educate the Department Heads and municipalities within the County of the grants that might be available. He indicated he believes they have reached this goal and feel very comfortable with the working relationships that have been established. Bernie Thoma reported since September 2008, the firm has worked on 28 grant applications and eight (8) applications have been funded for a total amount of \$1.5 million. Eight (8) applications were not funded and twelve (12) are still pending for a total amount worth nearly \$5.4 million. He added the firm is working on six to eight projects that have not yet been submitted. He stated he is happy the way things are going and he is hopeful that more grants will be awarded in 2010. He encouraged the Supervisors to contact him if they have any questions or concerns.

**PREFERRED AGENDA**

**RESOLUTION NO. 2009-414 PROCLAIMING MAY 1st AS "SILVER STAR BANNER DAY"**

WHEREAS, the County of Livingston has always honored the sacrifice of the men and women in the Armed Forces, and

WHEREAS, The Silver Star Families of America was formed to make sure we remember the blood sacrifice of our wounded and ill by designing and manufacturing a Silver Star Banner and Flag, and

WHEREAS, to date The Silver Star Families of America has freely given thousands of Silver Star Banners to the wounded and their families, and

WHEREAS, the members of The Silver Star Families of America have worked tirelessly to provide the wounded of this Country with Silver Star Banners, Flags and care packages, and

WHEREAS, The Silver Star Families of America's sole mission is that every time someone sees a Silver Star Banner in a window or a Silver Star Flag flying, that people remember the sacrifices made by the men and women in the Armed Forces for this County, State and Nation and

WHEREAS, the people of the County of Livingston desire that the sacrifice of so many in our Armed Forces never be forgotten, now therefore be it

RESOLVED, that the Livingston County Board of Supervisors does hereby proclaim our appreciation of The Silver Star Families of America and honor their commitment to our wounded Armed Forces members, and be it further

RESOLVED, that the Livingston County Board of Supervisors hereby declares every May 1st "SILVER STAR BANNER DAY" to honor the wounded and ill soldiers of Livingston County.

Dated at Geneseo, New York

December 9, 2009

Human Services Committee

**RESOLUTION NO. 2009-415 SUPPORTING THE CONTINUATION OF LIVINGSTON COUNTY'S OWNERSHIP INTERESTS IN THE WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

WHEREAS, it is widely acknowledged that New York State and its municipalities, including the County of Livingston, are facing substantial financial and budgetary challenges brought on by the current recession; and

WHEREAS, for over 30 years, 43 participating counties and municipalities have received more than \$3 billion in revenues as their return on their collective investments as the "stockholders" in respective New York off-track betting corporations; and

WHEREAS, the Western Regional Off-Track Betting Corporation ("Western") has in its 34 years of existence distributed the following amounts to its statutory beneficiaries in pursuit of its charge by the state legislature to support New York racing and provide reasonable revenues for state and local government;

• \$321 million in commissions to race tracks in New York; and

• \$203 million to its participating municipalities; and

• \$93 million to the Breeder's Fund; and

• \$57 million to the New York State Lottery since May, 2005; and

WHEREAS, Western provides over 600 full and part-time jobs for the community and its branches and the Batavia Downs complex while pumping additional millions in indirect revenue to agribusinesses in western New York; and

WHEREAS, Livingston County is a participating owner of Western, having invested \$12,690 in 1974 and, has seen that original amount returned, with interest of \$1,265, on May 30,1975, and also realized shareholder dividends since investing in Western of \$2,655,800 in the form of operating and surcharge profits through 2008; and

WHEREAS, Livingston County uses its profits from Western to help offset the rising rate of property taxes; for special education; to address the rising costs of Medicaid, retirement and health insurance; and to assist other important County-funded programs; and

WHEREAS, Western is a public benefit corporation created by statute in 1974 that is unique in off-track betting corporations in that it not only operates a retail branch business with over 30 branch facilities spread over its 15 county area, but also owns and operates Batavia Downs racetrack with live racing, inter-track wagering, and since 2005, video lottery gaming; and

WHEREAS, the governor has appointed a commission, "The Task Force on the Future of Off-Track Betting in New York State", to investigate and make recommendations as to the efficiency of these regional corporations and consider their consolidation under one authority; and

WHEREAS, the state law that created this Task Force obligates it to consult with, among others, local governments regarding this matter and indeed the Task Force in communications with Livingston County officials has stated that:

"The emphasis of the Task Force is focused on the off-track betting system's ability to raise revenues for state and local governments as well as strengthen the racing and breeding industries in New York. Your input in this matter is there for requested"; and

WHEREAS, it has been rumored that the Task Force's recommendations are pre-ordained and, if adopted, will ultimately result in regional corporations, like Western, being effectively dissolved and their franchise, and most importantly their revenue-generating assets, given to the New York Racing Association or taken by the State itself; and

WHEREAS, if true, Livingston County would lose not only the annual revenues generated by Western but also its ownership interest in Western's real property; and

WHEREAS, because of this ownership interest, counties and municipalities who are participating members in Western are more than disinterested observers of any recommendation by the Task Force which affects the structure of Off-track Betting and horse racing in New York State; now, therefore, be it

RESOLVED, that Livingston County supports Western Regional Off-Track Betting Corporation and its continued efforts to increase revenue for its participating member; be it further

RESOLVED, that Livingston County, a member of Western Regional Off-Track Betting Corporation, will not support any recommendation by the Task Force on the Future of Off-Track Betting or the State of New York that would change the current structure of Off-Track Betting in New York State and put in jeopardy the financial and operational relationship between Livingston County and Western Regional Off-Track Betting Corporation; be it further

RESOLVED, that Livingston County's stake in the future of horseracing and Off-Track Betting Corporations in New York State be protected, be it further

RESOLVED, that certified copies of this resolution be forwarded to Senators Dale M. Volker and Catharine M. Young and Assemblymen Daniel J. Burling and Joseph A. Errigo.

Dated at Geneseo, New York

December 9, 2009

Public Services Committee

**RESOLUTION NO. 2009-416 APPOINTING MEMBER TO THE LIVINGSTON COUNTY TRAFFIC SAFETY BOARD – DORIS MARSH**

RESOLVED, that the following member is hereby appointed to the Livingston County Traffic Safety Board for 1 term designated:

Name	Address	Rep./Title	Term
<b>Livingston County Traffic Safety Board</b>			
Doris Marsh	3363 Gilbert RD, Nunda, NY 14836	Nunda/ Alternate	12/1/09-12/31/10

Dated at Geneseo, New York

December 9, 2009

Public Services 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. Schuster to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTIONS****RESOLUTION NO. 2009-417 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: NEW YORK STATE DEPARTMENT OF HEALTH**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>New York State Department of Health</b>	10/1/09-9/30/10	\$40,223.00

Div. Family Health, Fiscal Unit

ESP Corning Tower, Room 878

Albany, NY 12237-0657

For: Early Intervention Administration

Dated at Geneseo, New York

December 9, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-418 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF SOCIAL SERVICES: CHANCES & CHANGES, KEUKA COLLEGE & GENESEE COMMUNITY COLLEGE**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Chances &amp; Changes</b>	10/1/09-9/30/10	\$11,178.00

PO Box 326

Geneseo NY 14454

For: Family Safety Advocate

**Keuka College**

12/15/09-11/30/11

Keuka Park, NY 14478

For: Student Interns

**Genesee Community College**

1/1/09-12/31/12

1 College Road

Batavia, NY 14020

For: Student Interns

Dated at Geneseo, New York

December 9, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-419 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON**

**COUNTY CENTER FOR NURSING AND REHABILITATION: THE GENESEE-LIVINGSTON-STEUBEN-WYOMING BOCES CHARLES G. MAY CAREER & TECHNICAL EDUCATION CENTER**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Charles G. May Career &amp; Tech. Ed. Center</b>	September 8, 2009 – June 30, 2012	N/A

80 Munson Street

Leroy, New York 14482

For: Clinical Site Agreement – CNA.

Dated at Geneseo, New York

December 9, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-420 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY PLANNING DEPARTMENT: THE RESEARCH FOUNDATION OF STATE UNIVERSITY OF NEW YORK (SUNY RESEARCH FOUNDATION)**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>SUNY Research Foundation</b>	6/10/09-3/31/10	

P.O. Box 9

Albany, New York 12201-0009

For: No cost contract extension for the Consumer Outflow Study project. This is a market research project in support of promoting future economic development in Livingston County.

Dated at Geneseo, New York

December 9, 2009

Human Services Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-421 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY SHERIFF'S DEPARTMENT: NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>NYS Governor's Traffic Safety Committee</b>	10/1/09-9/30/10	\$8,500.00

NYSDMV

6 Empire Plaza, Room 414

Albany, New York 12228

For: Child Passenger Safety Seat Program (has been awarded)

Dated at Geneseo, New York

December 9, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-422      AUTHORIZING TRANSFER OF FUNDS – HIGHWAY, OFFICE FOR THE AGING**

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

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

Dated at Geneseo, New York

December 9, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-423      AUTHORIZING TRANSFER OF FUNDS – COUNTY TREASURER, DEPARTMENT OF HEALTH, HIGHWAY, SHERIFF’S DEPARTMENT**

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

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

Dated at Geneseo, New York

December 9, 2009

Ways and Means Committee

Mr. Pangrazio announced that this resolution was not presented at a Ways and Means Committee meeting; however, the Committee has signed the resolution.

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-424      PROVIDING FOR LEVY OF ERRONEOUS TAXES TO BE CHARGED TO TOWNS**

Mr. Pangrazio 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 to the following Towns due to erroneous assessments, errors in the levy of the budget or similar items:

AVON	\$1,440.06
CALEDONIA	\$1,088.74
CONESUS	\$1,690.16
GENESEO	\$2,207.65
GROVELAND	\$1,304.47
LEICESTER	\$709.78
LIMA	\$1,838.16
LIVONIA	\$2,799.52
MT. MORRIS	\$963.26
NORTH DANSVILLE	\$-75.18
NUNDA	\$691.67
OSSIAN	\$448.56
PORTAGE	\$993.12
SPARTA	\$0.18
SPRINGWATER	\$0.18
WEST SPARTA	\$3,834.09
YORK	\$1,030.14
	\$20,964.56

Dated at Geneseo, New York

December 9, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-425      APPROVING ESTIMATED 2009 SALES TAX DISTRIBUTION**

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

RESOLVED, that the list below of 2009 Sales Tax Distribution be, and the same hereby is, approved:

TOWN	SALES TAX CREDIT
AVON	\$70,000.00
CALEDONIA	\$42,000.00
CONESUS	\$50,000.00
GENESEO	\$90,000.00
GROVELAND	\$55,000.00
LEICESTER	\$30,000.00
LIVONIA	\$140,000.00
NORTH DANSVILLE	\$16,000.00
OSSIAN	\$12,000.00
PORTAGE	\$11,000.00
SPRINGWATER	\$38,000.00
WEST SPARTA	\$18,000.00
YORK	\$60,000.00
<b>TOTAL</b>	<b>\$632,000.00</b>

Dated at Geneseo, New York

December 9, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-426      APPROVING APPORTIONMENT OF MORTGAGE TAX RECEIPTS FOR PERIOD OF 4/1/09-9/30/09**

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

WHEREAS, the Ways and Means Committee submits the following report on Apportionment of the Mortgage Tax receipts for the period April 1, 2009 through September 30, 2009, 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	\$45,735.28	\$35,975.45	\$9,759.83
CALEDONIA	\$37,084.28	\$29,290.47	\$7,793.81
CONESUS	\$27,174.85	\$27,174.85	
GENESEO	\$62,203.69	\$47,942.09	\$14,261.60
GROVELAND	\$13,471.21	\$13,471.21	
LEICESTER	\$11,348.64	\$10,425.69	\$922.95
LIMA	\$40,865.62	\$33,646.02	\$7,219.60

LIVONIA	\$91,367.51	\$85,413.56	\$5,953.95
MT. MORRIS	\$16,828.02	\$12,032.93	\$4,795.09
N. DANSVILLE	\$28,452.25	\$17,461.06	\$10,991.19
NUNDA	\$13,688.47	\$11,448.78	\$2,239.69
OSSIAN	\$5,771.66	\$5,771.66	
PORTAGE	\$2,272.23	\$2,272.23	
SPARTA	\$11,435.44	\$11,435.44	
SPRINGWATER	\$11,961.24	\$11,961.24	
WEST SPARTA	\$4,371.70	\$4,371.70	
YORK	\$25,211.32	\$25,211.32	
<b>TOTAL</b>	<b>\$449,243.41</b>	<b>\$385,305.70</b>	<b>\$63,937.71</b>

Dated at Geneseo, New York  
 December 9, 2009  
 Ways and Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-427 AUTHORIZING RELEVY OF RETURNED SCHOOL TAXES**

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

WHEREAS, 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 15<sup>th</sup> of each year in accordance with the Education Law, reports that the total of such returns as adjusted made to her covering unpaid 2009-2010 school taxes amount to \$4,148,855.92. Since the receipt of such returns, the County Treasurer has collected the sum of \$1,006,788.01, leaving the balance of \$3,142,077.91 as of November 30, 2009, which is the last day of school tax collection by the County, a relevy figure including the seven per centum required to be added of \$3,362,023.44 will be added to the 2010 Town and County tax rolls.

TOWN	DISTRICT	AMOUNT	TOTAL
AVON	AVON CENTRAL	\$380,628.46	
	LIVONIA CENTRAL	\$5,702.77	
	HONEOYE FALLS/LIMA CTRL	\$1,839.49	
	TOWN TOTAL		\$388,170.72
CALEDONIA	LEROY CENTRAL	\$2,828.79	
	AVON CENTRAL	\$19,986.28	
	CALEDONIA CENTRAL	\$135,042.99	
	TOWN TOTAL		\$157,858.06
CONESUS	LIVONIA CENTRAL	\$229,971.06	
	DANSVILLE CENTRAL	\$6,330.97	
	WAYLAND CENTRAL	\$2,128.30	
	TOWN TOTAL		\$238,430.33
GENESEO	GENESEO CENTRAL	\$258,041.20	
	LIVONIA CENTRAL	\$15,793.83	
	TOWN TOTAL		\$273,835.03
GROVELAND	GENESEO CENTRAL	\$82,966.73	
	LIVONIA CENTRAL	\$2,101.96	
	MT. MORRIS CENTRAL	\$10,197.51	
	DANSVILLE CENTRAL	\$2,400.24	
	TOWN TOTAL		\$97,666.44

LEICESTER	MT. MORRIS CENTRAL	\$2,487.01	
	YORK CENTRAL	\$66,297.84	
	PERRY CENTRAL	\$6,981.20	
		TOWN TOTAL	\$75,766.05
LIMA	AVON CENTRAL		
	LIVONIA CENTRAL	\$27,369.85	
	HONEOYE FALLS/LIMA CTRL	\$237,500.87	
		TOWN TOTAL	\$264,870.72
LIVONIA	LIVONIA CENTRAL	\$533,011.76	
	HONEOYE FALLS/LIMA CTRL	\$9,471.09	
	HONEOYE CENTRAL	\$1,996.15	
		TOWN TOTAL	\$544,479.00
MT. MORRIS	MT. MORRIS CENTRAL	\$278,716.47	
	KESHEQUA CENTRAL	\$39,058.78	
		TOWN TOTAL	\$317,775.25
NORTH DANSVILLE	DANSVILLE CENTRAL	\$226,569.49	
		TOWN TOTAL	\$226,569.49
NUNDA	KESHEQUA CENTRAL	\$155,909.73	
		TOWN TOTAL	\$155,909.73
OSSIAN	CANASERAGA CENTRAL	\$13,954.65	
	DANSVILLE CENTRAL	\$42,460.86	
		TOWN TOTAL	\$56,415.51
PORTAGE	KESHEQUA CENTRAL	\$93,231.60	
		TOWN TOTAL	\$93,231.60
SPARTA	GENESEO CENTRAL	\$746.58	
	DANSVILLE CENTRAL	\$74,971.88	
		TOWN TOTAL	\$75,718.46
SPRINGWATER	LIVONIA CENTRAL	\$4,606.32	
	DANSVILLE CENTRAL	\$1,312.96	
	NAPLES CENTRAL	\$2,792.80	
	WAYLAND CENTRAL	\$150,973.86	
		TOWN TOTAL	\$159,685.94
WEST SPARTA	DANSVILLE CENTRAL	\$16,640.18	
	MT. MORRIS CENTRAL	\$75,948.05	
	KESHEQUA CENTRAL	\$3,331.24	
		TOWN TOTAL	\$95,919.47
YORK	PAVILLION CENTRAL	\$4,907.17	
	YORK CENTRAL	\$134,814.47	
		TOWN TOTAL	\$139,721.64

TOTAL \$3,362,023.44

Dated at Geneseo, New York  
 December 9, 2009  
 Ways and Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-428 AUTHORIZING RELEVY OF UNPAID VILLAGE TAXES**

Mr. Pangrazio 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 relevied against the properties which such taxes were originally levied upon and include the proper total in the 2010 warrants for the respective towns:

<u>TOWNS</u>	<u>VILLAGES</u>	<u>AMOUNT</u>
AVON	AVON	\$34,137.24
CALEDONIA	CALEDONIA	\$31,603.86
GENESEO	GENESEO	\$21,773.00
LEICESTER	LEICESTER	\$3,161.73
LIMA	LIMA	\$25,464.70
LIVONIA	LIVONIA	\$35,038.08
MT. MORRIS	MT. MORRIS	\$90,619.67
NORTH DANSVILLE	NORTH DANSVILLE	\$162,235.98
NUNDA	NUNDA	\$18,381.92
<b>TOTAL</b>		<b>\$422,416.18</b>

Dated at Geneseo, New York  
 December 9, 2009  
 Ways and Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-429 MODIFYING THE COUNTY’S WORKPLACE VIOLENCE PREVENTION PLAN**

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

RESOLVED, that the Livingston County Workplace Violence Prevention Plan is hereby modified effective January 1, 2010, consistent with the copy which is attached hereto and incorporated herein by reference.

(Copy of policy on file)

Dated at Geneseo, New York  
 December 9, 2009  
 Ways & Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-430 INCREASING THE FEES FOR LIVINGSTON COUNTY CIVIL SERVICE EXAMINATIONS**

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

RESOLVED, that the fees for Civil Service examinations administered by the Livingston County Personnel Office shall be increased by \$7.50 for all uniformed services examinations (a total fee of \$20.00 per exam) and by \$2.50 for all other examinations (a total fee of \$10.00 per exam) effective January 1, 2010, for all examinations not posted prior to the date of this resolution.

Dated at Geneseo, New York  
 December 9, 2009  
 Ways & Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-431 DIRECTING THE REAL PROPERTY TAX DIRECTOR TO SPREAD UNPAID WATER CHARGES ON 2010 TOWNS OF AVON, CALEDONIA, GROVELAND, LEICESTER, LIMA, AND MT. MORRIS TAX ROLLS**

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

WHEREAS, the Town Supervisors of the Towns Of Avon, Caledonia, Groveland, Leicester, Lima, and Mt. Morris, 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, and Mt. Morris Water Districts, and

WHEREAS, such statements of unpaid charges are on file with the Clerk of the 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 2010 Towns of Towns Of Avon, Caledonia, Groveland, Leicester, Lima, and Mt. Morris tax roll under the name of "Water Rents".

Dated at Geneseo, New York

December 9, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-432 DIRECTING THE REAL PROPERTY TAX DIRECTOR TO SPREAD UNPAID WATER CHARGES AND UNPAID SEWER CHARGES ON 2010 TOWNS OF GENESEO, SPRINGWATER AND YORK TAX ROLLS**

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

WHEREAS, the Town Supervisors of Geneseo, Springwater and York, pursuant to Section 198 of the Town Law, reported to this Board a statement of unpaid water and sewer charges in Geneseo Water and Sewer Districts, Springwater Water and Sewer Districts and York Consolidated Water District, Retsof Sewer District and York Sewer Districts #1 & #2, and

WHEREAS, such statement of unpaid charges is on file with the Clerk of the 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 2010 Towns of Geneseo, Springwater and York tax roll under the name of "Water Rents" and "Sewer Rents".

Dated at Geneseo, New York

December 9, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-433 PROVIDING LEVY FOR TOWN BUDGETS FOR 2010**

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

WHEREAS, the Ways and Means 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 for the by the Towns of the County:

TOWN LEVY AMOUNTS FOR 2010

	Avon	Caledonia	Conesus	Geneseo	Groveland	Leicester
Town General Fund	\$568,901.00	\$294,655.00	\$279,847.00	\$652,844.00	\$40,939.00	\$253,721.00
General Outside Village	\$46,265.00	\$51,780.00		\$59,294.00		
Highway-Townwide	\$336,812.00		\$717,165.00	\$231,820.00	\$344,092.00	\$184,062.00
Highway-Outside Village	\$234,184.00	\$299,448.00		\$210,983.00		\$151,594.00
Public Library						

Capital Reserve						
<b>SPECIAL DISTRICTS</b>						
Light District	\$12,000.00			\$4,200.00	\$7,500.00	\$5,600.00
Water District				\$249,645.50	\$74,431.00	\$19,000.00
Drainage District	\$2,500.00					
Fire District	\$381,534.00	\$274,667.00	\$119,000.00			
Fire Protection				\$139,000.00	\$88,735.00	\$74,000.00
Total Levy-Town Purposes	\$1,582,196.00	\$920,550.00	\$1,116,012.00	\$1,547,786.50	\$555,697.00	\$687,977.00
Chargebacks/Credits	\$1,440.06	\$1,088.74	\$1,690.16	\$2,207.65	\$1,304.47	\$709.78
Compensation	\$53,288.00	\$32,817.00	\$23,847.00	\$69,327.00	\$17,622.00	\$15,933.00
<b>TOTAL TOWN LEVY - 2010</b>	\$1,636,924.06	\$954,455.74	\$1,141,549.16	\$1,619,321.15	\$574,623.47	\$704,619.78
	<b>Lima</b>	<b>Livonia</b>	<b>Mount Morris</b>	<b>N. Dansville</b>	<b>Nunda</b>	<b>Ossian</b>
Town General Fund	\$267,827.00	\$656,350.00	\$200,000.00	\$377,407.00	\$259,067.00	\$144,869.00
General Outside Village	\$45,396.00	\$140,665.00	\$50,000.00	\$6,000.00	\$50,694.00	
Highway-Townwide	\$196,634.00	\$626,175.00	\$277,000.00	\$117,002.00	\$261,978.00	\$330,740.00
Highway-Outside Village	\$169,834.00	\$497,955.00	\$150,000.00	\$38,322.00	\$179,072.00	
Public Library	\$139,453.00	\$190,720.00				
Capital Reserve						
<b>SPECIAL DISTRICTS</b>						
Light District		\$28,950.00			\$5,000.00	
Water District		\$77,029.00		\$110,000.00		
Sewer District		\$46,299.00				
Fire District		\$619,202.00				
Fire Protection	\$112,235.00		\$72,523.00	\$43,961.00	\$62,828.00	\$31,805.00
Total Levy-Town Purposes	\$931,379.00	\$2,883,345.00	\$749,523.00	\$692,692.00	\$818,639.00	\$507,414.00
Chargebacks/Credits	\$1,838.16	\$2,799.52	\$963.26	\$-75.18	\$691.67	\$448.56
Compensation	\$33,661.00	\$71,648.00	\$23,003.00	\$28,596.00	\$17,200.00	\$6,753.00
<b>TOTAL TOWN LEVY - 2010</b>	\$966,878.16	\$2,957,792.52	\$773,489.26	\$721,212.82	\$836,530.67	\$514,615.56

	<b>Portage</b>	<b>Sparta</b>	<b>Springwater</b>	<b>West Sparta</b>	<b>York</b>	
Town General Fund	\$125,155.00	\$132,665.00	\$229,098.00	\$200,604.00	\$272,980.00	
General Outside Village						
Highway-Townwide	\$270,160.00	\$297,712.00	\$572,828.00	\$293,400.00	\$422,131.00	
Highway-Outside Village						
Public Library						
Capital Reserve						
<b>SPECIAL DISTRICTS</b>						
Light District	\$2,950.00	\$1,300.00			\$18,000.00	
Water District					\$244,309.00	
Sewer District					\$188,080.00	
Fire District						
Fire Protection	\$30,291.00	\$72,355.00	\$127,107.00	\$56,055.00	\$162,000.00	
Total Levy-	\$428,556.00	\$504,032.00	\$929,033.00	\$550,059.00	\$1,307,500.00	

Town Purposes						
Chargebacks/Credits	\$993.12	\$0.18	\$0.18	\$3,834.09	\$1,030.14	
Compensation	\$5,276.00	\$10,552.00	\$14,984.00	\$8,758.00	\$27,435.00	
<b>TOTAL TOWN LEVY - 2010</b>	<b>\$434,825.12</b>	<b>\$514,584.18</b>	<b>\$944,017.18</b>	<b>\$562,651.09</b>	<b>\$1,335,965.14</b>	

it is hereby,

RESOLVED, that the several amounts shown in this report as necessary to be raised by 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 9, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent - Gott, 195; Adopted.

### RESOLUTION NO. 2009-434 PROVIDING FOR 2010 EQUALIZATION AND APPORTIONMENT OF COUNTY TAXES

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

WHEREAS, the Ways and Means Committee submits the following table, based on assessed full valuation for the various towns of the County:

2010 EQUALIZATION AND APPORTIONMENT				
Towns	Total Assessed Valuation (Res.#85-210 & 2003-368)	Ratios	Full Values Real Property Equalized	Taxable Assessed Value Real Property Franchise
Avon	\$387,604,796	95.00	\$408,005,048	\$357,264,499
Caledonia	\$236,745,450	95.00	\$249,205,737	\$212,643,142
Conesus	\$162,279,323	88.00	\$184,408,322	\$155,342,768
Geneseo	\$478,776,503	92.00	\$520,409,242	\$440,728,715
Groveland	\$125,722,998	94.00	\$133,747,870	\$109,291,946
Leicester	\$123,988,277	100.00	\$123,988,277	\$103,761,195
Lima	\$243,572,386	95.00	\$256,391,985	\$222,905,915
Livonia	\$494,155,016	92.00	\$537,125,017	\$470,114,650
Mount Morris	\$163,494,994	94.00	\$173,930,845	\$145,618,424
North Dansville	\$205,577,208	94.00	\$218,699,157	\$194,175,790
Nunda	\$121,808,013	94.00	\$129,582,993	\$111,847,820
Ossian	\$50,163,808	100.00	\$50,163,808	\$43,066,492
Portage	\$37,250,404	94.00	\$39,628,089	\$31,152,970
Sparta	\$75,975,181	94.00	\$80,824,661	\$68,932,227
Springwater	\$107,685,945	94.00	\$114,559,516	\$99,205,016
West Sparta	\$63,044,977	94.00	\$67,069,124	\$53,213,285
York	\$210,186,802	100.00	\$210,186,802	\$172,645,031
<b>TOTALS</b>	<b>\$3,288,032,081</b>		<b>\$3,497,926,493</b>	<b>\$2,991,909,885</b>
Towns	Amount of Levy	Tax Rate Per \$M of Assessed Values		% of County Tax Based on Equalized Values
Avon	\$2,684,803.63	.007514891		11.664197
Caledonia	\$1,639,853.54	.007711763		7.124385
Conesus	\$1,213,465.86	.007811538		5.271933
Geneseo	\$3,424,459.14	.007769993		14.877649
Groveland	\$880,103.77	.008052778		3.823633
Leicester	\$815,882.48	.007863079		3.544622

Lima	\$1,687,141.33	.007568850	7.329828
Livonia	\$3,534,454.36	.007518282	15.355526
Mount Morris	\$1,144,520.70	.007859725	4.972399
North Dansville	\$1,439,110.31	.007411379	6.252251
Nunda	\$852,697.55	.007623730	3.704566
Ossian	\$330,093.84	.007664749	1.434101
Portage	\$260,765.43	.008370484	1.132902
Sparta	\$531,852.14	.007715580	2.310645
Springwater	\$753,838.19	.007598791	3.275069
West Sparta	\$441,336.37	.008293725	1.917397
York	\$1,383,096.36	.008011214	6.008897
TOTALS	\$23,017,475.00		100.000000
COUNTY TAX RATE		.007693238	
AVERAGE RATIO		.939994619	

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 9, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**RESOLUTION NO. 2009-435      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, 2009**

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

RESOLVED, that warrants for the collection of taxes levied on the 2010 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, 2009, 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, 2010.

Dated at Geneseo, New York

December 9, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,557; Noes - 0; Absent – Gott, 195; Adopted.

**CLOSE PUBLIC HEARING**

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

Ossian Supervisor and Chairman of Human Services Committee Domenick J. Martello commented that the seven names on the local law are valued employees; however, he stated he feels strongly that due to the economic downturn, the County should not be providing raises to County employees.

Vice Chairman Gary D. Moore asked the County Attorney to explain the time limits of permissive referendum. The County Attorney stated he did provide the information to Sharyn Duffy, who spoke earlier in the meeting. The County Attorney further explained that under Municipal Home Rule Law, a petition must be filed within 45 days after adoption of the local law. The number of signatures required for the petition equal 10% of the number of votes from the last gubernatorial election. He checked with the Board of Elections and there were 19,904 people that voted in the last election, which requires 1,990 signatures are needed for the petition.

The Chairman declared the public hearing closed.

**MOTION TO MOVE LOCAL LAW NO. B – 2009**

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

### **VOTE ON LOCAL LAW**

#### **LOCAL LAW NO. B – 2009 COUNTY OF LIVINGSTON PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2010**

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 \$1,000.00.

Section 2. Effective as hereinafter provided, the annual salary of the Director of Real Property Tax Services shall be increased by \$1,000.00.

Section 3. Effective as hereinafter provided, the annual salary of the County Highway Superintendent shall be increased by \$1,000.00.

Section 4. Effective as hereinafter provided, the annual salary of the County Treasurer shall be increased by \$1,000.00.

Section 5. Effective as hereinafter provided, the annual salary of the Personnel Officer shall be increased by \$1,000.00.

Section 6. Effective as hereinafter provided, the annual salary of the Commissioner of Social Services shall be increased by \$1,000.00.

Section 7. All salaries set forth herein shall be effective as of January 1, 2010.

Section 8. 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 9. This Local Law is subject to permissive referendum.

Dated at Geneseo, New York

November 18, 2009 (Introduced)

December 9, 2009

The roll was called as follows: Ayes - 1,006; Noes – Moore, 64; Mahus, 157; Baldwin, 84; Martello, 21; Davis, 24; Schuster, 46; Buckley, 65; Deming, 90; Total 551; Absent – Gott, 195; Adopted.

### **OTHER BUSINESS**

1. BUY LOCAL CAMPAIGN - County Administrator Ian M. Coyle reported the County has partnered with an upper-level marketing class of SUNY Geneseo, to encourage consumers to patronize local businesses. The students have been working on this project throughout the semester and will be reporting their findings on Thursday, December 17, 2009 at noon at Welles Hall on the SUNY Geneseo Campus. He asked the Supervisors to let him know if they are interested in attending this presentation.

### **ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Yendell to adjourn until Wednesday, December 23, 2009 at 1:30 p.m. Carried.

The Board adjourned at 2:24 p.m.

**REGULAR BOARD MEETING  
WEDNESDAY, DECEMBER 23, 2009  
1:30 P.M.**

**ROLL CALL**

The roll was called showing all members present except Mrs. Donohue (Conesus) and Mr. Davis (Portage).

**PLEDGE OF ALLEGIANCE**

The County Administrator introduced John "Jack" H. Vandermeid Jr.

*John "Jack" H. Vandermeid Jr. is a native of Livonia. He entered the U.S. Army on November 30, 1943 and was sent to the European Theater of Operations on May 13, 1944 and arriving on May 24, 1944. Jack was involved in the Normandy invasion and was wounded at St. Lo. After recovering from his wounds, he participated in the battles for the North Apennines, Po Valley, Rome and the Arne.*

*For his service to his country, Jack was awarded the Purple Heart, the Combat Infantry Badge, the European African Middle Eastern Service Medal, World War II Victory Medal, the Good Conduct Medal and the Jubilee Liberation Medal, issued by Normandy.*

*After his military obligation, John attended Rochester Business Institute and obtained a certificate in accounting and worked for Walter C. Meyer Chevrolet in Livonia, from 1952 to 1959. In 1959, John started his career as a rural mail carrier until his retirement in 1985.*

*Jack married the former Nancy Price on June 16, 1956, and they have a son and a daughter.*

JOHN "JACK" H. VANDERMEID JR. led the Pledge of Allegiance.

The County Administrator and Chairman Merrick, on behalf of the Livingston County Board of Supervisors, presented a Certificate of Appreciation to John "Jack" H. Vandermeid Jr. Mr. Vandermeid stated that it was a pleasure serving in the U.S. Army and thanked the Board for the certificate. The audience presented a standing ovation.

**APPROVAL OF MINUTES**

1. Minutes of 12/09/09 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. NYSAC Legislative Conference will be held on February 8-10, 2010 At the Desmond Hotel in Albany New York. If you plan on attending this conference, please let the Clerk Of The Board's office know.
2. Acknowledgement from the State Of New York Department Of Taxation and Finance, on receipt of the certified copy of Resolution No. 2009-276 Increasing Taxes On Sales And Uses Of Tangible Personal Property And Of Certain Services, On Occupancy Of Hotel Rooms And On Amusement Charges Pursuant To Article 29 Of The Tax Law Of The State Of New York.

**ABSTRACT OF CLAIMS****RESOLUTION NO. 2009-436      APPROVING ABSTRACT OF CLAIMS #12B – DECEMBER 23, 2009**

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

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #12B dated December 23, 2009 in the total amount of \$3,492,820.55.

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,669; Noes - 0; Absent – Donohue, 66; Davis, 24; Total 90; Adopted.

**PRIVILEGE OF THE FLOOR**

1. SSG Patrick Potwora – Presentation of United States of America Flag

SSG Patrick Potwora stated the following remarks:

*On behalf of the men and women of the North Carolina ARMY National Guard 1-130th AVN Unit and the US ARMY Reserves 401st CA, out of Tonawanda, NY; currently deployed in Tallil, Iraq and my brother, SSG Timothy Potwora, who could not be here today and myself, I would like to present this flag which was flown on a mission in*

*support of Iraqi Freedom to Livingston County and its employees in recognition of the contributions, care packages and support you have shown through the years.*

Chairman Merrick stated that Livingston County will treasure this flag and thanked him and all those deployed for his service.

### **PREFERRED AGENDA**

#### **RESOLUTION NO. 2009-437 SUPPORTING FURTHER MEDICAID RELIEF**

WHEREAS, Medicaid is a federal, state, and County health care program whose costs and administration represents the largest component of the state and County fiscal relationship in New York, currently totaling over \$46 billion annually; and

WHEREAS, since the program's inception, counties across the state have struggled to fund the growth of the Medicaid local share and even with local budget austerity measures, the programs cost has resulted in higher property taxes, higher sales taxes, and a decline in county services; and

WHEREAS, in response to the coordinated efforts of NYSAC and county officials from across the state, the Governor and State Legislature included in the enacted 2005-06 State Budget a local Medicaid "cap" designed to limit annual Medicaid growth to 3.5 percent in 2006, 3.25 percent in 2007, and 3 percent in 2008 and years thereafter; and

WHEREAS, this Medicaid "cap" represents a significant reform in the way New York finances its Medicaid program and provides counties with a new level of stability and predictably that will benefit local taxpayers for years to come; and

WHEREAS, while the Medicaid "cap" will help shield Livingston County taxpayers from the impact of excessive Medicaid growth at the federal and state level, counties remain concerned with the future sustainability of the Medicaid program, the effect on other state and local budget priorities, and the overall outlook for New York's economic competitiveness; and

WHEREAS, as New York's Medicaid program has evolved, it has become overly expensive, inefficient and unable to adapt to today's ever changing health care delivery environment; and

WHEREAS, New York's Medicaid program must be reformed into a modern, patient driven system that ensures public integrity, improves patient outcomes and reduces overall program costs; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors calls for the continued implementation of the Local Medicaid Cap enacted in the 2005-06 state budget to stabilize county budgets and the impact the program has on local real property taxes; and be it further

RESOLVED that the Livingston County Board of Supervisors calls for an extension of the enhanced FMAP currently set in the American Recovery and Reimbursement Act (ARRA) as passed by the United States House of Representatives in H.R. 3962; and be it further

RESOLVED, that the Livingston County Board of Supervisors calls upon the Governor and State Legislature to continue to focus on the Medicaid program and expand statewide reform efforts designed to ensure public integrity, improve patient outcomes, and reduce overall program costs; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the New York State Association of Counties, Governor David Paterson, Senators Dale M. Volker and Catharine M. Young and Assemblymen Daniel J. Burling and Joseph A. Errigo.

Dated at Geneseo, New York

December 23, 2009

Human Services Committee

#### **RESOLUTION NO. 2009-438 DECLARING SURPLUS PROPERTY – DEPARTMENT OF HEALTH**

WHEREAS, the County of Livingston owns surplus personal property that is no longer necessary for public use, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following item(s) as surplus property to be disposed of as determined by the County Administrator:

#### **Department Of Health**

Quantity	Item	Model #	Serial #
1	1999 Plymouth Voyager	VIN #	2P4GP24ROXR349850

Dated at Geneseo, New York  
December 23, 2009  
Ways and Means Committee

**RESOLUTION NO. 2009-439      ADOPTING 2010 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 2010 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 following list which constitutes the 2010 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.

DEPARTMENT	TITLE	FIRST NAME	LAST NAME
BOARD OF ELECTIONS	ELECTION COMMISSIONER	LAURA M.	
BOARD OF ELECTIONS	ELECTION COMMISSIONER	NANCY L.	LEVEN
BOARD OF ELECTIONS	DEPUTY COMMISSIONER	VACANT	
BOARD OF ELECTIONS	DEPUTY COMMISSIONER	MATTHEW	GRIFFO
BOARD OF SUPERVISORS	CLERK OF THE BOARD	VIRGINIA O.	AMICO
BOARD OF SUPERVISORS	SUPERVISOR	THOMAS B.	BALDWIN
BOARD OF SUPERVISORS	SUPERVISOR	NORBERT W.	BUCKLEY
BOARD OF SUPERVISORS	SUPERVISOR	DOMINIC	COSIMANO
BOARD OF SUPERVISORS	SUPERVISOR	IVAN C.	DAVIS
BOARD OF SUPERVISORS	SUPERVISOR	GERALD L.	DEMING
BOARD OF SUPERVISORS	SUPERVISOR	CHARLES J.	DIPASQUALE
BOARD OF SUPERVISORS	SUPERVISOR	BRENDA B.	DONOHUE
BOARD OF SUPERVISORS	SUPERVISOR	ERIC R.	GOTT
BOARD OF SUPERVISORS	SUPERVISOR	DAVID L.	LEFEBER
BOARD OF SUPERVISORS	SUPERVISOR	DENNIS P.	MAHUS
BOARD OF SUPERVISORS	SUPERVISOR	DOMENICK J.	MARTELLO
BOARD OF SUPERVISORS	SUPERVISOR	JAMES C.	MERRICK
BOARD OF SUPERVISORS	SUPERVISOR	GARY D.	MOORE
BOARD OF SUPERVISORS	SUPERVISOR	DANIEL L.	PANGRAZIO
BOARD OF SUPERVISORS	CONFIDENTIAL SEC TO THE CLERK	ASHLEY E.	SCUTT
BOARD OF SUPERVISORS	SUPERVISOR	MARK J.	SCHUSTER
BOARD OF SUPERVISORS	SUPERVISOR	WILLIAM S.	WADSWORTH
BOARD OF SUPERVISORS	SUPERVISOR	J. PETER	YENDELL
CENTER FOR NURSING & REHAB.	DIRECTOR	FRANKLIN	BASSETT
CENTER FOR NURSING & REHAB.	ASSISTANT DIRECTOR OF NURSING	CYNTHIA	BRITTON
CENTER FOR NURSING & REHAB.	BUILDING & GROUNDS WORKING FOREPERSON	TOM	HELLES
CENTER FOR NURSING & REHAB.	DIRECTOR OF REHABILITATIVE SERVICES	ANTHONY	JARZYNA
CENTER FOR NURSING & REHAB.	LEISURE TIME ACTIVITIES DIRECTOR	KIMBERLY	KAVANAGH
CENTER FOR NURSING & REHAB.	DIRECTOR OF FISCAL SERVICES	BARBARA	KEEFE
CENTER FOR NURSING & REHAB.	ADMISSIONS COORDINATOR	CHRIS	MCKINNEY
CENTER FOR NURSING & REHAB.	COORDINATOR ADULT DAY HEALTH CARE	KATHLEEN	MEHLENBACHER
CENTER FOR NURSING & REHAB.	DIRECTOR OF SOCIAL WORK SERVICES	KANDIE	PARKER
CENTER FOR NURSING & REHAB.	DIRECTOR OF NURSING	VACANT	
CENTER FOR NURSING & REHAB.	DEPUTY DIRECTOR OF LONG TERM CARE	MARK	WHEELER
CENTER FOR NURSING & REHAB.	PURCHASING COORDINATOR	LEROY	WOOD
CENTRAL SERVICES	SUPERVISOR, BUILDING AND GROUNDS	DAVID	ALLEN
CENTRAL SERVICES	WORKING FOREMAN	JEFFERY	FRASER
CENTRAL SERVICES	WORKING FOREMAN	LAIRD	SIMONS
COMMUNITY SERVICES	COMMUNITY SERVICES BOARD CHAIRPERSON	BONITA	STUBBLEFIELD
COMMUNITY SERVICES	FINANCIAL MANAGER	BARBARA	GOODNESS
COMMUNITY SERVICES	DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES	GAIL	LONG

COMMUNITY SERVICES	DEPUTY DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES	ANN	MILLER
COUNTY ADMINISTRATION	COUNTY ADMINISTRATOR	IAN M.	COYLE
COUNTY ADMINISTRATION	ADMINISTRATIVE ASSISTANT	LISA M.	GROSSE
COUNTY ADMINISTRATION	CONFIDENTIAL SECRETARY	MICHELE	REES
COUNTY ATTORNEY	COUNTY ATTORNEY	DAVID	MORRIS
COUNTY ATTORNEY	ASSISTANT COUNTY ATTORNEY	WENDY	SISSON
COUNTY ATTORNEY	ASSISTANT COUNTY ATTORNEY	JEFFERY	MALLABER
COUNTY AUDITOR	COUNTY AUDITOR	TERRENCE P.	DONEGAN
COUNTY CLERK	COUNTY CLERK	JAMES	CULBERTSON
COUNTY CLERK	SECOND DEPUTY COUNTY CLERK	KATHLEEN	OLSON
COUNTY CLERK	DEPUTY COUNTY CLERK	MARY	STRICKLAND
COUNTY TREASURER	DEPUTY	AMY	MANN
COUNTY TREASURER	COUNTY TREASURER	CAROLYN	TAYLOR
DEPARTMENT OF HEALTH	DIRECTOR OF PATIENT SERVICES	PRUDENCE	KING
DEPARTMENT OF HEALTH	DOG CONTROL OFFICER	ROXANNE	CLARK
DEPARTMENT OF HEALTH	DIRECTOR OF WEIGHTS & MEASURERS	MICHAEL	CLOONAN
DEPARTMENT OF HEALTH	DIRECTOR	JOAN H.	ELLISON
DEPARTMENT OF HEALTH	FINANCE SUPERVISOR	ERIK	HENDERSON
DEPARTMENT OF HEALTH	MEDICAL CONSULTANT	ARNOLD	MATLIN M.D.
DEPARTMENT OF HEALTH	DIRECTOR OF ENVIRONMENTAL HEALTH	JAMES	MAZUROWSKI
DEPARTMENT OF HEALTH	FISCAL MANAGER	JAMES	PERAINO
DEPARTMENT OF HEALTH	DIRECTOR OF PATIENT SERVICES	CYNTHIA	SHEFLIN
DEPARTMENT OF HEALTH	DIRECTOR OF PATIENT SERVICES	MARY MARGARET	STALLONE
DEPARTMENT OF HEALTH - BOARD OF HEALTH	MEMBER	DAVID	BREEN M.D.
DEPARTMENT OF HEALTH - BOARD OF HEALTH	MEMBER	CAROL	CAREY
DEPARTMENT OF HEALTH - BOARD OF HEALTH	MEMBER	BRUCE	GODSAVE ED. D.
DEPARTMENT OF HEALTH - BOARD OF HEALTH	MEMBER	JEFFERY	HANSON M.D.
DEPARTMENT OF HEALTH - BOARD OF HEALTH	MEMBER	DOMENICK J.	MARTELLO
DEPARTMENT OF HEALTH - BOARD OF HEALTH	MEMBER	NICK	SCHIAVETTI, Ph.D.
DEPARTMENT OF HEALTH - BOARD OF HEALTH	MEMBER	MANISH	SHAH, M. D.
DEPARTMENT OF SOCIAL SERVICES	DIRECTOR OF SERVICES	JAMES	CORNELL
DEPARTMENT OF SOCIAL SERVICES	STAFF DEVELOPMENT COORDINATOR	MICHELE	DAVIDSON
DEPARTMENT OF SOCIAL SERVICES	DIRECTOR OF ADMINISTRATIVE SERVICES	DIANE	DEANE
DEPARTMENT OF SOCIAL SERVICES	SECRETARY TO THE COMMISSIONER	KRISTINE	GULESANO
DEPARTMENT OF SOCIAL SERVICES	HEAD SOCIAL WELFARE EXAMINER	SHARON	KOCH
DEPARTMENT OF SOCIAL SERVICES	EMPLOYMENT COORDINATOR	DAVID	PECK
DEPARTMENT OF SOCIAL SERVICES	CHILD SUPPORT COORDINATOR	GINNY	RAWLEIGH
DEPARTMENT OF SOCIAL SERVICES	HOUSING PROGRAMS COORDINATOR	RUTH	SWIFT
DEPARTMENT OF SOCIAL SERVICES	SOCIAL SERVICES ATTORNEY	JOHN	SYLVESTER
DEPARTMENT OF SOCIAL SERVICES	COMMISSIONER	SANDRA K.	WRIGHT
DISTRICT ATTORNEY	ASSISTANT	RONALD	CICORIA
DISTRICT ATTORNEY	ASSISTANT	KYLE	MACKAY
DISTRICT ATTORNEY	DISTRICT ATTORNEY	THOMAS E.	MORAN
DISTRICT ATTORNEY	ASSISTANT	LINDSAY	QUINTILONE

DISTRICT ATTORNEY	ASSISTANT	VICTOR D.	ROWCLIFFE
DISTRICT ATTORNEY	ASSISTANT	ERIC	SCHIENER
DISTRICT ATTORNEY	ASSISTANT	JOSHUA	TONRA
ECONOMIC DEVELOPMENT	DEPUTY DIRECTOR	JULIE	MARSHALL
ECONOMIC DEVELOPMENT	ADMINISTRATIVE DIRECTOR	PATRICK	ROUNTREE
ECONOMIC DEVELOPMENT - IDA	MEMBER	STEVEN	BOSCOE
ECONOMIC DEVELOPMENT - IDA	MEMBER	PHILIP S.	BROOKS
ECONOMIC DEVELOPMENT - IDA	MEMBER	ERIC	GOTT
ECONOMIC DEVELOPMENT - IDA	MEMBER	WALT	ISAAC
ECONOMIC DEVELOPMENT - IDA	MEMBER	J. PETER	YENDELL
ECONOMIC DEVELOPMENT - IDA	MEMBER	WILLIAM	BACON
ECONOMIC DEVELOPMENT - IDA	MEMBER	SUSAN	DOERFLINGER
EMERGENCY MANAGEMENT SERVICES	DIRECTOR	KEVIN	NIEDERMAIER
EMERGENCY MEDICAL SERVICES	SUPERVISING ADVANCED LIFE SUPPORT TECHNICIAN	BRYAN	MCKINLEY
EMERGENCY MEDICAL SERVICES	EMS COORDINATOR	WILLIAM	SHEAHAN
EMPIRE ZONE BOARD	MEMBER	THOMAS A.	MAIRS
EMPIRE ZONE BOARD	ZONE RESIDENT	DOMINIC F.	MAZZA
EMPIRE ZONE BOARD	MEMBER	JAMES C.	MERRICK
EMPIRE ZONE BOARD	MEMBER	TRACY A.	MORAN, CPA
EMPIRE ZONE BOARD	MEMBER	CYNTHIA L.	OSWALD
EMPIRE ZONE BOARD	MEMBER	JON H.	SHAY
EMPIRE ZONE BOARD	MEMBER	VACANT	
HIGHWAY	DEPUTY SUPERINTENDENT	DENNIS J.	BAREFOOT
HIGHWAY	DEPUTY SUPERINTENDENT	STEPHEN	COWLEY
HIGHWAY	SUPERINTENDENT	DONALD N.	HIGGINS
HIGHWAY	ADMINISTRATIVE HIGHWAY MANAGER	ELAINE D.	SZOCZEI-BREHM
HISTORIAN	COUNTY HISTORIAN	AMIE	ALDEN
HISTORIAN	DEPUTY COUNTY HISTORIAN	VACANT	
INFORMATION & TECHNOLOGY SERVICES	DIRECTOR	DALE	NIESWIADOMY
INFORMATION & TECHNOLOGY SERVICES	DEPUTY DIRECTOR	ELAINE	VANSON
OFFICE FOR THE AGING	FINANCE SUPERVISOR	SUE ANN	BAGLEY
OFFICE FOR THE AGING	FOSTER GRANDPARENT PROGRAM DIRECTOR	DEBORAH	GAGE
OFFICE FOR THE AGING	DIRECTOR	KAAREN	SMITH
OFFICE FOR THE AGING	NUTRITION COORDINATOR	JESSICA	WILKINS
PERSONNEL	PERSONNEL ASSISTANT	LAURINE M.	BEACH
PERSONNEL	PERSONNEL OFFICER	TISH E.	LYNN
PLANNING	PLANNING DIRECTOR	ANGELA	ELLIS
PLANNING	PLANNER	HEATHER	FERRERO
PLANNING	ENERGY PROGRAMS SUPERVISOR	ROBERT	TEMPLETON
PLANNING - AG & FARMLAND PROTECTION BOARD	CHAIRPERSON	JON	WHITE
PLANNING - AG & FARMLAND PROTECTION BOARD	VICE CHAIRPERSON	VACANT	
PLANNING - COMMUNITY INITIATIVES COUNCIL	VICE CHAIRPERSON	LAURA	CANNE
PLANNING - COMMUNITY INITIATIVES COUNCIL	CHAIRPERSON	BRENDA	WEAVER
PLANNING - COUNTY PLANNING BOARD	VICE CHAIRPERSON	SUSAN	ERDLE
PLANNING - COUNTY PLANNING BOARD	CHAIRPERSON	PATRICK	MCCORMICK
PLANNING - ENVIRONMENTAL MANAGEMENT COUNCIL	CHAIRPERSON	ERIC	GRACE
PLANNING - ENVIRONMENTAL MANAGEMENT COUNCIL	VICE CHAIRPERSON	CONNIE	KRAMER
PROBATION	DIRECTOR	EDWARD	ERHARD

PUBLIC DEFENDER	PUBLIC DEFENDER	MARCEA	CLARK TETAMORE
PUBLIC DEFENDER	ASSISTANT	KELLY	DONOHUE BURNS
PUBLIC DEFENDER	ASSISTANT	CHRISTOPHER	LARAGY
PUBLIC DEFENDER	ASSISTANT	JOHN	LOCKHART III
PUBLIC DEFENDER	ASSISTANT	JAMES	MCCANN
PUBLIC DEFENDER	ASSISTANT	JEANNIE D.	MICHALSKI
REAL PROPERTY TAX	DIRECTOR	JOSEPH	PUKOS
RECORDS MANAGEMENT	RECORDS INVENTORY SUPERVISOR	KATHERINE	MONTEMARANO
SHERIFF	UNDERSHERIFF	MARTIN	HERKIMER
SHERIFF	MAJOR	JAMES	ROSE
SHERIFF	MAJOR	CHRISTOPHER	SMITH
SHERIFF	MAJOR	JAMES	SZCZESNIAK
SHERIFF	SHERIFF	JOHN M.	YORK
VETERAN'S SERVICE AGENCY	DIRECTOR	FRANK	HOLLISTER
WATER & SEWER AUTHORITY	MEMBER	TIMOTHY	ANDERSON
WATER & SEWER AUTHORITY	MEMBER	STEVEN	BEARDSLEY
WATER & SEWER AUTHORITY	MEMBER	PHILIP S.	BROOKS
WATER & SEWER AUTHORITY	MEMBER	MARY C.	EHMANN
WATER & SEWER AUTHORITY	MEMBER	MICHAEL	HINDS
WATER & SEWER AUTHORITY	WATER TREATMENT PLANT OPERATOR	MARK D.	KOSAKOWSKI
WATER & SEWER AUTHORITY	MEMBER	GARY D.	MOORE
WATER & SEWER AUTHORITY	SENIOR SEWAGE TREATMENT PLANT OPERATOR	MICHAEL K.	SHAVER
WATER & SEWER AUTHORITY	MEMBER	W. HAROLD	STEWART
WATER & SEWER AUTHORITY	FINANCIAL MANAGER	JUDITH	TRAVIS
WATER & SEWER AUTHORITY	DIRECTOR	CATHERINE	VANHORNE
WORKFORCE DEVELOPMENT & YOUTH BUREAU	DIRECTOR	C. KEITH	MITCHELL

Dated at Geneseo, New York  
December 23, 2009  
Ways and Means Committee

#### RESOLUTION NO. 2009-440 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 2009 Proceedings.

#### 2009 REPORT OF TOWN BONDED INDEBTEDNESS INCLUDING SPECIAL DISTRICTS

Town	Purpose or Title of Obligations	Method of Payment	Interest Rate	Unpaid Balance as of 12/31/09	Due in Next Fiscal Year 2010
AVON	Town Highway Facility	Serial Bond	5.3%	\$200,000.00	\$40,000.00
	Capital Water Project	Serial Bond	3.161%	\$1,205,000.00	\$70,000.00
	Opera Block/Town Hall	BAN	2.31%	\$1,739,290.00	\$171,500.00
<b>TOTAL</b>				<b>\$3,144,290.00</b>	<b>\$281,500.00</b>
CALEDONIA	Water Dist. #1	Serial Bond	4.9 %	\$40,000.00	\$6,837.50
<b>TOTAL</b>				<b>\$40,000.00</b>	<b>\$6,837.50</b>
CONESUS	Roller & John Deer Tractor	BAN	3.4%	\$60,000.00	\$20,000.00
	Dump Truck 09 F450	BAN	3.25%	\$110,000.00	\$27,500.00
<b>TOTAL</b>				<b>\$170,000.00</b>	<b>\$47,500.00</b>

<b>GENESEO</b>	Water District #1	Serial Bond	4.5%	\$320,000.00	\$40,000.00
	Water District #2	Serial Bond	4.5%	\$560,000.00	\$80,000.00
	Gateway Road Project	Serial Bond	3.1%	\$200,000.00	\$100,000.00
	Water District #4	BAN	3.2%	\$45,292.00	\$9,654.00
	Long Point Park Bathroom	BAN	3.05%	\$120,000.00	\$30,000.00

<b>TOTAL</b>				\$1,245,292.00	\$259,654.00
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<b>GROVELAND</b>	Water District	BAN	3.05%	\$664,920.00	\$36,940.00
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<b>TOTAL</b>				\$664,920.00	\$36,940.00
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<b>LEICESTER</b>	Loader	BAN	4.40%	\$24,000.00	\$12,000.00
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<b>TOTAL</b>				\$24,000.00	\$12,000.00
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<b>LIMA</b>	Water District #2	Serial Bond	5.30%	\$73,000.00	\$13,738.00
	Water District #3	Serial Bond	5.30%	\$33,000.00	\$5,498.00
	Highway Garage Addition	Serial Bond	3.20%	\$270,000.00	\$30,000.00

<b>TOTAL</b>				\$376,000.00	\$49,236.00
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<b>LIVONIA</b>	S. Livonia Water Dist.	Serial Bond	5.00%	\$12,000.00	\$1,500.00
	Lakeville Water Dist.				
	Improvements	Serial Bond	4.875%	\$443,100.00	\$48,200.00
	East Lake Road Water Dist.	Serial Bond	4.40%	\$1,080,000.00	\$120,000.00
	Hemlock Sewer Dist.	CWSRF Bonds	0.00%	\$536,132.00	\$20,621.00
Hemlock Sewer Dist.	BAN	5.00%	\$391,695.00	\$6,629.00	

<b>TOTAL</b>				\$2,462,927.00	\$196,950.00
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<b>MT. MORRIS</b>	Truck	Serial Bond	3.9%	\$40,000.00	\$40,000.00
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<b>TOTAL</b>				\$40,000.00	\$40,000.00
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**NORTH**

<b>DANSVILLE</b>	Town Hall				
	Renovation/Addition	Serial Bond	5.25%	\$875,000.00	\$80,000.00
	Belle Vista Water District	BAN	2.28%	\$1,440,000.00	\$60,000.00
	2007 Loader	BAN	3.35%	\$57,460.00	\$20,000.00
	Recreation Park	BAN	3.35%	\$126,987.00	\$20,000.00

<b>TOTAL</b>				\$2,499,447.00	\$180,000.00
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<b>NUNDA</b>	John Deere Tractor	BAN	2.25%	\$60,000.00	\$20,000.00
	New Town Hall	BAN	3.25%	\$250,000.00	\$50,000.00

<b>TOTAL</b>				\$310,000.00	\$70,000.00
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<b>OSSIAN</b>	2006 Volvo Excavator	BAN	4.51%	\$60,000.00	\$20,000.00
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<b>TOTAL</b>				\$60,000.00	\$20,000.00
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<b>PORTAGE</b>	2006 Sterling Truck	BAN	3.5%	\$59,587.00	\$29,800.00
	Truck	BAN	2.5%	\$40,000.00	\$20,000.00
<b>TOTAL</b>				\$99,587.00	\$49,800.00

**SPARTA** NONE

**SPRINGWATER**

	Sewer EFC	Bond	0.00%	\$2,490,342.00	\$69,405.00
	2007 Sterling Truck	TAN	3.55%	\$20,000.00	\$20,000.00
	2009 GMC-Truck	TAN	4.04%	\$91,750.00	\$22,056.70
<b>TOTAL</b>				\$2,602,092.00	\$111,461.70

**WEST SPARTA**

	2006 Sterling Truck	BAN	4.05%	\$25,000.00	\$25,000.00
	Woodsville Water Dist	BAN	2.7%	\$230,000.00	\$0.00
<b>TOTAL</b>				\$255,000.00	\$25,000.00

<b>YORK</b>	Consolidated Water	Serial Bond	4.50%	\$1,765,000.00	\$45,000.00
	Sewer I, Phase I	Serial Bond	0.00%	\$2,970,201.00	\$118,809.00
	Sewer I, Phase II	Serial Bond	0.00%	\$1,212,100.00	\$43,290.00
	Sewer #2	Serial Bond	0.00%	\$896,855.00	32,031.00
	Water #1	Serial Bond	5.00%	\$14,000.00	\$7,000.00
	Water #1	Serial Bond	7.125%	\$139,000.00	\$6,000.00
	Water #2	Serial Bond	4.375%	\$78,400.00	\$2,800.00
	Water #2	Serial Bond	4.375%	\$210,000.00	\$7,500.00
<b>TOTAL</b>				\$7,285,556.00	\$262,430.00

Dated at Geneseo, New York  
December 23, 2009  
Ways and Means 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. Schuster to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes - 1,669; Noes - 0; Absent – Donohue, 66; Davis, 24; Total 90; Adopted.

**RESOLUTIONS**

**RESOLUTION NO. 2009-441 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT(S) FOR THE LIVINGSTON COUNTY DEPARTMENT OF HEALTH: INTEGRATED COMMERCIALIZATION SOLUTIONS, INC. (ICS)**

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

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Integrated Commercialization Solutions, Inc. (ICS)</b>	12/16/09-12/15/11	Current Agency Rate

3101 Gaylord Parkway  
 Frisco, TX 75034  
 For: Patient Injection Administration Training-Payor Contract  
 Dated at Geneseo, New York  
 December 23, 2009  
 Human Services Committee

Mr. Martello announced that this resolution was not presented at a Human Services Committee meeting; however, the Committee has signed the resolution.  
 The roll was called as follows: Ayes - 1,669; Noes - 0; Absent – Donohue, 66; Davis, 24; Total 90; Adopted.

**RESOLUTION NO. 2009-442 AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY BOARD OF ELECTIONS: NEW YORK STATE BOARD OF ELECTIONS**

Mr. Yendell presented the following resolution and moved its adoption:  
 RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for the Livingston County Board of Elections, according to the term(s) designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>New York State Board of Elections</b>	08/01/2009-07/31/2014	\$2,883.00
40 Steuben Street Albany NY 12207-2108		

For: Voting Access for Individuals with Disabilities.  
 Dated at Geneseo, New York  
 December 23, 2009  
 Public Services Committee  
 The roll was called as follows: Ayes - 1,669; Noes - 0; Absent – Donohue, 66; Davis, 24; Total 90; Adopted.

**RESOLUTION NO. 2009-443 AWARDING BID FOR THE CENTRAL SERVICES DEPARTMENT FOR THE RUSHVILLE DENTAL CLINIC PROJECT – V.J. GAUTIERI CONSTRUCTORS, LLC**

Mr. Yendell presented the following resolution and moved its adoption:  
 WHEREAS, after the proper legal advertisement seeking bids for the Rushville Dental Clinic Project, nine bids were received and opened on December 1, 2009, now, therefore, be it

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>V.J. Gautieri Constructors, LLC</b>	T.B.D.	\$176,250.00
45 Liberty Street Batavia, NY 14020		

For: The Rushville Dental Clinic  
 Dated at Geneseo, New York  
 December 23, 2009  
 Public Services Committee  
 The roll was called as follows: Ayes - 1,579; Noes - 0; Absent – Donohue, 66; Davis, 24; Deming, 90; Total 180; Adopted.

**RESOLUTION NO. 2009-444 AWARDING BID FOR THE LIVINGSTON COUNTY HIGHWAY DEPARTMENT – GRADALL XL-3100 4X2 RUBBER-TIRED TELESCOPING-BOOM EXCAVATOR – VANTAGE EQUIPMENT, LLC**

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

WHEREAS, after the proper legal advertisement seeking two (2) separate bids for either a New or Used Gradall XL-3100 4x2 Rubber-Tired Telescoping-Boom Excavator, and two (2) bids were received for a New machine, and one (1) bid was received for a Used machine and both bids were opened on December 14, 2009, now, therefore, be it

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

<u>Contract</u>	<u>Amount</u>
<b>Vantage Equipment, LLC</b>	\$212,552.00
5985 Court Street Road	
Syracuse, NY 13206	

For: One (1) used 2008 Gradall XL-3100, SN 3120000129, with 334 actual engine hours. The cost is not to exceed the amount indicated.

Dated at Geneseo, New York

December 23, 2009

Public Services Committee

The roll was called as follows: Ayes - 1,579; Noes - 0; Absent – Donohue, 66; Davis, 24; Deming, 90; Total 180; Adopted.

Mrs. Donohue entered.

#### **RESOLUTION NO. 2009-445      AUTHORIZING TRANSFER OF FUNDS – VARIOUS YEAR-END**

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

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

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

#### **RESOLUTION NO. 2009-446      AMENDING 2009 LIVINGSTON COUNTY BUDGET – CONESUS SEWER BAN**

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

RESOLVED, that the 2009 Conesus Sewer BAN budget be amended as follows:

<b>Account</b>	<b>Dept.</b>	<b>Code</b>	<b>Description</b>	<b>Amount</b>
Increase Revenue	G9730	1028	Special Assessments Ad Valorem	\$4,700.00
Increase Appropriation	G9950	9000	Interfund Transfer	\$4,700.00

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

#### **RESOLUTION NO. 2009-447      AMENDING 2009 LIVINGSTON COUNTY BUDGET – CONESUS SEWER PROJECT**

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

RESOLVED, that the 2009 Conesus Sewer Project budget be amended as follows:

<b>Account</b>	<b>Dept.</b>	<b>Code</b>	<b>Description</b>	<b>Amount</b>
Increase Revenue	H8116	5031	Interfund Transfer	\$4,700.00
Increase Appropriation	H8116	2900	Capital Expense	\$4,700.00

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-448 AMENDING 2009 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

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

RESOLVED, that the 2009 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A3510	2680	Insurance Recovery	\$577.75
Increase Appropriation	A3510	4120	Motor Equipment Repair	\$577.75

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-449 AMENDING 2009 LIVINGSTON COUNTY BUDGET – DEPARTMENT OF HEALTH**

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

RESOLVED, that the 2009 Department of Health budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A4110	3472	State Aid Special Health Programs	\$11,000.00
Increase Appropriation	A4110	1000	Personal Services	\$11,000.00

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

Mr. Pangrazio announced that this resolution and the next three resolutions were not presented at a Ways and Means Committee meeting; however, the Committee has signed the resolutions.

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-450 AMENDING 2009 LIVINGSTON COUNTY BUDGET – HIGHWAY**

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

RESOLVED, that the 2009 Highway Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	D5123	4591	Federal Highway Capital Grants	\$6,395.54
Increase Appropriation	D5123	4080	Professional Services	\$6,395.54

And,

Increase Revenue	D5123	3591	State Highway Capital Projects	\$8,947.63
Increase Revenue	D5123	4591	Federal Highway Capital Grants	\$47,720.69
			TOTAL	\$56,668.32
Increase Appropriation	D5123	4170	Contract Expense	\$56,668.32

And,

Increase Revenue	D5119	3591	State Highway Capital Projects	\$17,497.12
Increase Revenue	D5119	4591	Federal Highway Capital Grants	\$93,317.97
			TOTAL	\$110,815.09
Increase Appropriation	D5119	4170	Contract Expense	\$110,815.09

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-451 AMENDING 2009 LIVINGSTON COUNTY BUDGET – OFFICE FOR THE AGING**

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

RESOLVED, that the 2009 Office for the Aging Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A6774	2705	Gifts and Donations	\$1,565.76
Increase Appropriation	A6774	4450	Food	\$500.00
Increase Appropriation	A6774	8300	Health Insurance	\$1,065.76
			TOTAL	\$1,565.76

Dated at Geneseo, New York  
December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-452 AMENDING 2009 LIVINGSTON COUNTY BUDGET – WORKFORCE DEVELOPMENT**

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

RESOLVED, that the 2009 Workforce Development Department budget be amended as follows:

Account	Dept.	Code	Description	Amount
Increase Revenue	A7316	4790	Federal Aid	\$5,691.26
Increase Appropriation	A7316	1950	Temporary Services	\$5,691.26

Dated at Geneseo, New York  
December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-453 APPROVING REVISIONS TO THE LIVINGSTON COUNTY GOVERNMENT CENTER POLICIES AND PROCEDURES**

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

RESOLVED, that the Livingston County Board of Supervisors hereby approves the revisions to the Livingston County Government Center Policies and Procedures as follows:

**LIVINGSTON COUNTY GOVERNMENT CENTER POLICIES & PROCEDURES**

**APRIL 2001**

**(Revised December 2009)**

**LIVINGSTON COUNTY GOVERNMENT CENTER POLICIES & PROCEDURES**

EMERGENCY TELEPHONE NUMBERS .....	3
EMERGENCY EVACUATION .....	3
BREAK ROOM / VENDING.....	4
BUILDING ACCESS/PROXIMITY/ID CARDS .....	4
BUILDING LAYOUT .....	4
BUILDING USE / OF CONFERENCE ROOMS AND BUILDING .....	4
COPIERS .....	5
CUSTODIAL SERVICES .....	5
FIRST AID.....	5
GARBAGE/RECYCLING .....	5
GENERATOR TESTING.....	5
HEATING AND AIR CONDITIONING .....	6
MAIL .....	6
PARKING.....	6
RULES-GENERAL.....	7

SECURITY .....7  
 SMOKING.....7  
 TELEPHONE PROBLEMS .....8  
 WORK ORDERS.....8

**EMERGENCY TELEPHONE NUMBERS**

**911 FIRE**

911 AMBULANCE

911 SHERIFF

**EMERGENCY EVACUATION**

The response to a fire or any other life threatening condition within the Livingston County Government Center will be the immediate evacuation of the building.

When you hear the fire alarm horn or see the alarm stroboscopic lamp, evacuate the building immediately as follows:

- ✓ All departments on the basement level will exit out the employee entrance doors – the assembly point for this group is the west side of the lower parking lot at the official County vehicle parking area.
- ✓ All departments on the north end of the first floor (lower level) will exit down the center stairs to the basement and out the employee entrance doors - the assembly point for this group is the west side of the lower parking lot at the official County vehicle parking area.
- ✓ All departments on the south end of the first floor (lower level) will exit out the south security door - the assembly point for this group is the area outside of the County Jail garage.
- ✓ All departments on the second floor (main level) will exit the building through the public entrance the assembly point for this group is the extreme east portion of the east public parking lot opposite the public entrance.
- ✓ All departments on the north end of the third floor (upper level) will exit down the center stairs to the second floor (main level) and exit through the main entrance - the assembly point for this group is the northeast corner of the east public parking lot.
- ✓ All departments on the south end of the third floor (upper level) will exit down the south stairs to the first floor (lower level) and out through the south security door - the assembly point for this group is the area outside of the County Jail garage.

If any of the designated evacuation routes are blocked, refer to the Emergency Evacuation plaques (located on the walls at each stair entrance and elevator lobby) for instructions and directions to alternate evacuation routes.

- Stay calm and do not run.
- Use the exit plan that has been posted for your department.
- Move to that exit and then quickly to the parking lot.
- Meet with your department head or person in charge for an attendance check. Do not leave the parking lot.
- Help any persons that may be unfamiliar with your department or the building outside.

**RESPONSIBILITY**

It is the responsibility of each department head or person in charge to:

- 1) Insure that all employees and public have evacuated their department areas and that the office door is shut, but not locked.
- 2) Take an attendance check of those people working in their departments and notify Emergency Response Personnel if anyone is missing.

Emergency Response Personnel will notify you when it is safe to reenter the building.

Revised 5/24/04, 7/14/09 (During Construction Period)

**BREAK ROOM / VENDING**

The Central staff break room is located at the end of the north corridor on the main level. Vending machines for soda and candy are available.

Coffee is available at .25¢ per cup. Bottled water is available for employees at no charge. The Telephone Operator has been designated to maintain coffee supplies. If you notice the supply getting low, please notify the Operator.

**BUILDING ACCESS – PROXIMITY/ID CARDS**

Beginning October 1, 2008, all Livingston County Employees and Non-County Employees with offices in the Government Center will be required to wear their photo ID cards at all times while they are at work. Cards are to be worn in a manner so they are visible at all times. Cards can be requested using the Livingston County Government

Center Photo ID Card / Proximity Card Request form (Exhibit-B).

### **BUILDING LAYOUT - TELEPHONES, TOILETS, & FOUNTAINS**

Public telephones: Public telephones are located on the main level and on the basement level near the elevators.

Staff toilets: Staff toilets are located on the lower level across from Dispute Settlement and across the hall from the Public Defender. Staff toilets are located on the main level in the break room and near the public entrance to the County Treasurer. Employees working on the upper level may use the toilet facilities adjacent to the Board Room entrance or staff toilet facilities within the Board lounge area.

Drinking Fountains: There is a drinking fountain located in the elevator lobby on each floor.

### **BUILDING USE / USE OF CONFERENCE ROOMS AND BUILDING**

The Room Reservation calendar is on Lotus Notes. All departments should submit their request for a room electronically. If you have questions about how to access the calendar, call the Information & Technology Services Help Desk at 7933.

All electronic requests must be followed up with Room Request Form. A Request for Use of Conference Room in Livingston County Government Center form (Exhibits A-1 & A-2) must be received at least 6 working days prior to the meeting date. Forms can be obtained from the County Administrator's office. The form is to be sent to the County Administrator's office for assignment of room and final approval. You must notify the County Administrator's office as soon as possible if a meeting is canceled.

### **COPIERS**

There are central copy rooms located on each floor of the building.

Lower level: Across the hall from Board of Elections

Main level: Near the public entrance to the County Treasurer

Upper level: First door on the right on the north corridor

Use of the two high-speed digital copiers in the first floor copier room are for large volume copying and should be scheduled through Lisa Grosse (243-7041).

Notify the County Administrator's office when a problem occurs and when supplies are needed.

### **CUSTODIAL SERVICES**

The County has entered into a contract for custodial services. If you have any problems or questions, please contact Central Services.

### **FIRST AID**

An Automated External Defibrillator (AED) machine is located in the 2<sup>nd</sup> floor lobby near the pay phones in a wall-mounted cabinet. If you are in the area of the defibrillator cabinet and hear the alarm go off, please check that the cabinet door was not opened in error. If the door was opened in error, please shut the door and call 7100 and let the Sheriff's Department know that the alarm can be reset. Note: The Alarm will continue to sound for 30 seconds after the door is shut.

### **GARBAGE/RECYCLING**

There are special recycling containers that can be attached directly to the wastebaskets in each office. All recycling is to be placed in this container. All regular garbage (food, tissues, cups, etc.) is to be placed in the wastebasket. If the recycling containers become full, please utilize the large recycling containers located in the copy rooms.

Cardboard boxes - any large cardboard boxes to be disposed of should be placed in the hall outside your office door at the end of the working day with a note instructing the cleaning staff to dispose of them.

### **GENERATOR TESTING**

The diesel generator will be tested on the first Wednesday of each month. This test will cause a brief interruption of power at 7:40 a.m. until 8:00 a.m. Please check electrical equipment in your department and take the necessary precautions to insure that this loss of power has minimum impact.

### **HEATING AND AIR CONDITIONING**

Thermostats, dampers, and other HVAC equipment may be adjusted and serviced only by authorized personnel. If the heating and air conditioning is not comfortable within your department, have your Department Head contact Central Services.

### **MAIL**

**All mail should be sorted in zip code order. If the mail is not sealed all flaps should be up (#10 envelopes only). Please contact Switchboard prior to processing all Flyers and Postcards.**

The mailroom is located on the main level behind the switchboard. The following guidelines have been established (10/11/00).

**Pre-stamped mail** will leave the building once a day - 3:30 P.M. Outgoing metered mail (mail that needs postage) is sent to the Post Office once a day at approximately 3:30 P.M. It needs to be down to the mailroom no later than 2:00 P.M. Bulk mail is to be down either the day before it is to be sent out or by 8:30 A.M. of the day it is to be sent out. **(Remember to call as soon as you know you will be having a large/bulk mailing).**

2. All letters must be sorted by Mail Code and then in exact Zip Code order. Rubber band exact zip codes together if there is an odd zip put a rubber band around that to show the difference.
3. Please inform the mail room person in advance as soon as you know you will be doing a bulk mail of 50 or more pieces, the mailroom will supply you with boxes.
4. All #10 size envelopes unless they are bulky can be sealed by the system. The flaps should be left open in the upright position not tucked under. Large, or bulky envelopes are to be sealed by the department. These envelopes will not go through the meter and must have postage manually put on them.

Inter-office/courier mail needs to be kept separate from other mail. Please use inter-office envelopes or mark under the persons name and department **courier or interoffice**. Feel free to contact the mailroom with any questions or need for clarification. Any unresolved situations will be directed through the County Administrator's office.

### **PARKING**

The lower parking lot (Northern end behind the Government Center) is designated for employee parking only. In the event the lower lot is full, employees are to utilize the northern portion of the upper public parking lot for overflow parking. The upper parking lot (behind Court House) is designated for public and court staff parking. With the exception of reserved spaces, all parking at the building is on a first-come, first-served basis. Please be cautious of pedestrians.

Employee handicap parking is only for employees with a handicapping condition or for those employees with a short or long-term medical condition that warrants a need for handicap parking. Any employee needing to use these spaces must be in possession of a legally issued handicap-parking permit.

If you are away on County business and must leave your personal vehicle overnight, notify Central Services and park the vehicle in the upper public lot in the snow removal parking area (designated by white & green signs).

Snow Removal/Ice Control – The County Highway Department will be cleaning all parking lots and driveways around the building prior to 7:30 a.m. If you come in prior to 7:30 a.m., park the vehicle in the upper public lot in the snow removal parking area (designated by white & green signs).

### **RULES - GENERAL**

Do not tape decals or decorations on interior and/or exterior windows of the building.

No eating at workstations or in conference rooms. Beverages with lids will be allowed at workstations. Lids will be available for the coffee cups provided by the County.

No refrigerators in individual departments. Staff lunches may be stored in the refrigerator in the break room. Please label your lunch should you leave it in the refrigerator. The refrigerators in the break room, Room 106 and the Strong Room will be cleaned the last Friday of every month of any perishable items.

Employees are not to bring in any fans, heaters, powerstrips or extension cords from home. If the department head feels there is a need for any of the above, they are to discuss this with the Central Services Office prior to purchasing to determine if the equipment meets safety requirements.

Only designated coffee makers are allowed in the building.

Tack boards have been provided. Do not tape, staple, tack or glue anything to the walls or from the fire protection sprinkler system.

Work orders are required to hang pictures on walls.

Uniformity within the Government Center. Uniformity means maintaining the usage of the same materials to the extent possible as when the building was constructed. Uniformity means not deviating from color schemes and/or office layout established for the building. Any requests for alterations should be made to the Supervisor of Central Services who will obtain final approval.

### **SECURITY**

Safety measures for the Government Center are as set forth in the Workplace Violence Prevention Plan.

The public entrance is unlocked in the morning by the switchboard staff and locked at the end of the day by the cleaning staff. The cleaning staff will unlock doors for meetings scheduled after normal business hours. However, the

person in charge of the meeting must be sure the doors are locked after the meeting is over. All Department Heads whose offices are in the Government Center have been provided a key to enter the building. The Government Center will be closed at 10:00 p.m. and should be vacated by that time.

**SMOKING**

No smoking is allowed on any County property.

**TELEPHONE PROBLEMS**

Any changes pertaining to telephones within the department should be requested on a Request for Phone Changes form, which can be obtained from the Information & Technology Services Department (ITS).

**WORK ORDERS**

It has been the policy of Central Services to require work order forms when a department is in need of maintenance services. These services include the moving of furniture, hanging of pictures, electrical work, plumbing work, carpentry work, etc. It is important that the work orders be submitted with enough time in advance so that the work can be appropriately scheduled.

When keys are requested via the work order, the work order must be signed by the Department Head or authorized personnel before it will be processed.

For emergencies (plumbing problems, lights out over a desk, etc.), please call the Central Services office and explain what/where the problem is, and they will send someone to take care of it. A work order should then be filled out to follow-up the telephone call.

**Any items of concern not covered in this manual should be directed to the County Administrator for consideration.**

Thank you for your cooperation.

**Livingston County Government Center &  
Highway Facility Conference Room Request Form**

<b>Exhibit A-1</b>
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*NOTE: Requests for use of these buildings is granted to non-profit organizations on a first come first serve basis. Please call 585-243-7040 to reserve a room. In order to confirm a reservation a completed form must be returned to the Office of the County Administrator, Livingston County Government Center, 6 Court Street, Room 302, Geneseo, NY 14454.*

REQUESTED BY: \_\_\_\_\_ CONTACT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ WORK PHONE: \_\_\_\_\_

\_\_\_\_\_ HOME PHONE: \_\_\_\_\_

NUMBER OF PERSONS ATTENDING: \_\_\_\_\_ TIME FROM: \_\_\_\_\_ TO: \_\_\_\_\_

DATE(S) ROOM IS NEEDED: \_\_\_\_\_

PURPOSE FOR USE OF ROOM: \_\_\_\_\_

SPECIAL INSTRUCTIONS FOR SETTING UP ROOM: \_\_\_\_\_

**RESPONSIBILITIES OF PERSON COMPLETING THIS REQUEST**

- 1) Expense of the coffee used, either as individuals or a group. **Payment must be submitted with conference room request form (\$1.00 per pot).**
- 2) The front door of the Livingston County Government Center and the meeting room will be opened for night meetings by designated personnel with the exception of the Highway Facility. This key can only be obtained from the County

*Administrator's Office during normal working hours prior to the meeting date/time. If for any reason the main door is not unlocked, this person must go to the Sheriff's Department for a key.*

- 3) *Direct all persons attending meetings at the Government Center to park in upper parking lot (behind Courthouse).*
- 4) *There is no designated smoking area.*
- 5) *All requirements for Livingston County conference room usage must be followed for continued use of these rooms. Refer to the separate usage requirement sheet.*



**Please indicate if you are confirming a prior request for a specific room.**

\_\_\_\_\_  
SIGNATURE OF REQUESTOR

\_\_\_\_\_  
DATE

**DO NOT WRITE BELOW THIS LINE**

ROOM ASSIGNED: \_\_\_\_\_

APPROVAL: \_\_\_\_\_ DATE: \_\_\_\_\_

*A copy of the approved form will be sent to the County Administrator (white), Central Services/Highway (yellow), Sheriff (pink) and Department (gold).*

**Exhibit A-2**

**Conference Room Usage  
Requirements for Livingston County**

As the person requesting use of a Livingston County Conference room, you are responsible for the following:

- 1. Hours of usage – Government Center 8:00 a.m. – 10:00 p.m. June 1-Sept. 30 and 8:30 a.m.-10:00 p.m. Oct. 1-May 31; Highway Facility 7:00 a.m. – 10:00 p.m. Please be advised that the buildings are not unlocked in the morning until the specified times. Meeting attendees will not be admitted into the building until that time.
- 2. Food is not allowed in any conference room without prior approval.
- 3. All night meetings **MUST** end and the building vacated and secured by 10:00 p.m. If you unlock the building, you must be sure to lock the building before leaving.
- 4. All persons attending your meeting must leave the building prior to your leaving the building.
- 5. Children shall not be left unsupervised in the building at any time.

Failure to meet the above requirements will restrict your usage of the conference rooms in the future. Thank you in advance for your compliance to these requirements.

**Exhibit B**

**Livingston County Government Center  
Photo ID Card / Proximity Card Request**

**Reason For Request:**

- New Employee\*
- Long Term Visitor Non Proximity Card \*

\*Must bring photo ID and completed form to the Sheriff's Dept. between the hours of 8:00 – 3:30, Monday through Friday

The following requests are to be faxed to the Sheriff's Department #7104.

- Replacement (broken/lost)
- Change (title/name)
- Other \_\_\_\_\_

**Employee ID Information**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Department: \_\_\_\_\_

Authorized Signature\*: \_\_\_\_\_ Phone: \_\_\_\_\_

*\*Must be Department Head or other person authorized to sign for the department.*

**Special Instructions:** \_\_\_\_\_

**NOTE:** All ID cards will be sent to Dave Allen at Central Services to be activated. The employee will be notified to pick the card up from Central Services after activation.

Signature of employee upon receipt of card \_\_\_\_\_ Date \_\_\_\_\_

***Below for Livingston County Sheriff's Office Use Only***  
*Send by courier to Dave Allen, Central Services*

Date Completed: \_\_\_/\_\_\_/\_\_\_ Completed By: \_\_\_\_\_

ID#: \_\_\_\_\_ Old ID #, if applicable: \_\_\_\_\_

**Any ID #(s) destroyed/damaged during printing:** \_\_\_\_\_

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-454 REPORTING NAMES FOR THE MEMORIAL PAGE FOR THE 2009 PROCEEDINGS**

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

RESOLVED, that the Clerk of the Board call the roll and each Supervisor report the names of any former supervisors who have died during the year:

<b>Town</b>	<b>Years Served</b>	<b>Supervisor</b>
N. Dansville	1945	Harold. A. Shay

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-455 ESTABLISHING ORGANIZATIONAL MEETING FOR THE YEAR 2010**

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

RESOLVED, that this Board shall meet in the Assembly Room in the Livingston County Government Center, Geneseo, New York, at 1:30 P.M. on Monday, January 4, 2010, for the purpose of organizing the Board for the year 2010 and selecting a Chairman for that year, and, be it, further

RESOLVED, that the Clerk of the Board shall mail to each member a written notice of the date, time and place of such meeting, stating that a Chairman will then be selected, such notice to be mailed to each member at least forty-eight hours before the date of such meeting, all pursuant to Section 151 of the County Law.

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-456 DECREASING MILEAGE RATE TO 50¢ PER MILE EFFECTIVE JANUARY 1, 2010**

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

RESOLVED, that the standard mileage rate for Livingston County is hereby set at 50¢ per mile effective January 1, 2010.

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

Mr. Pangrazio announced that this resolution was not presented at a Ways and Means Committee meeting; however, the Committee has signed the resolution.

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-457 AMENDING THE HOURLY EMPLOYEE SALARY SCHEDULE: PLANNING DEPARTMENT**

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

RESOLVED, that the 2009 Hourly Employee Salary Schedule is amended as follows:

**Planning Department**

Create three full-time Winterization Aide positions.

Create one full-time Winterization Foreperson position.

Dated at Geneseo, New York

December 23, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-458 CORRECTING THE 2010 DEPARTMENT HEAD SALARY SCHEDULE: DEPARTMENT OF HEALTH**

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

RESOLVED, the Department Head Salary Schedule is hereby amended to make the following correction:

**Department of Health**

The 2010 annual salary of Prudence King, Director of Patient Services, shall be \$62,000.00.

Dated at Geneseo, New York

December 23, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-459 ADOPTING 2010 MISCELLANEOUS WAGE RATES**

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

RESOLVED, the 2010 Miscellaneous Wage Rates are set as follows:

**MISCELLANEOUS PAY RATES – 2010**

Title	2009	2010
Advanced Life Support Technicians	17.25/hr.	17.56/hr.
CNA Trainee	8.67/hr.	8.83/hr.
Conesus Lake Watershed Manager	21.30/hr.	21.68/hr.
Elections Operations Specialist	19.67/hr.	20.02/hr.
Emergency Medical Technician	11.53/hr.	11.74/hr.
Summer Laborer	10.09/hr.	10.27/hr.
Summer Youth Workers	7.25/hr.	7.25/hr.
Volunteer Coordinator	18.27/hr.	18.60/hr.

Substitute Office for the Aging Positions

Increase the 2009 rate of pay for each substitute Office for the Aging employee by 1.8% or to \$7.25/hour, whichever is greater, to become effective January 1, 2010.

Dated at Geneseo, New York

December 23, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-460      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 NEW YORK STATE LAW ENFORCEMENT OFFICERS UNION COUNCIL 82, 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 2010, AND ESTABLISHING CERTAIN COMPENSATION AND BENEFITS FOR OTHER EMPLOYEES**

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

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 New York State Law Enforcement Officers Union Council 82 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, 2010, and, be it, further

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, 2006 through December 31, 2009, and the contract between the County of Livingston and the Civil Service Employees Association Part-Time/Seasonal Employee Unit for the period January 1, 2007 through December 31, 2009, and the contract between the County of Livingston and the New York State Law Enforcement Officers Union Council 82 Livingston County Deputy Sheriffs' Association for the period January 1, 2008 through December 31, 2010, and the contract between the County of Livingston and the Livingston County Coalition of Patrol Services for the period January 1, 2005 through December 31, 2008, and the contract between the County of Livingston and the New York State Nurses Association for the period July 1, 2007 through June 30, 2010, 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 2010 Livingston County Salary Schedule, and, be it, further

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

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

RESOLVED, that the provisions of said contract between the County of Livingston and the New York State Law Enforcement Officers Union Council 82 Livingston County Deputy Sheriffs' Association shall inure to the benefit of all positions in the Sheriff's Department which are included in the that unit, and, be it, further

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

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 Department of Health which are included in the New York State Nurses Association unit, and, be it, further

RESOLVED, that the mileage rate of 50¢ per mile as authorized by Section 203 of the County Law shall be effective for the year 2010 and the mileage rate adjustments for the year 2010 will be governed by Resolution No. 2009-456 and, be it, further

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 2010 plus allowable mileage, upon audit of their claims by the County Auditor, and, be it, further

RESOLVED, that the members of the Community Services Board, who are not receiving County salaries, shall be reimbursed for mileage at 50¢ per mile and expenses are paid for meals according to the rates established in the Travel Policy effective January 1, 2010, upon audit of their claims by the County Auditor, and, be it, further

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

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

RESOLVED, that physical examinations for all Center for Nursing and Rehabilitation and Public Health nurses, where required by law to have same, be provided at County expense or as otherwise provided by collective bargaining agreement, and, be it, further

RESOLVED, that employee benefits for full-time Department Heads shall be provided as follows:

1. **Retirement, Sick Leave, Bereavement Leave, Holidays and Personal Leave.** Retirement, sick leave, bereavement leave, holidays and personal leave shall be provided as follows:

a. **Generally.** All full-time Department Heads, except those specified in paragraph b, shall receive these benefits as set forth in the Civil Service Employees Association full-time employee unit contract.

b. **Exceptions.**

i. Department of Health Department Heads. The Public Health Director, Directors of Patient Services, and the WIC Program Coordinator shall receive these benefits as set forth in the New York State Nurses' Association contract.

ii. Sheriff's Office Department Heads. The Deputy Sheriff/Majors in road patrol, investigations and corrections shall receive these benefits as set forth in the New York State Law Enforcement Officers Union Council 82 Livingston County Deputy Sheriff's Association contract.

2. **Vacation.** Department Heads will be provided with vacation in accordance with the following table:

<u>Anniversary of Date of Hire</u>	<u>Vacation Accruals</u>
6 month	5 days
1 – 10 year	15 days
11 year	16 days
12 year	17 days
13 year	18 days
14 year	19 days
15–24 year	20 days
25 year and subsequent anniversaries	25 days

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.

Department Heads may receive payment in lieu of vacation on the same basis as provided to CSEA full-time unit employees under the terms of their collective bargaining agreement.

**3. Health Insurance.**

a. **Eligibility.** Full-time Department Heads set forth in the Department Head list shall be entitled to health insurance on the first day of the month following appointment.

b. **Plan Options.** Eligible Department Heads shall have the following health insurance options: Blue Point 2 B and Blue Point 2 D or substantially equivalent coverage.

c. **Employee Contributions Toward Cost of Coverage.**

i. Date of hire before June 1, 2003. Department Heads hired prior to June 1, 2003 shall not contribute to the cost of their health insurance coverage.

ii. Date of hire on or after June 1, 2003. Department Heads hired on or after June 1, 2003, shall contribute 25 percent of the cost of their health insurance coverage.

d. **Health Insurance Drop Payments.**

i. Eligibility. Department Heads who drop or who forego County health insurance coverage shall be entitled to a "drop payment" after they have been without County health insurance for at least one year. New Department Heads who are eligible for health insurance benefits and forego such benefits are eligible for a prorated drop payment in their first year as a Department Head.

ii. Procedure to obtain benefit. In order to receive a drop payment, a Department Head must submit a written request for the payment and provide an affidavit to the Personnel Office proving that he/she has health insurance coverage through another source. Such affidavit must be provided between March 15 and April 15 of the year in which payment is requested.

iii. Date of payment. Drop payments will be made in the first pay period of June each year.

iv. Amount of payment. The amount of the drop payment will be 50 percent of the County's cost of coverage at the level (e.g. two person, family, etc.) that would have been appropriate for the Department Head and his/her family, if applicable. The "County's cost of coverage" shall be the County's share of the plan premium for the Blue Point 2 B plan if it is a coverage option, otherwise of the most expensive plan offered to Department Heads at the time of the health insurance drop payment.

e. **Retiree Health Insurance.**

i. Eligibility. Full-time Department Heads hired before November 8, 2006, who are eligible for and receive County health insurance benefits immediately preceding retirement shall be eligible for retiree health insurance benefits if they meet the eligibility criteria set forth in the CSEA full-time employee unit contract unless they have waived their right to this benefit in order to participate in the deferred compensation matching plan. Eligible employees who elect this benefit shall be responsible to pay the same percentage of the cost of such insurance that they paid as active employees. Full-time Department Heads hired on or after November 8, 2006 are not eligible for retiree health insurance benefits paid in whole or in part by the County, but may purchase such insurance through the County if they participated in the deferred compensation matching plan immediately preceding retirement.

ii. Alternate health insurance coverage. If any former Department Head receiving retiree health insurance benefits paid in whole or in part by the County establishes permanent residency outside of the County's health insurance plan(s) service area, he/she may purchase alternative health insurance and the County will reimburse the retiree for the cost of such alternative coverage up to the County's share of the cost of coverage provided by the County immediately preceding the change in coverage.

f. **Health Insurance for Dependents Following Death of Department Head.** In the event that a Department Head dies in service, health insurance benefits for covered family members will be continued on the same basis as provided to CSEA full-time unit employees under the terms of their collective bargaining agreement.

**4. Deferred compensation.**

a. **Deferred compensation plan.** Full-time, permanent Department Heads shall be eligible to participate in the County's deferred compensation plan on the same basis as provided to CSEA full-time unit employees under the terms of their collective bargaining agreement.

b. **Deferred compensation matching plan.** Full-time, permanent Department Heads shall be eligible to participate in the County's deferred compensation matching plan on the same basis as provided to CSEA full-time unit employees under the terms of their collective bargaining agreement. Be it further

*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*

RESOLVED, that effective January 1, 2010, 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.

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-461      EXTENDING      MILITARY      LEAVE      BENEFITS      PROVIDED      BY  
RESOLUTION NO. 2001-427**

Mr. Pangrazio 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 was scheduled to expire on December 31, 2002 unless extended; and

WHEREAS, the resolution has been extended each year and is currently scheduled to expire on December 31, 2009, if not extended; and

WHEREAS, the Ways & Means Committee supports another extension; now, therefore, be it

RESOLVED, that the provisions of resolution 2001-427 are hereby extended through December 31, 2010.

Dated at Geneseo, New York

Dated December 23, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-462      SETTING SALARY:      SHERIFF'S OFFICE - SECRETARY TO THE  
SHERIFF STEPHANIE LITTLE**

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

RESOLVED, that the 2010 Department Head Salary Schedule is amended as follows:

Sheriff's Office

The annual salary of Stephanie Little, Secretary to the Sheriff by appointment of the Livingston County Sheriff effective January 6, 2010, is set at \$52,500.00.

Dated at Geneseo, New York

December 23, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-463      AMENDING THE 2010 DEPARTMENT HEAD SALARY SCHEDULE:  
SHERIFF'S OFFICE**

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

RESOLVED, the 2010 Department Head Salary Schedule is hereby amended as follows:

The 2010-2013 annual salaries of John York, Sheriff, shall be:

2010 salary of \$90,500.00,

2011 salary of \$91,500.00,

2012 salary of \$92,500.00, and

2013 salary of \$93,500.00.

The 2010 annual salary of John York, STOP DWI Coordinator shall be \$21,373.00.

Dated at Geneseo, New York

December 23, 2009

Ways & Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**RESOLUTION NO. 2009-464      CORRECTING TAX ROLL – TOWNS OF AVON AND NUNDA**

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

WHEREAS, the Director of the Real Property Tax Services has transmitted a written report of his recommendation with regard to two (2 parcels) corrections of the tax rolls, pursuant to the Real Property Tax Law, for the Towns of Avon and Nunda 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 each Court decision for a correction requested from the Director of Real Property Tax Services attached hereto,

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

Year, Town & Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund Of Taxes	Chargeback To Taxing Jurisdiction
<b>1. 2010 Avon</b>	Livingston County	\$ 7,553.97	\$6,802.48	\$0.00	\$ 751.49
<b>Avon Properties,LLC</b>	Avon Town Tax	<u>2,720.60</u>	<u>2,449.95</u>	<u>0.00</u>	<u>270.65</u>
Tax Map Number	Total	<u>\$10,274.57</u>	<u>\$9,252.43</u>	<u>\$0.00</u>	<u>\$1,022.14</u>
34.15-1-2					
<b>2. 2010 Nunda</b>	Livingston County	\$ 5,293.16	\$4,299.78	\$0.00	\$ 993.38
<b>Tamimie, Rashid Joseph</b>	Nunda Town Tax	5,514.87	4,479.89	0.00	1,034.98
Tamimie, Portia Lynne	Nunda Fire 1	<u>538.71</u>	<u>437.61</u>	<u>0.00</u>	<u>101.10</u>
Tax Map Number	Total	<u>\$11,346.74</u>	<u>\$9,217.28</u>	<u>\$0.00</u>	<u>\$2,129.46</u>
170.-1-13.1					

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

#### **RESOLUTION NO. 2009-465 CORRECTING TAX ROLL – TOWN OF MOUNT MORRIS**

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

WHEREAS, the Director of the Real Property Tax Services has transmitted a written report of his recommendation with regard to one (1 parcel) correction of the tax roll, pursuant to the Real Property Tax Law, for the Town of Mount Morris 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 a 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 be it further

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

Year, Town & Parcel	Taxing Jurisdiction	Original Tax Bill	Corrected Tax Bill	Refund Of Taxes	Chargeback To Taxing Jurisdiction
<b>1. 2010 Mount Morris</b>	Livingston County	\$ 785.19	\$ 785.19	\$0.00	\$ 0.00
Loverde, Michael R.	Liv. Co. Penalties	128.81	76.36	0.00	52.45
Tax Map Number	Mt. Morris Town Tax	342.05	342.05	0.00	0.00
115.6-1-18	Mt. Morris Sch. Relevy	<u>1,840.21</u>	<u>1,090.86</u>	<u>0.00</u>	<u>749.35</u>
	<b>Total</b>	<u>\$3,096.26</u>	<u>\$2,294.46</u>	<u>\$0.00</u>	<u>\$801.80</u>

Dated at Geneseo, New York

December 23, 2009

Ways and Means Committee

Mr. Pangrazio announced that this resolution was not presented at a Ways and Means Committee meeting; however, the Committee has signed the resolution.

The roll was called as follows: Ayes - 1,638; Noes - 0; Absent – Davis, 24; Deming, 90; Total 114; Adopted.

**OTHER BUSINESS**

1. RETIREMENT REPORTING – COUNTY ATTORNEY DAVID MORRIS

County Attorney David Morris stated that the Clerk of the Board has distributed a memorandum to the Board regarding retirement reporting, and the memorandum is on their desk (on file). He indicated that this topic has been discussed in the past. He explained that starting in January 2010, the majority of the Board would be required to complete a log. The log must be submitted within the first 150 days of their term of office or within 150 days of when they take office if they have no term of office. He also explained that the Board must adopt a resolution at the first regular meeting held after the first 180 days of the start of a new term establishing standard work days for elected and appointed officials that lists each employee title and the number of hours in the standard work day for each title. He informed the Board members if they are currently in mid-term, the change will go into effect at the start of their new term, and also it does not affect officials not enrolled in the retirement system. He explained that those officials that are in their mid-term could complete a log now, because the logs can be recertified for up to eight years. He asked if there were any questions and there were none.

RECESS

The Board recessed for the Republican and Democratic Caucus. The Board reconvened.

2. REPUBLICAN AND DEMOCRATIC CAUCUS

REPORT OF THE REPUBLICAN CAUCUS

To the Board of Supervisors of Livingston County:

At a meeting of the Board of Supervisors of the County of Livingston, the Undersigned, being the Republican members of such Board, designate the following newspapers for publication of the designated matters:

- A. Genesee Country Express      Local Laws, Notices, and other matters required to be published (Official Paper)
- B. Livingston County News      Concurrent Resolutions, Tax Sale Notices
- C. Livingston County News      Election Notices, Official Canvas

We certify that in designating the above newspapers we have considered the newspapers’ advocacy of the principles of the Republican Party, the newspapers’ support of the parties’ nominees and the circulation of the newspaper in Livingston County.

Dated at Geneseo, New York  
December 17, 2008

Mark J. Schuster, Chairman	Daniel L. Pangrazio	Eric R. Gott
Brenda B. Donohue, Secretary	Thomas B. Baldwin	Domenick J. Martello
James C. Merrick	Dennis P. Mahus	William S. Wadsworth
David L. LeFeber	J. Peter Yendell	Gary D. Moore
		Ivan C. Davis (Absent)

REPORT OF THE DEMOCRATIC CAUCUS

To the Board of Supervisors of Livingston County:

At a meeting of the Board of Supervisors of the County of Livingston, the Undersigned, being the Democratic members of such Board, designate the following newspapers for publication of the designated matters:

- A. Livingston County News      Local Laws, Notices, and other matters required to be published (Official Paper)
- B. Genesee Country Express      Concurrent Resolutions, Tax Sale Notices
- C. Genesee Country Express      Election Notices, Official Canvas

We certify that in designating the above newspapers we have considered the newspapers’ advocacy of the principles of the Democratic Party, the newspapers’ support of the parties’ nominees and the circulation of the newspaper in Livingston County.

Dated at Geneseo, New York

December 17, 2008

Charles J. DiPasquale, Chairman

Gerald L. Deming, Secretary (Absent)

2. RECOGNITIONS

County Administrator Ian M. Coyle commented that we have a tradition of honoring Supervisors with 10 and 15 years of service and added that York Supervisor Gerald Deming, who is absent, and North Dansville Supervisor Dennis Mahus have 10 years of service at the end of 2009. He asked Mr. Mahus to join him at the podium and Mr. Merrick presented Mr. Mahus with a County afghan. Mr. Mahus commented that it seems like yesterday when he intended to complete only one term. He added that this experience has been very educational. The County Administrator stated that Mr. Deming acknowledged at the Organizational Board meeting.

Chairman Merrick added that he and Vice Chairman Moore are in their 18<sup>th</sup> year and agreed with Mr. Mahus that it seems like yesterday.

Chairman Merrick asked West Sparta Supervisor Marjorie Cansdale to join him at the podium and indicated that Marjorie has been Supervisor for 12 years and he has enjoyed working with her. He presented a Bulova clock to her, and the County Administrator read the plaque on the back of the clock as follows: In honor of Marjorie Cansdale, 1998-2009, With Sincere Appreciation for Dedicated and Outstanding Service to the Livingston County Board of Supervisors. A standing ovation was presented.

West Sparta Supervisor Marjorie Cansdale stated it has been a pleasure working with the Board and a very educational experience. She stated the time has gone fast and thanked the Board for the clock.

3. COUNTY ADMINISTRATOR UPDATE

County Administrator Ian M. Coyle stated that the Federal Health Care Reform will potentially affect counties in a negative way due to the fact the NYS will essentially get penalized because we already offer certain health care programming above Federal thresholds and therefore will not get reimbursed as other States will. The Health Care Reform bill also does not address the disparity between state FMAP rates

4. OTHER

Ossian Supervisor Domenick Martello commented that West Sparta Supervisor Marjorie Cansdale would be missed because she was the point person that organized the Groveland, Ossian and West Sparta fire and ambulance service contracts. Mr. Martello thanked Mrs. Cansdale for her service.

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Schuster to adjourn until Wednesday, January 4, 2010 at 1:30 p.m. Carried.

The Board adjourned at 2:25 p.m.