

**WAYS & MEANS COMMITTEE MEETING MINUTES
MONDAY, MAY 7, 2018
1:30 P.M.**

PRESENT: D. Pangrazio, D. Knapp, D. Fanaro, E. Gott, W. Wadsworth, D. LeFeber, D. Mahus, J. Deming, M. Falk, I. Coyle, S. Hillier, J. Skinner, Judge Doran, S. Pero, Kyle McKay

Ways & Means Chair Dan Pangrazio asked Leicester Supervisor David Fanaro to lead the Pledge of Allegiance.

COUNTY ATTORNEY – SHANNON HILLIER

Action Item(s) To Be Reported

1. AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR LABOR AND EMPLOYMENT LEGAL SERVICES–HANCOCK ESTABROOK LLP

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

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Hancock Estabrook, LLP	7/1/18-6/30/20	\$220.00/hour Partner
1500 AXA Tower I	w/1yr Renewal at	\$190.00/hour Associate
100 Madison Street	County’s Option	\$115.00/hour Paralegal
Syracuse, New York 13202		

For: Labor and Employment Legal Services

Mrs. Hillier explained that we have been contracting with firm since 2015 for employment counsel. The fees have stayed the same.

Motion: Mr. Gott moved and Mr. Wadsworth seconded to approve the foregoing resolution ... Carried.

2. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING PROFESSIONAL SERVICES CONTRACT FOR LIVINGSTON COUNTY – TREAHY CONSULTATION SERVICES LLC

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following Professional Services contract for Livingston County, and any future amendments to said contract, according to the term designated, subject to review by the County Attorney and County Administrator.

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Treahy Consultation Services LLC	May 1, 2018 - services	Not to exceed \$15,000
25 Sanibel Drive	completed	
Fairport, NY 14450		

For: Professional service contract to advise and prepare the County for implementation of Raise the Age, specifically with respect to renovating/building regional secure and specialized secure detention facilities.

<u>Funding Source</u>	<u>Local Share</u>	<u>Budgeted?</u>
N/A	NA	Yes No

Comments: All counties participating in the Raise the Age Compliance Coalition will separately execute this same contract and equally share in the overall expense of the consultant, which is \$100,000.00. Because it is still unclear how many counties will be joining the Coalition, a firm contract amount cannot yet be established for each individual county. However, per the terms of the contract, the County’s share is capped at the lesser of \$15,000 or the pro rata share amount.

Mrs. Hillier explained that this contract is in preparation to raise the age and the County’s need for a facility to house this population. This is the next step.

Motion: Mr. Gott moved and Mr. Fanaro seconded to approve the foregoing resolution..... Carried.

COUNTY TREASURER – AMY DAVIES

1. APPROVING APPORTIONMENT OF MORTGAGE TAX RECEIPTS FOR THE PERIOD 10/01/17 – 03/31/18

WHEREAS, the Ways and Means Committee submits the following report on Apportionment of the

Mortgage Tax receipts for the period October 1, 2017 through March 31, 2018, 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	2018	10/1/17-3/31/18	
	AMOUNT	DISTRIBUTED TO TOWNS	DISTRIBUTED TO VILLAGES
AVON	\$41,278.44	\$33,071.08	\$8,207.36
CALEDONIA	\$22,750.71	\$18,530.86	\$4,219.85
CONESUS	\$16,780.81	\$16,780.81	\$0.00
GENESE0	\$119,077.78	\$93,609.03	\$25,468.75
GROVELAND	\$12,513.24	\$12,513.24	\$0.00
LEICESTER	\$9,012.17	\$8,386.68	\$625.49
LIMA	\$28,712.63	\$24,110.39	\$4,602.24
LIVONIA	\$60,828.61	\$57,290.59	\$3,538.02
MT. MORRIS	\$19,706.57	\$14,940.04	\$4,766.53
N. DANSVILLE	\$26,351.02	\$16,467.53	\$9,883.49
NUNDA	\$12,325.59	\$10,445.74	\$1,879.85
OSSIAN	\$8,036.06	\$8,036.06	\$0.00
PORTAGE	\$3,625.26	\$3,625.26	\$0.00
SPARTA	\$4,957.28	\$4,957.28	\$0.00
SPRINGWATER	\$9,773.83	\$9,773.83	\$0.00
WEST SPARTA	\$8,058.02	\$8,058.02	\$0.00
YORK	\$19,545.13	\$19,545.13	\$0.00
TOTAL	\$423,333.15	\$360,141.57	\$63,191.58

Mrs. Davies explained that the checks will be mailed out after the Board meeting. This is trending down slightly.

Motion: Mr. Knapp moved and Mr. Mahus seconded to approve the foregoing resolution..... Carried.

Pre-approved Informational Item(s) To Be Reported

1. Foreclosure Update-Mrs. Davies reported that we are down to 100 parcels. The auction will be July 26 at the Highway Facility garage at 6pm. The County Administrator reported that Mrs. Babbitt informed him that the Rights Road property was sold to the Amish recently and they will be making good on the taxes. Mrs. Davies does not see any problem parcels at this time.

SHERIFF – UNDERSHERIFF MATT BEAN

Action Item(s) To Be Reported

1. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY SHERIFF’S OFFICE: NATIONAL MEDICAL SERVICES, INC. D/B/A NMS LABS

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 Office, and any future amendments to said contract, according to the term designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
National Medical Services, Inc.	5/1/18-12/31/18	Per Exhibit A/B
d/b/a NMS Labs		Price Lists
3701 Welsh Road		
Willow Grove, PA 19090		
For: Laboratory testing and services		

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
Departmental Budget	100%	Yes X No

Undersheriff Bean reviewed the status of the forensic lab contract with Monroe County and their new restrictions and described that NMS Labs will be covering overages. We want to begin contracting for at least blood and urine kits. He has spoken with the County Administrator and Bill Bacon on finding a facility within the County to house a local lab.

Motion: Mr. Fanaro moved and Mr. LeFeber seconded to approve the foregoing resolution... Carried.

PUBLIC DEFENDER – LINDSAY QUINTILONE-JORDAN

Action Item(s) To Be Reported

1. AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO APPROVE THE LIVINGSTON COUNTY CENTRALIZED ARRAIGNMENT PLAN REFERRED FROM THE PUBLIC SERVICES COMMITTEE

WHEREAS, Livingston County is now required to provide legal representation at arraignment for any criminal defendant charged with a crime and eligible for publicly funded representation, as a result of the *Hurrell-Harring v. New York Settlement Plan*; and

WHEREAS, Livingston County is committed to quality representation of indigent individuals charged with a crime; and

WHEREAS, Livingston County has developed a Centralized Arraignment Plan to facilitate counsel at first appearance;

Now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby approves the attached Livingston County Centralized Arraignment Plan, effective upon approval by the New York State Office of Court Administration.

Mr. Coyle updated the committee on the referral from Public Services for further discussion on the counsel at arraignment mandate. Ontario County’s structure is very similar to our plan. Discussion then began on the County’s centralized arraignment plan. Mr. Mahus questioned the vouchers for payment and whether judges would not be state employees. Judge Doran explained that justices will be paid a stipend and they are not state employees. The judges are employees of the towns. There was discussion on the 1099 tax forms and Judge Doran believes judges will receive tax reporting forms. There was discussion on the office supplies utilized and County reimbursement. Ms. Shannon Pero explained how the plan is working in Ontario. There is concern about this becoming an unfunded mandate without a reimbursement driver being written into the plan. Ms. Pero explained that the State will not sign a plan that includes reimbursement language. Judge Doran understands the County’s concerns about reimbursement and unfunded mandates. Judge Doran reviewed the intent of the plan and moving through this process successfully. In Ontario County they structured a plan, the plan that Livingston County will be modeled after, to minimize the local expense. To minimize the impact on county tax payers and the max amount of benefit. There will be initial cost burdens placed on some County employees and offices, but the hope is that the benefit outweighs the costs. Judge Doran explained that JPAC funds will be available and he has a significant role in determining where that funding goes. For those counties that have gone the extra mile to engage in this level of cooperation will be put on the top of the pile for consideration. Judge Doran is a big fan of sharing services and cooperating and do things that make sense for the tax payers. If there are expenses to the county, he will do anything he can to make sure they are offset. If a judge is not available, the Sheriff will need to take a defendant around to an available judge, which is what is being done now, but will happen much less frequently. Mr. MacKay explained that there is backup coverage available in case a scheduled judge is unavailable. Mr. Mahus questioned movement toward complete centralization of courts. Judge Doran reviewed our current system and he is not supportive of a district court. There was discussion on town budgets for justices and any extra arraignment costs. Sheriff Dougherty clarified that the only arraignments handled at the jail will be those that fit the specific criteria of the plan. Arraignments will still be occurring in towns for appearance tickets. Judge Doran explained that there is no clerk being provided for the centralized arraignments. The judges will input the arraignment information and that will automatically be sent through the OCA system to the local court, Shannon Pero and Judge Doran’s clerk for a triple layer to make sure the paperwork is being processed properly. He believes the Sheriff has already agreed

to have the original paperwork delivered to the court of original jurisdiction. Mrs. Quintilone Jordan explained the changes since the Public Services meeting last week and that that the plan no longer includes the ability for the justices to bring a clerk. Mrs. Quintilone Jordan explained that the justices had been made aware of this change in the Plan. Mr. MacKay sent out information last week to the courts for any comments or anyone changing their vote in any fashion. He did not receive any comments. Ms. Quintilone Jordan explained that she met with the Sheriff, Mr. McCaffrey and Mr. MacKay today, it is still their belief that a dedicated clerk will become essential down the road. Sheriff Dougherty reviewed the bill presented two years ago to allow for centralized arraignments for pre-arraignment detention that has allowed more efficient arraignments on his end. The deputy at the booking counter has been the one to do the prints, photos, puts them in a cell and finds a judge. There is efficiency in this change, the downside is taking on the police departments, state police and DEC responsibilities while the prisoner is in pre-arraignment detention prior to seeing a judge. We should not have to fund a clerk as a County, however, he is concerned about not having a consistent clerk to handle the clerical duties. Judge Doran feels that the public will be better served with this program, we just need to get through the bumps and glitches. There was discussion on the concerns with regard to orders of protection. Ms. Pero explained that those orders are going in within 12 hours. Judge Doran explained that local judges have been required to input orders of protection into the Web DVM since April 1. We will know, within hours, if an order of protection has not been served properly. Mr. McCaffrey explained that, while he still has reservations, many of his concerns from Public Services have been addressed with the new changes to the plan and his office will comply with the plan. Mr. Coyle explained that the plan in front of us is being modeled by Ontario right now and he recommends that it be approved today for Board consideration. There was discussion on the efficiencies this plan does address. If not approved, Mrs. Quintilone-Jordan will have staff on call 24/7 traveling around the county for arraignments. Committee members do support moving forward, even with those concerns about the lack of a clerk. Judge Doran assured the Committee that we will work this out together. Judge Doran and many of his associates feel that funding should be made available for these centralized arraignments. So far, Ontario County is working very well. We are all bound to follow these directives from the Court of Appeals. Judge Doran reviewed the Hurrell-Harring case and he feels strongly that there will be another lawsuit if courts do not follow having counsel at arraignment. We are on schedule to start in Livingston County on June 4, 2018.

There was discussion on the MOU among policing agencies and that Sheriff Dougherty hopes to have signatures done by the end of next week. Mr. Coyle explained that we did make an attempt through OILS funds to get dollars for the clerk and were denied.

Motion: Mr. Gott moved and Mr. LeFeber seconded to approve the foregoing resolution..... Carried.

2:15 COUNTY ADMINISTRATOR – IAN COYLE

Action Item(s) To Be Reported

1. APPROVING ABSTRACT OF CLAIMS #5A-MAY 9, 2018

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #5A dated May 9, 2018 in the total amount of \$1,378,674.65.

Motion: Mr. LeFeber moved and Mr. Fanaro seconded to approve the foregoing resolution... Carried.

MOTION TO MOVE THE AGENDA

Mr. Gott moved and Mr. Wadsworth seconded to amend the agenda.

3. REQUESTING NEW YORK STATE LEGISLATURE SUPPORT AN ACT TO AMEND THE EXECUTIVE LAW, IN RELATION TO THE COST OF MAINTENANCE AND OPERATION OF VETERAN SERVICES AGENCIES

WHEREAS, legislation has been introduced in the New York State Senate (S.8210) increasing the State share of the Livingston County Veteran Services Agency operation and maintenance costs to \$20,000.00 per annum; and

WHEREAS, pursuant to New York State Executive Law Section 359(1) counties are entitled to \$10,000

per annum in state revenue, of which Livingston County Veteran Services Agency is currently receiving \$8,529 per annum in state revenue for operation and maintenance costs; and

WHEREAS, the Livingston County Veteran Services Agency has experienced a significant increase in overall claim revenues for its veteran constituents realizing over \$1,000,000 in 2017 and over \$1,000,000 in the first quarter of 2018; and

WHEREAS, the Livingston County Veteran Services Agency is not permitted to charge veterans directly for services unlike private attorneys who are permitted to charge veterans a percentage of their claim award; and

WHEREAS, the Livingston County Board of Supervisors supports and recognizes the services rendered by veterans to our country and is desirous of the New York State Legislature amending Executive Law Section 359(1); now therefore be it

RESOLVED, that the Livingston County Board of Supervisors requests the New York State Legislature to adopt Senate Bill (S.8210) to amend Executive Law Section 359(1) increasing the State share of the Livingston County Veteran Services Agency operation and maintenance to \$20,000.00 per annum; and be it further

RESOLVED, that certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senators Catharine M. Young and Patrick Gallivan, Assemblyman Joe Errigo, the New York State Association of Counties and the Intercounty Association of Western New York.

The County Administrator explained that this came out the local Veteran Services Directors getting together and discussing what each county gets from the state for state aid. We presently get \$8,529 but the state executive law says we should get more than that. This is similar to FIT state law where we should get 50% reimbursement and we don't. We are going to fight anew for this funding.

Motion: Mr. Gott moved and Mr. Fanaro seconded to approve the foregoing resolution Carried.

2. AMENDING 2018 LIVINGSTON COUNTY BUDGET – HIGHWAY, OFFICE FOR THE AGING & SHERIFF

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

Mr. Coyle reviewed the amendments for approval.

Motion: Mr. Knapp moved and Mr. Wadsworth seconded to approve the foregoing resolution Carried.

EXECUTIVE SESSION

Motion made by Mr. Gott and seconded by Mr. Wadsworth that the Board adjourn and reconvene and All Supervisors and County Administrator Ian M. Coyle remain present. Carried.

Mr. LeFeber moved and Mr. Gott seconded that the Committee reconvened in regular session. The following report was presented.

No action taken.

Pre-approved Informational Item(s) To Be Reported

1. 2018 Capital Project allocation amounts-Mr. Coyle reported that the Capital Projects allocations have been set and will go to the Board on May 23. The Capital Improvement Plan will be on the desks within the next months.

2. Deputy County Administrator Update-Mr. Coyle requested approval of the memo sent out to the Board members. He will make to Board communications on this plan.

Motion: Mr. Gott moved and Mr. LeFeber seconded to approve the foregoing resolution..... Carried.

3. Finance/Administration Updates-There was a grant released today for public market concept. Mr. Coyle believes we have a good shot at funding. Our shared services plan has been filed so we will now need to move forward with implementation. There may be an opportunity to codify existing unofficial agreements packaged into our plan. The Coffee with the County event was held today at The Barn in the Town of York. There was a lot of support of the community center and aging services. The next event is in Caledonia in June.

ADJOURNMENT

Mr. Gott moved and Mr. Fanaro seconded to adjourn the meeting at 2:58 p.m.

INFORMATION & TECHNOLOGY SERVICES – JASON PARKER

Informational Item(s) Written Only

We will be contracting with Presentation Source to improve the audio-visual technology in the Board Room. The improvements will include two larger wall mounted screens, two long throw projectors with wireless presentation capabilities, upgraded audio equipment to control microphones and speakers, a PTZ camera to facilitate streaming of meetings, and a touch pad system to control all components. The revised proposal with State contract pricing is for \$68,166.78 and will be paid from Capital Budget funds.

REAL PROPERTY TAX SERVICES – BILL FULLER

Informational Item(s) Written Only

1. April 17th was the meeting with the Village Tax Collectors to discuss printing tax bills with ABS. At least two of the nine villages are taking advantage of ABS mailing.
2. Board of Review Training was April 25th, 19 were in attendance.
3. This office printed the Tentative Assessment Rolls and letters for the Assessors. Each Assessor has picked up their Rolls for the May 1st filing deadline.
4. New sets of the tax maps are being printed and will be provided to each Town Assessor.
5. The Tentative Assessment Rolls are also viewable on the County Website.
6. Grievance Day hearings will occur between the dates of May 22 and June 6.
7. Currently, we are receiving the tax bill and relevy information from the Villages to process their tax rolls and bills.

Respectfully submitted,

Michele R. Rees, IIMC-CMC
Clerk of the Board