

Seneca County
Board of Supervisors Meeting
&
Public Hearing
Tuesday, February 14, 2017

Call to Order

Chairman Shipley called the meeting to order at 6:00 p.m.

Roll Call of Members by the Clerk

All members of the Board of Supervisors answered roll call.

Pledge of Allegiance and Moment of Silence

Public Hearings:

a. To hear comment on the proposal to approve the amendment to the Map Plan for the Route 318 Corridor Sewer Improvement District. The proposed amendment outlines the excess capacity included in the Plan, allowing for future expansion and permitting use of up to Two Million Dollars (\$2,000,000) in County funds in construction of the District's facilities.

Chairman Shipley said there is a resolution on the agenda that will reschedule the public hearing because the notice of the public hearing was not advertised within the proper time frame.

Petitioners:

a. Earl Martin – Objective of Deer Haven Park for the depot. Mr. Martin appealed to the Board of Supervisors to support his application to the IDA for a short-term lease and tax agreement.

b. Dennis Money, Seneca White Deer – IDA assistance for Earl Martin / Deer Haven Park – expressed support for a short-term lease and tax agreement for Deer Haven Park in the interest of preserving the white deer hear.

c. Keith Tidball, PhD. – IDA Financial assistance for Earl Martin / Deer Haven Park – expressed support for the a short-term lease and tax agreement for Deer Haven Park citing Mr. Martin's habitat management efforts.

Open Privilege of the Floor:

a. Patty Nogle, resident, Fayette – expressed opposition to the lease agreement / tax agreement for Deer Haven Park stating that the bid was for sale of the property, not to lease the property and urged the Board of Supervisors to adopt a resolution urging the IDA to move forward with the sale as originally intended.

b. Supervisor Hayssen read a statement that a portion of the depot should be set aside for an eco-tourism park, open to the public on a daily basis. The portion needs to be all of the land in Varick and not reduced to a smaller foot print by a new fence along the west boundary. Seneca County needs to step

up an demand that this land is leased to the county by the IDA on a long term basis – adding, “I truly believe that residents of Seneca County were planning on an eco-tourism ark open to the public and not a private hunting preserve only open to the public on a limited basis.”

Approval of Meeting Minutes

The minutes for the January 4, 2017 Re-organizational meeting for the Board of Supervisors; and the minutes for the January 10, 2017 Regular board meeting were approved.

Submission of Claims for Audit

Sprvr. Westfall moved that the following vouchers, having gone through the proper auditing process; be approved for payment.

Supervisors vouchers	totaling	\$	947,663.68
Workforce Development vouchers	totaling	\$	33,008.97
Self-Insurance vouchers	totaling	\$	11,649.20
County Airport vouchers	totaling	\$	1,767.40
Highway Transportation vouchers			
Maintenance & State Snow	totaling	\$	96,268.49
Highway Machinery	totaling	\$	39,503.96
	Highway Total	\$	135,772.45
Water 1	totaling	\$	16,425.00
Sewer 1	totaling	\$	23,257.38
Sewer 2	totaling	\$	30,574.52
Capital Project – 318 Sewer	totaling	\$	66,739.36
Capital Project – Airport	totaling	\$	158,959.70
Capital Project – Courthouse	totaling	\$	2,350.00
Capital Project – BonaDent	totaling	\$	24,650.00
Capital Project – Water & Sewer Projects	totaling	\$	6,055.00

Reports of Standing Committees

Public Health Services Committee – Sprvr. McGreevy, Chairman. The committee approved and recommended a resolution that authorizes the acceptance of the county’s share of 54-G funds in support of activates related to the administration and enforcement of the NYS Uniform Fire Prevention and Building Codes. They also approved and recommended a resolution to begin charging a fee for plan reviews for public water supply improvements.

Public Safety Committee – Sprvr. Davidson, Chairman. The Committee approved and recommended two resolutions on the agenda tonight. One is to extend the current agreement with

Mutualink, which creates interoperable communications that are instantly capable of sharing voice, text, radio, video, data and telephone communications. The other is a resolution authorizing the county manager to sign documents to accept grant funding in the amount of \$24,800 through the Police Protection Equipment Program.

Personnel Committee – Sprvr. Lazzaro, Chairman. The committee considered a resolution that would allow Seneca County to continue making available county assets and employees to solicitations from New York Life Insurance. The motion failed in committee.

Human Services Committee – Sprvr. Lazzaro, Chairman. Other than the resolution on tonight's agenda to approve the 2017 Annual Plan Update for the Child and Family Services Plan, the committee also approved refilling several vacancies in the Department of Human Services.

Tracy VanVleck, the newly hired Deputy Commissioner of Human Services introduced herself to the Human Services Committee, stating that she is currently a resident of Waterloo, NY.

Planning, Development, Agriculture & Tourism Committee – Sprvr. Churchill, Chairman. Of the several items on the board agenda recommended and approved at the January 24 meeting by the planning committee, one resolution is reappointing Frank Sinicropi as the landowner representative on the Fish and Wildlife Management Advisory Board. Another resolution is an agreement with Finger Lakes Regional Land Bank Corporation for community development and revitalization activities, including the acquisition of vacant tax delinquent properties and returning them to productive use. Another resolution appoints members to the Board of Directors for the land bank, each for a two year term. They are: Supervisors Hayssen, Garlick Lorenzetti, Lazzaro and Westfall; County Treasurer Nick Sciotti, Grants Management Specialist Jill Henry, and Larry Ledgerwood.

Government Operations Committee – Sprvr. Garlick Lorenzetti, Chairwoman. On tonight's agenda there are three resolutions that came out of the Government Operations Committee meeting on January 24. A resolution outlining the process agreed on by the special committee for sales tax sharing, a resolution seeking from NYS, legislation that will make the use of center fire rifles permanent in Seneca County; and a resolution opposing any lease arrangement, financial or otherwise, with Earl Martin and to proceed directly to the sale of the depot.

Public Works Committee – Sprvr. Trout, Chairman. In addition to the resolutions included on the tonight's agenda, the committee was updated on the projects for Water District 1, and Sewer Districts 1 and 2 showing the status of the projects to date, the budget for the projects, and what work is completed and what remains.

The committee also approved a letter of support for John Snyder Architect, Inc. for the Excellence in Historic Preservation Award for the work he did at the offices of the District Attorney and E-911 Back-up Center.

Finance, Assessment & Insurance Committee – Sprvr. Westfall, Chairman. The committee considered a local law that would exempt the county from the NYS exemption for solar, wind, and farm waste energy. The general consensus by the committee was that the exemption was a green incentive and the local law would be contradictory to the county's efforts to be green. The motion for a local law failed in committee.

Chairman's Remarks

Good evening fellow supervisors, county employees and welcomed guests:

I would like to preface my remarks tonight by highlighting a portion of the budget testimony recently presented to a joint legislative committee in Albany by the Association of Counties.

NYSAC rightly pointed out that "counties are often required to deliver and fund many of the programs in the state budget. They also noted that "since the 1960's the state has been dipping into county coffers to pay for state programs that were created and controlled by decisions made in the State Capitol. "These are costs that local governments in most other states do not fund (to the same degree) ... and a major reason for New York's high property taxes as compared to other states."

I bring this to your attention.... on the heels of our county's weekly Medicaid payment to Albany (in the amount of \$111,958) ... in order to demonstrate that every member of this board and county workforce is working towards a common goal... in the face of burdensome challenges that are often out of our control. Yet, we have a responsibility to our county residents and taxpayers to not only get the job done - but do so in a way that maximizes our current and future prosperity for the greater good. We are all in this together.

As 2017 committee assignments are distributed - (note: the new committee structure takes effect immediately) in keeping with my previous pledge to foster greater collaboration, I am pleased to announce that this year's committee assignments were the result of a bipartisan effort between Majority Leader Davidson, Minority Leader Lorenzetti and me. Together, each of us contributed to the final decisions and I believe we all came away with a greater appreciation for the selection process and the importance of compromise. Hopefully, this inclusive process will serve as a model for future committee selection.

As I said during my January remarks, I believe this board has an historic opportunity to build upon our tremendous assets and potential. To do so, we must remain committed to principles that will help advance our economy and cultivate the type of workforce that can continue to grow and develop right here...in Seneca County. These should be high priorities for all of us.

Therefore, I ask the Personnel Committee to work closely with Finance and Government Operations Committees to develop a comprehensive plan to help improve our "good faith" collective bargaining efforts and strengthen our employment packages in order to eliminate the "training" image associated with our county.

Recent initiatives like the opening of del Lago, the 318 Sewer project and redevelopment of the former Army Depot will create significant opportunities to grow our tax base, they also underscore the urgent need for a Comprehensive Economic Development Strategy. I ask the Planning and Public Works Committees to work closely with the IDA, Chamber of Commerce and local business leaders to help develop a proposal that is responsive to the needs of a diverse audience.

In summary, all Seneca County Committees will build the foundation for our future successes as a board. They are not meant to exist in a vacuum, rather they are intended to provide the type of collaborative leadership that is necessary to make Seneca County a better place to live, work and visit. I look forward to our many successes over the coming year.

Recess

In the opinion of the Chairman, a motion was carried to recess the meeting until called to order by the Chairman, for the purpose of allowing the Personnel Committee to hold a meeting to consider recommending for adoption the proposed contract for the Seneca County Sheriff's Employees Association.

County Manager's Remarks

NYSAC continues its efforts to implement the Public Defense Mandate Relief Act to improve criminal justice reform by enhancing public defense services and providing counties with meaningful mandate relief; and to have the state fully reimburse counties for state-mandated District Attorney Salary increases.

We are currently looking into the benefits of having a self-insured health insurance program – possibly joining with other municipalities.

Communications:

15. From David P. Smith, P.E., NYS DOT, a letter dated January 30, 2017, stating the department contacted Seneca Meadows Landfill regarding our complaint of dirt and debris from Route 414 truck traffic. Seneca Meadows Landfill has an annual permit to conduct sweeping and cleaning operation son Route 414 form the intersection of routes 5 and 20 to the intersection of Route 318 and the sweeps are conducted daily, with the exception of this winter due to weather. The NYS DOT will continue to monitor the situation.

16. A copy of the RGRTA Regional Operational Service Efficiency Plan – RTS Seneca and information discussed at its Stakeholders meeting in January 13, 2017.
17. From the Town of Victor, a copy of Resolution No. 53, “Adopt the “Think Differently” Initiative to assist Individuals with Developmental Disabilities and their Families.
18. From Greene County, a copy of Resolution 22-17, “Resolution Supporting Ride-Sharing Legislation in the State of New York”.
19. From Greene County, a copy of Resolution No. 21-17, “In Support of A.10074 of 2016, Elder Abuse Legislation”.
20. From Tompkins County Legislature, a copy of Resolution No. 2017-14, “Resolution to Oppose a Repeal of the Affordable Care Act without an Acceptable Commensurate Healthcare Alternative”.
21. From the Town of Tyre, a copy of a resolution adopted May 21, 2009, “Resolution Adopting Seneca County Hazard Mitigation Plan”.
22. A copy of the Seneca County Sheriff’s Office Monthly Snapshot Report for December 2016 and January 2017.
23. A copy of the Seneca County Planning Board January 12, 2017 meeting minutes.
24. A copy of the Inter County Association of Western New York November 18, 2016 meeting minutes and its joint meeting with NYSAC on February 1, 2017.
25. A copy of the NYS Fish and Wildlife Management Board October 27, 2016 and December 15, 2016 meeting minutes.
26. A copy of the Seneca County Board of Health January 18, 2017 meeting minutes.
27. From Bonadio & Co., LLP, a letter dated January 11, 2017, notifying the Chairman of the Board, that they are engaged to audit the financial statement of the governmental activities, the business type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Seneca County.
28. A Notice of Public Hearing regarding the application by Waterloo Restoration and Redevelopment, LLC, to Seneca County IDA on January 26, 2017, to hear and accept written comments from all persons with views in favor or of opposed to either the proposed financial assistance to the company of the location or nature of the Facility.
29. A Notice of Public Hearing regarding the application of Deer Haven Park LLC to Seneca County IDA on February 9, 2017 to hear oral comments and accept written comments regarding the financial assistance in connection with the acquisition of portions of the former Seneca army depot.
30. A copy of the Edith B. Ford Memorial Library Winter 2017 news booklet.

31. From the NYS Office for the Aging, the second Notification of Grant Award \$15,510.72 for the 2017 federal fiscal year Nutrition Services Incentive Program (NSIP).

32. From the NYS Office for the Aging, copies of the revised Notifications of Grant Award and Annual Implementation Plan budget pages for the Title III-B, Title III-C, and Title III-C-2 programs sponsored by your agency for the period January 1, 2016 through December 31, 2016; and official copies of the revised Notification of Grant Award (NGA) and Annual Implementation Plan budget pages for the CSE, WIN and HIIICAP program for April 1, 2016 through March 31, 2017.

33. Emails from the following parties, expressing support to approve the application for financial assistance / PILOT by the Seneca County IDA for Earl Martin / Deer Haven Park for the survival of the white deer herd: Sheriff Bennette, SWD Supporter; Dee Calvasina and S. Tier supporters; Mary Colin, resident Waterloo; Linda Hanna, resident, Monroe County; Tanya Mack; resident, Seneca County and supporter of SWD; Dennis Money, President, Seneca White Deer (SWD); Fred and Dionne Parker, resident, Livingston County; Diana W. Schneider; Tom and Martha Schwartz; and Michael V. Smith, President, Finger Lakes Railway Corp.

34. From David Dresser, former supervisor, Town of Ovid, a copy of a statement he presented to the Finance, Assessment & Insurance Committee on January 24, 2017 urging them to not adopt a local law that exempt the county from the exemption by NYS for solar, wind, and farm waste energy systems.

35. From Eric Brewer, an email dated January 24, 2017, expressing his opposition to the permanent use of rifles in Seneca County.

36. From Dieter Kraemer, President, Sportsmen's Club, a copy of an article dated December 5, 2011, from the National Shooting Sports Foundation, "Hunting is Safer than Golf and Most Other Activities (Not to mention football, basketball, and soccer)".

37. From Genesee/Finger Lakes Regional Planning Council, a copy of a notice dated January 5, 2017 to the County Treasurer, requesting the county's share of funding in the amount of \$6,647.00 for the year 2017. Referred to the Finance, Assessment & Insurance Committee.

RESOLUTIONS & MOTIONS

SUPERVISORS APPROVE NEW MAINTENANCE AGREEMENT WITH MODULAR MECHANICAL SERVICE AND TERMINATE CONTRACT WITH ROBERT L KISTLER SERVICE CORPORATION FOR THE COURTHOUSE AND DISTRICT ATTORNEYS OFFICE

RESOLUTION NO. 04-17, moved by Sprvr. Trout, second by Sprvr. Davidson and adopted.

WHEREAS, Resolution 269-16 approved a renewal of maintenance agreement with Robert L Kistler Service Corporation for the Courthouse and District Attorney's Office; and

WHEREAS, Seneca County Facilities Superintendent has recently been notified that Robert L Kistler Service Corporation does not have the required certifications to satisfy the conditions of the warranty of the equipment; and

WHEREAS, Modular Mechanical Service has the required certifications to satisfy the conditions of the warranty of the equipment; and

WHEREAS, the Superintendent of Facilities has secured a (1) one year agreement with Modular Mechanical Service in the amount of \$6,456.00 which is no increase in cost; and

WHEREAS, the Public Works Committee reviewed and approved this resolution at its January 24, 2017 meeting; now, therefore be it

RESOLVED, that Resolution 269-16 be rescinded and the agreement with Robert L Kistler Service Corporation for maintenance at the Courthouse and District Attorney's Office; and be it further

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the County Manager to sign the one (1) year contract with Modular Mechanical Service for maintenance for the Courthouse and District Attorney's Office.

**SUPERVISORS AUTHORIZE HIGHWAY SUPERINTENDENT TO PURCHASE
A NEW GRADALL XL4100 IV 6X4 EXCAVATOR**

RESOLUTION NO. 05-17, moved by Sprvr. Trout, second by Sprvr. Westfall and adopted.

WHEREAS, the Highway Department is in need of a new excavator; and

WHEREAS, the NJPA Award Contract has a new Gradall XL4100 IV 6x4 excavator from Vantage Equipment, Syracuse NY at a cost of \$369,520.89; and

WHEREAS, this purchase has been appropriated in the 2017 adopted budget in Highway Road Machinery Vehicle account 505130-52600; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the purchase of one (1) new Gradall XL4100 IV 6x4 excavator from Vantage Equipment at a cost of \$369,520.89.

**RESCHEDULE PUBLIC HEARING ON AMENDMENT TO MAP PLAN FOR
ROUTE 318 CORRIDOR SEWER IMPROVEMENT DISTRICT**

RESOLUTION NO. 06-17, moved by Sprvr. Trout, second by Sprvr. Kronenwetter and adopted by 682 ayes and 68 abstentions (Lazzaro).

WHEREAS, the Board of Supervisors, by Resolution number 250-16, directed preparation of an amendment to the Map Plan and Report for the Route 318 Corridor Sewer Improvement District in order to account for excess capacity within the District facilities; and

WHEREAS, the Firm of Barton and Loguidice has prepared and submitted the necessary documents to so amend the Plan; and

WHEREAS, a public hearing on such amendment prior to approval and filing of the proposed amendment is required pursuant to §253-b of the New York State County Law; and

WHEREAS, due to statutory notice requirements, the original hearing date of February 14, 2017 must be rescheduled; and

WHEREAS, this Resolution has been approved by the Board of Supervisors Public Works Committee; now, therefore be it

RESOLVED, that the Board of Supervisors directs that a public hearing on approval of the amendment to the Map Plan and Report for the Route 318 Corridor Sewer Improvement District, be held at a special meeting of the Board of Supervisors, to be held in the Board of Supervisors meeting room, third floor, County Office Building, 1 DiPronio Drive, Waterloo, New York on February 28, 2017 at 6:00 P.M. and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall cause due notice of said public hearing as provided in §§253-a and 254 of the County Law.

**SUPERVISORS APPROVE THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES
FIDELITY BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

RESOLUTION NO. 07-17, moved by Sprvr. Churchill, second by Sprvr. Trout and adopted.

WHEREAS, the County of Seneca has appropriated the sum of \$6,647.00 as its share for the 2017 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

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

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated 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; and

WHEREAS, this resolution was reviewed and approved by the Planning, Development, Agriculture & Tourism Committee at a meeting on January 24, 2017; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors hereby approves such bond as the official undertaking required pursuant to Section 119-OO of the General Municipal Law; and be it further

RESOLVED, that the Board of Supervisors authorize payment through the warrant process to the Genesee/Finger Lakes Regional Planning Council, 50 West Main Street, Suite 8107, Rochester, New

York 14614, the sum of \$6,647.00 as the County's share of operating funds for the year 2017 as appropriated in the Department of Planning and Community Development account 108020-54380 (Other Fees and Services).

**APPOINTMENT OF LANDOWNER REPRESENTATIVE TO
THE REGION 8 FISH AND WILDLIFE MANAGEMENT ADVISORY BOARD**

RESOLUTION NO. 08-17, moved by Sprvr. Churchill, second by Sprvr. Wadhams and adopted.

WHEREAS, Section 11-0501 of the New York State Environmental Conservation Law (ECL) establishes a Fish and Wildlife Management Advisory Board (FWMAB) for each of the Departments nine regions; and

WHEREAS, the regional FWMAB shall consist of three members from each county representing the following interests: County Board of Supervisors; County Sportsmen; and County Landowners; and

WHEREAS, the representatives of the FWMAB are appointed by the county's chairman with the approval of the Board of Supervisors; and

WHEREAS, the term for Legislative representative and the term for Sportsmen's representative expire at the end of odd numbered years; and

WHEREAS, the term for Landowner representative expires at the end of even numbered years, however is currently vacant; and

WHEREAS, the Planning, Development, Agriculture & Tourism Standing Committee approved this resolution on January 24, 2017; now, therefore be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors, with the approval of the Board of Supervisors does hereby make the following appointment to the Region 8 Fish and Wildlife Management Advisory Board, Landowner Representative: Frank Sinicropi to serve until the current term expires on December 31, 2018.

**SENECA COUNTY EXECUTES PROFESSIONAL SERVICES AGREEMENT WITH
THE FINGER LAKES REGIONAL LAND BANK CORPORATION**

RESOLUTION NO. 09-17, moved by Sprvr. Churchill, second by Sprvr. Trout and adopted.

WHEREAS, Seneca County has agreed to provide professional services to the Finger Lakes Regional Land Bank Corporation (FLRLBC) for the purpose of furthering the land banking mission of the FLRLBC to engage in various community development and revitalization activities, including the acquisition of vacant tax delinquent properties and returning them to productive use; and

WHEREAS, the agreement specifies the professional services to be provided by Seneca County to the Land Bank which will be primarily staff time; and

WHEREAS, the agreement period is January 1, 2017 through December 31, 2017, and may be renewed annually; and

WHEREAS, this resolution was reviewed and approved by the Planning, Community Development, and Tourism Committee on January 24th, 2017; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign any and all documents necessary to execute a contract with the Finger Lakes Regional Land Bank Corporation for community development and revitalization activities, including the acquisition of vacant tax delinquent properties and returning them to productive use.

SUPERVISORS APPOINT FINGER LAKES REGIONAL LAND BANK DIRECTORS

RESOLUTION NO. 10-17, moved by Sprvr. Churchill, second by Sprvr. Trout and adopted.

WHEREAS, the Finger Lakes Regional Land Bank (FLRLB) Directors serve a two year term and all Director's terms have recently expired; and

WHEREAS, most of the original Directors are receptive to serve another term; and

WHEREAS, there exists three vacancies on the FLRLB Board and the Chair of the Seneca County Board of Supervisors nominates County Supervisor Greg Lazzaro, Mr. Larry Ledgerwood and Ms. Jill Henry to be appointed FLRB Directors; and

WHEREAS, this resolution was approved by the Planning, Development, Agriculture & Tourism Committee on January 24, 2017; now, therefore, be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to appoint the following to serve a two year term on the Finger Lakes Regional Land Bank Corporation Board of Directors effective immediately:

Supervisor Robert Hayssen

Supervisor Cindy Lorenzetti

Supervisor Gary Westfall

County Treasurer Nick Sciotti

County Grants Management Specialist Jill Henry

Supervisor Greg Lazzaro

Mr. Larry Ledgerwood

AUTHORIZE COUNTY MANAGER TO SIGN CONTRACT WITH

SENECA COUNTY CHAMBER OF COMMERCE

RE: NYS MATCHING FUNDS PROGRAM & TOURISM SERVICES

RESOLUTION NO. 11-17, moved by Sprvr. Churchill, second by Sprvr. Davidson and adopted.

WHEREAS, the Seneca County Chamber of Commerce, Inc., is a not-for-profit corporation organized under the laws of the State of New York; and

WHEREAS, the Board of Supervisors of Seneca County has appointed the Seneca County Chamber of Commerce as the Tourism Promotion Agency ("TPA"); and

WHEREAS, the Chamber has made a proposal to the Board of Supervisors regarding the performance of certain duties related to tourism promotion of Seneca County; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the County Manager to sign a contract memorializing the terms of the proposal in a form and content approved by the County Attorney, the term to commence January 1, 2017 through December 31, 2017; and be it further

RESOLVED, that the Seneca County Board of Supervisors authorizes the payment of funds through the warrant process under Seneca County Budget 2017 line 108021-54700 (Tourism-Tourism CO) to the Chamber according to the terms of Schedule B of said Contract:

Schedule B

Seneca County Chamber of Commerce Contract NYS Matching Funds Program and Tourism Services Payment Schedule for 2017

		Matching Funds Program	Tourism Services
Payment 1	February 2017	\$ 58,509.00	\$ 54,122.75
Payment 2	April 2017	0.00	54,122.75
Payment 3	July 2017	0.00	54,122.75
Payment 4	October 2017	0.00	54,122.75
Total		\$ 58,509.00	\$ 216,491.00

**SUPERVISORS AUTHORIZE COUNTY MANAGER TO APPLY FOR
TERM EXTENSION OF NYS DEPARTMENT OF STATE GRANT
CONTRACT #M061163 FOR IMPROVEMENTS TO PAPA BEAR**

RESOLUTION NO. 12-17, moved by Sprvr. Churchill, second by Sprvr. Trout and adopted.

WHEREAS, Seneca County is the owner of the Seneca County Courthouse Complex, known as the Three Bears, located in Ovid, NY; and

WHEREAS, Seneca County entered into a \$60,000 grant contract with NYS Department of State for improvements to the building known as Papa Bear; and

WHEREAS, there remains a balance of \$7,909.06 on this grant; and

WHEREAS, the grant term expired on July 31, 2015; and

WHEREAS, New York State Department of State has agreed to consider a grant term extension through July 31, 2017; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Committee on January 24, 2017; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes and directs the County Manager to sign all necessary documents to extend New York State Department of State grant contract M061163.

**ADOPT DISADVANTAGED BUSINESS ENTERPRISE (DBE) PLAN
FOR FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 13-17, moved by Sprvr. Churchill, second by Sprvr. Trout and adopted.

WHEREAS, to receive Federal Aviation Administration (FAA) Funds for the Finger Lakes Regional Airport, Seneca County must have a Disadvantaged Business Enterprise (DBE) Program that meets U.S. Department of Transportation (DOT) requirements; and

WHEREAS, the Federal Aviation Administration (FAA) has modified the requirements for adoption of a Disadvantaged Business Enterprise Plan and the proposed Seneca County DBE Plan, therefore, has minor changes from when adopted on September 13, 2016; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Committee on January 24, 2017; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors schedule a Public Hearing to be held on March 14, 2017 regarding the proposed Disadvantaged Business Enterprise Program which will establish a 6.7% goal for funding from October 1, 2016 through September 30, 2019; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to place the notice of the proposed Public Hearing in the official County newspapers during the week of February 20, 2017.

Referred back to committee

The following draft resolution was referred back to committee by a motion offered by Sprvr. Churchill, second by Sprvr. Lazzaro, and carried unanimously.

BOARD OF SUPERVISORS DEFINE SALES TAX SHARING PROCESS

WHEREAS, the Board of Supervisors (BOS) Resolution 216-16 established a Special Committee to deliberate and make recommendations of sharing sales tax revenue with town and village municipalities within Seneca County; and

WHEREAS, it is the recommendation of the Special Committee to first realize the prospective growth of sales tax revenue as a result of the del Lago Resort & Casino as well as other economic development potential before committing to a distribution of County revenue; and

WHEREAS, the Special Committee members are sensitive to both the fiscal vulnerabilities of the County and the fiscal requirements of the 14 municipalities of the County; and

WHEREAS, a determined distribution of actual sales tax revenue within the annual budget process of the County will both contribute to the prolong fiscal health of the County and reduce fluctuations in the distribution of sales tax revenue to the municipalities; and

WHEREAS, this resolution was approved by the Government Operations Committee on January 24, 2017; now, therefore be it

RESOLVED, that the BOS directs the Special Committee on Sales Tax Sharing to make recommendations and provide options for the distribution of sales tax revenue to the 14 municipalities concurrent with the annual budget adoption process beginning with FY2018.

**SUPERVISORS REQUEST EXTENSION OF LEGISLATION TO PERMIT
USE OF RIFLES TO HUNT BIG GAME IN SENECA COUNTY**

RESOLUTION NO. 14-17, moved by Sprvr. Garlick Lorenzetti, second by Sprvr. Trout and adopted by 630 ayes (Garlick Lorenzetti, Trout, Reynolds, Wadhams, Davidson, Prouty, Lazzaro, Kronenwetter, McGreevy, Westfall, and Shipley) and 120 nays (Kaiser, Churchill).

WHEREAS, the Seneca County Board of Supervisors, by Resolution 132-14, previously requested state legislation to permit hunting of big game by rifle in Seneca County; and

WHEREAS, through the sponsorship of our state representatives, the New York State legislature in 2015 passed amendments to §11-0907(2) of the New York State Environmental Conservation Law permitting, on an interim basis, such hunting by rifle; and

WHEREAS, such interim amendment will expire on October 1, 2017; and

WHEREAS, it is the desire of the Board that the amendment permitting rifle hunting of big game in Seneca County be extended and made permanent; and

WHEREAS, his resolution was approved by the Government Operations Committee on January 24, 2017; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby request that the New York State Legislature enact legislation that will permanently permit the use of rifles for big game hunting in all of Seneca County; and, be it further

RESOLVED, that certified copies of this resolution be sent by the Clerk of the Board to Senator Pamela Helming, Assembly Minority Leader Brian Kolb and Assemblyman Philip Palmesano.

**SUPERVISORS REQUEST THE SENECA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY (IDA) PROCEED IMMEDIATELY TO THE SALE
OF THE FORMER SENECA ARMY DEPOT PROPERTY**

(DEFEATED)

RESOLUTION NO. 15-17, moved by Sprvr. Garlick Lorenzetti, second by Sprvr. Hayssen and defeated by 483 nays (Reynolds, Wadhams, Davidson, Prouty, Kaiser, Kronenwetter, McGreevy, Westfall, Shipley and Trout) and 267 ayes (Garlick Lorenzetti, Hayssen, Lazzaro, and Churchill).

WHEREAS, Board of Supervisors (BOS) Resolution No. 16-16 requested the IDA give considerable weight to the opinion of the BOS regarding the remaining property(s) of the former Seneca Army Depot and the preservation of the white deer and perpetuation of their habitat is a primary consideration regarding Depot land use; and

WHEREAS, the committee that reviewed bids to acquire the Depot property, which included four members of the BOS and members of the IDA's board, made recommendations to the IDA for approving the bid of Earl Martin; and

WHEREAS, IDA Resolution No. 2016-11 approving the bid of Earl Martin was unanimously adopted by the IDA Board; and

WHEREAS, the Martin bid having contemplated an interim payment-in-lieu-of-tax (PILOT) agreement, the IDA approved and executed a purchase and sale agreement that permits the buyer the option of leasing the property for a period not exceeding two years as the mechanism for implementing the PILOT; and

WHEREAS, the terms of the optional lease agreement allow the buyer to control and develop the property with the obligation to assume title at lease expiration, and require the buyer to make an up-front rental payment of \$900,000, which is the equivalent of the bid purchase price; and

WHEREAS, in accordance with the terms of the purchase agreement, the buyer has submitted an application to the IDA for financial assistance in the form of the PILOT as contemplated in the approved Martin bid; and

WHEREAS, as currently contemplated the PILOT would result in payments to the taxing jurisdictions of \$50,000 in 2017 and \$75,000 in 2018, if the lease continues to the second year; and

WHEREAS, this resolution was approved by the Government Operations Committee on January 24, 2017; now, therefore be it

RESOLVED, notwithstanding the terms of the Purchase Sale and Lease Agreement, the BOS requests the IDA abandon both the lease and the pursuit of a PILOT program to immediately close on the sale of the former Seneca Army Depot to the buyer.

Prior to the vote of Resolution No. 15-17, a motion to lay on the table the motion to adopt the resolution was offered by Sprvr. Trout, second by Sprvr. Wadhams and failed in the opinion of the Chairman. Discussion continued. Sprvr. Davidson offered a motion, second by Sprvr. Trout to call the question. The motion carried by 483 ayes – 267 nays (Garlick Lorenzetti, Hayssen, Lazzaro, and Churchill). Discussion continued. Sprvr. Davidson offered a motion again, second by Sprvr. Wadhams to call the question. The motion carried by 483 ayes – 267 nays (Garlick Lorenzetti, Hayssen, Lazzaro, and Churchill).

APPROVE 2017 ANNUAL PLAN UPDATE FOR THE CHILD AND FAMILY SERVICES PLAN

RESOLUTION NO. 16-17, moved by Sprvr. Lazzaro, second by Sprvr. Garlick Lorenzetti and adopted.

WHEREAS, the 2012-2016 (January 1, 2012 – December 31, 2016) Annual Plan for the Child and Family Services, required by the New York State Office of Children and Family Services, covers the Strategic Component, Administrative Component – Local Department of Social Services, Administrative

Component Youth Bureau and the PINS Diversion Services –Strategic Component; and

WHEREAS, the Annual Plan Update is due January 2017; and

WHEREAS, the current 2012-2016 Child and Family Services Plan has been extended through December 31, 2017; and

WHEREAS, this resolution has been reviewed and approved by the Human Services Committee on January 24, 2017; now, therefore be it

RESOLVED, the Board of Supervisors authorizes the approval of the 2017 Annual Plan Update for the Child and Family Services Plan and the Chairman of the Board of Supervisors is authorized and directed to sign the 2017 Annual Plan Update for the Child and Family Services Plan.

**AUTHORIZE AND DIRECT COUNTY MANAGER TO SIGN ALL NECESSARY
DOCUMENTATION FOR THE 2016-17 POLICE PROTECTIVE EQUIPMENT PROGRAM
(PPEP) GRANT FOR \$24,800**

RESOLUTION NO. 17-17, moved by Sprvr. Davidson, second by Sprvr. Reynolds and adopted.

WHEREAS, Resolution 247-17 approved the application of the Police Protective Equipment Program (PPEP) Grant; and

WHEREAS, Seneca County received notice of award for this grant in the amount of \$24,800.00 total with no local match; and

WHEREAS, the grant awards the Seneca County Sheriff the following funding allocation based on the eligible equipment needs of the Village of Waterloo Police Department and the Town of Seneca Falls:

Seneca County Sheriff - \$17,600.00

Waterloo PD - \$5,200.00

Seneca Falls PD - \$2,000.00

And,

WHEREAS, this resolution was reviewed and approved by the Public Safety Committee at its January 24, 2017 meeting; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors authorizes and directs the County Manager to sign all necessary documents for the PPEP Grant in the amount of \$24,800.00.

**EXTENSION TO MUTUALINK MEMORANDUM OF AGREEMENT WITH THE NYS
DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES**

RESOLUTION NO. 18-17 moved by Sprvr. Davidson, second by Sprvr. Reynolds and adopted by 682 ayes and 68 nays (Lazzaro).

WHEREAS, in the time of a disaster or a large event, having secure interoperable communications is essential; and

WHEREAS, “Mutualink” creates networks of interoperable communications that are, at an instant, capable of sharing voice, text, radio, video, data and telephone communications in a secure environment; and

WHEREAS, the New York State Division Homeland Security & Emergency Services deployed “Mutualink”, at no cost to each county, State Fire and State Office of Emergency Management; and

WHEREAS, the New York State Division Homeland Security & Emergency Services requires a Memorandum of Agreement to be signed; and

WHEREAS, the Board of Supervisors approved Resolution No. 70-15 at the Board of Supervisor’s meeting on July 14th, 2015 to sign a Memorandum of Agreement to accept Mutualink; and

WHEREAS, the Department of Homeland Security and Emergency Services is extending the term of the original agreement to January 31, 2018 at no cost to Seneca County; and

WHEREAS, the Public Safety Committee approved this resolution at its meeting on January 24, 2017; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors designates the Director of Emergency Management as the Point of Contact to accept and use the equipment, software and Mutualink Edge interoperable communications resources; and, be it further

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the County Manager to sign the Memorandum of Agreement.

AUTHORIZE BOARD CHAIRMAN TO SEND LETTER TO NEW YORK STATE SECRETARY OF STATE REQUESTING SENECA COUNTY’S SHARE OF 54-G FUNDS

RESOLUTION NO. 19-17 moved by Sprvr. McGreevy, second by Sprvr. Trout and adopted.

WHEREAS, Part 1207 of Title 19 NYCRR, provides a procedure for local governments to apply for financial assistance available under section 54-g of the New York State Finance Law in support of activities related to the administration and enforcement of the New York State Uniform Fire Prevention and Building Codes; and

WHEREAS, the time period covered by the application for assistance is January 1, 2016 through December 31, 2016; and

WHEREAS, this resolution was reviewed and approved by the Public Health Committee on January 24th, 2017; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign any and all documents necessary to apply to the New York State Secretary of State to apply for financial assistance available under section 54-g of the New York State Finance Law in support of activities related to the administration and enforcement of the New York State Uniform Fire Prevention and Building Codes during the period January 1, 2016 through December 31, 2016.

APPROVE PLAN REVIEW FEES FOR PUBLIC WATER SUPPLY IMPROVEMENTS

RESOLUTION NO. 20-17 moved by Sprvr. McGreevy, second by Sprvr. Davidson and adopted.

WHEREAS, the Health Department is required to review plans for public water supply improvements; and

WHEREAS, the Health Department currently contracts with an engineering firm for these services; and

WHEREAS, the plan review costs have ranged from \$200 to \$1,600; and

WHEREAS, the Health Department currently does not charge a plan review fee; and

WHEREAS, the New York State Department of Health and neighboring counties currently charge a review fee; and

WHEREAS, the Board of Health has recommended and the Public Health Committee has approved assessing a plan review fee as follows:

- Non-Community and Community water supply projects which cost less than \$10,000: \$50 plan review fee
- Water Supply projects which cost between \$10,000 and \$100,000: \$150 plan review fee
- Water Supply projects which cost more than \$100,000: \$250 plan review fee
- Cross-Connection devices: \$150, plus \$25 for each additional device

And

WHEREAS, the Public Health Committee has reviewed and approved this resolution at its January 24, 2017 committee meeting; now, therefore be it

RESOLVED, that the Board of Supervisors approve the plan review fee assessment for Public Water Supply plan reviews as specified.

New Business

Personnel Officer Corona gave an overview of the contract with the Sheriff's Employees Association. The document may seem lengthy, but most of the items are changes in the contract language, as there were some sections that were difficult to understand. For instance, there pages devoted to vacation leave, but there were no enhancements to the vacation schedule— just some cleaning up of confusing language. The major change is the introduction of a new salary schedule. The employees who received large increases when the old salary schedule went away are receiving ½% in years one and two. Employees hired after 2013 receive varying increases, some more than \$1.00 per hour, and some slightly less than \$1.00. New employees receive no increase in year 1, but will move up through the schedule each year. There are other slight enhancements, such as an increase in degree differential for a small number of employees, and a stipend for training officers.

**SUPERVISORS RATIFY MEMORANDUM OF AGREEMENT BY AND BETWEEN
THE COUNTY OF SENECA AND THE SENECA COUNTY
SHERIFF'S EMPLOYEES' ASSOCIATION**

RESOLUTION NO. 21-17 moved by Sprvr. Westfall, second by Sprvr. Davidson and adopted by 614 ayes and 136 nays (Lazzaro, Churchill).

WHEREAS, the County and the Union are parties to a Collective Bargaining Agreement for a term which expired on December 31, 2013; and

WHEREAS, the County and the Union have been engaged in collective bargaining which has led to a mutual understanding between the County and the Union for the terms and conditions of employment for a Successor Agreement; and

WHEREAS, the County and the Union are desirous of reducing that mutual understanding to a written document; now, therefore be it

RESOLVED, that the County Manager, the County Personnel Officer and the County Sheriff are authorized and directed to execute the following Agreement on behalf and as the authorized representatives of Seneca County, and be it further

RESOLVED, the County and the Union agree as follows:

1. All terms and conditions of the existing Collective Bargaining Agreement not explicitly altered in that Agreement or by this Memorandum of Agreement shall continue in full force and effect.

2. This Memorandum of Agreement is subject to ratification by the membership of the Sheriff's Employees' Association and by the Board of Supervisors of Seneca County.

3. Effective January 1, 2017, amend Section 2.02 to read as follows:

"In addition to this time, the Association President or his designee shall be entitled to a minimum of six (6) days off per year, as time off from working duties to be taken and used at the discretion of the President, for the purpose of attending to Association matters, conducting Association business outside of working hours, attendance at local Association meetings and/or attendance at state and national law enforcement conferences. Nothing shall preclude the President from taking additional days off at the discretion of the Sheriff or Director of Emergency Management or their designee."

4. Effective January 1, 2017, amend the last sentence in Section 3.01 to read as follows:

"If a position is in the non-competitive or labor class defined by the Seneca County Civil Service Rules, the incumbent must have been employed full-time for a period six (6) months before being

entitled to Section 75, 76 of the Disciplinary Procedure unless the Seneca County Civil Service Rules provide for a longer probation period than six (6) months then that period will control with regard to eligibility for coverage pursuant to Section 75, 76 or any alternative Disciplinary Procedure that may apply."

5. ADD New Article 20, "Layoffs" and move current Sections 4.01 through 4.06 out of their current location and they will become 20.01 through 20.06.

6. Effective January 1, 2017, amend Section 5.01 by adding a new paragraph which shall be paragraph E and shall read as follows:

"E. If no employee accepts an overtime assignment from the voluntary list, the employee who is "up next" on the order in list will be subject to being ordered in. An employee who evades an order in shall remain at the top of the list."

7. Effective January 1, 2017, ADD the following to Section 5.05:

"Exchange of time requires the approval of the Sheriff, Director of Emergency Management or their designee. At the time an exchange is requested, the payback schedule shall also be identified and must be accomplished in the same calendar work week. A member may not work more than two (2) sixteen (16) hour days in a row as a result of an exchange of time. Payment for each shift shall be made to the employee regularly scheduled to work."

Remove Section 5.05A

8. Replace Section 5.11, Salary, with the following language:

A. Salary Schedule: Effective January 1, 2015 the salary schedule annexed as Appendix "A" will become effective. Employees shall be placed on a salary step based on their length of service. Those employees whose salaries are above that of step 6 will be designated "off step", and will receive a ½% increase added to their base hourly rate.

B. Effective January 1, 2016, each employee who is eligible for a salary step movement shall receive such salary step. Off step employees shall receive a ½% increase added to their base hourly rate.

C. Effective January 1, 2017, the salary schedule reflects an increase of 2%. Each employee who is eligible for a salary step

movement shall receive such salary step. Off step employees shall receive a 2% increase added to their base hourly rate.

D. Effective January 1, 2018, the salary schedule reflects an increase of 1%. Each employee who is eligible for a salary step movement shall receive such salary step. Off step employees shall receive a 1% increase added to their base hourly rate.

E. Retroactive pay increases shall apply to all employees on the payroll (if applicable) January 1, 2017 and to any employee who retired on or after January 1, 2015 and before ratification of this agreement who is collecting a retirement allowance from the New York State and Local Employees' Retirement System.

F. Step Movement: - Employees shall move on the steps of their Grade based on their consecutive years of service in the job title.

If hired before July 1st, the employee shall move to the next step on the following January.

If hired on or after July 1st, the employee shall move to the next step on the second January after he/she was hired.

If an employee is promoted to a higher-grade job, he or she shall go to the corresponding step in the higher level position. Off step employees shall receive an 8% increase to their base salary.

G. Effective dates of step movements and pay raises will coincide with the beginning of the pay period in which the effective date is a scheduled work day.

9. Effective January 1, 2017, Section 5.12 shall be amended to read as follows:

5.12 Call-in Premiums. When an employee has completed his regular daily shift, is released, and then recalled to work, or the employee is called in on a regularly scheduled day off, the employee shall be guaranteed a minimum of three (3) hours premium at time plus one-half, plus all actual hours worked in excess of three (3) hours, submitted on an Authorized for Overtime Form. Having to attend court will be exempt from this section."

10. Effective January 1, 2017, replace Sections 6.01 – 6.13 with the following language:

6.01 Vacation General Rule/Policy: All vacation time must be requested in writing and approved by the Sheriff or Director of

Emergency Management or their designee. Any vacation requested must be approved/disapproved by the Sheriff or Director of Emergency Management or their designee within two (2) weeks of the submitted request. All vacation time must be requested in writing at least thirty (30) days in advance of the anticipated vacation. In cases of emergency, this minimum period may be waived by the Sheriff or Director of Emergency Management or their designee. In the event of conflict of vacation submitted, the granting of a vacation request will be made on the basis of the date of the request, and secondly, on the basis of seniority in classification. An annual vacation schedule shall be posted on the department bulletin board.

6.02 Vacation Selection. Vacations will be selected within each work unit. If an employee is on temporary assignment, he will be allowed to take his vacation that he previously selected with the unit to which he is permanently assigned. An employee who is on temporary assignment and who has not already selected his vacation shall make such selection with the unit to which he is temporarily assigned.

6.03 Unit Defined. For the purposes of this Agreement, such units are defined as follows:

- | | |
|-------------|-----------------|
| Correction | Kitchen |
| Dispatch | Office Clerical |
| Supervision | *Medical Unit |

*Medical Unit includes Sr. Mental Health Clinical Therapist, Licensed Practical Nurse, Addictions Counselor.

6.04 Vacation Periods. Vacation periods shall be from January 1st to December 31st of each year.

6.05 Commence Vacation. Employees shall have the right to commence their vacation on any day of their regularly scheduled tour of duty.

6.06 Pro-Rata Vacation Chart. An employee shall accrue during his first year of employment a pro-rata vacation benefit in accordance with the following schedule:

<u>EMPLOYEES HIRED IN</u>	<u>40 HOURS PER WEEK</u>
January	88.00 hours

February	80.00 hours
March	71.50 hours
April	63.00 hours
May	63.00 hours
June	55.00 hours
July	46.50 hours
August	40.00 hours
September	40.00 hours
October	40.00 hours
November	40.00 hours
December	40.00 hours

Accrued Pro-Rata Vacation will be available for usage effective January 1 of the year following hire date

6.07 Six Month Vacation Time. A new employee hired between January 1st of a calendar year and May 1st of a calendar year will receive 40.0 hours of vacation after six months of employment in accordance with their normal work week. This clause does not prohibit an employee from also accruing vacation time in accordance with Article 6, Section 6.06.

6.08 Vacation Schedule. All employees who are employed by the County shall use the following vacation schedule:

<u>YEARS OF SERVICE SCHEDULE</u>	<u>DAYS OF VACATION</u> <u>40 HOURS PER WEEK</u>
1 - 5 years	88.00 hours
6 years	96.00 hours
7 years	104.00 hours
8 years	112.00 hours
9 years	128.00 hours
12 years	144.00 hours
15 years	168.00 hours

All employees covered by this Agreement shall be granted a paid vacation for each calendar year or part thereof, in the succeeding calendar year.

6.09 Vacation Blocks. All employees with 104 hours of vacation time or more are required to take 40.0 hours (5 days) in a block, one per year. The Sheriff or Director of Emergency Management or their designee may at his/her discretion suspend this requirement.

6.10 Vacation - Termination Amount. An employee who is discharged, resigns, retires or is laid off prior to taking his vacation

he/she shall be compensated for all his/her accumulated vacation credits on a pro-rata basis.

Vacation: Payment Pro-Rata. An employee shall receive pro-rata vacation benefits of the rate of one twelfth (1/12) of the vacation entitlement the employee would have received if the employee had not terminated for each full month the employee had worked in that year.

Example: An employee who has twenty (20) vacation days as an earned right and who terminates in June, shall receive one half (1/2) or 10 days of vacation pay.

The employee must have been employed the whole month in order to be credited with the accrued time. An employee who terminates his/her employment within their first twelve months of service, will not receive any accrued benefits under Article 6, Section 12 of this Agreement. In the event of termination by death of an employee, such payment may be paid to a person or persons legally designated by the employee as their beneficiary or estate.

6.11 Carry-over Vacation. There will be no carry-over of vacation from year to year. All unused vacation time will be forfeited. Every effort will be made by the employer to allow each employee to use all vacation time. Except in the event the employer declares an emergency that prevents the employee from using already scheduled vacation time, and if the vacation cannot be rescheduled by the employee in that year, the employee will be paid for the cancelled vacation in the first pay period of the following year. Cancellation of approved vacation time shall be in writing and a copy submitted to the Personnel Officer.

Re-number the remainder of Section 6.

11. Effective January 1, 2017, the heading in paragraph 6.16 (it will be renumbered) shall be changed to read: Notification to Employer (Sick). The heading in Paragraph 6.17 (it will be renumbered) shall be changed to read: Notification to Employer (Frequency).

12. Effective January 1, 2017, paragraph 6.14 (to be renumbered), Sick Leave Accumulation, shall be amended to read as follows:

"All employees shall accumulate one day of sick leave for every month of employment. If an employee is out of sick time and calls in sick, no Personal, Comp, or Vacation time will be allowed to be

substituted. The employee will be deemed to be away without authorized leave and possible disciplinary action may be taken. In general, the discipline would be a counseling memo, letter of reprimand, suspension or termination. The use of sick time is prohibited to extend or begin vacation, plus being used to take time off between shift changes of any sort."

13. Effective January 1, 2017, Section 6.14A (to be renumbered) shall be amended by changing the last sentence in the first paragraph to read:

"Those employees covered by this Agreement will be paid a sick leave incentive of \$1,000 if eight (8) hours, or one complete shift or less of sick time is used during the established dateline and \$500 if the employee covered by the agreement uses no more than two complete shifts or sixteen (16) hours of sick time in the established dateline above."

14. Effective January 1, 2017, amend Section 6.15 (to be renumbered) by adding the following:

6.15 Sick Time: Reasons For. – Sick leave may be taken only in the event of sickness which may be defined as illness (including mental), bodily injury or quarantine. The employee may be absent for three consecutive days without providing a physician's certificate. After three (3) consecutive days of absence a physician's certificate may be required at the end of each calendar month. Any employee that has accumulated 60 days or more of sick leave will not have to present a doctor's certificate to the Sheriff or Director of Emergency Management or their designee until out of work in excess of five (5) working days. Any employee, who is hospitalized, regardless of the number of days out of work, shall present a doctor's certificate to the Sheriff or Director of Emergency Management or their designee stating the employee may return to work no restrictions.

All employees may be allowed to use accumulated sick leave for any serious illness in the immediate family. Immediate family shall be defined as Spouse, Mother, Father, Acting Guardian by Law, Sister, Brother, Son, Daughter, Foster and Step-Children, Father-in-law, Mother-in-law, Step-parents and Grandparents.

15. Effective January 1, 2017, amend Section 6.25 (to be renumbered), paragraph D, to read as follows:

"D. Upon the exhaustion of sick leave credits, the individual must use any accumulated compensatory time, vacation or personal time except for one (1) week of this type of leave time which may be saved."

16. Effective January 1, 2017, amend Section 6.30 (to be renumbered), Section 1, paragraph A to read as follows:

Section 1 – Bereavement Leave

A. In the event of a death of a member in employee's family, the employee shall be excused from his/her work at his/her request for up to a maximum of five (5) work days. Such days shall be used to attend the funeral and for any days lost between the day of death and the day after the funeral, provided that all of those days were regularly scheduled work days of the employee.

17. Effective January 1, 2017, amend Section 7.01, Leave of Absence-Requirements, by adding the following:

"Any member granted a leave of absence for the purpose of training for or accepting a position with Seneca County, but outside of the bargaining unit, will have his/her accrued sick leave bank restored to the level which existed at the commencement of his/her leave of absence if reinstated to a position within this bargaining unit within one (1) year."

18. Effective January 1, 2017, amend the title of Section 9.02 to read "Uniforms." Section 9.02 shall be amended to read as follows:

"The Sheriff or Director of Emergency Management shall prescribe the uniforms to be worn by employees on duty. Employees shall be subject to inspection to insure compliance with standards and issuance maintenance. Uniforms and equipment provided by the Sheriff or Director of Emergency Management shall be used by employees while performing their official duties in the service of their department only. Any other use not specifically authorized by the Sheriff or Director of Emergency Management shall be subject to disciplinary action. Uniforms will be of a professional nature and the color of the uniforms shall be determined by the Sheriff or Director of Emergency Management."

NOTE: Any references to color (such as black) contained in Section 9.06A and 9.06B shall be removed.

19. Effective January 1, 2017, the second sentence in Section 9.05 shall be amended to read as follows:

"All employees hired after 1/1/06 will receive a \$750 clothing allowance annually. However, effective 1/1/2018, the clothing allowance shall be increased to \$850 annually."

20. Effective January 1, 2017, the first sentence of Section 9.07 shall be amended to read as follows:

"Whenever an employee is required to use his personal vehicle in the conduct of County business, the employee shall be reimbursed for such use at the approved Internal Revenue Service mileage rate."

21. Effective January 1, 2017, the rates set forth Section 9.11 shall be increased to \$400 for a Master's degree, \$350 for a Bachelor's degree and \$300 for an Associate's Degree.

22. Effective January 1, 2018, a NEW Section shall be added to be Section 9.12 which shall read as follows:

9.12 Field Officer Training Pay. Members assigned to field-train employees will be paid for each day in which the training is done for at least one-half of the shift. A member who has FTO or CTO certification shall be paid \$20 per day of training, and one who does not have the certification shall be paid \$15 per day of training."

23. Effective January 1, 2017, Section 10.01 shall be amended by changing the first sentence to read as follows:

"The following procedure shall be utilized for disciplinary and discharge matters for all competitive, labor and non-competitive class employees who have completed their probationary employment with the County."

24. Effective January 1, 2017, the last section of Section 10.03 shall be amended to read as follows:

"The parties recognize that the statute of limitations for bringing disciplinary charges contained in Section 75 of the Civil Service Law is eighteen (18) months. The Employer agrees that in the event it determines the disciplinary charges should be pursued, those charges will be served within thirty (30) calendar days after the employee has been notified by the Sheriff or Director of Emergency Management or their

designee that disciplinary charges are forthcoming. Failure to file disciplinary charges within thirty (30) calendar days after such notification shall constitute a waiver of the Employer's ability to bring such charges."

25. Effective January 1, 2017, Article 8, Monetary Benefits: Insurance - the second full paragraph will be modified to read as follows:

"If an employee leaves the County service prior to paying his or her share of the MVP insurance premium for the month in which separation occurs,..."

Section 8.02, Retirement, shall be amended to read as follows:

"All employees shall be eligible for membership in the New York State and Local Employees' Retirement System as provided for in the Retirement and Social Security Law. To the extent applicable, the County shall provide the Sick Leave Rider known as Section 41J."

26. Effective January 1, 2017, DELETE Section 10.15 and renumber thereafter.

NOTE: Section 10.08 covers the same circumstances.

27. Effective January 1, 2017, amend Section 13.06 by adding the following:

"A notice of the demand for arbitration and supporting documentation shall be sent to the Sheriff or Director of Emergency Management, the Personnel Officer or, if there is an attorney formally representing the County at this stage of the proceeding, notice shall be sent to the attorney."

NOTE: DELETE Section 13.12 and renumber Section 13.12a as 13.12.

28. Effective January 1, 2017, paragraph 13.12a will become paragraph 10.21.

After the adoption of Resolution No. 21-17, Sprvr. Churchill questioned why the copy of the contract is signed by the Personnel Officer and the County Manager prior to the adoption by the board. It was explained that the signatures are showing approval by the Personnel Officer and the County Manager. The contract is in effect when the contract is fully executed by the Sheriff and the Union.

Special Order of the Day

The meeting was adjourned at 8:10 p.m.