

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

Call to Order

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

Roll Call of Members by the Clerk

Ten members of the Board of Supervisors answered roll call. Sprvrs. Hayssen and Hochadel were not present. Sprvr. Kaiser arrived at 6:07 p.m.

Pledge of Allegiance and Moment of Silence

Presentations

Seneca County Chamber of Commerce, Ken McConnell, Chairman, Board of Directors, and Tom Murray, Member Director. The Seneca County Chamber of Commerce has been in existence for over forty years. Membership is almost 400 members. The Chamber is the supports business development and business advocacy in economic development, government, education and tourism. They plan to come to the board meetings on a regular basis to encourage communication between the county board of supervisors and the Chamber.

Seneca County Housing & Services Fair – Joe McGrath, SC Grant Writer & CEO/President Finger Lakes Regional Land Bank. The event is Tuesday, May 7 at 10:00 am to 1:00 p.m. at the County Office Building. Forty-four organizations and agencies are participating. A study will be conducted in the near future, with data collected from sources such as Code Enforcement, to help track the housing needs in the region.

Petitioners

Allison Stokes, property owner, Seneca Falls expressed support of the Board of Supervisors to contract with Hunt Engineers for the I and I study for the two county sewer districts citing a ‘monopoly’ Barton & Loguidice has on projects in Seneca County; and they are more interested in profiting from landfill money from the town than for the best interest of Seneca Falls. At her urging, the comptroller’s office completed an audit of Seneca Falls’ finances. She gave a summary of the comptroller’s findings regarding the construction of the town hall building, of which Barton & Loguidice were the engineers, that the cost of construction nearly doubled the projection and the project lacked management oversight.

Point of Order: Sprvr. Lazzaro interrupted the petitioner, citing Point of Order because she had spoken beyond the maximum 5 minutes allowed for petitioners in violation of Rule of Order #33 - Authority to Speak. Chairman Shipley ruled that the Point of Order was not well taken because according to his watch the speaker still had a few minutes left to speak. Sprvr. Lazzaro objected citing the comments expressed were not relevant to county business. Chairman Shipley disagreed saying he would like to hear what the speaker had to say.

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

Sprvr. Lazzaro said the speaker was presenting misinformation. He asked the press members, Josh Durso, Ovid Gazette / Fingerlakes1.com, and David Shaw, Finger Lakes Times, to meet with him at 9:30 a.m. in his town office, for an opportunity to hear the facts before they print the misinformation the speaker was sharing on its own merit.

Open Privilege of the Floor

David Foster, Esq., Town Attorney for Seneca Falls commented on misinformation provided by speakers through a public forum, and then the media prints it, thus misleading the public. He commented that Ms. Stokes did not present all the facts about Barton & Loguidice.

Anthony Del Plato, Trustee, Village of Interlaken, spoke in opposition to the county's proposal to increase the occupancy tax rate from 3% to 5%; and instead collect taxes owed from Airbnb. He also urged the Board of Supervisors to adopt a resolution that urges the amendment of the NYS Constitution to include language that it is the peoples inherent right to clean air, clean water, and clean environment.

Robert Magill, resident, Town of Waterloo, said he believed a lot of information shared at a public hearing by some individuals and groups is incorrect and propaganda. His concerns are the lack of workforce in Seneca County due to the lack of businesses and opportunity; and lack of adequate housing in the county.

Approval of Meeting Minutes

Minutes of the March 12, 2019 Regular board meeting were approved.

Reports of Standing Committees

Health & Human Services Committee - Sprvr. McGreevy, Chairman. The Health and Human Services Committee approved a couple of resolutions regarding the Household Hazardous Waste event for Seneca County. The event is held later in the year in October. The event does not include electronic waste anymore – apparently vendors are getting out of that portion of recycling because of the increased cost to recycle electronics. However, SMI landfill will accept electronic waste throughout the year. The committee also approved a resolution to amend the contract with Pam King, a Psychiatric Nurse Practitioner, to reflect an hourly rate of \$90 and not to exceed \$42,000 annually.

Human Resources & Government Operations Committee - Sprvr. Davidson, Chairman. The committee approved a new policy, the Whistleblower Policy for Seneca County. The purpose is to provide an atmosphere of transparency and allow employees to feel confident to report anything that may seem an improper governmental action without fearing recrimination against them.

I will offer a motion for a Rule 29 tonight to introduce a resolution proclaiming May 1 as Law Day in Seneca County. This year's theme is Free Speech, Free Press, Free Society. A copy of the draft resolution is on each of your desks.

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

Economic Development & Tourism Committee - Sprvr. Kaiser, Chairman. In addition to the resolutions on the agenda tonight, one of the issues reviewed by the committee two weeks ago, was amending the bylaws for the Seneca County Advisory Committee on Tourism (SCACOT). We requested clarification regarding the number of consecutive terms members can serve. This will be discussed again at the April committee meeting. Finger Lakes Regional Airport: The committee approved a resolution to authorize the advertisement of bids for the construction services related to the south apron reconstruction. McFarland Johnson, the engineers completed the design and they have been submitted to the FAA for final review and approval. We will be applying for grant money in early June and expect a 5% local match by the county. Last year we completed the north apron project. The expansion of the runway is included in the Capital Improvement Plan for 2020. We need another 1,000 feet or so to expand the airport to accommodate bigger aircraft. We will collect data regarding the traffic at the airport and size of aircraft – for project construction in 2021. The committee also approved renewing a five year lease with Air Methods for May 1, 2019 through April 30, 2024 for rental of the County's hangar space and adjoining living quarters at the Finger Lakes Regional Airport, at a monthly rate of \$3,675.00 and for Air Methods to purchase aircraft fuel from the County at the County Airport. Ag & Markets Grant: Finally there is a resolution on the agenda to apply to NYS Department of Agriculture & Markets for a \$50,000 grant to prepare an updated Agriculture and Farmland Protection Plan.

Public Safety & Criminal Justice Committee - Sprvr. Brownell, Chairman. The committee referred one resolution for tonight's meeting to authorize acceptance of a NYS Homeland Security grant for enhancement of HAZMAT emergency response capabilities. This is a partnership grant with Ontario, Wayne, and Yates counties. Under new business, I will offer a motion for a Rule 29 to introduce a resolution that will accept \$75,000 for a grant secured by Senator Helming from the Dormitory Authority of the State of New York (DASNY). This funding includes \$25,000 in grant funds initially administered by NYS Criminal Justice Service which we approved in 2018. Now that the administration switched to DASNY, we have to accept the total grant of \$75,000, all funds administered by DASNY.

Agriculture & Environmental Affairs Committee - Sprvr. Kronenwetter, Chairman. There was a workshop sponsored by Community Science Institute and Cayuga Lake Watershed a couple of weeks ago in Aurora regarding the negative effects algal blooms, climate changes, and nutrients has on Cayuga Lake. Several leading experts attended: Mark Wysocki, senior lecturer in meteorology and a NYS Climatologist at Cornell University said New York is likely to experience a 65-% increase in precipitation by the end of the century in the form of dramatic rain events. Greg Boyer, Director of the Great Lakes Research Consortium, said heavy rain events are also likely contributing to harmful algal blooms by flushing large amounts of nutrients out of the watershed and into lakes, giving the bacteria more food.

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

Greg Albrecht, NYS Soil and Water Conservation Committee said to prevent the nutrients into the lake, the kind of management practices used by farms like planting cover crops, injecting manure directly into the ground to prevent surface runoff, waste storage structures, digesters that recycle parts of manure, and more. In the Cayuga Lake Watershed, 350 best management practice implementation projects, representing approximately \$25 million investment from the state with approximately \$16 million cost share from farmers in the last 20 or so years. John Halfman, with the Finger Lakes Institute at Hobart and Williams Smith Colleges, said it's not clear farms are primarily to blame for HABs. According to Halfman, Honeoye Lake has the most severe HABs of all the lakes despite its watershed being 80 percent forested, with little agriculture.

In response to comments from Brian Preston, resident of Fayette, at the March board meeting, it is illegal to implement additional tipping fees to compensate taxpayers

Sprvr. Kronenwetter said he planned to forward to Scott Foti, NYSDEC Reg. 8, the emails from the itStinks website.

Public Works Committee - Sprvr. Trout, Chairman. There is a resolution on the agenda tonight opposing NYS Bill S.1947 / A.1261 which would require contractors and material suppliers to pay prevailing wages and benefits to all workers and deliveries on projects receiving public funding, including those that receive tax breaks from IDAs. The bill was not included in the 2019-2020 NYS budget recently adopted, but it could still be passed as a supplemental amendment. The 318 sewer is ready to be turned on, but the inter-municipal agreement with Seneca Falls is not completed. There are old issues that need to be cleared up. A meeting needs to be scheduled.

Sprvr. Brownell interjected to comment that the longer the delay to opening 318 sewer, the more it is costing Junius, which they see as unfair to Junius.

Ways & Means Committee - Sprvr. Reynolds, Chairman. At the committee meeting, we authorized refilling the position for Senior Account Clerk in the Finance Department. We approved a resolution for several issues. Occupancy Tax Rate: One is to ask our New York State representatives to support an increase in our occupancy tax rate from 3% to 5%; Finger Lakes Regional Land Bank: We also approved transferring properties off the tax foreclosure list to the Finger Lakes Regional Land Bank. Four properties will be slated for rehab or demolition. One property is located in Varick and is slated for land redevelopment; Property sold (V) Interlaken: A resolution to remove property in the Town of Covert from the tax foreclosure list for the purpose of selling it to the Village of Interlaken for \$975.31 and if this property is sold in the

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

next five years for a value in excess of the taxes (\$11,398.75), that the net sale proceeds will be shared with the county.

Report of Special Committees

Seneca County IDA – Sprvr. Trout reported that the IDA has a meeting this afternoon. The 2018 annual audit and single audit are clean and approved; they approved PILTs and SEQRs for Waterloo Container, and Waterloo Contractors, Inc; and Deep Dairy Products. They approved FAME renewal, and will be presenting their strategic economic development plan to the Board of supervisors in the near future

Seneca County Cornell Cooperative Extension / Seneca County Ag Enhancement Board – Sprvr. Lott reported that the board are busy and active and moving forward on numerous projects.

Jury Board – Sprvr. Reynolds reported that the Seneca County Jury Board. He said there were over four hundred candidates for the jury pool for a recent murder case. He also said Barry Porsch, our newly elected judge for County, Surrogate's & Family Court, our former District Attorney is settled in his new role and everything is running smoothly.

Chairman's Remarks

Tonight, on the heels of the recently enacted NYS Budget, I would like to highlight some of the items contained in the state's massive \$175.5 billion dollar spending plan. Keep in mind that SFY 2018 budget was \$168.2 billion... Governor Cuomo continues to claim Albany holds themselves to the 2% property tax cap which they also passed into State Law.... Regardless of the fuzzy math Albany accountants must be using, an increase of \$7.3 Billion dollars by my calculator is an increase of 4.3%.

So that you have a better understanding of how these Albany mandates effect Seneca County and our hard-working taxpayers... Seneca County has to send a weekly Medicaid payment of \$111,679.00 to Albany (each week, 52 weeks per year) and they have not told us what our new 2019 weekly payment will be...To put this payment in perspective... Medicaid all by itself will consume nearly sixty (60%) percent of the entire revenue Seneca County has to levy for property taxes.... just to pay for one mandated program. It defies logic why New York state leaders choose to run a program costing more than the programs of Texas and Florida COMBINED – whose populations...are more than twice that of New York. This Board could make far better use of that Medicaid money, and probably eliminate a lot of bickering over Sewer and Water by investing in Southern Seneca County, putting pipe in the ground and fixing all sewer and water infrastructure using the almost \$6 Million dollars every year.

The state budget includes:

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

- Enacts a statewide ban on plastic bags. Allows for the legislative body of any County or City can impose a fee on paper carryout bags – takes effect on or after March 1, 2020. I would hope our Government Operations Committee reviews this and decides against this new tax.

- Chips and Marchiselli aid are level from prior years funding. The proposed extreme Weather repair (\$65 Million) was not included in the Capital budget but may be passed as a supplemental capital bill to include the weather repair funding.

- Elections – the budget supposedly includes monies for early voting costs.... The actual dollar breakdown is still unclear, so stay tuned to see if they actually pay for this new early voting mandate.

- Under Indian Affairs, the budget includes a \$47 Million increase for Native American Casinos and provides enough capacity to allow for the Seneca Nation to “Catch up” on prior year payments that were withheld in a dispute with the State, although it is still unclear how the Seneca Nation will proceed after losing the arbitration with the state, but budget authority is available for a full repayment..... Let’s all keep track of how and when that disputed payment happens?

As you can see, there are many challenges facing our local government. Given the significant financial ramifications of state budget laws, it is critically important that we continue to work together at finding additional efficiencies on behalf of our taxpayers. I look forward to your valuable input as we move forward this year. Thank you for your attention.

County Manager’s Remarks

None

County Attorney’s Remarks

None

Communications

35. From Brian M. Kolb, State Assembly Minority Leader, 131st Assembly District, acknowledgement dated March 28, 2018 of receipt of a copy of Seneca County Board of Supervisors Resolution No. 30-19 opposing NYS Bill S1947 / A1261 related to hours, wages and supplements in contracts for public works.

36. A copy of a letter dated March 22, 2019 from Jay A. Gsell, County Manager / Budget Officer, Genesee County, to Carl Heastie, Speaker of the NYS Assembly and Andrea Stewart-Cousins, Majority Leader of the NYS Senate, opposing the Governor’s appropriation included in the state budget proposed for 2019/2020, to shift AIM funding for cities, towns and villages, to county sales tax proceeds; and urging the reversal of this appropriation and restore New York State AIM funding.

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

37. A copy of Cattaraugus County Resolution No. 163-2019, “Opposing Proposed and Amended 2020 Executive State budget Impacting Aid and Incentives to Municipalities and State Cost Shifts to Counties”.
38. A copy of Greene County Resolution No. 99-19, “A Resolution Opposing Proposed and Amended 2020 Executive State Budget Impacting Aid and Incentives to Municipalities and State Cost Shifts to Counties”.
39. A copy of Madison County Resolution No. 19-88, “A Resolution Opposing Proposed and Amended 2020 Executive State Budget Impacting Aid and Incentives to Municipalities and State Cost Shifts to Counties”.
40. A copy of Tioga County Resolution No. 98-19, “A Resolution Opposing Proposed and Amended 2020 Executive State Budget Impacting Aid and Incentives to Municipalities and State Cost Shifts to Counties”.
41. A copy of Greene County Resolution No. 100-19, “Resolution Urging New York State to Fund the Purchase of Electronic Poll Books for County Boards of Elections”; and Resolution No. 101-19, “Resolution Urging New York State to Fund costs associated with new State Enacted Voting Reforms Implemented at the County Level”.
42. A copy of Schoharie County Resolution No. 41, “Urging New York State to Fund costs associated with new State Enacted Voting Reforms Implemented at the County Level”.
43. A copy of Madison County Resolution No. 19-148, “Resolution Calling on Governor Andrew M. Cuomo and the NYS Legislature to Address the Lack of Cellular Phone Coverage for all New York State Residents and Visitors”.
44. Copy of Wayne County Resolution No. 194-19, “Authorize Appointment to the Finger Lakes Workforce Investment Board (Eric Biletzky); and Resolution No. 067-19, Authorize Appointment for the FLWIB (Maria Fisher).
45. A copy of the Inter County Association of Western New York March 15, 2019 meeting minutes.
46. A copy of the Seneca County IDA February 7, 2019 meeting minutes.
47. A copy of the Seneca County Planning Board March 14, 2019 meeting minutes.
48. A copy of Schuyler County Resolution No. 110, “Oppose New York State Senate Bills S.1947 and New York State Assembly Bill A.1261 Related to Hours, Wages, and Supplements in Contracts for Public Works”.

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

49. From Anthony Del Plato, Trustee, Village of Interlaken, a written statement of comments he made at this meeting objecting to the intent of the Board of Supervisors seeking an increase in the county's occupancy tax by 2%.

50. From Anthony Del Plato, a written statement of comments he made at this meeting urging the Board of Supervisors to adopt a resolution in support of the NY Environmental Bill of Rights Amendment, A.2064 / S.2072, amending Article 1, the Bill of Rights, of the NYS Constitution to insert a new Section 19, recognizing the inalienable and self-executing right of all New Yorkers to clean water, clean air, and a healthful environment.

RESOLUTIONS & MOTIONS

**BOARD OF SUPERVISORS AUTHORIZES CHAIRMAN OF THE BOARD TO
REQUEST AMENDMENT TO §1202-o OF NEW YORK STATE TAX LAW**

RESOLUTION NO. 59-19, moved by Sprvr. Reynolds second by Sprvr. Trout and adopted.

WHEREAS, New York's counties have varying rates of occupancy tax provided under Article 29 of the Tax Law; and

WHEREAS, many such counties have expanded the scope of the tax provided for under Article 29 to include vacation rentals as well as conventional motel and hotel room rentals; and

WHEREAS, Seneca County's need for revenue for purposes of tourism promotion and development continues to increase; and

WHEREAS, unlike many counties, the statutory restrictions on Seneca County's Occupancy Tax remains at the minimum three percent under §1202-o of the Tax Law; and

WHEREAS, this resolution has been approved by the Ways & Means Committee at its meeting of March 26, 2019; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to request of Seneca County's state legislators that they introduce legislation amending §1202-o of the New York State Tax Law as the same relates to Seneca County, to increase the rate of Seneca County's Hotel-Motel Occupancy Tax, authorized thereby from three percent to five percent of the per diem rental rate for each room and to include authorization to impose such tax on vacation rentals.

Discussion Resolution No. 59-19:

Discussion focused specifically on vacation rentals. Property rented through Airbnb and Premier Properties are included in the definition 'vacation rentals'. County Treasurer Frank Sinicropi said the county receives quarterly payments from Airbnb and Premier Properties. Airbnb policy prevents them from releasing individual identification of properties, so the payments are received in a lump sum. However, Premier Properties does list properties individually, which is useful in identifying properties.

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

Sprvr. Garlick Lorenzetti said Fayette recently amended its zoning regulations. Vacation rental properties will now require a vacation rental permit, inspection, site plan review, and a special use permit. New vacation rentals will require a permit as of October 1, 2018; Existing vacation rentals need to be permitted by June 1, 2019 with a compliance period for existing reservations until October 1, 2019. New regulations address occupancy limitations, parking restrictions, and compliance with building and septic system codes. With this amendment, Fayette will be able to track rentals and ensure the property is safe and up to code. Enforcement will be done through complaints by other residents. Sprvr. Kronenwetter suggested a similar regulation at the county level if allowable.

**SENECA COUNTY BOARD OF SUPERVISORS TRANSFERS PROPERTIES TO THE
FINGER LAKES REGIONAL LAND BANK CORPORATION (FLRLBC)**

RESOLUTION NO. 60-19, moved by Sprvr. Reynolds second by Sprvr. Kronenwetter and adopted.

WHEREAS, Seneca County supports the mission of the Land Bank and recognizes the progress made in the previous years in acquiring tax delinquent, blighted, and abandoned properties and returning them to beneficial use; and

WHEREAS, properties have been identified from the 2019 Tax Foreclosure list that meet the FLRLBC Mission; and

WHEREAS, the Seneca County Board of Supervisors at a regular meeting held on December 11, 2018 passed Resolution 284-18 Authorizing the Transfer of Tax-Foreclosed Vacant and Abandoned Properties to the Finger Lakes Regional Land Bank Corporation at a Nominal Cost; and

WHEREAS, this resolution was reviewed and approved by the Ways and Means Committee on March 26, 2019; now, therefore be it

RESOLVED, that the Board of Supervisors hereby authorizes and directs the Seneca County Treasurer to remove the following properties from the 2019 Tax Foreclosure List:

- Town of Varick, 5508 State Route 89 (15-1-15.111)
- Town of Seneca Falls, 156 Fall Street
- Town of Romulus (Hamlet of Willard), 1537 County Road 132
- Village of Ovid, 2146 W. Seneca Street;

And be it further

RESOLVED, that the Board of Supervisors hereby authorizes and directs the Seneca County Treasurer to remove the following properties from the 2019 tax foreclosure list for the purposes of land assemblage and redevelopment in the Town of Varick:

- Town of Varick, Parcel ID 15-1-17 (NYS Route 89)
- Town of Varick, Parcel ID 15-1-20 (NYS Route 89)
- Town of Varick, Parcel ID 15-1-23 (NYS Route 89);

And be it further

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

RESOLVED, that the Board of Supervisors directs the Seneca County Treasurer to transfer said properties to the Finger Lakes Regional Land Bank Corporation for the nominal cost of \$1.00.

**SENECA COUNTY BOARD OF SUPERVISORS TO SELL PROPERTY TO
THE VILLAGE OF INTERLAKEN**

RESOLUTION NO. 61-19, moved by Sprvr. Reynolds second by Sprvr. Trout and adopted.

WHEREAS, Seneca County recognizes the progress made in the previous years in acquiring tax delinquent, blighted, and abandoned properties and returning them to beneficial use as well as the benefit to local municipalities in improving the quality of life in the community; and

WHEREAS, a property has been identified from the 2019 Tax Foreclosure list that is requested by the Village Of Interlaken which would benefit their community and make a positive improvement to the quality of life, to wit; Town of Covert Parcel ID 452001; 01-2-21, 8392 Main Street, Interlaken, NY; and

WHEREAS, taxes unpaid for 2019 total \$975.31, without interest or penalty, and that the total of unpaid taxes otherwise due is approximately \$11,398.72; and

WHEREAS, it would be reasonable and appropriate for the Village to purchase said property, with a covenant that if within five (5) years of the date of this resolution, the property is sold for value in excess of the taxes due as of the date of this resolution, \$11,398.72, that net sales proceeds should be shared equally with the County; and

WHEREAS, this resolution was reviewed and approved by the Ways and Means Committee on March 26, 2019; now, therefore be it

RESOLVED, that the Board of Supervisors hereby authorizes and directs the Seneca County Treasurer to remove Town of Covert Parcel ID 452001; 01-2-21, 8392 Main Street, Interlaken, NY from the 2019 Tax Foreclosure List; and be it further

RESOLVED, that the Board of Supervisors directs the Seneca County Treasurer to transfer said properties to the Village of Interlaken for the cost of \$975.31, with a covenant that if within five (5) years of the date of this resolution, the property is sold for value in excess of the taxes due as of the date of this resolution, \$11,398.72, that net sales proceeds shall be shared equally with the County.

Discussion Resolution No. 61-19:

Under discussion, Chairman Shipley recognized Mayor Rich Richardson of the Village of Interlaken, who thanked the Board of Supervisors for working with the village to resolve the several issues for several years regarding this property. Moving forward, a portion of the property will be converted to an off-street parking lot for the library.. With the village acquiring the property, the downtown will be much improved and safer place for its residents.

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

**APPROVE HUNT ENGINEERS TO PERFORM INFLOW AND INFILTRATION STUDY FOR
SENECA COUNTY SEWER DISTRICT 1**

RESOLUTION NO. 62-19, moved by Sprvr. Trout, second by Sprvr. Garlick Lorenzetti and adopted by 583 ayes, 68 nays (Lazzaro) and 97 not present.

WHEREAS, Resolution 16-19, the Board of Supervisors approved and accepted the NYS Environmental Facilities Corp. award for Wastewater Infrastructure Engineering Planning Grant (EPG); and

WHEREAS, Seneca County has been awarded \$30,000 for Sewer District 1 to evaluate existing Inflow & Infiltration issues within Seneca County Sewer District 1; and

WHEREAS, Seneca County Sewer Districts will be responsible for 20% match of \$6,000; and

WHEREAS, Barton and Loguidice assisted is the EPG application for the Sewer District 1 and coordinated that effort for Seneca County Sewer District 2 and abutting districts to apply with subsequent awards for those districts; and

WHEREAS, Barton and Loguidice is contracted as the Engineer for the Professional Engineering Report for Seneca County to maximize funding for Seneca County Sewer District 1 & 2 Centralized Alternative; and

WHEREAS, the Public Works Committee recommended Hunt Engineers to perform the Inflow and Infiltration Study and approved this resolution on March 26, 2019; now, therefore be it

RESOLVED, that Board of Supervisors approves Hunt Engineers Architects & Land Surveyors PC to perform the Inflow and Infiltration Study for Sewer Districts 1 for the not to exceed amount of \$36,000; and be it further

RESOLVED, that the Board of Supervisors authorizes and directs the County Manager to sign all documents to execute this contract; and be it further

RESOLVED, that the funds from Professional Fees budget Line 328110-54330-EFC 82324 will be used.

**APPROVE HUNT ENGINEERS TO PERFORM INFLOW AND INFILTRATION STUDY FOR
SENECA COUNTY SEWER DISTRICT 2**

RESOLUTION NO. 63-19, moved by Sprvr. Trout, second by Sprvr. Garlick Lorenzetti and adopted by 583 ayes, 68 nays (Lazzaro) and 97 not present.

WHEREAS, Resolution 17-19, the Board of Supervisors approved and accepted the NYS Environmental Facilities Corp. award for Wastewater Infrastructure Engineering Planning Grant (EPG); and

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

WHEREAS, Seneca County has been awarded \$30,000 for Sewer District 2 to evaluate existing Inflow & Infiltration issues within Seneca County Sewer District 2; and

WHEREAS, Seneca County Sewer Districts will be responsible for 20% match of \$6,000; and

WHEREAS, Barton and Loguidice assisted in the EPG application for Sewer District 2 and coordinated that effort for Seneca County Sewer District 1 and abutting districts to apply for EPG grants with subsequent awards for those districts; and

WHEREAS, Barton and Loguidice is contracted as the Engineer for the Professional Engineering Report for Seneca County to maximize funding for Seneca County Sewer Districts 1 & 2 Centralized Alternative; and

WHEREAS, the Public Works Committee recommended Hunt Engineers to perform the Inflow and Infiltration Study and approves this resolution on March 26, 2019; now, therefore be it

RESOLVED, that the Board of Supervisors approves Hunt Engineers Architects & Land Surveyors PC to perform the Inflow and Infiltration Study for Sewer District 2 for the not to exceed amount of \$36,000; and be it further

RESOLVED, that the Board of Supervisors authorizes and directs the County Manager to sign all documents to execute this contract; and be it further

RESOLVED, that the funds from Professional Fees budget Line 338110-54330-EFC 84205 will be used.

**AUTHORIZING THE IMPLEMENTATION AND FUNDING OF 100% OF THE
BRIDGE NY ELIGIBLE COSTS OF THE COUNTY ROAD 136/LODI POINT ROAD
OVER TRIBUTARY TO SENECA LAKE CULVERT**

RESOLUTION NO. 64-19, moved by Sprvr. Trout, second by Sprvr. Davidson and adopted.

WHEREAS, a project for the County Road 136 / Lodi Point Road over Tributary to Seneca Lake Culvert Replacement, PIN 375662 (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the County of Seneca will design, let and administer all phases of the Project; and

WHEREAS, the County of Seneca desires to advance the Project by making a commitment of 100% of the costs of design, right-of-way and construction work for the Project or portions thereof; and

WHEREAS, this resolution was reviewed and approved by the Public Works Standing Committee at the March 26, 2019 meeting; now, therefore it be

RESOLVED, that the County Board, duly convened, does hereby approve the Project; and be it further

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

RESOLVED, that the County Board hereby authorizes the County of Seneca to pay 100% of the cost of design, right-of-way and construction work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding; and be it further

RESOLVED, that the sum of \$558,560 from the Seneca County General Fund is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that the County Board hereby agrees that the County Manager of Seneca County shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the County of Seneca; and be it further

RESOLVED, that the Department of Finance is hereby authorized and directed to establish the Capital Project budget as follows:

Revenue	805112-43505-CR136	State Aid Bridge NY	\$558,500	Increase
Appropriations	805112-52000-CR136	Capital Project	\$500,000	Increase
	805112-54341-CR136	Engineer Fees	\$58,560	Increase

RESOLVED, that the Department of Finance be authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution; and be it further

RESOLVED, that in the event the costs of the Project exceed the amount appropriated above, the County of Seneca shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Commissioner of Public Works thereof; and be it further

RESOLVED, that the County Board hereby agrees that the County of Seneca hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and be it further

RESOLVED, that the Manager of the County of Seneca be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with NYSDOT for State Aid and / or Bridge NY funding on behalf of the County of Seneca in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs; and be it further

RESOLVED, that the County of Seneca will be responsible for all maintenance of the Project; 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, this Resolution shall take effect immediately.

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

**BOARD OF SUPERVISORS ACCEPTS \$1.385 MILLION FOR BRIDGE MAINTENANCE AND
AUTHORIZE BUDGET AMENDMENT**

RESOLUTION NO. 65-19, moved by Sprvr. Trout, second by Sprvr. Kronenwetter and adopted.

WHEREAS, Seneca County was awarded \$1.327 million for the Multiple Bridge Painting and Repair Project - PIN 3756.02; and

WHEREAS, the final award contract amount for the project is \$1.385 million; and

WHEREAS, the purpose of this money is for maintenance on seven county bridges; and

WHEREAS, this project started in 2014 and construction began in 2017-2018; and

WHEREAS, source of funding for the project comprises 80% - New York State; 15% - Marchiselli Program; and 5% -County funding as part of the CHIPS reimbursement; and

WHEREAS, the Public Works Committee reviewed and approved this resolution on March 26, 2019; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby accept \$1.385 million from New York State for the maintenance of seven bridges; and be it further

RESOLVED, that the County Manager is hereby authorized to sign all necessary agreements, certifications, or reimbursement requests for this project; and be it further

RESOLVED, that the Finance Department be authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution; 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 agreements in connection with the project; and be it further

RESOLVED, that Resolution No. 105-18 is rescinded and replaced with this resolution.

**SENECA COUNTY BOARD OF SUPERVISORS AWARD CONSTRUCTION CONTRACTS
AND AUTHORIZE BUDGET TRANSFER FOR SAMPSON VETERANS MEMORIAL
CEMETERY ADMINISTRATION BUILDING**

RESOLUTION NO. 66-19, moved by Sprvr. Trout, second by Sprvr. Kronenwetter and adopted.

WHEREAS, the Sampson Veterans Memorial Cemetery (SVMC) is owned and operated by Seneca County as a municipal cemetery to honor the memory of veterans who have made personal sacrifices in the service of their country; and

WHEREAS, by Resolution No. 37-18, the Seneca County Board of Supervisors authorized and directed the County Manager to sign all necessary documents to accept and administer the \$2,000,000 State and Municipal Facilities Program (SAM) grant administered by the Dormitory Authority of the

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

State of New York (DASNY) to support capital improvements and renovations to the former firehouse facility at the SVMC; and

WHEREAS, T. Y. Lin International, selected architectural and engineering firm by Resolution 246-18, developed design and specification documents to award prime contracts for General Construction, HVAC, Plumbing and Electrical Construction, and Furniture and Installations; and

WHEREAS, by resolution 14-19, the Seneca County Board of Supervisors authorized and directed the Commissioner of Public Works to prepare and solicit bids for construction services to complete renovations to and build-out of the former firehouse structure at the Sampson Veterans Memorial Cemetery to serve as the Administration Building; and

WHEREAS, bids were advertised on February 21, 2019 and sealed bids were received, opened and read aloud on March 14, 2019 at 2:00 p.m.; and

WHEREAS, Iversen Construction Corp., of Gorham, NY, was the General Construction Contract low bidder at \$1,007,000.00; and

WHEREAS, Knapp Electric, Inc., of Auburn, NY, was the Electrical Contract low bidder at \$164,000.00; and

WHEREAS, Kuehne Construction, of Penn Yan, NY, was the Plumbing Contract low bidder at \$44,450.00; and

WHEREAS, Crosby Brownlie, Inc. of Rochester, NY was the HVAC Contract low bidder at \$109,500.00; and

WHEREAS, Workplace Interiors, LLC, of Fairport, NY was the Furniture and Installation Contract low bidder at \$78,681.71, and

WHEREAS, it is recommended to have a 5% Contingency line not to exceed \$70,000, and

WHEREAS, this resolution was reviewed and approved by the Public Works Committee on March 26, 2019; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors awards the following contracts to renovate and build-out of the former firehouse structure at the Sampson Veterans Memorial Cemetery to serve as the Administration Building:

- Iversen Construction Corp, General Construction Contract at \$1,007,000.00 ;and
- Knapp Electric, Electrical Contract at \$164,000.00 ;and
- Kuehne Construction, Plumbing Contract at \$44,450.00 ;and
- Crosby Brownlie, Inc., HVAC Contract \$109,500.00 ;and
- Workplace Interiors, LLC, Furniture and Installation Contract at \$78,681.71;

And be it further

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

RESOLVED, that the following budget transfer is approved:

801624-52000-7359	Capital Project	\$1,473,632	Decrease
801624-54491-7359	General Construction	\$1,007,000	Increase
801624-54493-7359	Electric	\$164,000	Increase
801624-54494-7359	Plumbing	\$44,450	Increase
801624-54713-7359	HVAC	\$109,500	Increase
801624-52100-7359	Office Furniture	\$78,682	Increase
801624-54731-7359	Contingency	\$70,000	Increase;

And be it further

RESOLVED, that the Department of Finance be authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution; and be it further

RESOLVED, the Seneca County Board of Supervisors authorizes and directs the County Manager to sign any and all documents necessary to effectuate the intent of this resolution.

SUPERVISORS REVISE POLICY NO. 401.100 "LAND AND BUILDING DEVELOPMENT

RESOLUTION NO. 67-19, moved by Sprvr. Trout, second by Sprvr. Davidson and adopted.

WHEREAS, the Board of Supervisors has adopted a Land and Building Development Policy; and

WHEREAS, it is desirable to revise Seneca County Policy 401.100, Land and Building Development, to strengthen County decision making protocols; and

WHEREAS, the Public Works Committee has reviewed and approved this resolution at its Committee Meeting on March 26, 2019; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors revises and adopts Seneca County Policy No. 401.100, Land and Building Development, to read as follows:

401.100 LAND AND BUILDING DEVELOPMENT – ACQUISITION, SALE, GIFT

PURPOSE: To provide a financial/administrative mechanism whereby land or buildings or space may be acquired or sold to meet the changing needs of County Government and to provide for adequate valuation, inspection and records of such preliminary matters, and insure that proceeds from the sale or lease of County properties is retained for further improvement or acquisition of county properties and buildings.

PROCESS:

1) PURCHASE OR ACQUISITION:

- All projects involving the purchase, lease or acquisition by gift of real property or “space” shall be fully documented through the County Manager, Commissioner of Public Works Division, and the Department Head (if any) as the proponent of the proposed land, building or space acquisition.

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

- A report of such projects shall be provided, in writing, to the Clerk of the Board of Supervisors for dissemination to the Chairman of the Board of Supervisors, and to the Chairman of the appropriate committee, as directed by the Chairman. The improvement or acquisition process may also be initiated by the County Board of Supervisors.
- In either event, the County Manager shall submit a report to the Board of Supervisors containing information as follows:
 - Description of the necessity to purchase or acquire by gift, trade or lease.
 - Financial Analysis of acquisition
 - Fiscal impact on the Land and Building Development Fund and other funds
 - Impacts on the operations of any affected County Departments Boards or Commissions.

2) GUIDELINES:

- The County Board shall direct the Manager to obtain appraisals of the value of the acquisition, and shall further obtain other reasonably necessary environmental, engineering, or similar assessments of the condition of the property that impacts its value and usefulness for the purposes set forth in the initial report. The proposed appraisals and assessments noted above shall be provided in the report made to the Board of Supervisors, but is subject to their further review and directive.
- The County Board will then establish parameters within which the Manager may negotiate terms of purchase. Final determination to purchase will be made by the County Board.
- The first priority for access to funds for purchase, lease or acquisition shall be funds held in the Land and Building Development Fund, subject to alternative funding sources, to include general revenue, grants, borrowing, or a combination of all possible sources.

3) SALE:

- Should the County may, either through its own determination of excess or surplus needs, or upon an inquiry as to the available of any real property, improvement or similar space, wish to enter into an agreement to sell; such action shall be governed by appropriate review of applicable state or local law.
- In any event, the County Manager shall submit a report to the Board of Supervisors containing information as follows:
 - Description of the benefits or concerns of the sale or trade of the subject property.
 - Financial Analysis of sale
 - Fiscal impact on the Land and Building Development Fund and other funds
 - Impacts on the operations of any affected County Departments, Boards, or Commissions.

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

- Any such report shall also include at a minimum an outside appraisal of the value of said property or space, and a general condition assessment of the property, taking into consideration building systems integrity.
- The County Board will then establish parameters within which the Manager may negotiate terms of sale. Final determination to contract to sell will be made by the County Board.
- All proceeds will be deposited in the Land and Building Fund under the supervision of the County Treasurer.

4) GIFTS:

The Seneca County Board of Supervisors welcomes gifts of land, waters, buildings, or other real or personal property in their name, provided such gifts are devoid of unnecessary limiting restrictions and are of appropriate benefit to Seneca County. All or portions of this policy may be waived by the Board to facilitate these types of transactions.

5) RECORDS:

The County Manager shall direct that the Commissioner of Public Works maintain all records, correspondence, reports, assessments or other documentation related to any purchase contemplated by this policy directive.

SUPERVISORS OPPOSE NEW YORK STATE SENATE BILL S.1947 AND NEW YORK STATE ASSEMBLY BILL A.1261 RELATED TO HOURS, WAGES AND SUPPLEMENTS IN CONTRACTS FOR PUBLIC WORK

RESOLUTION NO. 68-19, moved by Sprvr. Trout, second by Sprvr. Davidson and adopted.

WHEREAS, legislation has been introduced in both the New York State Senate and Assembly related to hours, wages and supplements in contracts for public work; and

WHEREAS, these Bills would expand the scope and definition of activities under the term Public Work to include most future construction projects that are financed with any amount of public funding; and

WHEREAS, these Bills would require contractors and material suppliers to pay prevailing wages and benefits to all workers and deliveries on projects receiving any state money, including those that receive tax breaks from industrial development agencies; and

WHEREAS, this legislation, if adopted or included as a budget mandate, will result in significant cost increases for all affected projects and a negative effect on economic development throughout the State; now, therefore be it

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

RESOLVED, that the Seneca County Board of Supervisors opposes Senate Bill S.1947 and Assembly Bill A.1261 or the inclusion of any language as part of the 2019-2020 New York State budget; and be it further

RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the NYS Legislature and all others deemed necessary and proper.

Discussion Resolution No. 68-19:

Chairman Shipley said Bill S.1947 / A.1261 was not included in the 2019-2020 NYS budget; but it may still be passed as a supplemental amendment. Sprvr. Lazzaro asked if this would set in motion any federal violations. It would not. This is only at the state level. The labor unions are supportive of the bill. If this bill is passed, it will greatly increase the cost of public work projects in New York State.

BOARD OF SUPERVISORS ACCEPTS FY17 REGIONAL HAZARDOUS MATERIALS GRANT

RESOLUTION NO. 69-19, moved by Sprvr. Brownell, second by Sprvr. Garlick Lorenzetti and adopted.

WHEREAS, the NYS Division of Homeland Security and Emergency Services authorized a \$110,000 Regional Hazardous Materials (HAZMAT) FY17 grant to Seneca County; and

WHEREAS, pursuant to Resolution 78-18, the Seneca County Board of Supervisors authorized applying for this grant funding; and

WHEREAS, Seneca County is joined with Ontario, Wayne, and Yates Counties in a collaborative effort to provide a hazardous materials response and emergency rescue capability of Seneca County and the three adjoining counties; and

WHEREAS, this grant requires no local match and the performance period ends on August 31, 2020; and

WHEREAS, 5% of the grant proceeds can be used for grant administration; and

WHEREAS, this resolution was reviewed and approved by the Public Safety and Criminal Justice Committee on March 26, 2019; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County Manager to sign any required documentation to accept the HAZMAT FY17 grant proceeds for the enhancement of hazardous material response capabilities; and be it further

RESOLVED, that the Department of Finance be authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution.

RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR CONSTRUCTION SERVICES AT THE FINGER LAKES REGIONAL AIRPORT

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

RESOLUTION NO. 70-19, moved by Sprvr. Kaiser, second by Sprvr. Davidson and adopted.

WHEREAS, by Resolution 205-17 dated August 22, 2017, the Seneca County Board of Supervisors approved the application to and receipt of a Federal Aviation Administration (FAA) grant for engineering design services for the South Apron Reconstruction project at the Finger Lakes Regional Airport (FLRA); and

WHEREAS, South Apron Reconstruction design documents have been completed by FLRA engineers, McFarland Johnson, and submitted to the FAA for final review and approval; and

WHEREAS, the FAA has indicated that Seneca County is eligible to apply for a grant to fund South Apron Reconstruction construction and inspection services at the FLRA; and

WHEREAS, grant applications will most likely be due in early June 2019; and

WHEREAS, the FAA now requires construction bids to be submitted as part of the application process as grant awards are based on actual bids not engineer estimates; and

WHEREAS, the grant requires a 5% local cash match; and

WHEREAS, the exact dollar amount and funding source of the local cash match will be determined upon receipt of bids and authorization to apply for FAA grant; and

WHEREAS, this resolution has been reviewed and approved by the Economic Development and Tourism Committee on March 26, 2019; now, therefore be it

RESOLVED, that the Board of Supervisors does hereby authorize advertisement for bids for construction services related to the South Apron Reconstruction project at the Finger Lakes Regional Airport; and be it further

RESOLVED, that Seneca County will not award any bid until Seneca County has received a grant award from FAA for the South Apron Reconstruction Project.

**BOARD OF SUPERVISORS APPROVE FIVE-YEAR LEASE WITH
AIR METHODS CORPORATION**

RESOLUTION NO. 71-19, moved by Sprvr. Kaiser, second by Sprvr. Davidson and adopted.

WHEREAS, the County currently owns a hangar at the Finger Lakes Regional Airport; and

WHEREAS, Air Methods Corp. a National Corporation headquartered in Greenwood Village, Colorado, provides emergency medical air transport; and

WHEREAS, Air Methods Corp. has in good standings, been leasing the County hangar and adjoining living quarters since 2014 as a base for their Central New York operations; and

WHEREAS, it is in the County's interest to provide for income from the County's hangar and to maximize access to emergency medical transport in the County and surrounding area; and

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

WHEREAS, this resolution has been reviewed and approved by the Economic Development & Tourism Committee on the March 26, 2019 meeting; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes and directs the County Manager to enter into a five-year lease agreement between the County and Air Methods Corp., commencing on May 1, 2019 and terminating on April 30, 2024 with provisions for optional renewal, for rental of the County’s hangar space and adjoining living quarters at the Finger Lakes Regional Airport, at a monthly rental rate of Three Thousand Six Hundred and Seventy Five Dollars (\$3,675.00) and for the Lessee to purchase aircraft fuel from the County at the County Airport.

**BOARD OF SUPERVISORS APPROVE GRANT APPLICATION TO FUND
UPDATE TO SENECA COUNTY AGRICULTURE ENHANCEMENT PLAN**

RESOLUTION NO. 72-19, moved by Sprvr. Kaiser, second by Sprvr. Reynolds and adopted.

WHEREAS, Seneca County is eligible to apply for funding from the New York State Department of Agriculture and Markets to update the Seneca County Agriculture Enhancement Plan; and

WHEREAS, agriculture is the single largest land use in Seneca County and a large segment of its economy; and

WHEREAS, state and federal agencies are requiring that applicants for economic development, farmland protection, and similar programs demonstrate that projects are in accordance with a current County Agriculture and Farmland Protection Plan for funding consideration; and

WHEREAS, the New York State Department of Agriculture and Markets County Agriculture and Farmland Protection Planning Grants Program will provide up to \$50,000 in grant funding, and requires a 100% local match of which 20% must be cash; and

WHEREAS, in-kind services totaling \$40,000 will be provided by the Seneca County Department of Planning and Community Development, the Seneca County Real Property Tax Office, the Seneca County Soil and Water Conservation District, and the Seneca County Cornell Cooperative Extension; and

WHEREAS, if awarded, up to \$10,000 cash match will be identified at time of grant acceptance; and

WHEREAS, this resolution has been reviewed and approved by the Economic Development & Tourism Committee on March 26, 2019; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes and directs the County Manager to sign all necessary documents to apply to the New York State Department of Agriculture and Markets for a County Agriculture and Farmland Protection Plan Development Grant for a state share not to exceed \$50,000 in order to prepare an updated Agriculture and Farmland Protection Plan.

ADOPT WHISTLEBLOWER POLICY

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

RESOLUTION NO. 73-19, moved by Sprvr. Davidson, second by Sprvr. Garlick Lorenzetti and adopted.

WHEREAS, New York State and federal laws offer protections for public employees who report concerns about improper governmental action, commonly known as “Whistleblowing”; and

WHEREAS, the Seneca County Board of Supervisors would like to include such protections as a part of the Seneca County Policy Manual; now, therefore it be

RESOLVED, that the Seneca County Board of Supervisors adopts the following policy related to Whistleblowing; and be it further

RESOLVED, that this Policy shall take effect immediately upon adoption.

Whistleblower Policy

This policy implements New York State Labor Law §740 and Civil Service Law §75-b.

Reference: Labor Law §740; Civil Service Law §75-b; Federal False Claims Act, 31 U.S.C. §3729 et seq., Seneca County Code of Ethics.

Policy Statement:

This policy is intended to support the reporting of illegal activities and to protect employees from retaliation who, in good faith, have reported a concern about improper governmental action. If the activities are not illegal, but violate the County’s Code of Ethics, an employee may report the violation as set forth in this policy.

I. Definitions:

Good-Faith Report - A report of activity that the County officer or employee has reasonable grounds to believe to be true and that the County officer or employee reasonably believes constitutes improper governmental action, even if the belief should later prove to be unsubstantiated.

Improper Governmental Action - Action taken, or threatened to be taken, directly or indirectly, by the County or any County officer or employee in the performance of his or her official duties that is in violation of any federal, state, or local law, rule, policy, or regulation, whether or not such action is within the scope of his or her employment.

Relative - A parent, step-parent, spouse, spouse equivalent, domestic partner, sibling, step-sibling, sibling’s spouse, child, step-child, grandparent, parent of spouse or spouse equivalent or domestic partner; including in-laws and members of the employee’s household, and individuals having any of these relationships to the spouse of the employee.

Retaliation - Disciplinary or other adverse personnel action relating to the terms and conditions of employment taken against the employee, or relative of the employee, because the employee has made a good-faith report.

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

II. Policy:

A. Awareness of Improper Governmental Action. Any employee of the County who becomes aware of improper governmental action by an officer or employee of the County has a duty to report such conduct in the manner provided in Section III.

B. No Retaliation. No officer or employee of the County shall take retaliatory action against an employee because the employee makes a good-faith report of any information regarding fraud, waste, abuse, misconduct, or any alleged prohibited or illegal activity in violation of any law, rule, policy, or regulation governing officers and employees of the County of Seneca. Such retaliatory actions include, but are not limited to, discharge, discipline, personal attacks, harassment, intimidation, or change in job, salary, or responsibilities.

C. Confidentiality. Reports of concerns will be kept confidential to the extent possible, consistent with the need to conduct a complete and fair investigation. Allowing for the making reports of concerns to the employee's supervisor, department head and/or to the Personnel Officer is intended, in part, to increase assurances of confidentiality and non-retaliation.

III. Procedure:

A. In most cases, an employee's immediate supervisor is in the best position to address an area of concern; therefore, the employee should make the good faith report to his or her immediate supervisor. If however, the employee is not comfortable addressing the concern to the immediate supervisor, or the employee is not satisfied with the immediate supervisor's response, the employee should make the report to his or her department head. The department head should notify the Personnel Officer. If the report concerns the department head or the employee is not comfortable taking the issue to his or her respective department head, the employee has the discretion to report directly to the Personnel Officer.

B. When in receipt of a good-faith report, the Personnel Officer must notify the County Board of Supervisors. The Board of Supervisors may designate a person or board to investigate, advise and /or respond to improper governmental action reports and inquiries.

AUTHORIZE CONTRACT WITH MXI ENVIRONMENTAL SERVICES, LLC FOR ANNUAL HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT

RESOLUTION NO. 74-19, moved by Sprvr. McGreevy, second by Sprvr. Garlick Lorenzetti and adopted.

WHEREAS, the Health Department solicited bids for the Annual Household Hazardous Waste Collection Event; and

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

WHEREAS, 10 bid packets were mailed to providers and 1 sealed bid was received for this event; and

WHEREAS, MXI Environmental Services, LLC submitted the only bid with a \$5,000 set up fee, and \$55 per household fee for a total cost of \$16,000; and

WHEREAS, the money for this contract is in the Public Health Department budget 10-4011-54801; and

WHEREAS, the Health and Human Services Committee approval resolution on March 26, 2019; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign a contract with MXI Environmental Services, LLC for the 2019 Annual Household Hazardous Waste Collection Event.

**AUTHORIZE CONTRACT WITH DEC FOR FINANCIAL ASSISTANCE FOR
HOUSEHOLD HAZARDOUS WASTE COLLECTION DAY**

RESOLUTION NO. 75-19, moved by Sprvr. McGreevy, second by Sprvr. Trout and adopted.

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, Seneca County, herein called the Municipality, has examined and duly considered the applicable laws of the State of New York, and the Municipality deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between the People of the State of New York, herein called the State, and the Municipality be executed for such state-aid; and

WHEREAS, the Health and Human Services Standing Committee approved this resolution at its March 26, 2019 meeting; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed, as the official representative of the Municipality, to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if said application is approved by the State; and be it further

RESOLVED, that the County of Seneca agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the state share of such costs; and be it further

RESOLVED, that five (5) certified copies of this resolution will be forwarded to the New York State Department of Environmental Conservation together with a completed application; and be it further

RESOLVED, that this resolution shall take effect immediately.

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

REVISED AGREEMENT FOR CONTRACT SERVICES WITH PSYCHIATRIC NURSE PRACTITIONER PAM KING AND MENTAL HEALTH AND SUBSTANCE ABUSE

RESOLUTION NO. 76-19, moved by Sprvr. McGreevy, second by Sprvr. Lazzaro and adopted.

WHEREAS, the Department of Mental Health enters into service contracts each year with many service providers through agreements for contractor services; and

WHEREAS, the funds used to support payment for Psychiatric Nurse Practitioner Pam King’s contract is included in the 2019 budget (Waterloo Clinic 10.4320.54350) and supported through collection of medical fees; and

WHEREAS, the following array indicates the revised not-to-exceed total and hourly rate for Pam King, NPP in 2019:

ANNUAL	RATE	HOURS
\$42,000	\$90.00	466

And

WHEREAS, this contract was approved by the Health and Human Services Committee of the Seneca County Board of Supervisors on March 26, 2019; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County Manager to sign the 2019 revised agreement with Psychiatric Nurse Practitioner Pam King for contract services; and be it further

RESOLVED, that the Department of Finance be authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution.

Unfinished Business

None

New Business

RULE 29:

Sprvr. Brownell moved Rule 29 bringing the following resolution to the floor without having been reviewed by the appropriate Standing Committee by a 2/3 majority vote of supervisors present.

ACCEPT DCJS GRANT FOR OFFICE OF EMERGENCY MANAGEMENT

RESOLUTION NO. 77-19, moved by Sprvr. Brownell, second by Sprvr. Davidson and adopted.

WHEREAS, through the efforts of State Senator Pamela A. Helming, the Dormitory Authority State of New York (DASNY) has awarded Seneca County, Office of Emergency Management grant funding; and

WHEREAS, this grant is in the amount of \$75,000 with no local match; and

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting
April 9, 2019

WHEREAS, this grant will be used to purchase and put into service in southern Seneca County, a Swift Water Rescue Trailer fully equipped with an inflatable zodiac boat, outboard motor, boat trailer, and swift water rescue equipment; and

WHEREAS, this trailer will complement the north and central Seneca County trailers currently in service; and

WHEREAS, Resolution #241-18 approved \$50,000.00 of this grant award from the New York State Division of Criminal Justice Services (DCJS); and

WHEREAS, this grant has been shifted to DASNY for administration purposes and now includes an additional \$25,000; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the acceptance of \$75,000 from DASNY and authorizes and directs the County Manager to sign any and all necessary grant paperwork; and be it further

RESOLVED, that the Department of Finance is hereby authorized and directed to amend the 2019 budget as follows with unused portions flowing into future years:

<i>Revenue</i>	103640-43305-15881	Emerg Mgt DASNY Grant	\$75,000	Increase
<i>Appropriations</i>	103640-52600-15881	Equipment Vehicles	\$75,000	Increase

And be it further

RESOLVED, that the Department of Finance be authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution.

RULE 29:

Sprvr. Davidson moved Rule 29 bringing the following resolution to the floor without having been reviewed by the appropriate Standing Committee by a 2/3 majority vote of supervisors present.

RECOGNIZING AND COMMEMORATING MAY 1, 2019 AS

“LAW DAY” IN SENECA COUNTY

RESOLUTION NO. 78-19, moved by Sprvr. Davidson, second by Sprvr. Lazzaro and adopted.

WHEREAS, Law Day is an occasion of public acknowledgment of our nation’s heritage of justice, liberty, and equality under the law; and

WHEREAS, the United States Congress has statutorily designated May 1 as the annual day for commemoration of Law Day; and

WHEREAS, the American Bar Association has designated the 2019 Law Day theme to be “Free Speech, Free Press, Free Society” in recognition of these cornerstones of representative government; and

SENECA COUNTY BOARD OF SUPERVISORS

Board Meeting

April 9, 2019

WHEREAS, the First Amendment of the United States Constitution protects the right to free speech and a free press, along with other rights that recognize the ability of persons to think and communicate how they wish without fear of punishment or oppression; and

WHEREAS, promoting public understanding of the roots of our freedom are an important component in the civic education of the citizens of the United States, the State of New York, and the County of Seneca; and

WHEREAS, this resolution has been duly brought from the floor under Rule 29 of the Rules of Order; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors recognizes and commemorates May 1, 2019 as Law Day in Seneca County, New York.

Discussion Resolution No. 78-19

Sprvr. Lazzaro asked who authored the resolution and what role the Board of Supervisors has in the Law Day events. County Attorney Ettman said the resolution is a standard resolution drafted by the American Bar Association for use by municipalities. The Seneca County Criminal Justice Advisory Board is tasked with Law Day events each year. Law Day in Seneca County has been celebrated since early-2000s. Students participate in the one day event by attending all aspects of the justice system in the county by visiting the Law Enforcement Center, the District Attorney's Office, the courts and courthouse, etc. The Board of Supervisors would not have to review and approve the schedule for Law Day.

Special Order of the Day

The meeting adjourned at 7:50 p.m.