

**SENECA COUNTY
BOARD OF SUPERVISORS**

Special Board Meeting
May 26, 2020

**THIS MEETING WAS CONDUCTED DURING THE COVID-19 PANDEMIC AND UNDER
NYS GOVERNOR'S EXECUTIVE ORDER 202.1**

Suspension of law allowing the attendance of meetings telephonically or Other similar service: Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.

Call to Order

The meeting was called to order at 7:37 p.m.

Roll Call of Members by the Clerk

Thirteen members of the Board of Supervisors answered roll call. Sprvr. Ferrara was present telephonically; Sprvr. Cleere was not present.

Pledge of Allegiance and Moment Of Silence

Report of Special Committees

Sprvr. Reynolds said the Soil & Water Conservation District Board continues to meet; the most recent meeting was last week. Some members attended in-person, others were remote. We continue to process grants to continue the flow of funding so things are going good.

Chairman's Remarks

None

County Manager's Remarks

None

County Attorney's Remarks

None

Communications

40. A copy of Seneca County Sheriff's Office Monthly Snapshot report for April 2020.
41. From the Halpin Firm, notification of a public hearing to be livestreamed for Lago Resort & Casino, LLC; Amended Application to Seneca County IDA for Financial Assistance on May 28, 2020 at 2:00 p.m.
42. From the Halpin Firm, a copy of the Payment in Lieu of Tax Agreement between Seneca Dairy Systems LLC and Seneca County IDA.
43. From Michael Koplinka-Loehr, Census Partnership Specialist, a United States Census 2020 packet with partnership information provided for each town in Seneca County.

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44. From Ken Marin, Show Manager, Empire Farm Days, dated April 23, 2020, a request for a county resolution waiving the local law of assembly during Empire Farm Days show dates for July 19-20-21, 2020.

45. From Mary Anne Kowalski, an email dated May 16, 2020, to the Board of Supervisors, with links to a group post from Fingerlakes1.com Community Forums with the subject: Comptroller DiNapoli: New York is in 'dire' situation, upwards of \$8B will be cut from aid to localities.

46. A copy of Genesee County Resolution No. 188, authorizing furloughs, as outline in the Memorandum of Agreement, for certain identified CSEA county employees and management employees under the same terms and conditions as the CSEA Union, effective April 24, 2020 up to July 31, 2020.

47. A copy of Greene County Resolution No. 137-20, calling on the State to release enhance federal Medicaid Matching Funds to counties and New York City.

48. A copy of Schoharie County Resolution No. 51 expressing opposition to, and requesting withdrawal of the proposed Climate Leadership and Community Protections Act (CLCPA) from the State Executive Budget Amendment; and Resolution No. 56, requesting NYS to restore State Retirement Service Credits to Schoharie County workers who temporarily lost those service credits due to the county's temporary workforce reduction.

49. A copy of Schuyler County Resolution No. 92, authorizing furloughs for certain identified county employees during the COVID-19 Pandemic.

50. A copy of Seneca County's Universal Mask Policy, approved ad signed by Chairman Hayssen on May 7, 2020.

51. A copy of Inter-County Association of Western NY, February 21, 2020 meeting minutes.

RESOLUTIONS & MOTIONS

AUTHORIZE FINANCE DEPARTMENT TO PAY MORTGAGE TAX

RESOLUTION NO. 121-2020, motion offered by Sprvr. Reynolds, second by Sprvr. Garlick Lorenzetti and adopted.

WHEREAS, pursuant to Section 261 of the Tax Law, the mortgage tax report for the period October 1, 2019 through March 31, 2020 has been filed; now, therefore be it

RESOLVED, that the Finance Department is hereby authorized and directed to pay to the municipalities of Seneca County the amount apportioned as follows:

TOWN	AMOUNT ALLOCATED	VILLAGE SHARE	TOWN SHARE
Covert	\$35,108.95	\$1,972.10	\$33,136.85

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Fayette	\$39,785.00	\$2,514.68	\$37,270.32
Junius	\$9,613.17		\$9,613.17
Lodi	\$15,379.00	\$635.55	\$14,743.45
Ovid	\$14,406.54	\$1,011.62	\$13,394.92
Romulus	\$33,964.01	\$187.45	\$33,776.56
Seneca Falls	\$66,787.00	\$5.89	\$66,781.11
Tyre	\$9,006.90		\$9,006.90
Varick	\$8,924.00		\$8,924.00
Waterloo	\$39,526.50	\$13,253.75	\$26,272.75
Totals	\$272,501.07	\$19,581.04	\$252,920.03

**AUTHORIZE CONTRACT RENEWAL WITH TOSHIBA FOR
LEASING AND MAINTAINING MULTI-FUNCTION COPIERS AND PRINTERS**

RESOLUTION NO. 122-2020, motion offered by Sprvr. Hayes, second by Sprvr. Trout and adopted.

WHEREAS, Seneca County Information Technology desires to continue the contract with Toshiba to maintain multi-function copiers located at various locations throughout the county; and

WHEREAS, the current copiers are aging and experiencing failures which results in increased down time; and

WHEREAS, Toshiba has proposed a new contract that will result in a savings of \$14,730 annually; and

WHEREAS, this resolution was approved by the Technology Committee on May 26, 2020; now, therefore be it

RESOLVED, the Chairman of the Board of Supervisors is authorized and directed to enter into a 4 year lease with optional renewal after 4 years between the county and Toshiba for maintaining Seneca County's multi-function copiers and printers to be paid from funds available from (Repairs and Maintenance account 1680-54220).

**BOARD OF SUPERVISORS ACCEPT QUOTES
FOR SENECA ARMY DEPOT MASTER METER MATERIALS**

RESOLUTION NO. 122A-2020, motion offered by Sprvr. Hayes, second by Sprvr. Barnhart and adopted.

WHEREAS, Seneca County Resolution No. 87-19 authorized the solicitation of bids for master meter replacement; and

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WHEREAS, bids came in higher than anticipated; and

WHEREAS, the Public Works Committee recommended attaining materials pricing to install the master meter in-house; and

WHEREAS, three quotes for materials were received for the designed master meter replacement; and

WHEREAS, Blair Supply Corporation of Rochester, NY is awarded the supplier for all water materials less their proposed master meter for \$17,471; and

WHEREAS, F.W. Webb of Syracuse, NY is awarded the supplier of the 6" Octave master meter for \$4,083.90; and

WHEREAS, the Water and Sewer Treatment Management & Operations Standing Committee reviewed and approved this resolution on May 26, 2020; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the County Manager to approve the purchase of materials from Blair Supply and F.W. Webb; and be it further

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

BOARD OF SUPERVISORS APPOINT

PERSONNEL OFFICER AS INTERIM RISK MANAGER

RESOLUTION NO. 123-2020, motion offered by Sprvr. Lott, second by Sprvr. Borst and adopted.

WHEREAS, the Risk Manager's last day at Seneca County was Friday, May 15, 2020; and

WHEREAS, the Personnel Officer has made a conscientious decision to absorb the duties of the Risk Manager in addition to his current duties in order to reduce the potential deficit that the County will encounter through the COVID-19 pandemic; and

WHEREAS, it was advised by the former Risk Manager that there should be a resolution appointing the Personnel Officer as Interim Risk Manager in order to provide to the Greater Tompkins County Municipal Health Insurance Consortium; and

WHEREAS, the Personnel Standing Committee met on May 26, 2020 and approved this resolution; now, therefore be it

RESOLVED, that the Personnel Officer, Christopher Wagner, is hereby appointed as Interim Risk Manager until a Risk Manager is appointed or other restructuring occurs.

BOARD OF SUPERVISORS APPROVE

HIRING FREEZE WAIVER FOR CASE SUPERVISOR GRADE B

RESOLUTION NO. 124-2020, motion offered by Sprvr. Lott, second by Sprvr. Hayes and adopted.

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WHEREAS, the Personnel Committee met on May 26, 2020 and approved this resolution, now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the request submitted by the Commissioner of Human Services to waive the Hiring Freeze Policy in order to fill one vacant position for Case Supervisor Grade B.

**BOARD OF SUPERVISORS AUTHORIZES THE CREATION OF TWO POSITIONS FOR
FULL-TIME CLEANER AND WAIVES THE HIRING FREEZE POLICY TO FILL THE
POSITIONS**

RESOLUTION NO. 125-2020, motion offered by Sprvr. Lott, second by Sprvr. Hayes and adopted.

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the creation of two positions for Full-time Cleaner, Grade 1 of the CSEA CBA; and be it further

RESOLVED, that the request by the Facilities Superintendent to waive the hiring freeze policy is approved in order to fill said positions.

**BOARD OF SUPERVISORS APPROVE
HIRING FREEZE WAIVER FOR ACCOUNT CLERK**

RESOLUTION NO. 126-2020, motion offered by Sprvr. Lott, second by Sprvr. Hayes and adopted.

WHEREAS, the Personnel Committee met on May 26, 2020 and approved this resolution, now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the request submitted by the Commissioner of Human Services to waive the Hiring Freeze Policy in order to fill one vacant position for Account Clerk.

**BOARD OF SUPERVISORS APPROVE
HIRING FREEZE WAIVER FOR ACCOUNTANT I**

RESOLUTION NO. 127-2020, motion offered by Sprvr. Lott, second by Sprvr. Hayes and adopted.

WHEREAS, the Personnel Committee met on May 26, 2020 and approved this resolution, now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the request submitted by the Finance Director to waive the Hiring Freeze Policy in order to fill one vacant position for Accountant I.

**BOARD OF SUPERVISORS APPROVE
HIRING FREEZE WAIVER FOR GRANT MANAGEMENT SPECIALIST**

RESOLUTION NO. 128-2020, motion offered by Sprvr. Lott, second by Sprvr. Borst and adopted.

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WHEREAS, the Personnel Committee met on May 26, 2020 and approved this resolution, now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the request submitted by the Finance Director to waive the Hiring Freeze Policy in order to fill one vacant position for Grant Management Specialist.

**BOARD OF SUPERVISORS APPROVES THE DEFUNDING AND ABOLITION OF SELECT
POSITIONS WITHIN DEPARTMENT OF HUMAN SERVICES**

RESOLUTION NO. 129-2020, motion offered by Sprvr. Lott, second by Sprvr. Brownell and adopted.

WHEREAS, the Commissioner of Human Services recommended a restructuring of the Human Services Department to ensure efficiency and anticipate a minimum of a 20% reduction in State Aid; and

WHEREAS, the Commissioner of Human Services Division has provided a thirty (30) day notice to the following organizations and has recommended a reduction in budgeted services from Glove House, YAP and Seneca County's Probation Department; and

WHEREAS, the Personnel Officer has reviewed the CSEA Collective Bargaining Agreement, NYS Civil Service Laws and Seneca County Civil Service Rules as well as consulted with outside legal counsel; and

WHEREAS, the Personnel Committee and the Human Services Committee met on May 26, 2020 and has reviewed the restructure plan approving the motion to defund and abolish the positions outlined; and

WHEREAS, the Board of Supervisors met on May 26, 2020 and has approved the defunding and abolition of select positions; therefore be it

RESOLVED, the following positions will be defunded and abolished effective May 29, 2020 and in accordance with any and all NYS Civil Service Laws and Seneca County Civil Service Rules; and:

Child Support

- Sr. Support Investigator
- Account Clerk/typist

Workforce/Youth Bureau:

- Sr. Account Clerk Typist
- E&T Assistant
- E&T Coordinator
- TEMP Summer youth counselor
- TEMP E&T Assistant

Temporary Assistance:

- Staff Resource Assistant
- Driver

Child and Family Services

- Caseworker
- Caseworker
- Caseworker
- Family Aide
- Family Aide
- Family Aide
- Temporary Grade B

Administration:

- Deputy Commissioner
- Director of Temporary Assistance & Eligibility Services

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- Driver
- Driver Clerk
- Social Welfare Examiner
- Caseworker

RESOLVED, the following Contractual Lines will have its respective budget reduced within the Department of Human Services 2020 budget:

- Glove House will be reduced by \$200,000.00 on June 18, 2020
- YAP will be reduced by \$285,000.00 on May 26, 2020
- Probation will be reduced by \$87,000.00 on May 26, 2020

BOARD OF SUPERVISORS APPROVES

FUNDING AND ABOLITION OF SELECT POSITIONS

RESOLUTION NO. 130-2020, motion offered by Sprvr. Lott, second by Sprvr. Borst and adopted.

WHEREAS, the Board of Supervisors have discussed the efficiency of the Public Works Department as well as having one centralized source Appointing Authority; and

WHEREAS, the Board of Supervisors have not re-appointed the current Commissioner of Public Works Division

WHEREAS, the Board of Supervisors intend to defund and abolish the Commissioner of Public Works Division and subsequently the Confidential Secretary to the Commissioner of Public Works Division; and

WHEREAS, the Personnel Officer has reviewed the NYS Civil Service Laws and Seneca County Civil Service Rules as well as consulted with outside legal counsel; and

WHEREAS, the Personnel Committee and the Public Works Committee met on May 26, 2020 and has discussed the restructure plan approving the motion to defund and abolish the positions outlined; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby defund and abolish said positions listed below, effective May 29, 2020 and in accordance with any and all NYS Civil Service Laws and Seneca County Civil Service Rules:

- Commissioner of Public Works Division
- Confidential Secretary to the Commissioner of Public Works Division

INCREASE OFFICE FOR THE AGING 2020 BUDGET

TO REFLECT ADDITIONAL FUNDING FOR COVID-19 CRISIS

RESOLUTION NO. 131-2020, motion offered by Sprvr. Borst, second by Sprvr. Barnhart and adopted.

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WHEREAS, the Seneca County Office for the Aging has received federal stimulus funds through both the Families First Coronavirus Response Act (FFCRA) and the Coronavirus Aid Relief and Economic Security Act (CARES) to provide Older American Act related services in response to the COVID-19 Crisis; and

WHEREAS, these funds can be used for the period of March 30, 2020 through September 31, 2021; and

WHEREAS, there is no county match requested for these funds; and

WHEREAS, an additional \$127,080 will be added to the 2020 Office for the Aging county budget; and

WHEREAS, the Human Services Standing Committee has reviewed and approved this resolution on May 26, 2020; now, therefore be it

RESOLVED, that the Director of the Office for the Aging be authorized and directed to accept these additional funds; and be it further

RESOLVED. that the Department of Finance is hereby authorized and directed to amend the 2020 budget as follows with unused portions flowing into future years per the funding guidelines:

106572 44803 CMC2	FFCRA Federal Funds	Increase	Revenue	\$8,815.00
106572 44803 HDC2	FFCRA Federal Funds	Increase	Revenue	\$19,457.00
106572 44803 SSC3	CARES Act Federal Funds	Increase	Revenue	\$15,880.00
106572 44803 HDC3	CARES Act Federal Funds	Increase	Revenue	\$58,371.00
106572 44803 FCCC3	CARES Act Federal Funds	Increase	Revenue	\$24,555.00
106572 54520 CMC2	Food Supplies Expense	Increase	Expenditure	\$8,815.00
106572 54700 HDC2	Contractual	Increase	Expenditure	\$19,457.00
106572 54700 SSC3	Contractual	Increase	Expenditure	\$15,880.00
106572 54700 HDC3	Contractual	Increase	Expenditure	\$58,371.00
106572 54700 FCCC3	Contractual	Increase	Expenditure	\$24,555.00

And be it further;

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

SENECA COUNTY PROCLAIMS MAY 2020 AS OLDER AMERICANS MONTH

RESOLUTION NO. 132-2020, motion offered by Sprvr. Borst, second by Sprvr. Barnhart and adopted.

WHEREAS, Older Americans Month was established in 1963 by President John F. Kennedy; and since then, the entire nation pays tribute in some way to older persons in their communities during the month of May; and

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WHEREAS, the Seneca County Office for the Aging is committed to strengthening our community by connecting with and supporting older adults, their families, and caregivers and acknowledging their many valuable contributions to society; and

WHEREAS, Seneca County recognizes that many older adults continue to work in the healthcare field, provide caregiving to others, deliver meals, assist in food pantries; provide telephone reassurance and other vital services during this national emergency; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby proclaim May 2020 to be Older Americans Month in Seneca County and urges every resident to take time during this month to acknowledge and celebrate the contributions of older adults in this community.

DEFERMENT OF PAYMENTS ASSOCIATED WITH REVOLVING LOAN FUND PROGRAMS
RESOLUTION NO. 133-2020, motion offered by Sprvr. Barnhart, second by Sprvr. Barnhart and adopted.

WHEREAS, through the Seneca County Department of Planning and Community Development, Seneca County administers the GAIN, CCI 108, Federal CDBG and NYS CDBG Loan Programs to support small businesses within the County; and

WHEREAS, Seneca County collects loan payments associated with these Programs; and

WHEREAS, the Seneca County Board of Supervisors understands the detrimental implications of the COVID-19 Pandemic on the local economy and small businesses; and

WHEREAS, the Seneca County Board of Supervisors finds it in the best interest of small businesses and the financial wellbeing of individuals with active loans to allow deferment of both interest and principal payments through October 2020; and

WHEREAS, loans that have been sent to collections or legal will not be eligible to participate in the deferment as these loans had been sent prior to “NYS on PAUSE” executive order announced by Governor Cuomo that took effect on March 22, 2020; and

WHEREAS, this resolution was reviewed and approved by the Planning, Development, Agriculture & Tourism Standing committee on May 26, 2020; now, therefore be it

RESOLVED, for active loans under the GAIN, CCI 108, Federal CDBG and NYS CDBG Loan Programs administered by the Seneca County Department of Planning and Community Development, the Seneca County Board of Supervisors authorize the Planning Director to review and grant eligibility for deferral of principal and interest Loan payments through October 2020, and no interest will accrue during this period; and be it further

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RESOLVED, that the County Attorney is authorized to renegotiate loan terms at the end of this period should that be deemed necessary to comply with the program terms; and be it further

RESOLVED, that the Director of Finance is authorized to make the necessary accounting entries to affect the intent of this resolution.

**AUTHORIZE SERVICE AGREEMENT WITH CATHY BOND
EMERGENCY PLANNING CONSULTANT**

RESOLUTION NO. 134-2020, motion offered by Sprvr. McGreevy, second by Sprvr. Brownell and adopted.

WHEREAS, Cathy Bond is a consultant who has worked with the Health Department for several years for the Emergency Preparedness Program; and

WHEREAS, as an Emergency Preparedness Consultant she will provide the following COVID-19 specific services:

1. Conduct daily surveillance with providers specific to COVID-19;
2. Prepare COVID-19 specific planning documents to include; Contact Tracing Packet, Drive-Through Testing Plan, COVID-19 Response Plan, and a SARS CoV-2 Vaccine Distribution and Dispensing plan;
3. Prepare after action reports for: Initial Response Phase, Initial Management of Positive Cases and Contact Tracing Phase, and Ongoing Response Phase.

WHEREAS, she will provide a monthly report of all activities; and

WHEREAS, the cost for these services will be \$13,000; and

WHEREAS, these funds will be paid for from the Emergency Preparedness COVID-19 Grant funds; and

WHEREAS, the Public Health Services Committee has approved this agreement; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign a service agreement with Cathy Bond for Emergency Planning Consultation services for the period of April 1, 2020 to March 15, 2021.

AUTHORIZE RENEWAL OF INTER-MUNICIPAL AGREEMENT FOR PUBLIC HEALTH
RESOLUTION NO. 135-2020, motion offered by Sprvr. McGreevy, second by Sprvr. Barnhart and adopted.

WHEREAS, All county health departments have responsibilities for public health emergency planning and response; and

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WHEREAS, some public health problems may require public health services that exceed the capacity of the individual county public health department's resources; and

WHEREAS, in 2006 the FLPHA (Finger Lakes Public Health Alliance) counties (Seneca, Schuyler, Steuben, Ontario, Wayne, Yates, Chemung, Livingston, Monroe) developed an Inter-Municipal Agreement to provide mutual aid during a public health emergency; and

WHEREAS, this agreement was utilized extensively during the Seneca County response to the Hepatitis A Outbreak in 2015; and

WHEREAS, this agreement needs to be renewed at this time for the period of July 1, 2020 through June 30, 2025; and

WHEREAS, the Public Health Services Committees approved this resolution on May 26, 2020; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign the Inter-Municipal Agreement between the counties of Seneca, Schuyler, Steuben, Ontario, Wayne, Yates, Chemung, Livingston and Monroe.

**AUTHORIZE CONTRACT WITH FINGER LAKES THERAPY WORKS TO PROVIDE
EVALUATIONS AND SERVICES FOR THE 3-5 PRE-SCHOOL PROGRAM**

RESOLUTION NO. 136-2020, motion offered by Sprvr. McGreevy, second by Sprvr. Enslow and adopted.

WHEREAS, the Health Department must secure contracts with agencies or individuals to provide professional services to children enrolled in the 3-5 Pre-School Program; and

WHEREAS, Finger Lakes Therapy Works, 210 Clifton Springs Professional Park, Clifton Springs NY, 14432, currently provides services for the Early Intervention Program And would like to provide evaluations and services for the 3-5 Program; and

WHEREAS, the reimbursement rate is set by the New York State Education Department; and

WHEREAS, the funds are reflected in Account 10-4149-54700; and

WHEREAS, the Public Health Services Committee approved this resolution on May 26, 2020; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize a contract with Finger Lakes Therapy Works to provide evaluation and services for the 3-5 Pre-School Program for the time period of May 27, 2020 through December 31, 2022; and be it further

RESOLVED, that the County Manager is hereby authorized and directed to sign said contract.

Unfinished Business

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Discussion ensued regarding enforcing no parking along the corner of E. Bayard Street ext. / NYS Route 89. Signs were installed, but vehicles continue to be parked along the road by customers who are purchasing cigarettes sold by Cayuga Nation. Sprvr. Hayes said people are crossing the highway and someone is going to get hurt. He asked why the no parking restriction is being ignored. Additionally, when a customer is seen exiting the store with a full bag of cigarettes, shouldn't they be arrested for purchasing over the maximum limit? Sprvr. Hayes expressed his frustration about what appears to be blatant violations by customers who frequent the Cayuga Nation store for cigarettes; local government and law enforcement take action, in this case, installing signs prohibiting parking, and yet nothing happens when they law is violated.

Sprvr. Garlick Lorenzetti questioned whether law enforcement could ask to see what was inside the customers' bag(s) when exiting the store; or what if the customer had a huge cooler full of cigarettes; or what if the customer was seen making the purchases inside the store, would these instances warrant law enforcement to arrest them?

Sprvr. Ferrara said Seneca Falls scheduled a public hearing on a local law that if passed would authorize SFPD to issue parking tickets to violators.

County Attorney Ettman said law enforcement can't make a direct traffic stop; the parking ticket would only be on a walk by basis; they are not moving violations. As for checking bags, it is a question of plain view. If they are walking out with a closed bag, you need a search warrant. The crime is possession of untaxed cigarettes by a non-Native American. Additionally, anytime that there has been a prosecution for untaxed cigarettes, it has been in conjunction with some other matter. He really does not believe we would get anywhere in the courts for untaxed cigarettes. As for witnessing a customer purchasing cigarettes, if in fact the point of purchase can be seen from the storefront, by a police officer; it would be a question of how you want to use your resources and for what outcome.

County Attorney Ettman will research the issue of enforcing possession of untaxed cigarettes and provide findings to the Board of Supervisors.

New Business

a.

ELECTION POLL WORKERS EXEMPT FROM DIRECT DEPOSIT

RESOLUTION NO. 137-2020, motion offered by Sprvr. Garlick Lorenzetti, second by Sprvr. Hayes and adopted.

WHEREAS, the Government Operations Standing Committee approved this resolution on May 26, 2020; now, therefore be it

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RESOLVED, that election poll workers are exempt from the mandatory direct deposits of compensation for all Management and Non-Union Employees of Seneca County as authorized by Resolution No. 35-2020.

b.

**RESOLUTION TO SUPPORT NEW YORK CHIROPRACTIC COLLEGE EXPEDITED
RESUMPTION OF CLINICAL SKILLS EDUCATION AT THE SENECA FALLS CAMPUS**

RESOLUTION NO. 138-2020, motion offered by Sprvr. Kronenwetter, second by Sprvr. Trout and adopted by 590 ayes (Kronenwetter, Trout, Reynolds, Garlick Lorenzetti, Brownell, Borst, Hayes, Ferrara, McGreevy, Hayssen, and Enslow), 103 nays (Barnhart and Lott) and 57 not present (Cleere).

WHEREAS, New York Chiropractic College in Seneca Falls, NY, (NYCC) is a private, not-for-profit graduate-level college recognized as a leading institution for the education and training of healthcare professionals. The College's graduate programs are in areas such as chiropractic, nutrition, and human anatomy & physiology instruction are rooted in NYCC's commitment to academic excellence, leadership, and professional best practices. The Seneca Falls Campus serves as the central hub for NYCC managed health centers (in Seneca Falls, Depew and Levittown, NY) that serve their areas' public and provide the clinical and educational environments in which student clerks receive guided practical experience; and

WHEREAS, NYCC is a valued economic member of the Seneca Falls and Seneca County community; and

WHEREAS, in the fall of 2019, NYCC enrolled 810 students (with 582 students in face-to-face classes, and including those enrolled in multiple, concurrent programs) who study on a trimester schedule with cohorts beginning in September, January and May; and

WHEREAS, the College has been teaching students remotely since March of 2020, due to the College trimester educational calendar and the tightly regulated, controlled and scheduled curriculum, a substantial portion of the curriculum primarily in critical clinical course components cannot be taught remotely. Impacted students have been given "incompletes" for their clinical course work, which prevents them from further clinical training, imposing a severe hardship on the students and the College; and

WHEREAS, the College has developed a Plan for on-site learning for a limited number of students to be returned for on-site instruction in specific clinical skills to alleviate this problem. This plan takes into consideration the resources of large open space to create special purpose instructional areas to

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provide critical hands-on skills training in chiropractic diagnosis and treatment, in a manner that incorporates best practices to avoid the spread of the virus; and

WHEREAS, the Governor’s current executive orders indicate that “on site” education is not to be reopened until Phase 4, which has no definite date; and

WHEREAS, the College intends to present its Plan to the appropriate authorities to open on this limited basis as soon as possible, but no later than July 1, 2020, whether Phase 4 is in place or not; and

WHEREAS, the Seneca County Board of Supervisors believe that the safeguards proposed by NYCC in their re-opening plan would meet or exceed anticipated requirements of the NY COVID response plan under New York FORWARD; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors approves, supports, and endorses NYCC’s Plan to reopen for limited “on-site” chiropractic skills instruction no later than July 1, 2020; and it is further

RESOLVED, that this Resolution shall be forwarded to the Finger Lakes Control Board, seeking their endorsement and recommendation that the application of the New York Chiropractic College be approved by the Governor’s Office in advance of NY FORWARD Phase 4 for the Finger Lakes.

Discussion Resolution No. 138-2020:

Sprvr. Ferrara expressed his support for the resolution. He believes the re-opening plan proposed by NYCC is well thought out; he said this is a very unique situation. There are other colleges in the same predicament but if you are a med student, you can get a placement in a hospital to do your clinical work because the hospitals are still open, but the chiropractic students don’t have that available.

Sprvr. Barnhart said he would not support the resolution citing opposition expressed by Seneca County Health Director Swinehart, adding that our public health officials are the experts on the COVID pandemic.

c. Former IDA Executive Director working for Earl Martin: Sprvr. Garlick Lorenzetti heard that Robert Aronson, former Executive Director for the Seneca County IDA, was working for Earl Martin. Supervisor Hayes confirmed he was because the Romulus Town Planning Board was notified. Sprvr. Garlick Lorenzetti believed this is in violation of the Public Officers Law or Ethics Law? Fayette has a rule that any member of any board is not allowed to do business with Fayette for two years to avoid conflict of interest and any violation to the Public Officers law or ethics law. She contacted County Attorney Ettman, her intention was to file a complaint against Mr. Aronson; and asked Mr. Ettman to research the matter. She expressed her displeasure with the county attorney because she did not ask him to contact Mr. Aronson – she asked only that he research the matter.

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County Attorney Ettman said Mr. Aronson talked to his attorney because he was asked originally to consult on a federal matter without compensation; he was then asked to consult on the Planning Board matter for the town of Romulus. Public Officers Law 73 prohibits him from doing any work with the IDA, it has nothing to do with the Planning Board or any other entity. When he discussed this with counsel, he felt that it was to his best interest to do nothing; he had already decided that he was not going to be dealing with Mr. Martin because he realized that there was a problem. Article 73 of the Public Officer's Law precludes an agency person from appearing in front of their agency for a minimum of two years, the Seneca County Industrial Development Agency. There is nothing that would preclude Mr. Aronson from representing Mr. Martin in a State/Federal matter acting as an advocate or as a consultant, but he would be precluded from preparing documentation or representing or advocating on behalf of Mr. Martin or his enterprises to the Seneca County IDA. That is the restrictions of Public Officers Law 73.

Special Order of the Day

The meeting adjourned at 8:12 p.m.