

**SENECA COUNTY
BOARD OF SUPERVISORS**

Regular Board Meeting
August 10, 2021

Call to Order

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

Roll Call of Members by the Clerk

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

Pledge of Allegiance and Moment of Silence

Presentation

Taxes unpaid on property owned by Cayuga Nation - County Treasurer Sinicropi. This information is being presented so we know how unpaid property taxes affect each town. Cayuga Nation owns property assessed for \$11,200,000.00; the taxes owed for all the property is about \$461,776.00. This is basically the amount being shared at this time by the taxpayers of Seneca County. The state is not obligated by law to make the county whole; however, in the past, New York State, through the efforts of Senator Nozzolio, the county received about \$3 million dollars for capital projects to compensate for the loss of property tax. The county is not getting that state money now; and we can't foreclose on Cayuga Nation property for unpaid taxes. Information distributed shows the percentage and dollar amount each town subsidizes the county when taxes aren't paid. For the record, Sprvr. Ferrara stated that the towns aren't liable for the lost revenue; the county is obligated by law to make the towns whole. He absolutely does not think this is fair and equitable for the towns of Fayette or Covert, or Tyre to be covering the lost revenues for Seneca Falls; but we've been advised by our attorneys to continue issuing property tax bills on these properties. Until there is a proposal on how to rectify this situation, what options are available.

Petitioners

a) Frank Sinicropi, spoke on behalf of the Seneca Falls Solid Waste Committee. Urged the Board of Supervisors to develop a solid waste management plan. According to NYS DEC, as of March 2021 there are 34 local planning units with approved plans, 23 in the process of developing an approvable plan, and 12 have plans that are expired or never submitted, Seneca County is included in this number. As part of the county budget a line could be created dedicated to the development of a solid waste plan. The issue was referred to the Environmental Affairs Standing Committee.

b) Sgt. Roger Ward, President of the SCSEA. Inquired whether the union would be receiving a response from Personnel Officer Wagner, to an email sent by Roger Ward on July 18 regarding issues on the SCSEA contract they feel are still not totally resolved. Sprvr. Ferrara said the board meeting was not the platform for this discussion; and cited what he believed was the chain of command, to contact the personnel officer, and if not satisfied to contact the county manager, if the situation remains unsatisfactory, then then SCSEA should contact Sprvr. Ferrara as chairman of the Personnel Standing Committee, who will be happy

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to sit down and meet with Mr. Ward. Mr. Ward said the county manager was copied in on the emails to Mr. Wagner. Sprvr. Ferrara advised him that copying in the county manager is not directly contacting him and Mr. Ward should contact the county manager directly.

c) Georgie Arno, resident, Waterloo. Lives on Powderly Road for 50 years and it has never been paved; while Brewer Road seems to have been paved twice in the past few years. Powderly Rd. is a town road, and Brewer Rd. is a county road. Waterloo Highway Superintendent Joe Mull informed her that there isn't any money in the budget to pave the road. Mrs. Arno wants the county to consider taking ownership of Powderly Rd since they maintain the roads better.

d) Sam George, Condoled Chief of the Bear Clan of the Gayogohó:nq' (Cayuga Nation). Prior to addressing the Board, a blessing was offered in the native Cayuga language by Mr. George. He said "the sick one", referring to Clint Halftown was outside the circle Condoled Council of Chiefs and is considered banished. Mr. George alleges that Halftown's recognition by the BIA as federal representative was obtained only because Halftown, with the urging of his mother, fraudulently signed documents giving him control. He is only interested in money and power and it has made him sick in the mind; a domestic terrorist who literally destroyed their homes and school and businesses in the middle of the night. The traditional Cayuga Chiefs and Clan Mothers do not recognize the title "federal representative". Sam George asked the Board of Supervisors to help get that message to the federal government – contact the BIA notifying them that the Board of Supervisors does not recognize the BIA designation; that the Board supports the Gayogohó:nq' Cayuga Nation.

Open Privilege of the Floor

Ken Wolkin, a master's student at the University of Washington's Department of Geography, speaking against the Halftown leadership, said that the Board of Supervisors should ignore the federal recognition of chief to Clint Halftown. He said there are no laws preventing the Board to ignore the recognition; and support Sam George, Condoled Chief of the Bear Clan of the Gayogohó:nq'. He suggested that the Board send a letter to the BIA and he offered assistance on drafting the letter.

Caroline Peterson, resident, Interlaken, NY, retired healthcare worker. Concerned by some of the members of the Board of Supervisors' lack of support for the Public Health Department and Director of Public Health, Vickie Swinehart, RN, MS during the ongoing Covid crisis. The Board should "step-up to the evolving challenges of Covid-19", citing the Delta variant risk to both unvaccinated and vaccinated individuals.

James Garlick, resident, Varick. Disagreed with the suggestion to ignore the federal recognition of Clint Halftown as the leader of Cayuga Nation. When it comes to negotiations or decisions, Halftown is with

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who the BIA will be dealing. Sprvr. Hayssen responded in the affirmative when Mr. Garlick asked if Halftown was asked to meet by the Board of Supervisors.

Charles Bowman, resident, Fayette. Objected to Clint Halftown seeking justice from Seneca County Supreme Court to settle the internal dispute regarding back rent owned by traditional Cayuga Nation members. County Attorney Ettman briefly explained that the case is a civil matter; and we have no authority to prevent him from going to court. Mr. Ettman briefly explained “registration of a foreign judgement” motion which requires us to comply with whatever judgement is lawfully handed down by the presiding judge at the Seneca County Supreme Court. Mr. Bowman also found it disconcerting that he was the only person charged by District Attorney Sinkiewicz for his participation in the Cayuga Nation demolition in February 2020. Mr. Bowman also thanked Sprvr. Kyle Barnhart for his comments he made at the July 28 meetings regarding executive sessions and transparency.

Dylan Seneca, Cayuga Nation. Mr. Seneca said there is no negotiating with Clint Halftown. He does not respect traditional clan mothers and chiefs; he is only interested in power and money. He operates fake council. Urged the Board of Supervisors to support Gayogohó:nq’; and to ignore the BIA recognition of Halftown.

Approval of Meeting Minutes

The minutes were approved for the July 13, 2021 regular board meeting; and the July 27, 2021 special board meeting.

Reports of Standing Committees

Human Services Committee, Sprvr. McGreevy, Chairman. Authorize Out-Of-State Travel to Sayre Pennsylvania for a DHS client to receive services. Our county policy requires Human Services Committee authorization to travel outside of New York State, as well as Personnel Committee approval and approval by the Board of Supervisors. The Committee recommends joining other county to call on New York State to complete the long overdue reconciliations from the federal Affordable Care Act for Medicaid Assistance). The last completed reconciliation was for fiscal year 2015-20106. This is federal funding owed to the counties; and the state is 4 years overdue in releasing the funding. We also have appointments of members to the Finger Lakes Workforce Investment Board on the agenda tonight.

Planning, Development, Agriculture & Tourism Committee, Sprvr. Barnhart, Chairman. Sally Kenyon, is seeking appointment as the town of Varick representative on the Seneca County Planning Board. The term is effective immediately through June 30, 2024; she is filling a vacancy; Accept FAA funding \$32,000 to reimburse the county for operating expenses associated with the airport. No local match.

Public Health Services Committee, Sprvr. Borst, Chairman. Contract with Clean Harbors for annual

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household Hazardous Waste Collection event. They are out of Norwell, MA. Contract terms: \$2,500 set up fee, and \$56 per household fee for a total cost of \$13,700; and Contract with the New York State Department of Health for the Early Intervention Administration Grant. Received \$28,158 for the period October 1, 2021 through September 30, 2022 for the administration of the Early Intervention Program

Personnel Committee, Sprvr. Ferrara, Chairman. Refilled the following positions: (1) Full-time Mental Health Clinical Therapist (Mental Health Services Department). (1) Full-time Road Patrol Lieutenant and backfill (1) Full-time Road Patrol Sergeant (Sheriff's Office). (1) Full-time Public Health Director and (1) Full-time Public Health Specialist (Public Health Department). Tonight there is a resolution to create position for Full-time Project Director. The position is grant funded, and a requirement for the duration of the five year funding from the Creating Healthy Schools and Communities Grant. The Project Director will manage all aspects of the grant work-plan and budget; and the position will be abolished upon expiration and completion of grant funding. Tonight there is a resolution authorizing Out-Of-State Travel to Sayre Pennsylvania for a DHS client to receive services. Our county policy requires Personnel Committee authorization to travel outside of New York State.

Water & Sewer Treatment, Maintenance & Operations Committee, Sprvr. Hayes, Chairman. Special meeting on Aug 3 and Resolution on the agenda for tonight to enter agreement with Village of Waterloo for administration and operation of SC water district and sewer districts for \$100K annually for a five years

Public Safety Committee, Sprvr. Brownell, Chairman. The only item the Public Safety Committee has is the resolution on the agenda that will allow the Emergency Management Office to buy Chempro Raman 100 ID hazmat equipment, for \$38,600 which will be reimbursed by the 2018 regional Hazmat Hazardous Materials grant.

Government Operations Committee, Sprvr. Garlick Lorenzetti, Chairwoman. A resolution providing for a September 11, 2001 Commemoration event in Ovid.

Public Works Committee, Sprvr. Trout, Chairman. Two weeks ago, at the July 27 special board meeting we accepted a proposal for the sale of Keady Road parcel (tax id# 16-1-17) in the town of Lodi. Portion of cmte meeting was in exec session. Bids came in for the Lodi Point/CR 136 project. All were way over the projected cost of the project. We will probably have to delay the project again and re-bid.

Mental Health Services Committee, Sprvr. Enslow, Chairman. The county received \$54,054 in grant money from the NYS Office for Prevention of Domestic Violence Safe Housing Options. The funding will be used to support housing services for victims of domestic violence in Seneca County.

Finance, Assessment & Insurance Committee, Sprvr. Reynolds, Chairman. We need to create an Asset Forfeiture Account for the District Attorney's budget for property seized as a result of a crime

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(impounded vehicles, drug money, etc.). At the end of the year, the Board of Supervisors and the NYS Comptroller will be provided a detailed report of the account. The budget for 2022 Workers Compensation has an increase of 2.5%. The county will be seeking proposals for an accounting firm for financial audits.

Report of Special Committees

None

Chairman's Remarks

None

County Manager's Remarks

2022 budget: We continue to work on the 2022 budget at the department head level with a requested date of August 20 for departments to complete their work. Halle and I will then start to look at how the numbers are looking county wide; I have some follow up to do with our affiliate organizations as far as their requests for 2022. An update will be provided, potentially, at the August 24 Finance Committee, and certainly no later than the September meeting.

Water and Sewer Authority: 6 bids received from consulting firms interested in working with us on the potential formation of W&S authority. We need to decide whether the WSTMO committee will review or will the board set up a special committee.

YAWS Environmental reports indicate that the flow to Hillside treatment plant has now reached zero. So the coming meeting cycle we will talk about the next steps in the decommissioning process.

Special Committee American Recovery Act had its 2nd meeting at 5:00 today prior to this meeting. Superintendent for Highway Roy Gates, and Superintendent for Facilities Bob Stuck, met with the committee about potential project opportunities in their departments. About \$11 million dollars in projects were identified. The ARA committee will meet again on September 14. Finance Director Halle Stevens and I will be working on an interim report to the US Treasury due by the end of the month.

County Attorney's Remarks

In response to meeting with IBEW representative, they will issue a statement explain why they believe bitcoin mining is not harmful to the lakes

COVID Update – Vickie Swinehart, RN.MS., Director of Public Health

As of Wednesday, August 4, Seneca County records 22 positive COVID cases, of whom 11 were fully vaccinated; one is hospitalized. Seneca County is currently in the orange zone. State will not do control rooms for county execs anymore statewide; however, local leaders of counties remain in contact to discuss best practices moving forward. It continues to be challenge with vaccines. Amish/Mennonite community is reluctant to be vaccinated. We set up vaccination clinic at the county fair, and at farmer

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markets and local events. The Delta variant is in Seneca County. It is believed that vaccinated people may carry the virus to unvaccinated people, so wearing a mask, maintain social distancing, and be meticulous in hand washing continues to be recommended.

Communications:

78. A copy of Chairman Hayssen's statement dated August 2, 2021 regarding CDC guidelines and masking requirements in Seneca County.

79. From Lindsay Ruth and Rachel Ruth, regarding the proposed sale of the parcel located on Keady Rd., town of Lodi, seeking more information about the sale and asking the Board of Supervisors to wait two weeks between the committee and board meetings to give the public time to comment on the proposed sale.

80. From Paul Wolf, President, NY Coalition for Open Government, an email dated July 28, 2021, expressing concern as to how the motions for executive sessions are being done by the Board of Supervisors, with copies of opinions from the NYS Committee on Open Government supporting his concerns.

81. From NYSAC, notification dated July 26, 2021 that membership dues for 2022 will be \$6,305, an increase of 3% over 2021.

82. From NYS Comptrollers' office, a duplicate copy of the application of the Town Board of Fayette; Establishment of Water District No. 8 File No. 2021-14.

83. A copy of Inter-County Association of Western New York June 18, 2021 zoom meeting minutes.

84. A copy of Seneca County IDA, June 3, 2021 regular meeting minutes.

85. A copy of Seneca County Planning board July 8, 2021 meeting minutes.

86. A copy of a resolution calling on Governor Cuomo to complete the long overdue Affordable Care Act enhanced federal Medicaid assistance percentage reconciliations and release the funds to the counties and New York City, as adopted by Franklin County Resolution No. 172; Livingston County Resolution No. 2021-245; and Orleans County Resolution No. 353-721.

87. A copy of Wayne County Resolution 365-21, Authorize membership renewal appointments to the Finger Lakes Workforce Investment Board.

88. A copy of Greene County Resolution No. 147-21, Accepting Federal American Rescue Plan Act Funding and Authoring related revenue and expenditure accounts.

89. From Caroline Peterson, Interlaken, NY, an email dated August 9, 2021 to the Board of Supervisors expressing concern regarding behavior of some of the members of the Board of Supervisors lack of support for the Public Health Department and Director Vickie Swinehart, RN, MS during the ongoing

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Covid crisis; and a link to a report by David Wallace Wells regarding new evidence re the Delta Variant's risk.

90. From Gayogohó:nq', Cayuga Nation Council of Chiefs, Steve Maracle, Andy Warner, Samuel George, Blake Bomberry, Roger Silversmith, William C. Jacobs, and Steven E. Jacobs, a statement dated February 29, 2020, regarding the demolition of Cayuga Nation owned buildings by Clint Halftown and how he is not the legitimate leader of Cayuga Nation; a copy of a statement dated February 23, 2020 explaining the tradition and history of Cayuga Nation and its leadership and governance; a copy of a statement dated May 15, 2021 urging elected officials to ignore Clint Halftown and work with the traditional Cayuga Nation; and a copy of the Canandaigua Treaty of 1794.

RESOLUTIONS & MOTIONS

**BOARD OF SUPERVISORS ESTABLISHES AN ASSET FORFEITURE ESCROW ACCOUNT
FOR FUNDS OBTAINED BY FORFEITURE BY THE DISTRICT ATTORNEYS OFFICE**

RESOLUTION NO. 164-21, moved by Sprvr. Reynolds, second by Sprvr. Trout and adopted.

WHEREAS, Article 13-A of the New York State Rules of Civil Practice empowers the District Attorney to seize assets used or obtained during the commission of felony level offenses and to seek their forfeiture; and

WHEREAS, Section 6-v of the NYS General Municipal Law establishes the requirements for establishing and maintaining an Asset Forfeiture Escrow Fund; and

WHEREAS, Section 134 of Article 13-a of the NYS Civil Practice Law enables the District Attorney to expend these funds to advance law enforcement efforts and not in supplantation of ordinary budget costs; and

WHEREAS, the Seneca County Finance Department shall establish an account which shall be known as the District Attorneys' Asset Forfeiture Escrow Account (hereinafter "Account"), which shall be administered in accordance with CPLR Section 13-a, General Municipal Law Section 6-v, and the policies established herein; and

WHEREAS, the purpose of the Account will be to serve as the depository for funds obtained through forfeiture actions commenced by the District Attorneys' Office of assets that are seized as proceeds or instruments of a crime, and to allow for their expenditure in accordance with any existing federal and state laws, rules and regulations governing the use of federal or state asset forfeiture funds; and

WHEREAS, all claims for payment from the Account shall specify the purpose of the requested payment and include written confirmation that the expenditure is in compliance with all applicable laws and policies; and

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WHEREAS, this Resolution has been reviewed and approved by the Finance, Assessment and Insurance Committee at its Meeting on July 27, 2017; now, therefore be it

RESOLVED, the Finance Director is authorized and directed to establish a reserve for asset forfeiture as required by General Municipal Law 6-v and to maintain a separate bank account for these funds; and be it further

RESOLVED, that the District Attorney and Finance Director shall be authorized to make payment from the fund subject to required certification and a determination of fund sufficiency and in accordance with County Policy 202.100; and be it further

RESOLVED, that in accordance with General Municipal Law 6-v, a detailed report of the operation and condition of the fund at the end of each year shall be provided to the Seneca County Board of Supervisors and the New York State Comptroller.

ADOPT WORKERS COMPENSATION BUDGET FOR YEAR 2022

RESOLUTION NO. 165-21, moved by Sprvr. Reynolds, second by Sprvr. Garlick Lorenzetti and adopted.

WHEREAS, the Workers Compensation Budget must be filed with the Board of Supervisors by August 15 of each year per Article 5, Section 67 of the New York State Workers Compensation Law; and

WHEREAS, the Interim Risk Manager has evaluated the 2021 budget, all adjustments required throughout the year, new reserve limits and total open claims and has recommended the proposed budget; and

WHEREAS, the Finance, Assessment & Insurance Committee approved the 2022 Workers Compensation Budget on July 27, 2021; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby adopt the Seneca County Workers Compensation Budget for the year 2022 as follows:

1710	ADMINISTRATION	
.1100	Personnel Service Administrator	0
.1110	Employee Benefits Assistant	27,160
.8400	WC	543.14
.1200	Legal Services Director	0
.1400	Severance	0
.2200	Equipment	500
.2300	Computer Equipment	1,000
.4200	Supplies	500
.4230	Telephone/Internet	0
.4240	Postage	500
.4260	Books & Periodicals	100
.4270	Membership and Dues	200
.4280	State Assessment	130,000

1720	NON-ADMINISTRATION	
.4100	Indemnification/Benefits & Awards	700,000
.4110	Long Term Indemnity Liabilities	100,000
.4200	Medical	295,000
.4210	Long Term Medical Liabilities	100,000
.4220	Independent Medical Exams	0
.4440	Allocated Loss Adjustment Exp	70,000
.4700	Long Term Expense Liabilities	5,000
	Total Non-Administration	1,270,000
	GRAND TOTAL	1,720,271.97

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.4440	Mileage	0
.4450	Hotels & Meals	300
.4560	Excess Insurance	201,295.50
.4700	Investigation	10,000
.4701	Training	200
.4702	Legal Services	25,000
.4703	Rehabilitation Services	0
.8100	Retirement	4,888.78
.8300	Social Security	1,621.62
.8600	Health Insurance	4,071.72
.8700	Medicare	379.21
.4704	Third Party Administrator	42,012
	Total Administration	450,271.97

**BOARD OF SUPERVISORS AUTHORIZES REQUESTS FOR PROPOSAL FOR
AUDIT OF FINANCIAL RECORDS OF SENECA COUNTY**

RESOLUTION NO. 166-21, moved by Sprvr. Reynolds, second by Sprvr. Hayes and adopted.

WHEREAS, Federal And New York State law requires Seneca County to undergo a financial audit, Federal Single audit, New York State Department of Transportation audit and audit the Deferred Compensation Plan for Employees of Seneca County on an annual basis; and

WHEREAS, the Bonadio Group's contract will expire with the completion of the 2020 audit; and

WHEREAS, it will be necessary to request proposals for the provision of these services; and

WHEREAS, the Finance, Assessment and Insurance Standing Committee has reviewed and approved this resolution on July 27, 2021; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes and directs the Finance Director to issue requests for proposal for the audit of the financial records of Seneca County.

**BOARD OF SUPERVISORS ACCEPTS GRANT AWARD (\$54,054.05) FROM NYS OFFICE FOR
PREVENTION OF DOMESTIC VIOLENCE SAFE HOUSING OPTIONS GRANT**

RESOLUTION NO. 167-21, moved by Sprvr. Enslow, second by Sprvr. Borst and adopted.

WHEREAS, New York State Office for Prevention of Domestic Violence has awarded Seneca County \$54,054.05 in grant monies from Safe Housing Options Grant program for housing support and services for victims of domestic violence; and

WHEREAS, this grant program requires no match from Seneca County; and

WHEREAS, under this program, awarded funds will be distributed in two cycles

- Cycle #1 – July 1, 2021 – September 30, 2021: \$20,270.27;
- Cycle #2 – October 1, 2021 – September 30, 2022: \$33,783.78

And

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WHEREAS, the Mental Health Services Standing Committee reviewed and approved this resolution at its July 27, 2021 meeting; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby accept the NYS Office for Prevention of Domestic Violence Safe Housing Option Grant award for \$54,054.05; an authorizes and directs the County Manager to sign all necessary documents to accept and administer the grant; and be it further RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Finance Department to amend the 2021 budget as follows with unused portions flowing into future years as per the grant contract allows:

104330 44489 SHO1	Other Federal Aid	Increase	Revenue	\$20,270.27
104330 52300 SHO1	Equipment	Increase	Expenditure	\$3,000.00
104330 54200 SHO1	Office Supplies	Increase	Expenditure	\$5,000.00
104330 54280 SHO1	Program Supplies	Increase	Expenditure	\$4,270.27
104330 54441 SHO1	Participant Transportation	Increase	Expenditure	\$2,000.00
104330 54700 SHO1	Contractual	Increase	Expenditure	\$6,000.00
104330 44489 SHO2	Other Federal Aid	Increase	Revenue	\$33,783.78
104330 52300 SHO2	Equipment	Increase	Expenditure	\$5,000.00
104330 54200 SHO2	Office Supplies	Increase	Expenditure	\$8,333.00
104330 54280 SHO2	Program Supplies	Increase	Expenditure	\$7,117.78
104330 54441 SHO2	Participant Transportation	Increase	Expenditure	\$3,333.00
104330 54700 SHO2	Contractual	Increase	Expenditure	\$10,000.00

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

RESOLUTION PROVIDING FOR SEPTEMBER 11, 2021 COMMEMORATION OF 9/11

RESOLUTION NO. 168-21, moved by Sprvr. Garlick Lorenzetti, second by Sprvr. Barnhart and adopted.

WHEREAS, on September 11, 2001 there occurred three terrorist acts upon the United States; and

WHEREAS, those terrorist acts were upon the twin towers of the World Trade Center in New York City, the Pentagon Building in suburban Washington, D.C.; and

WHEREAS, there was also a planned terrorist act intended for another site in Washington, D.C., possibly the Capitol or the White House, a planned terrorist act thwarted by the brave action of crew and passengers on board that aircraft; and

WHEREAS, those terrorist acts resulted directly in the loss of nearly 3,000 human lives of people working in these buildings at the time and/or first responders of police and firefighters, and passengers and crew staff on board the aircraft; and

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WHEREAS, over \$60 billion worth of buildings and property were destroyed in these terrorist acts;
and

WHEREAS, since 9-11-2001 several first responders have succumbed to long-term exposure to toxic fumes and chemicals; and

WHEREAS, each year there have been annual events in New York City, Washington, D.C., and Shanksville, PA to commemorate the loss of human lives in these terrorist acts; and

WHEREAS, in 2009, federal legislation established September 11th as a National Day of Service and Remembrance; and

WHEREAS, in recent years, there has been a small-scale annual event to commemorate 9/11; and

WHEREAS, September 11, 2021 marks the 20th anniversary of the tragic events of 9/11 in 2001, meaning that basically an entire new generation of U.S. people have been born since the tragedy of 9/11; and

WHEREAS, there is a determination that the tragedies associated with 9/11 shall not be forgotten;
and

WHEREAS, the Government Operations Standing Committee reviewed and approved this resolution on July 27, 2021; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors formally endorses the concept of a major county-wide public event be held to commemorate the 20th anniversary of 9/11 on September 11, 2021; and,
be it further

RESOLVED, that this county-wide public ceremony be held in Ovid, starting at 7:00 p.m.; and be it further

RESOLVED, that elected officials, and police and fire departments within Seneca County be invited to participate in the formal ceremonies; and, be it further

RESOLVED, that as a major part of the ceremony that there will be a Moment of Silence to pay respects to those whose lives were lost in the terrorist acts on 9/11-2001; and, be it further

RESOLVED, that the Board of Supervisors authorizes the County Manager to make appropriate arrangements for this September 11, 2021 public event of commemoration of 9/11.

**BOARD OF SUPERVISORS APPROVES PURCHASE OF
CHEMPRO RAMAN 100ID HAZMAT EQUIPMENT**

RESOLUTION NO. 169-21, moved by Sprvr. Brownell, second by Sprvr. Borst and adopted.

WHEREAS, Seneca County is a member of the Finger Lakes Regional HAZMAT Team, along with Ontario, Wayne and Yates counties in a collaborative effort to provide hazardous materials response and emergency rescue capability; and

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WHEREAS, the purchase of a ChemPro Raman 100ID will enhance the HAZMAT response capability of Regional Hazmat; and

WHEREAS, the purchase of a ChemPro Raman 100ID is budgeted in the 2018 Regional Hazardous Materials grant; and

WHEREAS, the cost of the ChemPro Raman 100ID is 100% reimbursable from the 2018 Regional Hazardous Materials grant; and

WHEREAS, the ChemPro Raman 100ID cost is offered under NYS Contract granted to DiVal Safety Equipment PC69018, Group 38232, Award 23173; and

WHEREAS, DiVal Safety Equipment has quoted Seneca County Emergency Management the correct NYS Contract price of \$38,600.10; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Standing Committee on July 27, 2021; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Seneca County Office of Emergency Management to Purchase 1 (one) ChemPro Raman 100ID from DiVal Safety Equipment at a cost of \$38,600.10, and furthermore to voucher this purchase for reimbursement from the 2018 Regional Hazardous Materials grant.

**SUPERVISORS AUTHORIZE INTER-MUNICIPAL AGREEMENT WITH
VILLAGE OF WATERLOO FOR ADMINISTRATION AND OPERATION OF
SENECA COUNTY WATER DISTRICT NO. 1 AND SEWER DISTRICTS NO. 1 AND 2**
RESOLUTION NO. 170-21, moved by Sprvr. Hayes, second by Sprvr. Garlick Lorenzetti and adopted by 651 ayes, 42 nays (Hayssen), and 57 not present (Cleere).

WHEREAS, Seneca County Water District No. 1, Sewer District No. 1 and Sewer District No. 2 are existing Districts that are managed and operated by Seneca County; and

WHEREAS, Seneca County is currently considering options for the formation of a Water and Sewer Authority that would broaden and expand opportunities for collaboration and expansion County-wide; and

WHEREAS, the Village of Waterloo has an established and competent Water and Sewer Operation that can best serve the immediate and future needs of the identified County Districts; and

WHEREAS, the Seneca County Board of Supervisors finds that entering into an Inter-Municipal Agreement with the Village of Waterloo is in the best interest of the Districts and its customers; and

WHEREAS, a five (5) year term, with a five (5) year renewal option in the amount of \$100,000 annually is appropriate and consistent with current District financial projections; and

WHEREAS, the Agreement would commence on or about August 20, 2021; and

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WHEREAS, this Resolution has been reviewed and approved by the Water & Sewer Operations Committee at a special meeting on August 3, 2021; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes an Inter-Municipal Agreement with the Village of Waterloo to operate and manage Seneca County Water District No. 1, Seneca County Sewer District No. 1 and Seneca County Sewer District No. 2 for a term of five (5) years, with a five (5) year Renewal Option, in an annual amount of \$100,000; and be it further

RESOLVED, that the County Manager is authorized and directed to execute said Agreement and terms consistent with this Resolution; and be it further

RESOLVED, that the Finance Director is authorized and directed to make any financial adjustments to effectuate the direction and intent of this approval.

**BOARD OF SUPERVISORS APPROVES THE CREATION AND FILLING OF
ONE FULL-TIME PROJECT DIRECTOR IN PUBLIC HEALTH**

RESOLUTION NO. 171-21, moved by Sprvr. Ferrara, second by Sprvr. Barnhart and adopted.

WHEREAS, the Public Health Department, and the Director of Public Health, have identified the need to create and fill one Full-time Project Director; and

WHEREAS, the position is grant funded, and a requirement for the duration of the five year funding, to fulfill the Creating Healthy Schools and Communities Grant; and

WHEREAS, the Project Director will manage all aspects of the grant work-plan and budget; and

WHEREAS, this position will be abolished upon expiration and completion of grant funding; and

WHEREAS; the position has been approved and reviewed by the Vacancy Committee and the Personnel Standing Committee on July 27, 2021; now, therefore be it

RESOLVED, that the Board of Supervisors approves the creation and filling of one (1) Full-time Project Director in Public Health; and be it further

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

**APPROVE CONTRACT WITH CLEAN HARBORS FOR ANNUAL HOUSEHOLD HAZARDOUS
WASTE COLLECTION EVENT**

RESOLUTION NO. 172-21, moved by Sprvr. Borst, second by Sprvr. Brownell and adopted.

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

WHEREAS, two sealed bids were received for this event; and

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WHEREAS, Clean Harbors, 42 Longwater Drive, Norwell, MA 02061 submitted the lowest responsible bid with a \$2,500 set up fee, and \$56 per household fee for a total cost of \$13,700; and

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

WHEREAS, the Public Health Services Standing Committee approved this resolution on July 27, 2021; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign a contract with Clean Harbors for the 2021 Annual Household Hazardous Waste Collection Event.

**APPROVE CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR EARLY
INTERVENTION ADMINISTRATION GRANT**

RESOLUTION NO. 173-21, moved by Sprvr. Borst, second by Sprvr. Enslow and adopted.

WHEREAS, the New York State Department of Health has awarded the Seneca County Health Department \$28,158 for the period October 1, 2021 through September 30, 2022 for the administration of the Early Intervention Program; and

WHEREAS, it is necessary for the contract to be signed to receive the funding; and

WHEREAS, the Public Health Services Standing Committee has reviewed and approved this resolution on July 27; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign a contract with the New York State Department of Health for the Early Intervention Administration Grant.

**APPOINTMENT TO SENECA COUNTY PLANNING BOARD
(SALLY KENYON)**

RESOLUTION NO. 174-21, moved by Sprvr. Barnhart, second by Sprvr. Borst and adopted.

WHEREAS, the Seneca County Planning Board representative for the Town of Varick term has resigned; and

WHEREAS, Sally Kenyon, a resident of the town of Varick, has been recommended to fill the vacancy; and

WHEREAS, the Planning, Development, Agriculture, and Tourism Standing Committee reviewed and approved this resolution on July 27, 2021; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint Sally Kenyon as the town of Varick representative on the Seneca County Planning Board, effective immediately, for a term through June 30, 2024.

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**BOARD OF SUPERVISORS ACCEPTS FUNDING UNDER THE AIRPORT RESCUE GRANT
PROGRAM IN SUPPORT OF FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 175-21, moved by Sprvr. Barnhart, second by Sprvr. Kronenwetter and adopted.

WHEREAS, the U.S. Department of Transportation will provide economic relief to U.S. airports in response to the COVID-19 pandemic under the American Rescue Plan Act 2021 (ARPA); and

WHEREAS, the Federal Aviation Administration (FAA) will distribute these grants under the new Airport Rescue Grant Program (ARGP); and

WHEREAS, under the Program, Seneca County is eligible to receive up to \$32,000 to reimburse the County for operating expenses associated with Finger Lakes Regional Airport; and

WHEREAS, the Program has no local match requirement; and

WHEREAS, the Planning, Development, Agriculture, and Tourism Standing Committee reviewed and approved this resolution on July 27, 2021; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the County Manager to sign all necessary agreements and documents to accept \$32,000 under the Airport Rescue Grant Program (ARGP); and be it further

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

**BOARD OF SUPERVISORS CALLS ON GOVERNOR TO COMPLETE OVERDUE
RECONCILIATIONS FOR THE AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID
ASSISTANCE PERCENTAGE (eFMAP) AND IMMEDIATELY RELEASE FEDERAL FUNDS
OWED TO COUNTIES AND NEW YORK CITY**

RESOLUTION NO. 177-21, moved by Sprvr. McGreevy, second by Sprvr. Lott and adopted.

WHEREAS, the funding to support the Medicaid program is provided by a combination of federal, state and local resources; and

WHEREAS, the state requires the counties and New York City to contribute \$7.6 billion annually to pay for the federal and state defined and controlled program; and

WHEREAS, the locally required share of Medicaid funding paid in New York is the highest of any state in the country; and

WHEREAS, this large local funding share for Medicaid and other state programs is a major contributor to New York's high local tax burden compared to other states; and

WHEREAS, under the Affordable Care Act the federal government provided an enhanced Medicaid matching share (eFMAP), which has saved New York state billions of dollars; and

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WHEREAS, the state is required under federal law to share these savings with counties and New York City based on the proportionate share localities pay of the nonfederal match; and

WHEREAS, the state has utilized a methodology that provides 80 percent of these estimated federal savings to counties in the year the costs accrue; and

WHEREAS, the balance of savings owed to counties is supposed to be reconciled annually to ensure the withheld savings are transferred to county budgets and local taxpayers, as well as meeting the intent of federal law; and

WHEREAS, the last completed reconciliation was for state fiscal year 2015-16; and

WHEREAS, this leaves reconciliations four years behind the normal schedule, with more than \$800 million in federal funds being withheld from counties and New York City, by NYSAC estimates; and

WHEREAS, by not providing these federal funds it requires counties and New York City to reserve funds locally to make up for the loss, meaning local taxes have been kept higher than they need to be over multiple years, or local services had to be scaled back or eliminated; and

WHEREAS, in the years leading up to the last completed eFMAP reconciliation, counties were provided an estimate of their coming year Medicaid costs by September, in time to incorporate the savings in their budgets, which ceased when regular reconciliations ended; and

WHEREAS, the Human Services Standing Committee reviewed and approved this resolution on July 27, 2021; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors calls on the Governor to complete these unfinished reconciliations as soon as possible and to provide counties and New York City a full accounting of the federal funds owed, and to take immediate steps to release the funds to localities; and be it further

RESOLVED, the state should also renew its practice of providing timely notice to counties of coming year Medicaid costs so we can appropriately budget those savings for local taxpayers and to preserve highly desired quality of life services provided locally; and, be it further

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

**AUTHORIZE OUT-OF-STATE TRAVEL TO SAYRE PENNSYLVANIA
(DIVISION OF HUMAN SERVICES)**

RESOLUTION NO. 176-21, moved by Sprvr. McGreevy, second by Sprvr. Lott and adopted.

WHEREAS, the Commissioner of Human Services has guardianship and decision-making authority for certain clients in Seneca County; and

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WHEREAS, the facility, which provides appropriate services, is located in Sayre, PA; and is the nearest location to the residence of an individual client, who is under the guardianship of Seneca County; and

WHEREAS, a senior caseworker must accompany the client in accordance with OCFS regulations and court ordered guardianship; and

WHEREAS, pursuant to Seneca County Travel Policy 104.49, out-of-state travel by county staff requires approval by the Board of Supervisors; and

WHEREAS, this resolution was approved by the Human Services Standing Committee and the Personnel Standing Committee on July 27, 2021; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby authorize out-of-state travel, as necessary, to Sayre, PA for one Senior Caseworker to accompany an individual client, who is under the guardianship of Seneca County.

**SUPERVISORS APPROVE APPOINTMENTS OF
FINGER LAKES WORKFORCE INVESTMENT BOARD MEMBERS**

RESOLUTION NO. 178-21, moved by Sprvr. McGreevy, second by Sprvr. Trout and adopted.

WHEREAS, the Seneca County Board of Supervisors has authorized the creation of the Finger Lakes Workforce Investment Board for the counties of Ontario, Wayne, Seneca and Yates in compliance with the Workforce Innovation and Opportunity Act (WIOA) of 2014; and

WHEREAS, the appointment of the Partner/Public Sector Workforce Investment Board Members must be endorsed by the four counties of Ontario, Wayne, Seneca and Yates; and

WHEREAS, per the NYS WIOA requirements, the Seneca County Board of Supervisors must endorse the following Partner/Public Sector representatives for a three year term beginning July 1, 2021 – June 30,2024

Partner/Public Sector

Mike Davis, Business Manager
IBEW 840
POB 851, Geneva, NY 14456

Bob Doebelin, Director Housing Operations
Geneva Housing Authority
41 Lewis Street, Geneva, NY 14456

Richard House, Administrator
Wayne County
26 Church St, Lyons, NY 14489

Mike Manikowski, Director
Ontario County Economic Development

Bonnie Percy, Yates County Legislator
471 Liberty Street
Penn Yan, NY 14527

Vicky Ramos, District Superintendent
WFL BOCES
131 Drumlin Court, Newark, NY 14513

Eileen Tiberio, Commissioner
Ontario County Department of Social Services
3010 County Complex Dr., Canandaigua, NY
14424

Julia Murphy, Employment Services Manager
Finger Lakes Representative

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26 Ontario St, Suite 106B
Canandaigua, NY 14424

NYS Department of Labor
795 Canandaigua Rd, Geneva, NY 14456

WHEREAS, this Resolution was approved by the Human Services Standing Committee on July 27, 2021; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint the individuals listed above to the Finger Lakes Workforce Investment Board; and be it further

RESOLVED, that the Clerk to the Board of Supervisors send a certified copy of this resolution to the Finger Lakes Workforce Investment Board and to the Clerks of the Boards of Ontario, Wayne and Yates Counties.

Unfinished Business

None

New Business

RULE 29 motion by Sprvr. Lott, second by Sprvr. Garlick Lorenzetti, and carried, to write a letter to Bureau of Indian Affairs – Department of the Interior, that Seneca County Board of Supervisors do not recognize Clint Halftown as the legitimate leader for Cayuga Nation, and the Board of Supervisors will respect the ancient laws of Peace and Democracy and respect the Nation to Nations treaties that allow the Cayuga Nation Council of Chiefs to act on behalf of the Gayogohó:nq’ Cayuga people.

**SUPERVISORS RECOGNIZE LEGITIMATE LEADERSHIP OF CAYUGA NATION BEING
CAYUGA NATION COUNCIL OF CHIEFS**

RESOLUTION NO. 179-21, moved by Sprvr. Lott, second by Sprvr. Garlick Lorenzetti and adopted.

WHEREAS, the Bureau of Indian Affairs endorsed Clint Halftown as the Federal Representative for Cayuga Nation; and

WHEREAS, Cayuga Nation Condoled Chief Samuel George and traditional Cayuga Nation citizens, Chiefs and Clanmothers, as the Gayogohó:nq’ Council of Chiefs, consider the BIA endorsement as illegitimate and improper, and not being in the traditions of the Cayuga Nation; and

WHEREAS, on February 22, 2020, the Cayuga Nation Council of Chiefs removed Clint Halftown and his council, and placed them outside of the protection of the Circle of the Confederacy Chiefs, and Cayuga Nation Condoled Chiefs; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the county attorney to draft a letter to the U.S. Bureau of Indian Affairs stating the Seneca County Board of Supervisors concerns with the designation of Clint Halftown as Federal Representative of the Cayuga Nation, and to

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reconsider the position of the Gayogohó:nq' Council of Chiefs as the more appropriate and responsible leadership of the Cayuga Nation.

Discussion Resolution 179-21: Sprvr. Ferrara requested that we at some point meet with the “other faction” (Clint Halftown and his supporters); we heard a lot from this faction (Gayogohó:nq' Council of Chiefs). This has been an ongoing issue; and I'm not in a position to say who is right or wrong; not even going to try. But I think we need to be careful with what and how we are saying it.

Sprvr. Brownell – correspond with the other said legal counsel and draft the letter together. Ken Wolkin offered his assistance. Work and help each other

New York Corn Growers event: Sprvr. Lott invited the supervisors to a New York Corn Growers event at 6 p.m., Thursday, August 12 at the Lott Farm. He said it will consist of food and a big screen viewing of a baseball game between the New York Yankees and Chicago White Sox at the field in Iowa where the movie “Field of Dreams” was filmed. Lott said about 20 firefighters from New York City have been invited to attend.

Executive Session

Sprvr. Hayes offered a motion, second by Sprvr. Garlick Lorenzetti and carried to enter in executive session under OML 105 (1)(f) regarding the review of an employee's status. Personnel Officer joined the Board of Supervisors. Convened in executive session at 8:06 p.m.

Special order of the Day

The Board of Supervisors reconvened in open session, No action was taken. The meeting adjourned.