

**SENECA COUNTY
BOARD OF SUPERVISORS**

Board Meeting & Public Hearing
January 11, 2022

Call to Order

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

Roll Call of Members by the Clerk

Twelve members of the Board of Supervisors answered roll call. Sprvr. Hayes attended telephonically. Sprvrs. Reynolds and Don Trout were not present.

Pledge of Allegiance and Moment of Silence

Public Hearing: Proposed Local Law 1 – 2022 to receive comments on proposed Local Law A of 2022, as follows, "A Local Law to Waive Residency for Certain Positions, to read substantially in the following form: SECTION 1: The provisions of §3 New York State Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised. Further, §10 of New York State Home Rule Law provides that every local government shall have power to adopt and amend local laws not inconsistent with the provisions of the constitution or not inconsistent with any general law relating to its property, affairs or government. Such powers include the specific authority to establish powers, duties, qualifications, number, mode of selection and removal, terms of office, compensation, hours of work, protection, welfare and safety of its officers and employees. SECTION 2: Based upon these provisions, for the positions of Director of Public Health and Personnel Officer, the Board of Supervisors waives the Seneca County residency provisions for the collective Term(s) of each current candidate. SECTION 3: This local law shall take effect immediately upon filing with the Secretary of State in accordance with §27 of the Municipal Home Rule Law.

The floor was opened to receive comment of proposed Local Law 1 of the Year 2022. No comments, oral nor written were received. The public hearing was closed.

Presentations

None

Petitioners

None

Open Privilege Of The Floor

None

Approval of Meeting Minutes

The minutes were approved as written for December 14, 2021 regular board meeting; December 28, 2021 Year-end Special board meeting; and January 3, 2022 Organizational meeting.

Reports of Standing Committees Two resolutions on the agenda:

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Personnel Standing Committee – Sprvr. Ferrara, Chairman. Earlier on the agenda there was a public hearing for Local Law 1 – 2022 to waive the residency for the Personnel Officer and the Public Health Director. Both positions are currently filled on an interim basis with persons who live in Cayuga County. The board will consider adopting the local law. There is a resolution that will create one position for a Full-time nurse for Public Health to help with COVID-19 vaccine administration. 73% of the salary is funded through the COVID -19 Vaccine Response Grant.

Government Operations Standing Committee – Sprvr. Jeffrey Trout, Chairman. The Committee approved a resolution to amend the Social Media Policy #101.410 to permit posts made by the county for dissemination of information will not provide the ability for comments to be posted.

Mental Health Services Standing Committee – Sprvr. Partee, Chair. The Mental Health Standing Committee referred a single resolution for tonight’s meeting, for contracts with various providers for substance use disorder treatment

Public Health Services Standing Committee - Sprvr. Borst, Chairman. Tonight, the board will consider a resolution authorizing the purchase of COVID-19 test kits for the Test-to-Stay in School program with ELC grant funding not to exceed \$125,000.

Indian Affairs Standing Committee – Sprvr. Kronenwetter. The convenience store business in Seneca Falls, at the corner of East Bayard Street / Stephenson Street was purchased for \$1 million dollars by Cayuga Nation. Owners were Cayuga Oklahoma Indians. Assessed value was \$250,000.

Environmental Affairs Standing Committee – Sprvr. Kronenwetter, Chairman. Regarding the upgrade for Five Points Wastewater Treatment Plant, the Preliminary Engineering Report directed discharge from the Five Points facility to Reeder Creek. Seneca Lake Pure Waters Association asked that the effluent discharge going into Reeder Creek instead be relocated to nearby Kendig Creek. The committee did not consider the issue. The wetlands in the region absorb the discharge. Reeder Creek remains the best alternative.

Planning, Development, Agriculture & Tourism Standing Committee – Sprvr. Barnhart, Chairman. Seneca County Agricultural Enhancement Board completed the Agricultural and Farmland Enhancement Plan. A public information sessions the Plan is scheduled for tomorrow, January 12, 2022 at 7:00 PM in the Lecture Hall of the Health and Senior Services Building, 2465 Bonadent Drive, Waterloo; And on January 18, 2022 at 7:00 PM in the Auditorium of the South Seneca High School at 7263 Main Street, Ovid. The committee approved to apply for and accept (if awarded) a Federal Aviation Administration Grant for Airfield Lighting Electrical Control Vault. Project costs at \$65,000 for the Design and Bidding portion of this project with the following funding breakdown: FAA (90%) \$58,500;

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NYS DOT (5%) \$3,250; Local (5%) \$3,250. Tonight the board will consider the appointment of members to the Finger Lakes Regional Land Bank Directors of a two-year term. They are: Frank Sinicropi – Seneca Falls Town Board Member ; Jill Henry – Director of Planning and Community Development; Kyle Barnhart – Lodi Town Supervisor; Les Marquart – Seneca County Treasurer; Don Northrup – Village of Waterloo Administrator; Ernie Brownell - Junius Town Supervisor; and David Wood – Village of Ovid Trustee. The 2022 Funding Appropriation for the Tourism Promotion Agency will be up for a vote tonight. The actual revenue for October 1, 2019 to September 30, 2020, is known to be \$567,618.81; 85% of said revenues following the application of the 5% administrative allocation amounts to \$458,352.19; and Contract with the Chamber of Commerce and to implement a funding appropriation in the amount of \$458,352.19 of Hotel Motel Occupancy Tax revenues

Finance, Assessment & Insurance Standing Committee – Sprvr. Ferrara. Two resolutions on the agenda for Finance, Assessment & Insurance Committee. One will appropriate 2022 county funding to affiliate agencies; and the other is authorizing amendments to the 2021 budget.:

Public Safety Standing Committee – Sprvr. Rhinehart, Chairman. The only resolution for Public Safety is to appoint Alvin Deming and William Palme, from Ovid Fire Department, to the county Fire Advisory Board for 2022

Report Of Special Committees

None.

Chairman’s Remarks

Chairman Hayssen appointed Sheriff Timothy Luce as Seneca County DWI Coordinator to serve at the pleasure of the appointing official; and the appointments for membership of the 2022 Standing Committees.

County Manager’s Remarks

Interested parties have until February 1, 2022 to respond to the Request for Proposal for a solid waste management plan.

Chairman Hayssen created an audit committee to make a recommendation of a firm to perform the county audits. Members appointed: Robert Hayssen, Michael Ferrara, Robert Shipley, Halle Stevens, and Mitch Rowe. They will meet on January 25 to review submitted proposals. Expect a recommendation to be made for the February 11, 2022 board meeting.

County Attorney’s Remarks

Litigation of claims against Allegan related to the “Opioid Crisis”, of which Seneca County is a claimant through action of the State of New York has reached a plan of settlement. It is in the best interest

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of the County of Seneca to resolve this matter without further litigation. There is an item under new business for authorization by the Board of Supervisors to execute any and all documents related to the matter of “Allergan”, to wit: Allergan Finance, LLC (f/k/a Actavis, Inc., which, in turn, was f/k/a Watson Pharmaceuticals, Inc.) and Allergan Limited (f/k/a Allergan PLC, which, in turn, was f/k/a Actavis PLC Communications:

1. From NYS Sheriff’s Association, Inc. a letter dated December 21, 2021 endorsing GTL (formerly AT&T Inmate Phone Service) as the telephone service provider that could best improve inmate phone services while also providing substantially increased revenue to counties.

2. A copy of Seneca County IDA December 2, 2021 meeting minutes.

3. A copy of the Seneca County Planning Board December 9, 2021 meeting minutes.

4. From NYS Agriculture and Markets, a letter dated December 16, 2021, stating that November 28, 2022 is the anniversary of Seneca County Agricultural District No. 8, which was first formed in 1974; and the Board of Supervisors must conduct a review of the District, and consider how District Fames and farm acres have furthered the purposes for which it was originally established.

5. A copy of the Historian’s Annual report for 2021.

6. A copy of a resolution adopted by the South Seneca Central School District supporting the Seneca County Department of Health in developing a “test to stay” mitigation strategy that allows unvaccinated students who are close contacts to avoid school exclusion by testing negative with a daily rapid NAAT test or antigen test for seven days after exposure to stay in in-school instruction if a parent consents to this option to avoid school exclusion.

7. From Bruce Craft, Secretary, Ovid Fire Department, a letter dated December 10, 2021, recommending members to the Fire Advisory Board for the year 2022, Alvin Deming as member and William Palmer as Alternate member

8. A copy of Chemung County Resolution No. 21-682. Opposing Governor Hochul’s Abrupt, Secretive and Unsafe Prison Closures on Public Safety and Economic and Environmental Grounds”.

9. A copy of Seneca County Sheriff’s Office Monthly Snapshot for November 2021.

10. From NYSEG, a copy of names, addresses and telephone numbers of responsible officials of the corporation operating gas pipelines in Seneca County in accordance with Public Service Commission of the State of NY regulations and requirements.

11. From Elizabeth G. Thomas, Chair, Cayuga Lake Watershed Intermunicipal Organization, a copy of an email sent to member towns and villages regarding 2022 dues; and notification that 2022 dues for municipalities within Seneca County will be paid by county funds.

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12. From Anthony DelPlato, Partner, A Stone's Throw B & B, Interlaken, NY, a copy of an email dated January 20, 2022, sent to the Town Board of Seneca Falls Public Forum on Issues Facing the People of Seneca Falls and Cayuga Nation, expressing his disapproval of Cayuga Nation leader Clint Halftown's domestic terrorist actions against the Gayogoho:no people; and urging officials to recognize and work with the traditional leadership of Sam George and Gayogoho:no.

RESOLUTIONS & MOTIONS

**BOARD OF SUPERVISORS AUTHORIZES CONTRACTS WITH
AFFILIATE ORGANIZATIONS FOR 2022**

RESOLUTION NO. 10-22, moved by Sprvr. Ferrara, second by Sprvr. J. Trout and adopted.

WHEREAS, Seneca County has a number of Affiliate Organizations that are supported by the County's General Fund; and

WHEREAS, funding allocations were established through Adoption of the 2022 County Budget on December 14, 2021; and

WHEREAS, funding levels for 2022 are as follows:

- Beverly Animal Shelter \$50,000
- County Libraries & System \$130,000
- Cornell Cooperative Extension \$410,000
- Seneca County Soil & Water \$325,404
- Seneca County Fair Association \$6,000
- Pathway Home \$5,000
- Memorial Day Committee \$5,000

And

WHEREAS, Contracts will be executed to formalize service delivery and payment schedules; and

WHEREAS, the Finance, Assessment & Standing Committee have reviewed and approved this resolution on December 28, 2021; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors authorizes and directs the County Manager to execute contracts for Affiliate Organization services in 2022 in accordance with the Adopted 2022 Seneca County Budget.

**BOARD OF SUPERVISORS AUTHORIZES AMENDMENTS TO
2021 SENECA COUNTY BUDGET**

RESOLUTION NO. 11-22, moved by Sprvr. Ferrara, second by Sprvr. J. Trout and adopted.

WHEREAS, amendments to the 2021 Seneca County Budget are necessary and appropriate; and

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WHEREAS, funding is available in the object codes identified herein; and

WHEREAS, these amendments have been reviewed and approved by the Finance, Assessment and Insurance Standing Committee at its meeting on December 28, 2021; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes the following amendments to the 2021 Seneca County Budget:

Line Item	Description	Increase / (Decrease)	Revenue / Expenditure	\$
Note 1: Emergency Disaster Budget adjustment				
10 3599	General Fund Balance	Decrease	Fund Balance	\$57,100
108760 51100	Emerg Disaster Full Time	Increase	Expenditure	\$36,000
108760 51200	Part Time	Increase	Expenditure	\$2,500
108760 58100	Retirement	Increase	Expenditure	\$5,000
108760 58300	Social Security	Increase	Expenditure	\$2,300
108760 58400	Workers Comp	Increase	Expenditure	\$800
108760 58600	Health Insurance	Increase	Expenditure	\$10,000
108760 58700	Medicare	Increase	Expenditure	\$500
Note 2: Worker's Compensation Budget adjustment				
601720 54110	Long Term Indemnity	Decrease	Expenditure	\$100,000
601720 54210	Long Term Medical	Increase	Expenditure	\$46,000
601720 54440	Mileage	Increase	Expenditure	\$1,000
601720 54100	Benefits & Awards	Increase	Expenditure	\$100,000
601720 54200	Medical	Increase	Expenditure	\$45,000
Note 3: Water & Sewer Capital Project Budget adjustment				
33 3599	Sewer 2 Fund Balance	Decrease	Fund Balance	\$16,628.21
338310 59950	Interfund Trfr to CP	Increase	Expenditure	\$16,628.21
808110 52000 SWR2	Sewer 2 Capital Project	Increase	Expenditure	\$16,628.21
808110 45034 SWR2	Interfund Trfr Revenue	Increase	Revenue	\$16,628.21

SUPERVISORS AUTHORIZE ADJUSTMENT TO 2022 MENTAL HEALTH SERVICES

PROVIDER-AGENCY CONTRACT WITH SENECA COUNTY SHERIFF'S OFFICE

RESOLUTION NO. 12-22, moved by Sprvr. Partee, second by Sprvr. Rhinehart and adopted.

WHEREAS, the Department of Mental Health enters into services contracts each year with various service providers for substance use disorder treatment to the residents of Seneca County. In 2022 the Department of Mental Health will enter into a services contract with the Seneca County Sheriff's Office; and

WHEREAS, the funds used for this contract are passed though state aid monies from the New

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York State office of Alcoholism and Substance Abuse Services; and

WHEREAS, the total amount for this contract has increased by \$41,250 (revenue account (104300-43000 and expense account 104300-54700) with no local mandated share; and

WHEREAS, the Mental Health Services Standing Committee reviewed and approved this resolution on December 28, 2021; now, therefore be it

RESOLVED, that the County Manager is authorized and directed to sign the 2022 service provider contract with the Seneca County Sheriff’s Office; and be it further

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Finance Department to pay the 2022 service provider, as contracted, when duly appropriated; and be it further

RESOLVED, that the Director of Finance is authorized and directed to make all necessary accounting and budget adjustments to implement the intent of this Resolution.

**SENECA COUNTY BOARD OF SUPERVISORS DECLARATION OF SURPLUS BUILDINGS
AND GROUNDS PROPERTY AND AUTHORIZE AUCTION OF THE SAME**

RESOLUTION NO. 13-22, moved by Sprvr. Kronenewetter, second by Sprvr. Ferrara and adopted.

WHEREAS, the Seneca County Facilities Department has compiled a list of surplus items; and

WHEREAS, the items belonging to Seneca County consist of equipment and other items ready for auction through Auctions International; and

Hitch Cargo Carrier	(1)	Grasshopper 722D with 61” Powerfold mower	(1)
Snow Blower 24” Yard Machine, electric, 5HP,2 Stage	(1)	Swisher Trim-Max Trimmer	(1)
Hedge Trimmer 22”, Weed Eater	(1)	Tiller, MTD Yard Machine	(1)
Push Mower, Quattro 4 HP	(1)	Push Mower, 21”	(2)
Submersible Pumps, 460V, 1 HP	(2)	Used food trays	(140)
Paper Shredder	(1)	Drink Server Dispensers	(20)
Blue Cooler	(2)	Clarke Floor Machines/scrubbers	(2)
Large Cooking Pots	(2)	Baking Pans	(8)
White plastic bins (some with lids)	(14)	Drinking fountains	(2)
Salt Spreader, Stainless Steel, for pickup truck	(1)	Hedge Trimmer, gas, Poulan Pro	(1)
Deep Fryer, natural gas	(1)	Desk keyboard drawers (some used, most used)	(15)
Tampon sanitary napkin dispenser	(1)	42 cup coffee urn	(1)
CFL canister light fixtures (new)	(3)	Training room chairs	(40)
Commercial Toastmaster toaster oven	(1)	Boxes of used kitchen pans/trays/pots/knives/bowls	(5)
Training room tables	(14)	Various desks, chairs and couches	
2008 Grey Dodge Grand Caravan VIN# 1D8HN44H98B191916			(1)

WHEREAS, the following items are described below:

WHEREAS, this resolution was reviewed and approved by the Public Works Standing

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Committee on December 28, 2021; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the above mentioned items for auction; and, be it further

RESOLVED, that the County Manager and Director of Facilities are authorized to contract with Auctions International to conduct said sale in the best interests of Seneca County and in accordance with all applicable statutes and regulations.

**SUPERVISORS SUPPORT ACCESSIBILITY IMPROVEMENTS TO HISTORIC
SENECA COUNTY COURTHOUSE AND COMMIT AMERICAN RECOVERY ACT
FUNDS TO UNDERTAKE PROJECT**

RESOLUTION NO. 14-22, moved by Sprvr. Kronenwetter, second by Sprvr. Borst and adopted.

WHEREAS, Seneca County is the owner of the historic Three Bears property in the Village of Ovid; and

WHEREAS, the traditional Seneca County Courthouse known as Papa Bear is and has been in need of accessibility improvements; and

WHEREAS, the County has been unsuccessful in securing grant funding to accomplish these improvements despite its best efforts; and

WHEREAS, Bero Architects has developed an appropriate way in which to achieve accessibility improvements and provide compliance with applicable state and federal code regulations; and

WHEREAS, the Engineers Estimate for said improvements is \$350,000; and

WHEREAS, the Fee for Service to Bero Architects to provide design, contract documents, bidding and negotiation and contract administration will be \$31,200; and

WHEREAS, Seneca County is in receipt of funding from the federal government under the American Rescue Plan Act that would be an appropriate source for this project; and

WHEREAS, this Resolution has been recommended for approval by the Public Works Standing Committee at its meeting on December 28, 2021; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors commits sufficient funding from the American Rescue Plan Act to support this project; and be it further

RESOLVED, that the Director of Finance is authorized and directed to make any necessary budget and account entries necessary to implement the intent of this Resolution; and be it further

RESOLVED, that the County Manager is authorized and directed to execute an Agreement with Bero Architects in an amount not to exceed \$31,200 for architectural, project management and contract oversight to implement the project.

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**BOARD OF SUPERVISORS AUTHORIZE BID AWARD TO UNDERTAKE BRIDGE
REPLACEMENT ON COUNTY ROAD 136 IN THE TOWN OF LODI**

RESOLUTION NO. 15-22, moved by Sprvr. Kronenwetter, second by Sprvr. Borst and adopted.

WHEREAS, Seneca County was awarded NYS Bridge NY Funds in 2019 in the amount of \$558,560; and

WHEREAS, NYS Bridge NY limits awarded funds to be the fixed amount regardless of low bid amount; and

WHEREAS, the project has been bid twice with the current low bid price being \$760,328.65; and

WHEREAS, the County has committed \$150,900 for design and construction management services to Stantec; and

WHEREAS, the total amount for construction, design and oversight is \$911,228.65; and

WHEREAS, Bridge New York funding in the amount of \$558,560 has been awarded; and

WHEREAS, a NYS SAM Grant in the amount of \$100,000 is eligible to be repurposed for this project; and

WHEREAS, American Rescue Plan Act funding is available for this purpose and can bridge the remaining funding gap to allow the project to move forward and would be allocated in the amount of \$252,668.65; and

WHEREAS, this Resolution has been reviewed and recommended for approval by the Public Works Committee at its meeting on December 28, 2021; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors awards a Contract to Slate Hill Contractors, Inc., 6573 Herman Road, Warners, NY; and, be it further

RESOLVED, that the Director of Finance is authorized and directed to make any necessary budget and account entries necessary to implement the intent of this Resolution; and, be it further

RESOLVED, that the County Manager is authorized and directed to execute an Agreement with Slate Hill Contractor's Inc. in an amount not to exceed \$760,328.65 to undertake the project.

**BOARD OF SUPERVISORS ESTABLISHES OPERATION AND MAINTENANCE CHARGE
SCHEDULE FOR USERS ALONG NYS ROUTE 318 AND 414**

RESOLUTION NO. 16-22, moved by Sprvr. Kronenwetter, second by Sprvr. Ferrara and adopted.

WHEREAS, Seneca County in partnership with the Town of Seneca Falls owns and oversees sewer distribution infrastructure along NYS Routes 318 and 414; and

WHEREAS, there is a need to establish additional funding streams and prepare for future operational and maintenance needs; and

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WHEREAS, a study by Hunt Engineers outlines a number of the needed repairs and improvements to said infrastructure; and

WHEREAS, Seneca County and the Town of Seneca Falls are mindful of the financial impact to users along these two corridors and have strived to minimize these impacts; and

WHEREAS, the proposed schedule of Operation and Maintenance charges are based on both future needs and an analysis of actual usage by current users; and

WHEREAS, users have the right to be heard on said proposed new charges and will be notified prior to full County Board of Supervisors consideration, anticipated to be on January 11, 2022; and

WHEREAS, it should be known and understood that no users on either corridor pay debt service associated with the construction of said infrastructure; and

WHEREAS, this resolution has been reviewed and approved by the Public Works Standing Committee at their meeting on December 28, 2021; now, therefore it be

RESOLVED, that the Seneca County Board of Supervisors establishes an Operation and Maintenance Schedule for sewer users along NYS Routes 318 and 414.

**SUPERVISORS NAME RESPONSIBLE LOCAL OFFICIAL (RLO) FOR PURPOSES OF
REPRESENTING THE COUNTY OF SENECA TO NEW YORK STATE DEPARTMENT OF
TRANSPORTATION**

RESOLUTION NO. 17-22, moved by Sprvr. Kronenwetter, second by Sprvr. Shipley and adopted.

WHEREAS, Seneca County is participating in the New York State BridgeNY Program; and

WHEREAS, a Responsible Local Official (RLO) must be designated for the purposes of representing the County; and

WHEREAS, this Resolution has been recommended for approval by the Public Works Committee at its mMeeting on January 11, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize C. Mitchell Rowe, Seneca County Manager, to be the Responsible Local Official (RLO) and the primary EBO log-in holder for purposes of representing the County of Seneca, New York, to the New York State Department of Transportation for the Internet Government Solutions (IGS) Equitable Business Opportunity (EBO) system.

**SUPERVISORS STATE INTENT TO ACCEPT SEWER IMPROVEMENTS ON
NEW YORK STATE ROUTE 414 UPON SUCCESSFUL COMPLETION**

RESOLUTION NO. 18-22, moved by Sprvr. Kronenwetter, second by Sprvr. Barnhart and adopted.

WHEREAS, a private commercial development project is proposed on the west side of NYS

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Route 414, north of the NY State Thruway in the Town of Tyre that requires infrastructure support, including wastewater treatment; and

WHEREAS, the properly engineered improvements require connection to the established infrastructure at the del Lago Casino and Resort on the east side of NYS Route 414; and

WHEREAS, the proposed connection will require and necessitate the acceptance of the proposed new infrastructure, as well as existing elements of the del Lago system into existing County sewer lines in order to support the proposed development; and

WHEREAS, Seneca County will need to amend current Districts and/or create a New District along the 414 Corridor in order to accept and support said development; and

WHEREAS, the Seneca County Board of Supervisors supports appropriate development and is willing to accept proposed and existing sewer infrastructure, subject to review and inspection, in order to support further development in the County; and

WHEREAS, District Amendment or Creation will commence as said development on the west side of NYS Route 414 moves forward; and

WHEREAS, this Resolution has been reviewed and recommended for approval by the Public Works Committee at its Meeting on January 11, 2022; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors declares its intent to accept dedication of existing and proposed sewer infrastructure to support further development along NYS Route 414, subject to successful construction and inspection of said improvements, and the amendment or creation of a District.

BOARD AMENDS SENECA COUNTY POLICY #101.410 SOCIAL MEDIA POLICY

RESOLUTION NO. 19-22, moved by Sprvr. J. Trout, second by Sprvr. Ferrara and adopted by 443 ayes (J. Trout, Ferrara, Brownell, Hayes, Kronenwetter, Rhinehart, Partee, and Hayssen); and 201 nays (Barnhart, Borst, Enslow, and Shipley), and 106 not present (Reynolds and D. Trout).

WHEREAS, the Seneca County Board of Supervisors Adopted Policy #101.410, entitled Social Media Policy, on June 10, 2021; and

WHEREAS, Recent experiences with County sponsored Social Media Accounts necessitates consideration to amend the Social Media Policy; and

WHEREAS, it is recommended by the County Manager that the Social Media Policy be amended to permit flexibility for County Social Media posts to be placed with or without the ability for comments to be posted; and

WHEREAS, this resolution has been reviewed and approved by the Government Operations

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Standing Committee at its meeting on December 28, 2021; now therefore be it

RESOLVED, that Seneca County Policy #101.410 be amended by adding the following language to the Social Networking Sites Section of the Policy: Social Media posts may be posted with the statement and understanding that the post is for the dissemination of information and that comments will not be permitted on the Social Media Platform but may be directed in writing to the appropriate County Department or Office.

**APPOINTMENTS TO THE FIRE ADVISORY BOARD
(OVID FIRE DEPARTMENT – DEMING & PALMER)**

RESOLUTION NO. 20-22, moved by Sprvr. Rhinehart, second by Sprvr. Borst and adopted.

WHEREAS, the Ovid Fire Department has recommended two members to represent them on the Seneca County Fire Advisory Board; and

WHEREAS, at its meeting on December 28, 2021 the Public Safety Standing Committee approved this resolution; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors, pursuant to the Seneca County Fire Advisory Bylaws does hereby appoint the following persons to the Seneca County Fire Advisory Board for the term January 1, 2022 through December 31, 2022:

Alvin Deming	Ovid Fire Department
William Palmer	Ovid Fire Department

SUPERVISORS APPROVE CREATION & FILLING OF ONE FULL-TIME NURSE

RESOLUTION NO. 21-22, moved by Sprvr. Ferrara, second by Sprvr. Borst and adopted.

WHEREAS, the health department has received a LHD COVID-19 Vaccine Response Grant in the amount of \$176,662.14 for the period of January 1, 2021 through June 30, 2024; and

WHEREAS, the purpose of this funding is to increase COVID-19 vaccine administration equity and to implement vaccine confidence strategies for COVID-19 and routine vaccinations; and

WHEREAS, additional grant requirements include: partnering with community partners and other health based organizations to promote and increase COVID-19 awareness, conduct vaccine confidence strategies and conduct additional COVID-19 vaccination clinics; and

WHEREAS, the health department will need to hire an additional full-time nurse to meet these grant requirements; and

WHEREAS, 73 % of this position will be funded through grant funding at least through 6/30/2024; and

WHEREAS, these positions have been approved by the vacancy and personnel committees; now,

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therefore be it

RESOLVED, that the Board of Supervisors approve the creation of one full-time nurse in the Public Health Department; and be it further

RESOLVED, that the Department of Finance is hereby authorized to amend the 2021 budget with unused portions flowing into future years as per the funding guidelines as follows:

104010.54700.CDVAX	Contractual	Decrease	Expenditures	\$ 145,527.72
104010.51100.CDVAX	Salaries	Increase	Expenditures	\$ 103,313.73
104010.58100.CDVAX	Retirement	Increase	Expenditures	\$ 9,468.60
104010.58300.CDVAX	Social Security	Increase	Expenditures	\$ 3,938.57
104010.58400.CDVAX	Workers Comp	Increase	Expenditures	\$ 2,064.92
104010.58600.CDVAX	Health Insurance	Increase	Expenditures	\$ 22,803.33
104010.58700.CDVAX	Medicare	Increase	Expenditures	\$ 3,938.57

And be it further

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

RESOLUTION TO ADOPT LOCAL LAW 1 OF THE YEAR 2022

“A LOCAL LAW TO WAIVE RESIDENCY FOR CERTAIN POSITIONS”

RESOLUTION NO. 22-22, moved by Sprvr. Ferrara, second by Sprvr. Barnhart and adopted.

WHEREAS, a resolution was duly adopted by the Board of Supervisors of the County of Seneca for a Public Hearing to be held by said County on January 11, 2022 at 6:00 p.m. at the Seneca County Office Building, One DiPronio Drive, Waterloo, NY 13165 to hear all interested parties on proposed local law entitled, “A Local Law to Waive Residency for Certain Positions”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspapers of the County of Seneca; and

WHEREAS, said public hearing was duly conducted and all parties were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS, the Board of Supervisors of the County of Seneca, after due deliberation, finds it in the best interests of the County of Seneca to adopt said Local Law; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors hereby adopt Local Law 1 of 2022, entitled, "A Local Law to Waive Residency for Certain Positions", to read substantially in the following form:

SECTION 1: The provisions of §3 New York State Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he

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or she shall be chosen or within which his or her official functions are required to be exercised. Further, §10 of New York State Home Rule Law provides that every local government shall have power to adopt and amend local laws not inconsistent with the provisions of the constitution or not inconsistent with any general law relating to its property, affairs or government. Such powers include the specific authority to establish powers, duties, qualifications, number, mode of selection and removal, terms of office compensation, hours of work, protection, welfare and safety of its officers and employees.

SECTION 2: Based upon these provisions, for the positions of Director of Public Health and Personnel Officer, the Board of Supervisors waives the Seneca County residency provisions for the collective Term(s) of each current candidate.

SECTION 3: This local law shall take effect immediately upon filing with the Secretary of State in accordance with §27 of the Municipal Home Rule Law.

**AUTHORIZE PURCHASE OF COVID-19 TEST KITS FROM IHEALTH LABS, INC
UTILIZING ELC GRANT FUNDING**

RESOLUTION NO. 23-22, moved by Sprvr. Borst, second by Sprvr. Ferrara and adopted.

WHEREAS, the Public Health Department is responsible to provide COVID-19 testing in Seneca County Schools; and

WHEREAS, there is a desire to increase onsite testing capacity within the schools in order to maximize in-person learning for students; and

WHEREAS, the four public school districts in Seneca County have each indicated their desire and willingness to participate in a Test-To-Stay program; and

WHEREAS, iHealth Labs, Inc., 120 San Lucar Court, Sunnyvale, CA 94086 is able to provide the test kits; and

WHEREAS, Pursuant to Res. No. 150-21 there is grant funding for the testing in the Public Health budget account line 104010-54700 STG; and

WHEREAS, the amount will not exceed \$125,000; and

WHEREAS, the Public Health Standing Committee has reviewed and approved this resolution at the December 28, 2021 meeting; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes and directs the County Manager to purchase COVID-19 test kits from iHealth Labs, Inc, 120 San Lucar Court, Sunnyvale, CA 94086 in an amount not to exceed \$125,000 for testing in the Schools.

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**BOARD OF SUPERVISORS DIRECTS ADVERTISING PUBLIC HEARING ON
AGRICULTURAL AND FARMLAND ENHANCEMENT PLAN**

RESOLUTION NO. 24-22, moved by Sprvr. Barnhart, second by Sprvr. Ferrara and adopted.

WHEREAS, the Seneca County Agricultural Enhancement Board consulted with Community Planning & Environmental Associates, E.M. Pemrick & Co., and Upstate GIS to complete the Seneca County Agricultural and Farmland Enhancement Plan; and

WHEREAS, the Seneca County Agricultural Enhancement Board will be holding public information sessions on the aforementioned Plan on January 12, 2022 at 7:00 PM in the Lecture Hall of the Health and Senior Services Building, 2465 Bonadent Drive, Waterloo and on January 18, 2022 at 7:00 PM in the Auditorium of the South Seneca High School at 7263 Main Street, Ovid; and

WHEREAS, such plan shall be submitted to the Seneca County Board of Supervisors for final review and approval; and

WHEREAS, the Planning, Development, Agriculture, and Tourism Standing Committee reviewed and approved this resolution on December 28, 2021; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors declares itself Lead Agency for the Seneca County Agriculture Plan's State Environmental Quality Review; and be it

FURTHER RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to advertise a public hearing to be held by the Seneca County Board of Supervisors as follows; NOTICE OF PUBLIC HEARING – SENECA COUNTY BOARD OF SUPERVISORS – AGRICULTURAL AND FARMLAND ENHANCEMENT PLAN. A public hearing will be held on February 8, 2022 at or after 6:00 P.M. in the Seneca County Board of Supervisors Chambers at One DiPronio Drive, Waterloo, NY 13165.

**APPLY AND ACCEPT FEDERAL AVIATION ADMINISTRATION GRANT FOR AIRFIELD
LIGHTING ELECTRICAL CONTROL VAULT AT FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 25-22, moved by Sprvr. Barnhart, second by Sprvr. Shipley and adopted.

WHEREAS, the Finger Lakes Regional Airport (the Airport) is a Seneca County owned facility servicing the general aviation needs of business and recreational users in Seneca County and the region; and

WHEREAS, with grant funding from the Federal Aviation Administration (FAA) and the New York State Department of Transportation (NYSDOT), Seneca County has made a significant investment improving the Airport; and

WHEREAS, applications under the FAA - 2022 Airport Improvement Program (AIP) are due in

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late January 2022; and

WHEREAS, to improve operations and safety at the Airport, a new airfield electrical vault to house electrical distribution and control equipment for the airfield lighting systems and airfield navigational aids is being proposed; and

WHEREAS, Airport consultant, McFarland Johnson, has established project costs at \$65,000 for the Design and Bidding portion of this project with the following funding breakdown:

- FAA (90%) \$58,500
- NYS DOT (5%) \$3,250
- Local (5%) \$3,250

And

WHEREAS, the local match is available in the 2022 Airport budget under Professional Fees 305610-54330; and

WHEREAS, the Planning, Development, Agriculture and Tourism Standing Committee reviewed and approved this resolution on December 28, 2021; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes and directs the County Manager to sign all necessary documents to apply for and accept a FAA 2022 AIP grant for design and bidding of a new airfield electrical vault; and be it further

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

SUPERVISORS APPOINT FINGER LAKES REGIONAL LAND BANK DIRECTORS

RESOLUTION NO. 26-22, moved by Sprvr. Barnhart, second by Sprvr. Rhinehart and adopted.

WHEREAS, the Finger Lakes Regional Land Bank Corporation (FLRLBC) Directors serve a two year term; and

WHEREAS, the current term of all Board of Directors expires on December 31st, 2021; and

WHEREAS, the Chairman of the Seneca County Board of Supervisors is designated to nominate individuals for consideration to the FLRLBC Board of Directors; and

WHEREAS, the Chairman of the Seneca County Board of Supervisors nominates the following individuals; and

- Frank Sinicropi – Seneca Falls Town Board Member
- Jill Henry – Director of Planning and Community Development
- Kyle Barnhart – Lodi Town Supervisor
- Les Marquart – Seneca County Treasurer
- Don Northrup – Village of Waterloo Administrator
- Ernie Brownell - Junius Town Supervisor

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- David Wood – Village of Ovid Trustee

WHEREAS, the Term shall begin on January 1st, 2022 and end on December 31st, 2023; and

WHEREAS, this Resolution was reviewed and approved by the Planning, Development, Agriculture and Tourism Standing Committee on December 28th, 2021; now therefore be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and appoints the aforementioned to serve as members of the Finger Lakes Regional Land Bank Corporation Board of Directors for a two year term, effective January 1st, 2022 and terminating on December 31st, 2023.

**BOARD OF SUPERVISORS ESTABLISHES 2022 FUNDING APPROPRIATION FOR THE
TOURISM PROMOTION AGENCY - SENECA COUNTY CHAMBER OF COMMERCE**

RESOLUTION NO. 27-22, moved by Sprvr. Barnhart, second by Sprvr. Shipley and adopted.

WHEREAS, Seneca County Board of Supervisor Resolution No. 230-2021 designated the Seneca County Chamber of Commerce (SCCC) as the Tourism Promotion Agency (TPA) for the Year 2021; and

WHEREAS, it is in the interest of Seneca County to maintain a viable TPA for the promotion of tourism and the pursuit of sustained economic benefit from the second largest industry in the county; and

WHEREAS, it is in the interest of the TPA to have a predictable funding stream for annual operations; and

WHEREAS, the Seneca County Board of Supervisors amended the TPA Funding Policy in support of the TPA with an annual appropriation for funding TPA operations derived from the past four calendar quarters of known revenue and equal to 85% of that revenue subsequent to the application of the 5% administrative allocation; and

WHEREAS, the adopted policy provides that the annual appropriation for funding TPA operations be derived from the past four calendar quarters of known revenue and; and

WHEREAS, the actual revenue for these four quarters, a period from October 1, 2019 to September 30, 2020, is known to be \$567,618.81; and

WHEREAS, 85% of said revenues following the application of the 5% administrative allocation amounts to \$458,352.19; and

WHEREAS, this resolution was reviewed and approved by the Planning, Development, Agriculture and Tourism Standing Committee at its meeting on December 28, 2021; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors authorizes and directs the County Manager sign a contract with the Chamber of Commerce and to implement a funding appropriation in the

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amount of \$458,352.19 of Hotel Motel Occupancy Tax revenues for tourism promotion and to distribute said funds in four quarterly payments in Fiscal Year 2022.

Unfinished Business

None.

New Business

RULE 29

Sprvr. Partee offered a motion, second by Sprvr. Rhinehart, and carried by a majority 2/3 vote of members of the Board of Supervisors present, to introduce Resolution No. 27-22 with it not having been approved by the appropriate standing committee.

**RESOLUTION OF THE SENECA COUNTY BOARD OF SUPERVISORS AUTHORIZING
SETTLEMENT OF THE MATTER OF “ALLERGAN”, TO WIT:
ALLERGAN FINANCE, LLC (F/K/A ACTAVIS, INC.)**

RESOLUTION NO. 27-22, moved by Sprvr. Barnhart, second by Sprvr. Shipley and adopted.

WHEREAS, there is pending the Matter of ALLERGAN (see above) related to litigation of claims against Allegan related to the “Opioid Crisis”, of which Seneca County is a claimant through action of the State of New York; and

WHEREAS, a plan of settlement has been reached; and

WHEREAS, counsel for Seneca County has recommended acceptance of this settlement proposal as it provides the most comprehensive benefits to Seneca County; and

WHEREAS, it is in the best interest of the County of Seneca to resolve this matter with respect to Allergan without further litigation; now, therefore be it

RESOLVED, that Seneca County hereby accepts and agrees to enter into the settlement agreement with Allergan, as recommended by county; and it is further

RESOLVED that the Chairman of the Seneca County Board of Supervisors is hereby authorized to execute and any all documents related the matter of “Allergan”, to wit: Allergan Finance, LLC (f/k/a Actavis, Inc., which, in turn, was f/k/a Watson Pharmaceuticals, Inc.) and Allergan Limited (f/k/a Allergan PLC, which, in turn, was f/k/a Actavis PLC.

Statement by Sprvr. Jeffrey Trout

Sprvr. Jeffrey Trout recognized Chairman Hayssen’s comments recorded by the Finger Lakes Times. Sprvr. Trout said as a new board member who is trying to feel his way around, the comments were professional, unifying, and provided a good vision of what challenges and opportunities that face Seneca County. Sprvr. Jeffrey Trout referenced Abraham Lincoln’s inaugural address, and said it is

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during times of conflict when we are most at each other's throats, and we must find unity and look to our better angels to guide us in our decision and in our governance. Sprvr. Trout said he has no reason to believe his fellow board members misrepresent themselves. For the record, no one, including his predecessor , or the chairman of the Republican Party, or his third cousin, Supervisor Don Trout, influenced his vote for Chairman of the Board of Supervisors for 2022. Sprvr. Jeffrey Trout said he represents 4,000 people in town of Fayette, little over 10% of the county population, and he intends to represent them wisely; as well as his intent to work with his fellow county board members in a manner of colloquiality and professionalism..

Special Order of the Day

The meeting adjourned at 6:26 p.m.