

**SENECA COUNTY
BOARD OF SUPERVISORS**

Board Meeting & Public Hearing
February 8, 2022

Call to Order

Chairman Hayssen called the meeting to order at 6:04 p.m.

Roll Call of Members by the Clerk

All fourteen members of the Board of Supervisors answered roll call. Sprvr. Kronenwetter participated telephonically.

Pledge of Allegiance and Moment of Silence

Public Hearing:

Agricultural and Farmland Enhancement Plan. 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. Two public information sessions on the Plan were held in January. The Seneca County Board of Supervisors are the lead agency.

The floor was opened to receive public comment. No comments, written or oral were received. The public hearing was closed.

Presentation

Rich Ricci, Seneca County Director, Western Regional Off-Track Betting (WROTB), urged the Board of Supervisors to adopt a resolution opposing Senate Bill S7855, sponsored by Senator Timothy Kennedy (Buffalo). The bill proposes revising the current fair and equitable representation of the OTB Board of Directors to three members to represent the counties of Monroe, Wyoming, and Orleans; a single member to represent the counties of Chautauqua, Cayuga, Genesee, Livingston, Schuyler, and Seneca; four members to represent Erie County; one member to represent Niagara County, a lone member to represent the counties of Oswego, Cattaraugus, and Wayne; one member to represent the City of Buffalo, one member to represent the City of Rochester, one member appointed by the governor, one member appointed by the temporary president of the senate, and one member appointed by the speaker of the assembly. Sen. Kennedy's bill states that its intent is to "provide more equal representation of the people of the area who benefit from proceeds from said corporation". In fact, this legislation will have the opposite effect, as it will decimate the balanced representation formula determined previously by both the state legislature and governor as equitable and impartial, with a clear and explicit intent of providing each municipality that comprises the corporation an equal voice in WROTB matters.

Petitioner

Peter Pontius, resident, Waterloo. Mr. Pontius addressed the Board of Supervisors, stating, for the record, that the inaction by the Board of Supervisors regarding a meme posted on Sprvr. Don Trout's Facebook page, listing the warning signs of "white supremacy" is a dereliction of duty. "Your silence on

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this issue was deafening”. The board members have all been elected to, and accepted, positions of public trust and responsibility. Their inaction respected neither. However, those who did make statements stating their disapproval of the meme have Mr. Pontius’ respect.

Open Privilege of the Floor

None

Approval of Meeting Minutes

Meeting minutes for January 11, 2022 board meeting were approved.

Reports of Standing Committees

Mental Health Services Committee, Sprvr. Enslow, Vice-Chairman. On the agenda we have several resolutions approving the appointments made by the Community Services Board for its committee assignments.

Planning, Development, Agriculture & Tourism Committee, Sprvr. Barnhart, Chair. There are several appointments to be considered tonight. Soil and Water Conservations District Board, two appointments (Sprvr. Remolds and Jeffrey Trout); Region 8 Fish and Wildlife Management Advisory Board Appointments (Sprvr. Kronenwetter, Tom Grasek and William Ryan); appointments to the Ag Enhancement Board (Sprvr. Jeffrey Trout , Doug Freier, and Peter Decloux; Seneca County Planning Board (Karen Thomson).

Additionally there is a resolution approving the official undertaking of Public Employees Fidelity Bond for Genesee/Finger Lakes Regional Planning Council (Seneca County appropriated the sum of \$7,311.70 as its share of the Year 2022 operating funds of the Genesee/Finger Lakes Regional Planning Council); and a resolution accepting \$50,000 in Community Planning grant to fund a Housing Needs Assessment.

Public Health Services Committee, Sprvr. Borst, Chair. There are two re-appointments for the Seneca County Board of Health, Dr. Timothy J. Ryan and Dr. Grace Freier.

Public Safety Committee, Sprvr. Rhinehart, Chair. The Public Safety Committee approved applying for two grants for Emergency Management. Public Safety Answering Point Operations (PSAP): grant allows for state support for counties to facilitate Public Safety Answering Point consolidation, regional initiatives related to 911 operations, implementation of NG911, and improvements in the operations of public safety communications; and to develop multijurisdictional Public Safety Answering Point compatibility throughout the state and support statewide interoperable communications for first responders.

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Statewide Interoperable Communications Grant (SICG): Statewide Interoperable Communications Grant is non-competitive and will allocate money by a formula which equitably distributes funding among counties based on quantifiable elements and relevant metrics with no local match.

Finally, the Sheriff's Office will purchase 14 new Tasers to replace the outdated equipment. Purchase is from Axon Enterprise in Arizona. The cost shall not exceed \$38,201.25

Public Apology: Sprvr. Ferrara offered a public apology for his comments, which included curse word(s), and were overheard on his live microphone.

Personnel Committee, Sprvr. Ferrara, Chair. There are two policies that are being revised, both related to COVID. One was approved by the Personnel Committee (Pre-Screening Employees). The other is under New Business (Employee Leave). Other business includes appointing Scott King as Director of Public Health, and appointing Laura Granger as Personnel Officer; creating 2 new positions in the Division of Human Services, and three new positions in the Personnel Office; as well as refilling nine vacancies in six different departments.

Indian Affairs Committee, Sprvr. Shipley, Chair. The town of Seneca Falls held a meeting to address concerns about Cayuga Nation. Sprvr. Ferrara said Police Chief Peenstra attended. The BIA recognizes Halftown has the rightful leader. Cayuga Nation has a process for eviction. When they purchased the property on the corner of Bayard St / Stephenson St. they evicted the owners who operated the store. As far as selling recreational marijuana, although regulations for sale have not yet been established by NYS, Indian tribes are selling it without penal intervention.

The traditional Cayuga Nation Council of Indian Chiefs, Gayogohó:nq' held a news conference Sunday. They claim they are the true leaders of the Cayuga Nation. They are asking for a meeting with President Joe Biden citing the 1794 Treaty of Canandaigua that allows the Chiefs and the President to communicate grievances.

Technology Committee, Sprvr. Brownell, Chair. The Technology Standing Committee approved renewing the contract we have with Telecom for our phone system for \$20,508

Environmental Affairs Committee, Sprvr. Kronenwetter, Chair. The county received two proposals for consulting services. Genesee Finger Lakes Regional Planning Council for \$70,433 and Barton & Loguidice for \$86,900. The committee approved hiring GFLRPC.

Public Works Committee, Sprvr. Don Trout. Three items on the agenda under Public Works: a resolution authorizing the highway superintendent to sign a shared services agreement with New York State for the purpose of emergency assistance; Accept funding for the superstructure replacement of

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Marshall Road Bridge #3209500; and DHS Renovations Phase II Change Order for an additional cost of \$37,000 for the carpet and base needs.

Human Services Committee, Sprvr. Enslow, Chair. The committee approved three resolutions on the agenda tonight: Approval of the Annual Update to the 4-Year Plan for the Office for the Aging; Approval of NYS Rental Supplement Program grant funding for \$100,000. This program provides vital rental assistance to individuals and families, facing an imminent loss of housing; Approval of a contract, not to exceed \$74,528, with Finger Lakes Community College for the 2022 Employee Education and Training Program. This program provides DHS employees the opportunity earn college credit toward completion of a college certificate, or degree.

Finance, Assessment & Insurance Committee, Sprvr. Reynolds, Chair. Other than the housekeeping resolution amending the 2021 county budget, the county requested proposals for an accounting firm to audit the financial statements and various audits required under NYS law. A selection committee reviewed the proposals; and recommend that the county go with Drescher & Malecki from Cheektowaga, NY, for \$58,000 for the fiscal year 2021. I will offer a motion to return this issue to committee for further discussion.

Reports of Special Committees

None

Chairman's Remarks

Chairman Hayssen created a committee to look into broadband for the county. Members appointed to the committee are: Sprvrs. Hayes, Partee and Barnhart.

Chairman Hayssen appointed members to a joint committee with members of the IDA Board to interview an select candidates to fill two vacancies on the IDA Board. IDA members on the joint committee are: Tom Kime, Bruce Murray, Steve Brusso, and Sarah Davis. Board of Supervisors members on the joint committee are Sprvrs. Barnhart, Partee and Hayssen and County Manager Rowe.

County Manager's Remarks

None

County Attorney's Remarks

None

Communications:

13. A copy of a letter dated January 21, 2022, to Senator Helming and Assemblyman Gallahan from NYS Department of Transportation advising that an investigation regarding safety concerns at the Route 96 at Whiskey Hill Road and Brewer Road intersection in the town of Waterloo has

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concluded in the implementation of several sign improvements on approaches to the intersection to be completed during the 2022 construction season. And a longer term plan to install an overhead flashing signal at the intersection is anticipated to be included in the 2024 construction season.

14. From Erin Peruzzini, District Manager, Seneca County Soil and Water Conservation District, request to reappoint Charles Sumner to the 3-year position for At-Large Member; and to reappoint John Hunt to the 3-year position of Grange Member; and to reappoint Covert Supervisor Michael Reynolds to one of the two legislative representative positions for a 1-year term; and to appoint a second legislative representative to fill the vacancy left by Junius Supervisor McGreevy.

15. From Trooper Nicole Drew, Recruiter for Troop E, promotional information for the NYS Police recruitment drive; applications accepted until April 10, 2022.

16. A copy of the Seneca County Chamber of Commerce Discover Seneca Quarterly Report October-December 2021.

17. A copy of Seneca County IDA January 7, 2022 Annual meeting minutes.

18. A copy of Seneca County Planning Board January 13, 2022 meeting minutes.

19. A copy of Peter Pontius’s comments regarding a controversial meme posted on Sprvr. Don Trout’s Facebook page.

20. A summary of the Seneca County Agriculture and Farmland Enhancement Plan.

RESOLUTIONS & MOTIONS

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

RESOLUTION NO. 29-22, moved by Sprvr. Reynolds, second by Sprvr. Trout and adopted.

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

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 January 25, 2022; 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: Community College Tuition Budget adjustment				
101990 54700	Contingencies	Decrease	Expenditure	\$75,000
102490 54700	Community College	Increase	Expenditure	\$75,000
Note 2:Pre-School 3-5 Budget adjustment				

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104147 54700	Early Intervention	Decrease	Expenditure	\$60,000
104149 54700	Pre-School 3-5	Increase	Expenditure	\$60,000
Note E-911 Communications Budget adjustment				
103020 51100	Salaries Full Time	Decrease	Expenditure	\$23,031
103020 51300	Overtime	Increase	Expenditure	\$23,031
Note Road Patrol Budget adjustment				
103113 51100	Road Patrol Salaries	Decrease	Expenditure	\$22,370
103113 51300	Overtime	Increase	Expenditure	\$22,370
Note Highway Budget adjustment				
405112 43503	National Forest Money	Increase	Revenue	\$4,599
405112 54210	Equipment Rental	Decrease	Expenditure	\$2,000
405112 54700	Local Bridge Project	Decrease	Expenditure	\$25,000
405112 51200	Part Time	Decrease	Expenditure	\$1,335
405110 54543	Stone & Gabions	Decrease	Expenditure	\$32,163
405112 52000	County Rd Construction	Increase	Expenditure	\$24,497
405112 54201	County Machinery Rental	Increase	Expenditure	\$40,600
Note 6: Public Defender Budget adjustment				
101170 43050 DST4	ILSF Revenue	Increase	Revenue	\$100,000
101171 54322	Legal Services - Family Crt	Increase	Expenditure	\$100,000

RETURN TO COMMITTEE – Contract Drescher & Malecki LLP auditing firm

Main Motion: Sprvr. Reynolds offered a motion, seconded by Sprvr. Barnhart, to adopt a resolution authorizing a contract with the account firm Drescher & Malecki, LLP to audit and certify the financial statements, perform the Federal Single Audit, the New York State Department of Transportation Single Audit, and the Deferred Compensation Plan for Employees of Seneca County for the fiscal year 2021, at a cost not to exceed \$58,000; with option to extend for two additional years.

Motion to return to committee: Sprvr. Shipley offered a motion, second by Sprvr. Borst to return the draft resolution back to committee for further discussion. The motion carried. Sprvr. Ferrara voted against returning the draft resolution to committee.

**CHAIRMAN AUTHORIZED TO SIGN THE OFFICE FOR THE AGING ANNUAL UPDATE
TO THE FOUR YEAR PLAN FOR SERVICES AND FUNDING APPLICATIONS**

RESOLUTION NO. 30-22, moved by Sprvr. Enslow, second by Sprvr. Ferrara and adopted.

WHEREAS, the Seneca County Office for the Aging is required to submit an annual update to the Four Year Plan for Aging Services for the period April 1, 2022 – March 31, 2023 for Seneca County, which includes funding applications; and

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WHEREAS, the Human Services Standing Committee reviewed and approved this resolution on January 25, 2022; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the Office for the Aging's Annual update and funding applications for the period April 1, 2022- March 31, 2023; and, be it further

RESOLVED, that the Director of the Office for the Aging is hereby authorized and directed to submit such funding applications and enter into agreements and contracts as described in said plan.

**SUPERVISORS APPROVE SENECA COUNTY DIVISION OF HUMAN SERVICES TO
SUBMIT PLAN AND ACCEPT FUNDS FOR THE NEW YORK STATE RENTAL
SUPPLEMENTAL PROGRAM**

RESOLUTION NO. 31-22, moved by Sprvr. Enslow, second by Sprvr. Trout and adopted.

WHEREAS, the Seneca County Division of Human Services was notified of an allocation in the amount of \$100,000 per district of the option to participate in the New York State Rental Supplement Program (RSP); and

WHEREAS, the RSP is a program established to provide vital rental assistance to individuals and families, regardless of immigration status, who are experiencing homelessness or are facing an imminent loss of housing. The RSP is available to individuals and families both with and without children. Districts may choose to retain their allocation and use district mechanisms (e.g., direct administration or transfer of funds to county agencies) to operate this program or may delegate the administration of this program, in full or in part, to another public agency, contractor or non-profit organization. The RSP will give districts the flexibility to develop a program that meets the needs of their underserved populations while working within the framework of certain minimum eligibility requirements established by the governing statute; and

WHEREAS, this contract shall not exceed \$100,000 annual cost; and

WHEREAS, this contract has been reviewed and approved by the Human Services Standing Committee; on January 25, 2022, now, therefore be it;

RESOLVED, that the Department of Finance be authorized to amend the 2022 budget as follows:

106070 44670 POS08	Service for Recipients	Increase	Revenue	\$100,000
106070 54700 POS08	RSP Contractual	Increase	Expenditures	\$100,000

And be it further

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

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RESOLVED, the Board of Supervisors authorizes the County Manager to sign the approval of the contract with FLACRA for HMIS services.

**SENECA COUNTY MANAGER TO SIGN THE SENECA COUNTY 2022 EDUCATION
CONTRACT BETWEEN FINGER LAKES COMMUNITY COLLEGE AND SENECA COUNTY
DIVISION OF HUMAN SERVICES FOR EDUCATION COORDINATOR SERVICES**

RESOLUTION NO. 32-22, moved by Sprvr. Enslow, second by Sprvr. Ferrara and adopted.

WHEREAS, the Seneca County Division of Human Services would like to enter into agreement with Finger Lakes Community College for the Employee Education and Training Program and Education Coordinator Services; and

WHEREAS, the 2022 Employee Education and Training Program provides DHS employees options to earn college credit toward completion of a College Certificate, Associate's, Bachelor's, or Master's degree, and attend in-service and non-credit training programs; and

WHEREAS, the contract with the community college supports both the education of individual workers and training within the organization; and

WHEREAS, the Education Coordinator will provide assistance to the Division by facilitating registration into education and training opportunities to all DHS employees and other related agency staff; arrange for training that will help strengthen and develop workplace skills, community collaboration and efficiency; and assist the Commissioner and Staff Development Coordinator in identifying training resources for the Division; and

WHEREAS, the contract also funds EAP services for all DHS employees; and

WHEREAS, this contract will not exceed \$74,528.00 and is budgeted under account code 106010 54700 SS06 for 2022; and

WHEREAS, this contract has been reviewed and approved by the Human Services Standing Committee on January 25, 2022; now, therefore be it

RESOLVED, the Board of Supervisors authorizes the approval of the contract with Finger Lakes Community College and authorizes the Seneca County Manager to sign the 2022 agreement with Finger Lakes Community College; and be it further

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

**HIGHWAY SUPERINTENDENT AUTHORIZED TO SIGN
SHARED SERVICE AGREEMENT FOR EMERGENCY ASSISTANCE**

RESOLUTION NO. 33-22, moved by Sprvr. Don Trout, second by Sprvr. Shipley and adopted.

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WHEREAS, the New York State Regional Director of Operations of the New York State Department of Transportation (NYSDOT), the County of Seneca and Town municipalities have entered into a Shared Services Agreement; and

WHEREAS, this Shared Services Agreement will allow the NYSDOT to provide emergency assistance to municipalities in the absence of the Governor's Emergency Declaration; and

WHEREAS, having such an agreement in place facilitates the ability to provide support more quickly when an emergency arises; and

WHEREAS, the term of the Shared Services Agreement is for a (2) two year period; and

WHEREAS, at the end of the (2) two year period the Shared Services Agreement states that the parties involved may extend the agreement for one (1) additional year; and

WHEREAS, the term of said agreement, of materials or equipment shall not exceed twenty-five thousand dollars (\$25,000.00); and

WHEREAS, funding for this Agreement is budgeted in account line 405110-54543; and

WHEREAS, the Public Works Standing Committee reviewed and approved this resolution at their January 25, 2022 meeting; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the Highway Superintendent to sign a Shared Services Agreement with the New York State Regional Director of Operations, Town Municipalities, on behalf of Seneca County for the purpose of emergency assistance.

**AUTHORIZATION TO ACCEPT BRIDGENY FUNDS FOR THE SUPERSTRUCTURE
REPLACEMENT OF MARSHALL ROAD BRIDGE #3209500**

RESOLUTION NO. 34 -22, moved by Sprvr. Don Trout, second by Sprvr. Brownell and adopted.

WHEREAS, the Marshall Road Bridge over Kendig Creek is in a need of being replaced due to wear and tear; and

WHEREAS; this project for Marshall Road Bridge over Kendig Creek, BIN #3209500(the "Project"), is eligible for reimbursement of qualified costs through the New York State Department of Transportation-2022 BridgeNY Project Awards up to \$710,000; and

WHEREAS, Seneca County desires to advance the Project the funds up to the amount of the eligible costs; and

WHEREAS, the Highway Superintendent desires to solicit an Engineering firm out of the Region 3 LSDA list to design and engineer the Project; and

WHEREAS, Seneca County would be responsible for any costs of the Project that exceeds the amount of the BridgeNY funding awarded to Seneca County; and

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WHEREAS, the Public Works Standing Committee reviewed and approved this resolution at their January 25, 2022 meeting; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approve the Project; and, be it further

RESOLVED, that the sum of \$710,000 is appropriated and made available to cover the cost of participation in the Project; and, be it further

RESOLVED, that in the event the costs of the Project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible; and be it further

RESOLVED, that the Highway Superintendent is authorized to solicit an engineering firm that will provide the design and engineering for the Project to be awarded under separate resolution; and be it further

RESOLVED, that the Department of Finance is authorized to establish a Capital Project budget, and to make the necessary accounting and budget entries to effect the intent of this Resolution for a total project budget of \$710,000; and be it further

RESOLVED, that the County Manager is authorized to execute all necessary documents in connection with the advancement or approval of the Project with New York State Department of Transportation.

**AUTHORIZATION FOR ADDITIONAL CONSTRUCTION COSTS FOR
DIVISION OF HUMAN SERVICES PHASE II CONSTRUCTION PROJECT**

RESOLUTION NO. 35-22, moved by Sprvr. Don Trout, second by Sprvr. Borst and adopted.

WHEREAS, by Resolution No. 217-21, the Seneca County Board of Supervisors authorized and directed the solicitation of bids by John Snyder Architects to support the Seneca County Division of Human Services (DHS) Phase II renovations; and

WHEREAS, by Resolution 319-21 the renovation of the DHS space was awarded to Massa Construction Company of Geneva, NY for \$434,000; and

WHEREAS, the project kickoff and walk through meeting was held on January 10, 2022; and

WHEREAS, there was carpet and base needs that were not addressed in the bid solicitation; and

WHEREAS, the cost for the completion of carpet and base needs would be a change order in the amount of \$37,000; and

WHEREAS, the funding for the change order is available in the 2022 DHS budget line 106102-547010 MMIS Weekly Share; and

WHEREAS, this resolution was approved by the Public Works Committee on January 25, 2022; now, therefore be it

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RESOLVED, that the Seneca County Board of Supervisors approves this change order for the additional cost of \$37,000 for the carpet and base needs as part of the Phase II renovation of the Division of Human Services Department; and be it further

RESOLVED, that the Director of Finance is authorized to amend the 2022 budget as follows:

106102 54700	MMIS Weekly Share	Decrease	Expenditure	\$37,000
106010 54700 SS01	Contractual	Increase	Expenditures	\$18,500
106010 54700 SS02	Contractual	Increase	Expenditures	\$18,500

And, be it further

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

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

SUPERVISORS AUTHORIZE RENEWAL OF

MAINTENANCE, SOFTWARE ASSURANCE & @COMM LICENSING

RESOLUTION NO. 36-22, moved by Sprvr. Brownell, second by Sprvr. Trout and adopted.

WHEREAS, Seneca County has an agreement with Convergent Telecom, 53 Assembly Drive Mendon, New York 14506 for Maintenance, Software Assurance and @Comm Licensing; and

WHEREAS, the Maintenance, Software Assurance and @Comm Licensing keeps our County phone systems up to date and helps us avoid any interrupts and down time; and

WHEREAS, the Seneca County phone system yearly Maintenance, Software Assurance and @Comm Licensing renewal is due March 15th 2022; and

WHEREAS, the funding for this project in the amount of \$20,508.36 was budgeted for and is available in the 2022 Information Technology budget account 101680-54230; and

WHEREAS, this resolution has been reviewed and approved by the Technology Standing Committee on January 25th, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the renewal of services with Convergent Telecom and the payment of \$20,508.36 to Convergent Telecom for the renewal of services.

SUPERVISORS APPOINT SCOTT KING AS DIRECTOR OF PUBLIC HEALTH

RESOLUTION NO. 37-22, moved by Sprvr. Ferrara, second by Sprvr. Trout and adopted.

WHEREAS, the term of office for the Public Health Director has expired; and

WHEREAS, Scott King has been serving in the capacity of Interim Director; and

WHEREAS, the appointment will be for the remainder of a six year term, as specified in Public Health Law, which expires on July 6, 2027; and

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WHEREAS, the Personnel Standing Committee has reviewed and approved this resolution at the January 25, 2022 meeting; now, therefore be it

RESOLVED, that the Board of Supervisors does hereby appoint Scott King to the balance of a term as Director of Public Health with a term to expire on July 6, 2027 at an annual salary of \$88,511 in Grade 8 of the Management Salary Schedule.

GRANGER APPOINTED TO POSITION OF PERSONNEL OFFICER

RESOLUTION NO. 38-22, moved by Sprvr. Ferrara, second by Sprvr. Partee and adopted.

WHEREAS, the Personnel Officer position became vacant in November 2021 due to a resignation and needs to be filled; and

WHEREAS, the Personnel Standing Committee reviewed and approved this resolution at their January 25, 2022 meeting; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint Laura Granger as Personnel Officer effective February 8, 2022 at an annual salary of \$88,511 in Grade 8 of the Management Salary Schedule, for the remainder of the current Six Year Term, with an Expiration Date of December 31, 2022.

**BOARD OF SUPERVISORS APPROVES THE RECLASSIFICATION OF ONE FULL TIME
PRINCIPAL SOCIAL WELFARE EXAMINER AND BACKFILL ONE FULL TIME SOCIAL
WELFARE EXAMINER**

RESOLUTION NO. 39-22, moved by Sprvr. Ferrara, second by Sprvr. Barnhart and adopted.

WHEREAS, the Department of Human Services and the Commissioner have identified the need to reclassify one PCA Nursing Coordinator to full time Principal Social Welfare Examiner and backfill one full time Social Welfare Examiner due to promotion; and

WHEREAS, the position will serve as a supervisory role in training, processing and approving of Medicaid Cases within The Office of Medicaid; and

WHEREAS, the current Principal Social Welfare Examiner has an overwhelming number of cases that are difficult to manage in a timely way, because of the volume, as well as, daily emergencies. The new position would assist in ensuring that all State mandates and regulatory requirements are being met ensuring clients receive benefits they are entitled to; and

WHEREAS, the position of PCA Nursing Coordinator will be contracted out due to low case load; and

WHEREAS, the Principal Social Welfare Examiner position will be a Promotional Appointment and back fill of a Social Welfare Examiner will be necessary; and

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WHEREAS; funding is available in the 2022 Budget; and

WHEREAS, the position has been approved and reviewed by the Vacancy Committee and the Personnel Standing Committee on January 25, 2022; now, therefore be it

RESOLVED, that the Board of Supervisors approve the reclassification of one (1) full time Principal Social Welfare Examiner and the backfill of one (1) Social Welfare Examiner; 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.

**BOARD OF SUPERVISORS APPROVES THE RECLASSIFICATION OF
ONE FULL TIME DEPUTY COMMISSIONER**

RESOLUTION NO. 40-22, moved by Sprvr. Ferrara, second by Sprvr. Hayes and adopted.

WHEREAS, the Department of Human Services and the Commissioner have identified the need to reclassify one Director of Workforce to full time Deputy Commissioner to oversee the daily operations of the Workforce and Temporary Assistance Departments; and

WHEREAS, the reclassification will put the Department of Human Services in line with the structure of area counties; and

WHEREAS, the vacant Director of Workforce Development/ Youth Bureau position will be eliminated when the position is reclassified; and

WHEREAS, having two Deputy Commissioners provides back up for each other as well as the Commissioner when allowed per law and regulations; and

WHEREAS; this position is sixty two percent reimbursable and has monies budgeted and available in the 2022 Budget; and

WHEREAS, the position has been approved and reviewed by the Vacancy Committee and the Personnel Standing Committee on January 25, 2022; now, therefore be it

RESOLVED, that the Board of Supervisors approve the reclassification of one (1) full time Deputy Commissioner; 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.

RETURN TO COMMITTEE – Resolution to Create Full-time position in Personnel Office

Main Motion: Sprvr. Ferrara offered a motion, and Sprvr. Barnhart seconded the motion, to approve the creation of a Full-time position for Human Resources Assistant for the Personnel Department.

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Motion to Return to Committee: Sprvr. Rhinehart offered a motion, second by Sprvr. Hayes, and carried, to return the draft resolution to the Personnel Standing Committee. Sprvr. Rhinehart stated that the resolution does not include the salary or grade; he wants to review the overall cost for this position.

SUPERVISORS APPROVE THE FILLING OF ONE FULL-TIME RISK MANAGER

RESOLUTION NO. 41-22, moved by Sprvr. Ferrara, second by Sprvr. Hayes and adopted.

WHEREAS, the Personnel Officer has identified the need to fill one Full-time Risk Manager; and

WHEREAS, the position is critical to the delivery of essential County services; and

WHEREAS, the current Employee Benefits Assistant has been acting in the capacity of Risk Manager since November 5, 2021, and filling this position will allow the Personnel Officer to focus on more HR related activities; and

WHEREAS, the position is vital to ensuring all Risk Management/Workers Comp claims are processed timely, all employee questions on insurance are addressed, and all open enrollment is completed properly; and

WHEREAS, the Personnel Officer will not be able to address all inquiries, health insurance questions, risk management reports, Workers Compensation Claim, etc.; and

WHEREAS, funding is available in the 2022 budget; and

WHEREAS, this position has been approved and reviewed by the Vacancy Committee and the Personnel Standing Committee on January 25, 2022; now, therefore be it

RESOLVED, that the Board of Supervisors approve the filling of one (1) full-time Risk Manager; and, be it further

RESOLVED, that the Board of Supervisors approves Rhonda Maher as the Seneca County Risk Manager under the supervision of the Personnel Officer.

SUPERVISORS AMEND COVID-19 PRE-DUTY SCREENING POLICY NO. 510.602

RESOLUTION NO. 42-22, moved by Sprvr. Ferrara, second by Sprvr. Hayes and adopted.

WHEREAS, the Seneca County Board of Supervisors Adopted Policy #510.602, entitled Pre-Duty Screening Policy, on December 22, 2020 to help mitigate the spread of Covid-19 in the Workplace; and

WHEREAS, CDC Guidelines and direction from New York State have evolved since the Policy was adopted; and

WHEREAS, it is in the best interest of the County to update the Pre-Duty Screening Policy; and

WHEREAS, the Personnel Standing Committee met on January 25, 2022 and has recommended the approval of the Amended Pre-Duty Screening Policy; now therefore be it

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RESOLVED, that the Pre-Duty Screening Policy be amended to read as follows:

510.602 COVID-19 Pre-Duty Screening Policy

All employees and visitors (regardless of symptoms or not) will undergo a temperature check and attest that they have not had symptoms, knowingly come into contact with anyone testing positive for COVID-19, and/or tested positive for COVID-19 in the previous ten (10) days before the start of their shift or entering the County Office Buildings. Each employee will fill out the Seneca County Daily Wellness Employee Log attesting of the same.

If the temperature of the individual is within the normal range (<100.4), the individual will be permitted to enter the County Building; however, if the thermometer indicates the temperature is (>100.4) or higher, the individual will not be permitted to enter the County Building. If an asymptomatic employee is awaiting test results, the COVID-19 Policies should be followed (i.e. treat as status pending, may continue to work).

If an employee receives a positive test result, even if they are asymptomatic, they may not return to work until they complete a five (5) day self-isolation. The isolation period begins with the day a person started having symptoms, or, if the individual is asymptomatic, the day they took a COVID test. That day is considered day zero (i.e. the day following onset of symptoms, or following the test if asymptomatic, would be day one).

If an employee screens positive for COVID-19 symptoms, they should be sent home with instructions to contact their healthcare provider for an assessment and testing. They may not return to work until completion of a five (5) -day self- quarantine. Dept. Heads/Site Supervisors should provide the employee with information on healthcare and testing resources and then must immediately notify the Personnel Department.

An employee who has responded that they have had close contact with a person who is confirmed or suspected for COVID-19 may be sent home if experiencing symptoms.

(a) If an employee is NOT symptomatic, the employee should adhere to the following practices prior to and during their work shift, which should be documented:

1. Regular monitoring: As long as the employee does not have a temperature or symptoms, they should self-monitor.
2. Wear a mask: The employee should wear a face mask at ALL TIMES, for ten (10) days after exposure.
3. Social distance: Employee should continue social distancing practices, including maintaining, at least, six feet distance from others.
4. Disinfect and clean work spaces: Continue to clean and disinfect all areas such as offices, bathrooms, common areas, and shared electronic equipment routinely.

(b) SEE ATTACHED ALGORITHM TO MODIFY THIS SECTION BASED ON AN EMPLOYEE'S VACCINATION STATUS: If an employee who has had close contact with a confirmed or suspected case is symptomatic, they should follow the protocol above for positive screening or testing, including a five (5) day self-quarantine, unless they are an Emergency Responder or critical employee.

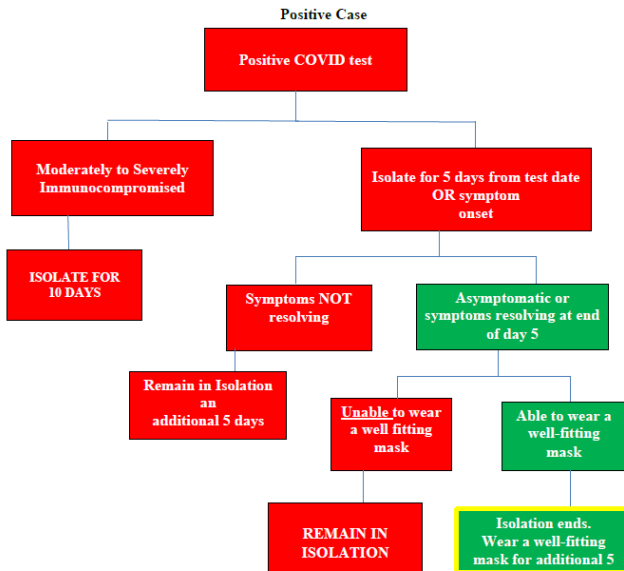
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If an asymptomatic employee is deemed essential/critical for the operation and safety of the County, but came into close contact with a person who is confirmed or suspected for COVID-19, upon a documented determination by their supervisor and the Personnel Department in consultation with appropriate state and local health authorities, the exposed, asymptomatic employee may return to work so long as the employee adheres to the following practices prior to and during their work shift, which should be monitored and documented:

1. Regular monitoring: As long as the employee does not have a temperature or symptoms, they should self-monitor.
2. Wear a mask: The employee should wear a face mask at ALL TIMES, for 14 days after last exposure.

General Population Isolation Flowchart



General Population Quarantine Flowchart



**SUPERVISORS APPROVE RECLASSIFICATION OF CONFIDENTIAL SECRETARY
POSITION TO PAYROLL SYSTEMS TECHNICIAN TRAINEE**

RESOLUTION NO. 43-22, moved by Sprvr. Ferrara, second by Sprvr. Borst and adopted.

WHEREAS, the Personnel Officer has identified the need to create and fill one Full-time Payroll Systems Technician Trainee; and

WHEREAS, through the reorganization of the Personnel Department, the Confidential Secretary position will be eliminated to provide for the creation of this position; and

WHEREAS, funding is available in the 2022 Budget; and

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WHEREAS, the position has been reviewed and approved by the Vacancy Committee and the Personnel Standing Committee on January 25, 2022; now, therefore be it

RESOLVED, that the Board of Supervisors approves the reclassification of one (1) Full-time Confidential Secretary position to one (1) Payroll Systems Technician Trainee.

**BOARD OF SUPERVISORS APPROVES THE RECLASSIFICATION OF
PAYROLL SYSTEM TECHNICIAN POSITION TO PERSONNEL TECHNICIAN**

RESOLUTION NO. 44-22, moved by Sprvr. Ferrara, second by Sprvr. Barnhart and adopted.

WHEREAS, the Personnel Officer has identified the need to create and fill one full-time Personnel Technician; and

WHEREAS, through the reorganization of the Personnel Department, the Payroll System Technician position will be eliminated to provide for the creation of this position; and

WHEREAS, funding is available in the 2022 Budget; and

WHEREAS, the position has been reviewed and approved by the Vacancy Committee and the Personnel Standing Committee on January 25, 2022; now, therefore be it

RESOLVED, that the Board of Supervisors approves the reclassification of one (1) full time Payroll System Technician position to one (1) Personnel Technician.

**AUTHORIZE PURCHASE OF FOURTEEN TASER 7 TASERS FOR
SENECA COUNTY SHERIFF'S OFFICE**

RESOLUTION NO. 45-22, moved by Sprvr. Rhinehart, second by Sprvr. Brownell and adopted.

WHEREAS, the Seneca County Sheriff's Office currently needs to replace fourteen (14) Tasers that were purchased from Axon Enterprise, Inc; and

WHEREAS, the purchase of these TASER 7 Tasers are an essential law enforcement tool in the continuation of protection of victims and officers with a less than lethal option; and

WHEREAS, the purchase will be made for fourteen(14) TASER 7 Tasers from Axon Enterprise, Inc, 17800 North 85th Street, Scottsdale, AZ 85255 for a total cost of \$38,201.25; and

WHEREAS, funding for this purchase is in the 2022 budget line 103150-54700; and

WHEREAS, the Public Safety Standing Committee reviewed and approved this resolution on January 25, 2022; now, therefore be it

RESOLVED, that the Board of Supervisors authorize and directs the County Manager to sign all necessary documents with Axon Enterprise, Inc for the purchase of fourteen (14) TASER 7 Tasers.

**SENECA COUNTY BOARD OF SUPERVISORS APPROVES APPLYING FOR THE
2021-2022 PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT**

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RESOLUTION NO. 46-22, moved by Sprvr. Rhinehart, second by Sprvr. Brownell and adopted.

WHEREAS, the New York State Division of Homeland Security & Emergency Services announced the 2021-2022 Public Safety Answering Points Operations Grant on December 20, 2021; and

WHEREAS, the grant allows for state support for counties to facilitate Public Safety Answering Point consolidation, regional initiatives related to 911 operations, implementation of NG911, and improvements in the operations of public safety communications; and to develop multijurisdictional Public Safety Answering Point compatibility throughout the state and support statewide interoperable communications for first responders, thereby improving public safety; and

WHEREAS, the state support is in the form of reimbursement for operating expenses to the Public Safety Answering Point; and

WHEREAS, the enacted state budget for 2021 – 2022 appropriates \$10 million for all those eligible (62 counties); and

WHEREAS, the Public Safety Answering Points Operations Grant is non-competitive and will allocate money by a formula which equitably distributes funding among counties based on quantifiable elements and relevant metrics, with no local match; and

WHEREAS, the application deadline for the Grant is February 15, 2022; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Standing Committee on January 25, 2022; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors approves applying for the 2021 - 2022 Public Safety Answering Point Operations Grant and authorizes and directs the County Manager to sign all paper work related to the same.

**BOARD OF SUPERVISORS APPROVES APPLYING FOR THE
FY 2021-2022 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT**

RESOLUTION NO. 47-22, moved by Sprvr. Rhinehart, second by Sprvr. Brownell and adopted.

WHEREAS, the New York State Division of Homeland Security & Emergency Services, Office of Interoperable Communications announced the FY 2021-2022 Statewide Interoperable Communications Grant (SICG) on December 20, 2021; and

WHEREAS, this grant allows for state support to counties for eligible expenses related to interoperable communications; and

WHEREAS, this state support is in the form of reimbursement for interoperable communications upgrades and maintenance; and

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WHEREAS, the enacted state budget for 2021-2022 appropriates \$45 million for all those eligible (62 counties); and

WHEREAS, the FY 2021-2022 Statewide Interoperable Communications Grant is non-competitive and will allocate money by a formula which equitably distributes funding among counties based on quantifiable elements and relevant metrics with no local match; and

WHEREAS, the application deadline for the grant is February 15, 2022; and

WHEREAS, the Public Safety Standing Committee has reviewed and approved this resolution at its January 25, 2022 meeting; now, therefore be it

RESOLVED, the Board of Supervisors approves applying for the FY 2021-2022 Statewide Interoperable Communications Grant (SICG) and authorizes and directs the County Manager to sign all paperwork related to the same.

**SUPERVISORS RE-APPOINT DR. TIMOTHY J. RYAN & DR. GRACE FREIER TO THE
SENECA COUNTY BOARD OF HEALTH**

RESOLUTION NO. 48-22, moved by Sprvr. Borst, second by Sprvr. Hayes and adopted.

WHEREAS, the 6 year terms for Doctors Ryan and Freier to serve as members of the Board of Health are expiring; and

WHEREAS, Doctors Ryan and Freier are both Seneca County residents who have served successfully as board members up to the present; and

WHEREAS, Drs. Ryan and Freier have expressed an interest in continuing to serve as members of the Seneca County Board of Health; and

WHEREAS, Dr. Ryan's and Dr. Freier's appointments will become effective immediately and be for a six year term which will expire on December 31, 2027; and

WHEREAS, the Public Health Standing Committee have reviewed and approved this resolution at their January 25, 2022 meeting; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby re-appoints Dr. Timothy J. Ryan and Dr. Grace Freier to the Seneca County Board of Health.

**APPOINT JOHN HUNT AS GRANGE REPRESENTATIVE TO THE
SENECA COUNTY SOIL & WATER CONSERVATION BOARD**

RESOLUTION NO. 49-22, moved by Sprvr. Barnhart, second by Sprvr. Rhinehart and adopted.

WHEREAS, in accordance with the New York State Conservation District Law, the District Directors shall include a farmer recommended by the County Grange; and

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WHEREAS, the current Grange Representative, John Hunt, is interested in serving a new three-year term; and

WHEREAS, the Planning, Development, Agriculture & Tourism Standing Committee approved this Resolution at its meeting on January 25, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint John Hunt as the Grange Representative on the Seneca County Soil & Water Conservation Board of Directors for a three-year term effective January 1, 2022 through December 31, 2024.

**APPOINT CHARLES SUMNER AS MEMBER-AT-LARGE TO THE
SENECA COUNTY SOIL & WATER CONSERVATION BOARD**

RESOLUTION NO. 50-22, moved by Sprvr. Barnhart, second by Sprvr. Hayes and adopted.

WHEREAS, in accordance with the New York State Conservation District Law, the Member At-large Director shall be appointed from the county at large and will represent the urban, suburban; and rural non-farm landownership interest; and

WHEREAS, the current Member-at-Large is Charles Sumner who is interested in serving a new three-year term; and

WHEREAS, the Planning, Development, Agriculture & Tourism Standing Committee approved this Resolution at its meeting on January 25, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint Charles Sumner as Member-at-Large on the Seneca County Soil & Water Conservation Board of Directors for a three-year term effective January 1, 2022 through December 31, 2024.

**APPOINTMENTS TO THE REGION 8 FISH AND WILDLIFE
MANAGEMENT ADVISORY BOARD**

RESOLUTION NO. 51-22, moved by Sprvr. Barnhart, second by Sprvr. Ferrara and adopted. Sprvr. Kronenwetter recuse himself from voting.

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

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

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

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

WHEREAS, the Planning, Development, Agriculture & Tourism Standing Committee approved this resolution on January 25, 2022; now, therefore be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors, with the approval of the Seneca County Board of Supervisors does hereby make the following appointments to the Region 8 Fish and Wildlife Management Advisory Board:

- Legislative Representative: Paul Kronenwetter for a 2-yr term Jan 1 2022 - Dec 31 2023
- Sportsmen's Representative: Tom Grasek for a 2-yr term Jan 1 2022 - Dec 31 2023
- Alternate Sportsmen's Representative: William Ryan for a 2-yr term Jan 1 2022 - Dec 31 2023

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

RESOLUTION NO. 52-22, moved by Sprvr. Barnhart, second by Sprvr. Borst and adopted.

WHEREAS, Seneca County, herein named as "the County", has appropriated the sum of \$7,311.70 as its share of the Year 2022 operating funds of the Genesee/Finger Lakes Regional Planning Council, herein named "the agency"; and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer of the executed official undertaking is approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated Paul Gavin, Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blank bond coverage for officers and employees of the Council in the amount of \$500,000.00; and

WHEREAS, this resolution has been reviewed and recommended for approval by the Planning, Development, Agriculture and Tourism Standing Committee at its Meeting on January 25, 2022; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby approves such a bond as the official undertaking required pursuant the Section 119-00 of the General Municipal Law; and be it further

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RESOLVED, that a copy of this Resolution shall be forwarded to the G/FLRPC offices and the County Planner.

APPOINT KAREN THOMSON TO THE SENECA COUNTY PLANNING BOARD

RESOLUTION NO. 53-22, moved by Sprvr. Barnhart, second by Sprvr. Partee and adopted.

WHEREAS, there exists a vacancy representing the town of Tyre on the Seneca County Planning Board; and

WHEREAS, Karen Thomson, a resident of the town of Tyre, has been recommended to fill the vacancy; and

WHEREAS, the Planning, Development, Agriculture, and Tourism Standing Committee met on January 25, 2022 and reviewed and approved the recommendation; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby, effective immediately, appoint Karen Thomson of Tyre to the Seneca County Planning Board with a term to expire on June 30, 2026.

APPOINTMENTS TO SENECA COUNTY AGRICULTURE ENHANCEMENT BOARD

RESOLUTION NO. 54-22, moved by Sprvr. Barnhart, second by Sprvr. Trout and adopted.

WHEREAS, some appointments to the Agriculture Enhancement Board have expired; and

WHEREAS, appointments to the Agriculture Enhancement Board are made by the Seneca County Board of Supervisors; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Committee on January 25, 2022; now, therefore be it

RESOLVED, that the following persons are appointed to the Agriculture Enhancement Board for terms through the listed dates:

- Doug Freier Town of Fayette Farmer / Crop 12/31/25
- Peter Decloux Town of Ovid Ag Business Rep/Farmer/ Poultry 12/31/25

And be it further

RESOLVED, that Jeffrey Trout will serve as the representative of the Board of Supervisors for term co-terminus with his elected office.

**BOARD OF SUPERVISORS ADOPT AGRICULTURE ENHANCEMENT AND
FARMLAND PROTECTION PLAN**

RESOLUTION NO. 55-22, moved by Sprvr. Barnhart, second by Sprvr. Trout and adopted.

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WHEREAS, Seneca County received a grant from the New York State Department of Agriculture and Markets for the preparation of an Agriculture Enhancement and Farmland Protection Plan, and appointed the Seneca County Agriculture Enhancement Board to serve as Steering Committee for the development of the Plan; and

WHEREAS, on recommendation and by Resolution 142-2020, Community Planning and Environmental Associates was hired to serve as lead consultant for the development of the Agriculture Enhancement and Farmland Protection Plan; and

WHEREAS, the Seneca County Agriculture Enhancement Board held public hearings on the Draft Seneca County Agriculture Enhancement and Farmland Protection Plan on January 12, 2022 and on January 18, 2022; and

WHEREAS, the Seneca County Agriculture Enhancement Board, at their meeting on February 2, 2022, did act to officially submit the proposed Seneca County Agriculture Enhancement and Farmland Protection Plan to the Seneca County Board of Supervisors for adoption; and

WHEREAS, by Resolution 24-22 dated January 11, 2022, the Seneca County Board of Supervisors declared itself as Lead Agency for the State Environmental Quality Review of the Seneca County Agriculture Enhancement and Farmland Protection Plan; and

WHEREAS, the Seneca County Board of Supervisors has reviewed the Full Environmental Assessment Form for the Seneca County Agriculture Enhancement and Farmland Protection Plan; and

WHEREAS, this resolution has been approved by the Planning, Development, Agriculture, and Tourism Standing Committee on January 25, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors determines adoption of the Seneca County Agriculture Enhancement and Farmland Protection Plan will have no significant environmental impact; and , be it further

RESOLVED, that the Seneca County Board of Supervisors officially adopts the Seneca County Agriculture Enhancement and Farmland Protection Plan; and, be it further

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the County Department of Planning and Community Development to forward the Seneca County Agriculture Enhancement and Farmland Protection Plan for review and approval by the Commissioner to the New York State Department of Agriculture and Markets.

**APPOINT MICHAEL REYNOLDS AND JEFFREY TROUT TO THE
SENECA COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD**
RESOLUTION NO. 56-22, moved by Sprvr. Barnhart, second by Sprvr. Borst and adopted.

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WHEREAS, the New York State Soil and Water Conservation District Law Article II, Section 6(1)(a) states that a county soil and water conservation district board of directors shall consist of five members appointed by the county board, two of whom will be members of the county board and three persons not members of the county board of supervisors; and

WHEREAS, the one-year term for the two members of the county board expired as of December 31, 2021; and

WHEREAS, Supervisor Reynolds has served on the Soil & Water Conservation Board of Directors and is knowledgeable and committed to supporting and overseeing the goals and mission of the Seneca County Soil & Water Conservation District (SWCD); and

WHEREAS, Supervisor Jeffrey Trout, who shares the same commitment and support of the goals and mission of Seneca County Soil & Water Conservation District, is interested in serving as a member of the SWCD Board; and

WHEREAS, this resolution was approved by the Planning, Development, Agriculture and Tourism Standing Committee on January 25, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors, does hereby appoint Supervisor Michael Reynolds to the Soil and Water Conservation District Board as a member representing the county board for a 1-year term effective January 1, 2022 – December 31, 2022; and, be it further

RESOLVED, that the Seneca County Board of Supervisors, does hereby appoint Supervisor Jeffrey Trout to the Soil and Water Conservation District Board as a member representing the county board for a 1-year term effective January 1, 2022 – December 31, 2022.

**ACCEPT NYS CDBG COMMUNITY PLANNING GRANT FOR A
HOUSING NEEDS ASSESSMENT**

RESOLUTION NO. 57-22, motion by Sprvr. Barnhart, second by Sprvr. Rhinehart and adopted.

WHEREAS, Seneca County submitted a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (the “OCR”) through the Consolidated Funding Application (“CFA”) for a Community Planning Grant to fund a Housing Needs Assessment;

WHEREAS, NYS CDBG Community Planning Grants fund projects up to \$50,000 with a required 5% (\$2,500) cash match; and

WHEREAS, Seneca County received notification from OCR on January 21, 2022 of the award along with accompanying grant contract documents; and

WHEREAS, by Resolution 134-21, the Seneca County Board of Supervisors authorized the \$2,500 cash match be made available upon award of the NYS CDBG Community Planning Grant; and

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WHEREAS, \$2,500 was budgeted in the Department of Planning and Community Development 2022 budget under account 10-8020-54371, Professional Services; and

WHEREAS, this resolution was reviewed and approved by the Planning, Development, Agriculture, and Tourism Standing Committee on January 25, 2022; 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 accept a Community Planning Grant to fund a Housing Needs Assessment; 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.

BOARD OF SUPERVISORS APPROVES

SENECA COUNTY COMMUNITY SERVICES BOARD 2022 APPOINTMENTS

RESOLUTION NO. 58-22, motion by Sprvr. Partee, second by Sprvr. Barnhart and adopted.

WHEREAS, on December 21, 2021 the Seneca County Community Services Board (CSB) accepted resignations from Dr. Ted Papperman from the CSB Board and from his role as Chairman of the Alcohol and Substance Abuse Subcommittee, and from Lisa Heitmann from the CSB and from her role as CSB Vice Chair and from Peter Same from the CSB; and

WHEREAS, on December 21, 2021 the Community Services Board (CSB) agreed to reappoint CSB member and Chairperson Pat Plyter in the role of CSB Chair and appointed her in the role of temporary Chair of the Alcohol and Substance Abuse Subcommittee, and reappointed Susan Ottenweller as the Mental Health Subcommittee Chair and appointed her in the role of CSB Vice Chair, and appointed Dr. Joseph Lorenzetti in the role of Alcohol and Substance Abuse Subcommittee Vice Chair, and reappointed Stanley Hatch as the OPWDD Subcommittee Chair, all with a term expiration date of December 31, 2022; and

WHEREAS, the Mental Health Services Standing Committee reviewed and approved this resolution on January 25, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby approves the above listed Community Services Board appointments for 2022.

Unfinished Business

None

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New Business

RULE 29

Sprvr. Jeff Trout offered a motion, second by Sprvr. Ferrara, and carried by 2/3 majority votes of members present, to introduce business to the floor pursuant to Rule 29 of the Board of Supervisors Rules of Order. Sprvr. Don Trout voted nay.

**RESOLUTION IN OPPOSITION TO SENATE BILL S7855 AS IT RELATES TO THE
MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE WESTERN REGIONAL OFF-
TRACK BETTING CORPORATION**

RESOLUTION NO. 59-22, motion by Sprvr. Ferrara, second by Sprvr. Trout and adopted.

WHEREAS, Western Region Off-Track Betting Corporation (WROTB) is a public benefit corporation with headquarters in Batavia, New York, and

WHEREAS, WROTB is owned and operated by 15 Western New York counties and the cities of Rochester and Buffalo, and

WHEREAS, the corporation owns and operates 11 off-track betting branches, 27 E-Z Bet locations and a telephone wagering service in 15 Western New York counties, as well as Batavia Downs Gaming, a standard bred racetrack and gaming facility, and

WHEREAS, since its inception, Western OTB has generated over \$250 million in operating and surcharge revenues to the taxpayers of those participating municipalities, and

WHEREAS, throughout its long history of serving the 15 counties and two cities that comprise the corporation, the Board of Directors of WROTB has been comprised of one representative from each of the 17 municipalities, and

WHEREAS, in 1973, the Seneca County Board of Supervisors passed by resolution legislation that authorized and empowered Seneca County to participate in the WROTB that had recently been created by the state and signed by then Governor Nelson Rockefeller, and

WHEREAS, the 1973 legislation passed by the Seneca County Board of Supervisors was passed with the stipulation that it was “subject to permissive referendum and shall become effective in accordance with Section 24 of the Municipal Home Rule Law of the State of New York”, and

WHEREAS, New York State Senator Timothy M. Kennedy (D – Buffalo) has recently proposed Senate Bill S7855, an act to “amend the racing, pari-mutuel wagering and breeding law, in relation to the membership of the Board of Directors of the Western Regional Off-Track Betting Corporation”, and

WHEREAS, Sen. Kennedy’s proposal calls for revising the current fair and equitable representation of the Board of Directors to three members to represent the counties of Monroe, Wyoming,

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and Orleans; a single member to represent the counties of Chautauqua, Cayuga, Genesee, Livingston, Schuyler, and Seneca; four members to represent Erie County; one member to represent Niagara County, a lone member to represent the counties of Oswego, Cattaraugus, and Wayne; one member to represent the City of Buffalo, one member to represent the City of Rochester, one member appointed by the governor, one member appointed by the temporary president of the senate, and one member appointed by the speaker of the assembly, and

WHEREAS, Sen. Kennedy's bill states that its intent is to "provide more equal representation of the people of the area who benefit from proceeds from said corporation", and

WHEREAS, this legislation will in fact have the opposite effect of the stated intention in the bill, as it will decimate the balanced representation formula determined previously by both the state legislature and governor as equitable and impartial, with a clear and explicit intent of providing each municipality that comprises the corporation an equal voice in WROTB matters, and,

WHEREAS, the performance and accomplishments of the current WROTB Board and leadership cannot be discounted when considering this drastic and overreaching legislation, including, but not limited to: the acquisition of an 84-room hotel on the grounds of Batavia Downs that has drawn rave reviews, countless fundraising events for charitable organizations that have benefitted thousands of families across western New York, including Make-A-Wish, the Batavia Police Department K-9 Unit, the Genesee County K-9 Unit, GLOW YMCA, Food Bank of Western New York, and the Breast Cancer Coalition of Rochester, and

WHEREAS, in 2021, Batavia Downs once again shattered attendance and wager records, with more than 625,000 attendees wagering nearly \$700 million this past year alone, leading to record earnings distributions for the 17 municipalities that have come to rely on their WROTB distributions to balance their local budgets while reducing the property tax burden for businesses and homeowners, and

WHEREAS, the current WROTB Board and leadership have successfully led the corporation through in incredibly difficult period in history, the Covid-19 pandemic, that has ravaged similar entities across the state and the country, and

WHEREAS, WROTB currently has 385 full- and part-time employees with a payroll of \$12.5 million; individuals and families from every corner of our region, and all whom could be negatively impacted by this drastic proposal, therefore be it

RESOLVED, Seneca County Board of Supervisors does vehemently oppose Senate Bill S7855, as it will cause irreparable harm to Seneca County, its interests in WROTB, the economic interests of Seneca County, and the taxpayers of this county, and be it further

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RESOLVED, that the Seneca County Board of Supervisors does hereby call upon members of the New York State Senate to reject S7855, and be it further

RESOLVED, that a copy of this resolution be sent to Governor, Senate and Assembly.

**BOARD OF SUPERVISORS ADOPT THE SENECA COUNTY COVID-19 PAID LEAVE
POLICY FOR COUNTY EMPLOYEES EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 60-22, motion by Sprvr. Ferrara, second by Sprvr. Barnhart and adopted. Sprvr. Don Trout and Sprvr. Enslow voted nay.

WHEREAS, on February 3, 2022, the Covid-19 Task Force Committee met to discuss the current NYS and CDC guidelines pertaining to Covid-19 paid leaves; and

WHEREAS, the Task Force Committee has suggested that Seneca County create a Policy to set the parameters of paid Covid Leave for Seneca County employees; and

WHEREAS, the guidelines have been vetted through Labor Attorneys at Roemer, Wallens, Gold & Mineaux and the County Attorney; and

WHEREAS, the Personnel Officer is of the opinion that the Policy is in the best interest for the health and safety of the Seneca County Employees, as well as mitigating legal liabilities that may occur due to an employee working while sick; and

WHEREAS, this Resolution has been considered and adopted Pursuant to Rule 29 of the Seneca County Board of Supervisors Rules of Order and applies to all employees of Seneca County and shall be known as the Covid-19 Paid Leave Policy for County Employees; therefore be it

RESOLVED, the Seneca County Covid-19 Paid Leave for County Employees Policy shall read as follows:

510.603 Seneca County Covid-19 Paid Leave for County Employees Policy

All Seneca County employees are to follow the guidelines listed below pertaining to mandatory quarantine and isolation orders:

- 1. Each employee who is subject to a mandatory or precautionary order of quarantine or isolation issued by the State of New York, the Department of Health, local Board of Health, or any governmental entity duly authorized to issue such order due to Covid-19 (licensed medical provider), shall be provided with at least fourteen (14) days of paid Covid-19 supplemental sick leave not otherwise chargeable as standard sick leave during any mandatory or precautionary order of quarantine or isolation. This is for the 1st occurrence.*
- 2. In no event shall an employee qualify for COVID-19 supplemental sick leave under NYS's Covid-19 Sick leave law for more than three (3) orders of quarantine or isolation. The 2nd and 3rd orders MUST be based on a positive Covid-19 test. This would be the 2nd and 3rd (final) occurrence. Proof of positive test must be shown by a written notice provided by the Department of Health, or any governmental entity or licensed health care provider duly authorized to issue such order.*
- 3. Flowchart explaining Covid-19 Paid Leave (attached) and is made a part of this policy.*

**SENECA COUNTY
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NOTES TO POLICY:

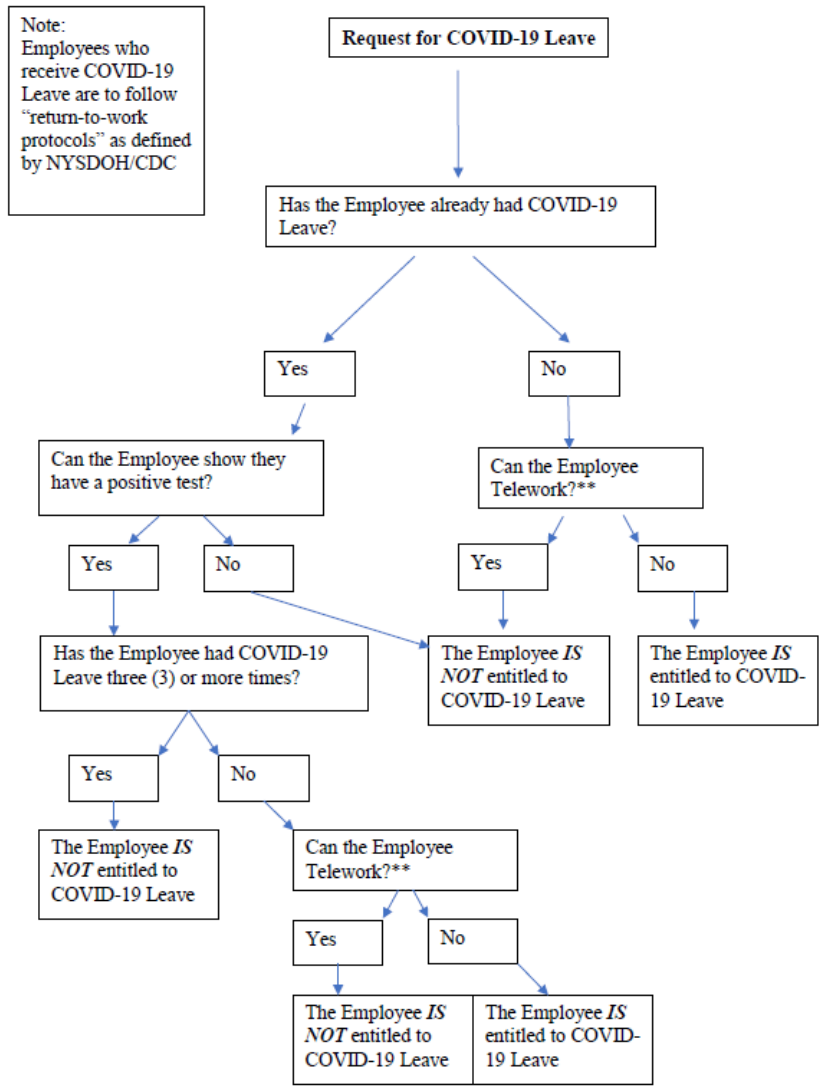
Quarantine: an exposure to someone who has tested positive for Covid

Isolation: a person who tests positive for Covid

This policy is based off of guidance and interpretations as of February 4, 2022 and may be subject to change at any time as determined by the Board based on new guidelines or interpretations.

Please note that Seneca County does not currently participate in NYS Disability Leave.

FMLA is NOT paid time. It runs concurrent with your leaves. For more information on the County's FMLA Policy #101.713, please visit the Seneca County Policy Manual located on the County intranet.

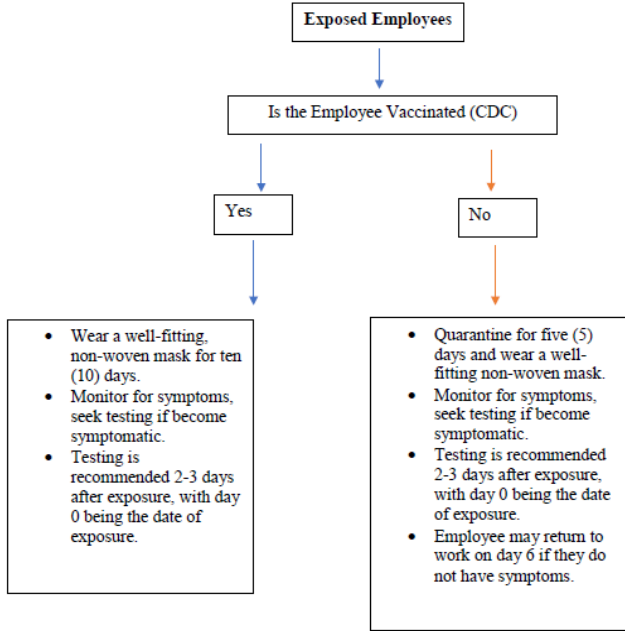


* This would include the new affirmation or attestation forms.
** Consideration should be given as to whether the Employee is too sick to work.

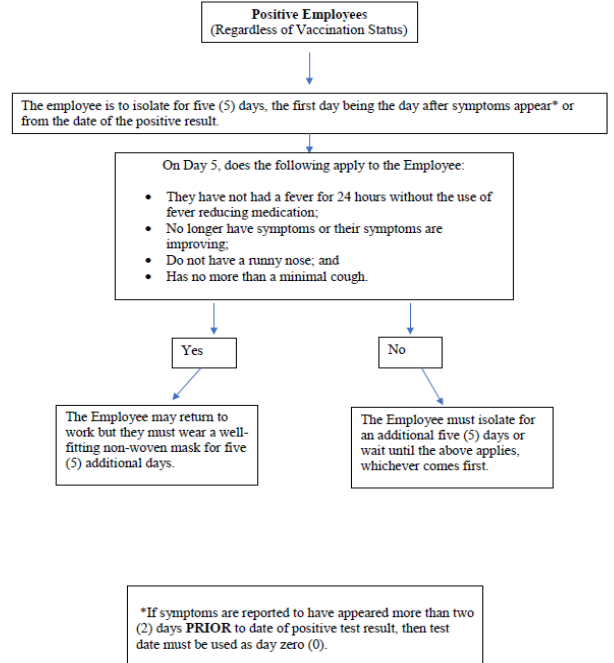
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Quarantine and Return-to-Work Flow Chart



Quarantine and Return-to-Work Flow Chart



Special Order of the Day

The meeting adjourned at 7:21 p.m.