

**SENECA COUNTY
BOARD OF SUPERVISORS**

Regular Board Meeting
August 9, 2022

Call to Order

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

Roll Call of Members by the Clerk

Thirteen members of the Board of Supervisors answered roll call. Sprvr. Barnhart arrived when the Board of Supervisors were meeting under executive session.

Pledge of Allegiance and Moment of Silence

Presentations

Community Science Institute, Grascen Shidemantle, Executive Director. Request for support from Seneca County in the amount of \$16,105.50 in 2023 to continue the Community Science Institute's (CSI's) synoptic stream monitoring program with our dedicated groups of volunteers on streams throughout Seneca County including Sheldrake Creek, Johnsons Creek, Canoga Creek, Williamson Creek, and Burroughs Creek. The requested amount reflects the cost associated with routine water quality monitoring on these five creeks. Long-term data sets produced by CSI's certified water quality testing lab in partnership with community volunteers make it possible to separate water quality fact from water quality fiction and provide the information needed to develop effective strategies for managing water resources.

Petitioners

None

Open Privilege of the Floor

Missy Barringer, COO, Cayuga Nation, member of the Wolf Clan. Cayuga Nation has a reservation, established by the 1794 Treaty of Canandaigua. Several government entities recognize the Cayuga Nation reservation (i.e. U.S. Supreme Court; U.S. Dept. of Justice; U.S. Dept. of the Interior; Dept. of Homeland Security, etc). There is no leadership dispute within the Cayuga Nation, nor has there been any leadership dispute for a number of years. Sixty-two percent of Nation members support the five-man council representing the five Cayuga clans as our leaders. A small number of Nation members who do not agree with the current leadership do not have the right to take matters into their own hands. The Cayuga Nation has a sovereign right to self-govern, and we have done just that. Urges the Board of Supervisors to acknowledge that the Cayuga Nation has a reservation and that it has no leadership dispute.

B. J. Radford, CFO, Cayuga Nation, employed by Cayuga Nation in 2003, speaking on behalf of herself and not the Nation, to ensure that everyone here understands the current and potentially escalating peril your community now faces. The property at 2954 E. Bayard Street Extension, Seneca Falls, is owned by Cayuga Nation and occupied by non-members with have criminal records. (a photo was distributed showing individuals with guns on the property). They are selling marijuana, which is in violation of the

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Cayuga Nation business ordinance and many Town of Seneca Falls zoning laws.

Another property of concern is not owned by the Cayuga Nation is 2133 Lake Road, Seneca Falls. This entity has no connection to the Cayuga Nation. They are operating a weed dispensary in his front yard, a violation of the Cayuga Nation business ordinance and several Town of Seneca Falls zoning laws. No property taxes have been paid on this property since the John family took ownership. Current taxes in arrears are over \$60,000. This property is not protected by sovereignty—why has it not been foreclosed on? I implore you to do what is best for this community where bad behavior is not tolerated. The Cayuga Nation and local politicians and law enforcement have not done a good job of forming alliances. We all need to work together before this becomes a place where real estate has little value or worse yet, before someone gets hurt.

Executive Session

Sprvr. Ferrara moved to enter executive session pursuant to NYS Open Meetings Law (c), (d) and (f) and invite the county manager, the county attorney, the personal officer, and Jim Roemer, labor attorney who attended via phone. Time of executive session: 6:31 p.m. – 6:58 p.m. The Board of Supervisors reconvened in open session. No action resulted from the executive session.

Approval of Meeting Minutes

Minutes were approved for July 12, 2022 board meeting,

Reports of Standing Committees

Mental Health Services Standing Committee, Sprvr. Partee, Chair. A resolution to revise the contract we have with Robert Shields, who provides peer support services to individuals with substance use disorder. To meet the demand for services, the contract will be increase by 333 hours, not to exceed \$24,000. Under new business, to maintain coverage and provide services, as the full-time psychiatrist resigned, a resolution to amend two additional contracts with mental health service providers: Robert Yearwood hours increased by 1,000 hours; not to exceed \$150,000; and Deena Schwartz, increased hours by 791.66; not to exceed \$95,000.

Planning, Development, Agriculture & Tourism Standing Committee, Sprvr Barnhart, Chair.

Housing Needs Assessment for Seneca County through CDBG, tonight we will authorize a contract with High Road Community Planning & Analytics not to exceed \$48,780 to conduct needs assessment; which is classified as Type II action under SEQR, and County Manager Mitch Rowe is the certifying Officer.

Verona Village Renovation Project: a resolution on the agenda for Seneca County to declare itself as Lead Agency. Project will have no significant adverse impact on the environment – negative

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declaration, and under New Business there is a resolution to designate the county manager as Certifying Officer for the project.

Public Safety Standing Committee, Sprvr. Rhinehart, Chair. South Seneca School District Superintendent Zielinski met with committee seeking approval of a second school resource officer assigned to the district. This is a new position. We will contract with South Seneca for monetary contribution for the position. Training for school resource officer begins in August.

The Seneca County Fire Investigation Team Standard Operating Procedure has been updated to include current training and certification standards. The updated procedures include electronic fillable reports to replace outdated paper reports.

Monroe County Intermunicipal Agreement with for Medical Examiner Services will be renewed and will expire December 31 2022.

Purchase of Portable Radios with \$61,312 Hazmat grant funding – there is a resolution on the agenda to authorize the use of grant funds for this eligible purpose.

Personnel Standing Committee, Sprvr. Ferrara, Chair. The committee approved refilling several vacant positions in the Office for the Aging, the Motor Vehicle Department, and Code Enforcement. On the agenda is a resolution authorizing hiring above the start rate for the position of Director of Preventive Services at Grade 5, Step 13 (\$70,116 annually) in the Health Department. Recruitment efforts have been unsuccessful to fill the position for a Director of Preventive Services in the Public Health Department due to the non-competitive pay rate we are offering.

Water & Sewer Treatment Management & Operations Standing Committee, Sprvr. Hayes, Chair. There was a water main break this weekend at the Million Gallon tank; able to bypass the leak and water was carried to the hamlet. We need to be notified more efficiently of breaks; prefer proactive and not reactive. Research if there is some type of water alarm. Interim Water & Sewer Administrator Mitch Rowe reported Hunt Engineers submitted final I & I studies for Sewer 1 and 2; Representative from the ‘commission to decommission’ Willard will visit August 16. We still have no commitment from DOCCS regarding monetary assistant for Hillside. Second quarter bills have been mailed out. MRB continues to work on water authority plans.

Indian Affairs Standing Committee, Sprvr. Shipley, Chair. County Attorney David Ettman will attend the NYSAC Native American & Gaming Standing Committee in Buffalo. We are submitting Resolution No. 85-22 seeking support from NYSAC to support from NYSAC to support our efforts to make Seneca County whole from NYS, due to the loss of school and property tax from 73 properties owned by Cayuga Nation.

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The US Department of Interior could reverse its 2020 decision denying the application of Halftown's Cayuga Nation seeking to place 114 acres in Union Springs into trust. The application was initially denied to avoid more problems between two different factions (traditional Cayuga Nation and Halftown Cayuga Nation). The denial was challenged and Halftown sued. The DOI now says they received new information from Halftown faction and will now reconsider the denial and issue a new ruling in 6 months. Sprvr. Shipley and Sprvr. Barnhart suggested the BOS opposes reconsideration of the denial and make a new ruling. Sprvr. Barnhart was asked by a Cayuga County resident for action. The "new information" provided was not made public. Sprvr. Ferrara said he would not vote in favor of such a resolution, but he is open. He stated that it is his understanding that Cayuga County Legislature is in full support reversing the denial and 100% support a ruling in favor of land-in-trust.

A new location has opened in Seneca Falls selling recreational marijuana on the south side of East Bayard Street just past Xylem heading east.

Last week, Clint Halftown directed the demolition of Cayuga Nation property used by the traditional nation members who were allegedly squatting on the property. The traditional faction organized a march protesting this action. The conflict between the two factions creates a lot of tension and unrest in the community. Local law enforcement is monitoring the conflict in an observational only capacity. We will take a look and talk again with BIA

Government Operations Standing Committee, Sprvr. Jeffrey Trout, Chair. A resolution to amend the Rules of Order to schedule the Ovid Board meeting for October 11 at the Papa Bear Building will be introduced later in the agenda.

Environmental Affairs Standing Committee, Sprvr. Kronenwetter, Chair. At the Cayuga County presentation on cover crops, Sprvr. Kronenwetter shared his proposal for a summit with all the key players to fight HABs (farmers, DEC). He distributed images of how blooms in the tributaries appear after a rainstorm. Urged farmers to utilize soil and water programs available for cover crop program. Farmers Jeff Trout and Ralph Lott gave presentation on cover crops and how they used the cover crop programs, trial and error but end result was very good.

Sprvr. Kronenwetter recognized Hilary Lambert, Executive Director, who is retiring from Cayuga Lake Watershed Network. She started with CLWN in 2009.

Wastewater treatment plants, our goal should be to have first year treatment be like the third treatment process, clean up the water, you can see from the maps passed around, mud locks closed, water comes out of canal and swirls like a bathtub right across from the park. Last week no HABs were reported. Bass fishing tournament is currently happening. They love Cayuga Lake, best bass fishing in the country.

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Outdoor News, a biweekly magazine, which recently reported Cayuga Lake as being most heavily affected by HABs.

Seneca County Soil and Water received \$315,000 grant from Seneca Pure Water Association.

Request for funding by Community Science Institute, (CSI): We do not currently fund CSI. They monitor streams but not so much in Seneca County as we are aligned with CWIO. We fund CWIO, who use different lab where data is more valuable to the EPA. CSI has its own program. We fund CWIO who uses a different lab. It would be beneficial to determine where the samples are located that are taken by each of the two labs to be sure we aren't duplicating the testing.

Public Works Standing Committee, Sprvr. Don Trout, Chair. Other than the resolution on the agenda there is nothing else to report. Resolutions approved by the Public Works Standing Committee for Board of Supervisors consideration include: Solicit Requests for Proposal for the repointing of the Flagstone Foundations at the Three Bears Complex; Additional CHIPS funding received \$645,345.49 for Seneca County Highway; Paving county roads – cost increased. Roy Gates needs additional \$250,000. Budget transfer required; and Authorize the implementation and funding in the first instance 100% of the federal-aid and state Marchiselli Program-Aid for the Frontenac Road over Trumansburg Creek Bridge project.

Finance, Assessment & Insurance Standing Committee, Sprvr. Reynolds, Chair. Under New Business there is a resolution to adopt the Workers Compensation Budget for 2023

Report of Special Committees

Broadband Committee – Sprvr. Partee. Continues to meet the first Wednesday of each month. Currently analyzing the un- and under- served data for SC that we received from the from GPS. Looking into USDA Reconnect program round 4 funding opportunity announced last week. Zoom mtg with Yates County to discuss their experience with the reconnect program. Addressed ARPA cmte giving them a heads-up that we may make a funding request.

Jury Board - Sprvr. Reynolds. It's been three years since we had a meeting. Our jury situation is doing well; we expect some large cases coming to trial and we are prepared.

IDA – Sprvr. Trout. IDA adopted a resolution for Wilkins RV for financial assistance. They moved the location now to Junius on the south side of the Thruway. Need to hook into our sewer - they don't have to cross over the thruway now with the location.

Chairman's Remarks

None

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County Manager's Remarks

None

County Attorney's Remarks

County Attorney Ettman submitted resolutions urging NYS to make Seneca County whole due to unpaid property taxes by Cayuga Nation, to NYSAC for review by the NAA&G Standing Committee at the Fall Conference in Buffalo in September, and he will also attend the NAA&G meeting.

Communications:

91. A copy of a press release issued by Seneca County Sheriff's Office regarding property owned by Cayuga Nation in Varick that was demolished under the direction of Clint Halftown and by order of the Cayuga Nation zoning and code enforcement officer. Sheriff Deputies and NYS Troopers were onsite observing, but assumed neutrality. County Road 124 was shut down and officers maintained a foot patrol presence during the event to keep peace and keep local residents safe. An ambulance was staged near the scene to check persons exposed to pepper spray that was deployed by the CN police. No personal injuries or law enforcement officers were reported injured. Sheriff Luce urges the opposing Cayuga Nation factions to find common ground. For anyone who requires humanitarian aid or is displaced because of this event may contact Tracy VanVleck, Commissioner of Human Services.

92. A copy of a press release dated August 3, 2022, issued by Cayuga Nation, regarding the demolition of three structures owned by CN: one structure located at 4 Briarwood Circle, Seneca Falls; and two structures located at 2906 County Road 124, Varick, stating they were dilapidated, presence of black mold and demolishing the structure is a step forward for the safety of the community.

93. From South Seneca School District Board of Education, a letter dated July 25, 2022 supporting a second position for School Resource Officer (SRO) assigned to the South Seneca School District.

94. From the five libraries located in Seneca County and from the Finger Lakes Library System (FLLS), a letter dated June 23, 2022, requesting \$140,000 in county funding for 2023. Copy provided to the county budget officer.

95. From NYS Office of Real Property Tax Services, a copy of county equalization rates as of August 2, 2022, to be used in the apportionment of the 2023 county tax levy pursuant to Title 2 of Article 8 of the Real Property Tax Law.

96. From NYSAC, notification dated July 14, 2022 that membership dues for 2023 for Seneca County will be \$6,494, an increase of 3% over 2022.

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97. From Department of State Office of Planning & Development, an email dated July 26, 2022 announcing program materials and application are available for NY Forward and Downtown Revitalization Initiative; with Letter of Intent to Apply due by August 10.

98. Copy of Cayuga Lake Watershed Network HABS Weekly Newsletter dated July 14, 2022 and July 21, 2022.

99. A copy of NYS Office of Mental Health information sheet announcing the three digit hotline, “988” is Here!; 988 connects the public to mental health crisis counselors who are part of the National Suicide Prevention Lifeline network. It was made available across the country on July 16, 2022.

100. A copy of 2021 Commissioner of Jurors Annual Report Seneca County.

101. A copy of Orleans County Resolution No. 380-722, Opposing recently enacted NYS law regulating legally authorized concealed carry gun permits and banning concealed carry in public as being an unconstitutional attack upon the right of law abiding citizens.

102. A copy of Inter-County Association of Western NY June 17, 2022 meeting minutes.

103. A copy of Seneca County IDA July 7, 2022 meeting minutes.

104. A copy of Seneca County Board of Health July 20, 2022 meeting minutes.

105. A copy of Seneca County Planning Board July 14, 2022 meeting minutes.

106. A copy of Seneca County Sheriff’s Office Monthly Snapshot for June & July 2022.

107. A copy of Community Science Institute’s request for county funding in the amount of \$16,105.50 in 2023 to continue their synoptic stream monitoring program throughout Seneca County.

108. A copy of comments read by BJ Radford, CFO, Cayuga Nation, on her own behalf, under Open Privilege of the Floor, regarding the current and potentially escalating peril the community is facing due to the infighting between two factions of Cayuga Nation; one faction supports the federally recognized leadership of Clint Halftown; the other faction refuses to accept the recognition is legitimate, and illegally inhabit property owned by Cayuga Nation without paying rent for over ten years; and some of those who disagree with Halftown are convicted felons.

109. A copy of comments read by Missy Barringer, COO, Cayuga Nation, presented under Open Privilege of the Floor, to clarify two falsehoods: First, Cayuga Nation has a reservation, established by the treaty of Canandaigua and signed in 1794; Second, there is not currently, nor has there been any leadership dispute for a number of years. 62% of Cayuga Nation members voiced affirmative support for our current council and established our current form of governance; the balance voiced a different choice or was silent.

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RESOLUTIONS & MOTIONS

**BOARD OF SUPERVISORS AUTHORIZES THE FACILITIES DEPARTMENT TO REQUEST
BIDS FOR THE REPOINTING OF THE FLAGSTONE FOUNDATIONS AT THE THREE
BEARS COMPLEX**

RESOLUTION NO. 208-22, motion by Sprvr. Don Trout, second by Sprvr. Borst and adopted.

WHEREAS, the flagstone foundations at the Three Bears Complex in Ovid, NY are in need of repointing; and

WHEREAS, the Facilities Department has secured funding based on quotes from vendors; and

WHEREAS, the Facilities Department would like to put the repointing of the flagstone foundations for the Three Bears Complex out to bid; and

WHEREAS, the Public Works Standing Committee has reviewed and approved this resolution at their July 26, 2022 meeting; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves and authorizes the Facilities Department to put the repointing of flagstone foundations for the Three Bears Complex out to put out to bid.

**BOARD OF SUPERVISORS AUTHORIZES 2022 BUDGET ADJUSTMENT
FOR INCREASE IN CHIPS FUNDING FOR SENECA COUNTY HIGHWAY**

RESOLUTION NO. 209-22, motion by Sprvr. Don Trout, second by Sprvr. Borst and adopted.

WHEREAS, Seneca County has received notification from the New York State Department of Transportation on the funding for Consolidated Local Street and Highway Improvement Program(CHIPS), PAVE NY, POP, and Extreme Winter Recovery (EWR) for the 2022-23 State budget cycle; and

WHEREAS, Seneca County has been allocated the following funding amounts:

Program	22-23 Apportionment	Rollover Balance	Total Balance Available
CHIPS	\$1,248,195.46	\$0.00	\$1,248,195.46
PAVE NY	\$349,990.05	\$0.00	\$349,990.05
POP	\$233,326.70	\$0.00	\$233,326.70
EWR	\$225,998.19	\$0.00	\$225,998.19

And

WHEREAS, the 2022 Budget for Seneca County Highway Road and Bridge Construction included \$1,412,164.91 in revenue from these programs; and

WHEREAS, there is an additional \$645,345.49 that has not been appropriated in the 2022 Highway Road and Bridge Construction budget; and

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WHEREAS, the Public Works Standing Committee reviewed and approved this resolution on July 26, 2022; now, therefore be it

RESOLVED, that the Board of Supervisors hereby authorizes the Finance Department to amend the 2021 Seneca County Highway Road and Bridge Construction budget as follows:

405112-43500	CHIPS Revenue	Increase	Revenue	\$645,346.49
405112-52000	County Road Construction	Increase	Expenditures	\$645,346.49

And be it further

RESOLVED, that the Board of Supervisors authorize the Director of Finance make the necessary budgetary and accounting entries to affect the intent of this resolution.

**BOARD OF SUPERVISORS AUTHORIZES 2022 BUDGET ADJUSTMENT FOR
INCREASE PAVING FUNDING FOR SENECA COUNTY HIGHWAY**

RESOLUTION NO. 210-22, motion by Sprvr. Don Trout, second by Sprvr. Shipley and adopted.

WHEREAS, Seneca County Highway Department postponed paving needs during the COVID Pandemic to be fiscally conservative during that unsettled time; and

WHEREAS, Seneca County Road Fund currently has \$2,845,827 in Fund Balance; and

WHEREAS, the Seneca County Highway Superintendent is requesting to appropriate \$250,000 from Fund Balance to be used for additional County Road paving maintenance; and

WHEREAS, the Public Works Standing Committee reviewed and approved this resolution on July 26, 2022; now, therefore be it

RESOLVED, that the Board of Supervisors hereby authorizes the Finance Department to amend the 2022 Seneca County Highway Road and Bridge Construction budget as follows:

40-3599	County Road Fund Balance	Decrease	Fund Balance	\$250,000
405110-54543	Stone & Gabion, Cold Patch	Increase	Expenditures	\$250,000

And be it further

RESOLVED, that the Board of Supervisors authorize the Director of Finance make the necessary budgetary and accounting entries to affect the intent of this resolution.

**SUPERVISORS AUTHORIZE IMPLEMENTATION & FUNDING IN THE FIRST INSTANCE
100% OF THE FEDERAL-AID & STATE "MARCHISELLI PROGRAM-AID ELIGIBLE COSTS
OF TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATES FUNDS
THEREFORE FOR THE FRONTENAC ROAD OVER TRUMANSBURG CREEK BRIDGE**

RESOLUTION NO. 210-22, motion by Sprvr. Don Trout, second by Sprvr. Shipley and adopted.

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WHEREAS, a Project for the Frontenac Rd Over Trumansburg Creek Bridge Replacement, BIN 2209490, Town of Covert, Seneca County, P.I.N. 375541 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, Seneca County is willing to assist the Town of Covert and to advance the cash flow for the Project for the costs of Design, ROW, and Construction that are estimated at \$2,159,000; and

WHEREAS, the Town of Covert is making a commitment of 100% of the non-federal share of the costs of the Project, estimated at \$431,800 unless Marchiselli funding is secured then the estimated local share would be \$107,950; and

WHEREAS, this Resolution was approved by the Public Works Standing Committee on July 26, 2022; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby approves the above-subject project; and be it further

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes the County Manager to pay in the first instance 100% of the federal and non-federal share of the cost of Design, ROW and Construction work for the Project or portions thereof; and be it further

RESOLVED, that the sum of \$2,159,000 is hereby appropriated from the Seneca County General Fund and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Seneca County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Manager; and it is further

RESOLVED, that the Town of Covert appropriates the non-federal share of the costs of the Project in the amount of \$431,800 until the Marchiselli Program funding is known and made available to cover the cost of participation in the above project or portions thereof; and be it further

RESOLVED, that the County Manager is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of Seneca County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it

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further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, this Resolution shall take effect immediately.

AMEND RULES OF THE BOARD TO HOLD BOARD MEETING IN OVID

RESOLUTION NO. 212-22, motion by Sprvr. Jeffrey Trout, second by Sprvr. Borst and adopted.

WHEREAS, traditionally the Seneca County Board of Supervisors meets annually for a Board Meeting in the Town of Ovid, New York, in observance and respect of its unique Dual County Seat; and

WHEREAS, this resolution has been reviewed and approved by the Government Operations Standing Committee at its Meeting on July 26, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend its Rules of Order to hold its Board Meeting on October 11, 2022 at 6:00 p.m. at the former courthouse in Ovid, New York, also known as, the “Papa Bear” Building.

**BOARD OF SUPERVISORS AUTHORIZES HIRING ABOVE START RATE FOR DIRECTOR
OF PREVENTIVE HEALTH SERVICES POSITION IN THE HEALTH DEPARTMENT
EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 213-22, motion by Sprvr. Ferrara, second by Sprvr. Don Trout and adopted.

WHEREAS, there is a vacant Director of Preventive Services position in the Health Department; and

WHEREAS, recruitment efforts have been unsuccessful due to the non-competitive pay rate for the position; and

WHEREAS, due to recruiting difficulties, the Public Health Directors requests that the Director of Preventive Services position be filled at a salary above the start rate, in order to attract and retain a fully qualified Director of Preventive Services; and

WHEREAS, this position is totally grant funded through July 31, 2023 with funding available in the 2022 NYS Public Health Corps Fellowship Budget line 104010-51100-FELLO; and

WHEREAS, this resolution has been reviewed and approved by the Personnel Standing Committee on July 26, 2022; now, therefore be it

RESOLVED, that the Board of Supervisors approves hiring above the start rate for the position of Director of Preventive Services, at Grade 5, Step 13 (\$70,116 annually) in the Health Department; and be it further

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

**SUPERVISORS AUTHORIZE SECOND SCHOOL RESOURCE OFFICER
POSITION SOUTH SENECA SCHOOL DISTRICT**

RESOLUTION NO. 214-22, motion by Sprvr. Rhinehart, second by Sprvr. Borst and adopted.

WHEREAS, the South Seneca School District has requested to expand a collaboration with the Seneca County Sheriff's Office to provide a second School Resource Officer (SRO) to the District; and

WHEREAS, this proposal is contingent upon execution of a Contract with the South Seneca School District; and

WHEREAS, South Seneca School District will provide a payment of \$55,000.00 to offset a portion of the salary and benefit costs of this position; and

WHEREAS, in doing this it will ensure an enhanced liaison between the South Seneca teachers and students with the Seneca County Sheriff's Office; and

WHEREAS, the SRO will assist in educating the teachers and students in the areas such as drug and alcohol abuse, bullying and the decision making process; and

WHEREAS, the Public Safety Standing Committee reviewed and approved this Resolution on July 26, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors do hereby authorize an agreement between Seneca County and the South Seneca School District for a second School Resource Officer beginning September 1, 2022 and ending June 30, 2023; and, be it further

RESOLVED, that the County Manager be, and hereby is, authorized and directed to execute any and all documents necessary or appropriate to effectuate the purposes of this Resolution, subject to prior review and approval of those documents by the Office of the County Attorney, on behalf of the County of Seneca with the South Seneca School District; and, be it further

RESOLVED, that this agreement is limited to the 2022-2023 School Year; and be it further

RESOLVED, that the Seneca County Finance Department is authorized to invoice annually and accept payment of \$55,000.00 per School Year as revenue to the Seneca County Sheriff's Office.

SENECA COUNTY BOARD OF SUPERVISORS ADOPTS

SENECA COUNTY FIRE INVESTIGATION TEAM STANDARD OPERATING PROCEDURES

RESOLUTION NO. 215-22, motion by Sprvr. Rhinehart, second by Sprvr. Hayes and adopted.

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WHEREAS, the Seneca County Fire Investigation Team and the fire investigation function was established by order of the legislature of Seneca County upon its passage of the Seneca County Arson Plan; and

WHEREAS, the current Seneca County Fire Investigation Team Standard Operating Procedures were adopted in 2002; and

WHEREAS, the current Seneca County Fire Investigation Team Standard Operating Procedures do not address current training and certification standards; and

WHEREAS, the revised Seneca County Fire Investigation Team Standard Operating Procedures address current training and certification standards; and

WHEREAS, the revised Seneca County Fire Investigation Team Standard Operating Procedures include new PFD fillable Investigation reports for vehicle fires and structure fires replacing outdated paper reports; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Standing Committee on July 26, 2022; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors approves and adopts the 2022 revision to the Seneca County Fire Investigation Team Standard Operating Procedures.

**BOARD OF SUPERVISORS AUTHORIZES AND DIRECTS COUNTY MANAGER TO SIGN AN
INTERMUNICIPAL AGREEMENT WITH MONROE COUNTY FOR MEDICAL EXAMINER
SERVICES**

RESOLUTION NO. 216-22, motion by Sprvr. Rhinehart, second by Sprvr. Ferrara and adopted.

WHEREAS, Seneca County is required to contract with professionals to provide services for Medical Examiner services to perform autopsies as needed and requested by the Seneca County Coroners; and

WHEREAS, Monroe County has the ability and expertise to provide these services; and

WHEREAS, the funds are budgeted in the 2022 Coroners budget 101190-54380; and

WHEREAS, this agreement will be in effect until December 31, 2022 with the option for a one year extension; and

WHEREAS, the Public Safety Standing Committee reviewed and approved this agreement and resolution; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign all necessary documents and contracts with Monroe County to provide Medical Examiner services to perform autopsies as needed and requested by the Seneca County Coroners.

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**BOARD OF SUPERVISORS APPROVES PURCHASE OF
PORTABLE RADIOS FOR HAZARDOUS MATERIALS TEAM USING GRANT FUNDING**

RESOLUTION NO. 217-22, motion by Sprvr. Rhinehart, second by Sprvr. Ferrara and adopted.

WHEREAS, the NYS Division of Homeland Security and Emergency Services authorized a \$110,000 Regional Hazardous Materials (HAZMAT) FY19 grant to Seneca County; and

WHEREAS, pursuant to Resolution 258-2020, the Seneca County Board of Supervisors authorized applying for this grant funding; and

WHEREAS, Resolution No. 85-21 approved accepting this Regional Hazardous Materials (HAZMAT) FY19; and

WHEREAS, this grant requires no local match and the performance period ends on August 31, 2022; and

WHEREAS, \$61,312.37 is budgeted in the Regional Hazardous Materials (HAZMAT) FY19 grant to purchase portable radios and equipment; and

WHEREAS, Motorola is a sole source provider of this equipment and these items are being purchased off of NYS Contract #C839098; and

WHEREAS, the Public Safety Standing Committee reviewed and approved this resolution on July 26, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County Manager to sign any required documentation to purchase \$61,312.37 of portable radios and equipment using funds from Regional Hazardous Materials (HAZMAT) FY19 (103642-52400); and be it further

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

**AUTHORIZE CONTRACT WITH HIGH ROAD COMMUNITY PLANNING AND ANALYTICS
TO CONDUCT A HOUSING NEEDS ASSESSMENT FOR SENECA COUNTY**

RESOLUTION NO. 218-22, motion by Sprvr. Barnhart, second by Sprvr. Ferrara and adopted.

WHEREAS, by Resolution 134-21, the Seneca County Board of Supervisors Authorized a Public Hearing on a consolidated funding application (“CFA”) to the New York State Office of Community Renewal (the “OCR”) for a New York State Community Development Block Grant (CDBG) Community Planning Grant Application to fund a Housing Needs Assessment; and

WHEREAS, by Resolution No. 57-22, the Seneca County Board of Supervisors authorized acceptance of a \$47,500 NYS CDBG Community Planning Grant for a Housing Needs Assessment; and

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WHEREAS, by Resolution No. 57-22, the Board of Supervisors authorized a \$2,500 match in the 2022 Department of Planning and Community Development budget under the account 10-8020-54371, Professional Services, bringing the total project budget to \$50,000; and

WHEREAS, by Resolution 150-22, the Seneca County Board of Supervisors authorized the Department of Planning and Community Development to issue a Request for Proposals (RFP) from qualified entities to develop a Housing Needs Assessment; and

WHEREAS, The RFP was posted and advertised, and three submissions were received and reviewed by the Department of Planning and Community Development, the County Manager, County Treasurer, as well as various members of the Board of Supervisors; and

WHEREAS, the Planning, Development, Agriculture, & Tourism Standing Committee reviewed and approved this resolution on July 26, 2022; and

WHEREAS, upon interviews and careful consideration, it is the recommendation of the Seneca County Department of Planning & Community Development that the firm High Road Community Planning and Analytics, located at 44 Walter Avenue, Tonawanda NY 14150, demonstrates the ability to best serve Seneca County in developing a Housing Needs Assessment; and therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes and directs the County Manager to sign all necessary documents to engage with High Road Community Planning and Analytics for an amount of \$48,780 to develop a Housing Needs Assessment.

BOARD OF SUPERVISORS AUTHORIZES

ENVIRONMENTAL REVIEW FOR HOUSING NEEDS ASSESSMENT PROJECT

RESOLUTION NO. 219-22, motion by Sprvr. Barnhart, second by Sprvr. Rhinehart and adopted.

WHEREAS, by Resolution No. 57-22, the Seneca County Board of Supervisors authorized acceptance of a \$47,500 NYS CDBG Community Planning Grant for a Housing Needs Assessment; and

WHEREAS, NYS CDBG grants and projects require compliance with the National Environmental Policy Act (NEPA) and State Environmental Quality Review Act (SEQRA) with environmental review documentation submitted to OCR; and

WHEREAS, OCR must issue a Concurrence Letter regarding the environmental reviews prior to the first incurrence of cost and the first request of funds; and

WHEREAS; certain activities including environmental and other studies, resource identification, and the development of plans and strategies under §58.34(a)(1) are exempt from certain requirements of NEPA; and

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WHEREAS, under SEQRA, Type II actions conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in, or approve such action have been determined to have no significant impact on the environment §617.5(c)(27); and

WHEREAS; it is required for local governments to designate a Certifying Officer for the NEPA review; and

WHEREAS, the Planning, Development, Agriculture & Tourism Standing Committee reviewed and approved this resolution at their July 26, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors classifies under NEPA the action of undertaking a Housing Needs Assessment supported by a NYS CDBG Community Planning Grant as exempt as defined in 58.34(a)(1); and

RESOLVED, that the Seneca County Board of Supervisors classifies under SEQRA the action of undertaking a Housing Needs Assessment supported by a NYS CDBG Community Planning Grant as a Type II Action; and

RESOLVED, that County Manager, C. Mitchell Rowe, be designated as the Certifying Officer for NEPA and SEQRA and is responsible for all activities associated with the environmental review process in accordance with requirements of the CDBG grant.

**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) ACTION FOR VERONA VILLAGE
RENOVATION PROJECT & DESIGNATE COUNTY MANAGER AS CERTIFYING OFFICER**

RESOLUTION NO. 220-22, motion by Sprvr. Barnhart, second by Sprvr. Borst and adopted.

WHEREAS, Seneca County Board of Supervisors, through Resolution 182-22, authorized an application for New York State Office of Community Renewal CDBG and/or CDBG CARES funding, in an amount not to exceed \$5 million, to support major renovations of Verona Village Apartments located at 2276 County Road 139, Ovid, NY; and

WHEREAS, the scope of the renovation will include interior and exterior renovation of the residential units and the community building as well as site improvements (the “Project”) with an estimated total cost of \$9,512,795; and

WHEREAS, Ithaca Neighborhood Housing Services, Inc. (INHS), owner of Verona Village Apartments, will enter into a sub-recipient agreement where Seneca County will pass grant funds though to INHS for the express purpose of funding the Project; and

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WHEREAS, CDBG funded projects require State Environmental Quality Review Act (SEQRA) review; and

WHEREAS, the Verona Village Renovation Project is an Unlisted Action under SEQR; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Standing Committee on July 26, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors declares itself Lead Agency for the purpose of SEQR for the Verona Village Renovation Project; and be it further

RESOLVED, that the Seneca County Board of Supervisors determines that the Verona Village Renovation Project will have no significant adverse impact on the environment and hereby issues a Negative Declaration under SEQRA; and be it further

RESOLVED, that the Seneca County Board of Supervisors hereby designates the County Manager as Certifying Officer, and authorizes and directs the County Manager to sign all necessary documents to effectuate the intent of this Resolution.

BOARD OF SUPERVISORS APPROVE ROBERT SHIELDS CONTRACT AMENDMENT

RESOLUTION NO. 221-22, motion by Sprvr. Partee, second by Sprvr. Enslow and adopted.

WHEREAS, the Department of Mental Health entered into a 2022 service contract with Robert Shields for provision of peer support services to individuals with substance use disorder per Resolution 292-21; and

WHEREAS, an additional three hundred and thirty three (333) contract hours are needed to support Clinic and Seneca County Law Enforcement Center demand for the remainder of the 2022 Budget year; and

WHEREAS, the following array indicates the amended not-to-exceed contract amount and total hours to be contracted in 2022:

	Mental Health 104220.54350	Total Contract Amount (\$)	Rate/Hr (\$)	Hours
And	Rob Shields	24,000.00	12	2000

WHEREAS, this would increase the current contract by \$3,996 from \$20,004.00 to \$24,000.00 and there is \$1,000 available in the 104220-54350 account code; and

WHEREAS, the increased hours would be supported by collection of medical fees and State Aid from the Office of Alcohol and Substance Abuse Services; and

WHEREAS, the contract was approved by the Mental Health Services Committee on July 26, 2022 and the Seneca County Board of Supervisors on August 9, 2022; now therefore be it

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RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County Manager to sign the contract amendment for Robert Shields; and be it further

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

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

104220 54200	Office Supplies	Decrease	Expenditure	\$1,000
104220 54280	Program Supplies	Decrease	Expenditure	\$1,000
104220 54450	Hotels, Meals, etc.	Decrease	Expenditure	\$1,000
104220 54350	Medical Fees	Increase	Expenditure	\$3,000

Unfinished Business

None

New Business

RULE 29: Sprvr. Trout moved the passage of Rule 29 by 2/3 majority vote of members present of the Board of Supervisors, to introduce any new business pending before the board.

ADOPT WORKERS COMPENSATION BUDGET FOR YEAR 2023

RESOLUTION NO. 222-22, motion by Sprvr. Reynolds, second by Sprvr. Don Trout and adopted.

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

WHEREAS, the Risk Manager has evaluated the 2022 budget, all adjustments required throughout the year, new reserve limits and total open claims and has recommended the proposed budget; and

WHEREAS, this resolution was introduced to before the Board of Supervisors pursuant to Rules of Order #29; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby adopt the Seneca County Workers Compensation Budget for the year 2023 as follows:

SENECA COUNTY SELF-INSURANCE PLAN WORKERS COMPENSATION 2023 BUDGET

1710	<u>ADMINISTRATION</u>	
.1100	Personal Service Administrator	33,941.00
.1100	Employee Benefits Assistant	17,333.00
.8400	WC	1,025.48
.1200	Legal Services Director	-0-
.1400	Severance	-0-
.2200	Equipment	500.00
.2300	Computer Equipment	1,000.00
.4200	Supplies	500.00
.4230	Telephone/Internet	-0-

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.4240	Postage	-0-
.4260	Books and Periodicals	100.00
.4270	Membership and Dues	200.00
.4280	State Assessment	125,000.00
.4440	Mileage	-0-
.4450	Hotels and Meals	300.00
.4560	Excess Insurance	222,000.00
.4700	Investigation	10,000.00
.4701	Training	200.00
.4702	Legal Services	40,000.00
.4703	Rehabilitation Services	-0-
.8100	Retirement	6,126.06
.8300	Social Security	3,178.99
.8600	Health Insurance	5,740.37
.8700	Medicare	743.47
.4000	Contractual	44,113.00
	Total Administration	512,001.37

1720	<u>NON-ADMINISTRATION</u>	
.4100	Indemnification/Benefits & Awards	\$850,000
.4110	Long Term Indemnity Liabilities	\$100,000
.4200	Medical	\$315,000
.4210	Long Term Medical Liabilities	\$100,000
.4220	Independent Medical Exams	-0-
.4440	Mileage/Claimants	\$5,000
.4700	Reserve	\$70,000
	Total Non-Administration	\$1,440,000
	GRAND TOTAL <i>(Admin + Non-Admin)</i>	\$1,952,001.37

CONTRACT AMENDMENT FOR RONALD YEARWOOD AND DEENA SCHWARTZ

RESOLUTION NO. 223-22, motion by Sprvr. Partee, second by Sprvr. Borst and adopted.

WHEREAS, the Department of Mental Health entered into a 2022 service contract with Ronald Yearwood and Deena Schwartz per Resolution 292-21; and

WHEREAS, the full-time county psychiatrist resigned on May 20, 2022 and as a result, additional contract prescribers hours are required to provide adequate prescriber coverage; and

WHEREAS, in order to provide coverage due to the loss of the full-time psychiatrist, an additional two hundred (200) contract hours for Ronald Yearwood are needed for the remainder of the 2022 Budget year; and

WHEREAS, an additional two hundred and ninety one and sixty six tenths (291.66) contract hours are needed for Deena Schwartz for the remainder of the 2022 Budget year; and

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WHEREAS, the following array indicates the amended not-to-exceed contract amount and total hours to be contracted in 2022; and

Mental Health 104220.054350	Total Contract Amount	Rate/Hr	Hours
Ronald Yearwood	\$150,000	\$150	1000
Deena Schwartz	\$95,000	\$120	791.66

WHEREAS, this would increase Ronald Yearwood’s current contracts by \$30,000 from \$120,000 to \$150,000 and Deena Schwartz’s contract by \$35,000 from \$60,000 to \$95,000 and there is \$75,000 available in the 104220-51100 account code; and

WHEREAS, the contract amendments were approved by the Seneca County Board of Supervisors on August 9, 2022; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County Manager to sign the contract amendments for Ronald Yearwood and Deena Schwartz; and, be it further

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Finance Department to pay Ronald Yearwood and Deena Schwartz, as contracted, when duly appropriated; and be it further

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

104320-51100	Decrease	Payroll	Expenditure	\$55,000
104220-51100	Decrease	Payroll	Expenditure	\$20,000
104320-54350	Increase	Medical Fees	Expenditure	\$75,000
104320-51100	Decrease	Payroll	Expenditure	\$55,000
104220-51100	Decrease	Payroll	Expenditure	\$20,000
104320-54350	Increase	Medical Fees	Expenditure	\$75,000

**AWARD CONTRACT FOR ENVIRONMENTAL ASSESSMENT SERVICES AND DESIGNATE
CERTIFYING OFFICER FOR VERONA VILLAGE RENOVATION PROJECT**

RESOLUTION NO. 224-22, motion by Sprvr. Barnhart, second by Sprvr. Rhinehart and adopted.

WHEREAS, Seneca County Board of Supervisors, through Resolution 182-22, authorized an application for New York State Office of Community Renewal CDBG and/or CDBG CARES funding, in an amount not to exceed \$5 million, to support major renovations of Verona Village Apartments (Project) located at 2276 County Road 139, Ovid, NY; and

WHEREAS, Ithaca Neighborhood Housing Services, Inc. (INHS), owner of Verona Village Apartments, will enter into a sub-recipient agreement where Seneca County will pass grant funds though to INHS for the express purpose of funding the Project; and

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WHEREAS, CDBG recipients must conduct assessments to determine the degree to which the National Environmental Policy Act of 1969 (NEPA), the State Environmental Quality Review Act (SEQRA), and the State Historic Preservation Office (SHPO) and Tribal Historic Preservation Office (THPO) requirements impact their project; and

WHEREAS, environmental assessment services are considered an eligible expense under the grant and will be reimbursed with grant funds; and

WHEREAS, through Resolution 204-2022, the Seneca County Board of Supervisors authorized and directed the Director of Planning and Community Development to issue a Request For Proposal (RFP) for environmental assessment services to support the Project; and

WHEREAS, the RFP was issued, posted, and advertised and four responses were received and reviewed by the Department of Planning & Community Development and INHS staff; and

WHEREAS, upon careful consideration, it is the recommendation of the Seneca County Department of Planning & Community Development that the firm MRB Group, located at 145 Culver Road, Rochester NY, best demonstrates the ability to serve Seneca County in this capacity; and

WHEREAS; it is required for local governments to designate a Certifying Officer for the NEPA review; and

WHEREAS, this resolution was introduced to the Board of Supervisor pursuant to Rules of Order #29; now, therefore be it

RESOLVED, that County Manager, C. Mitchell Rowe, be designated as the Certifying Officer and is responsible for all activities associated with the environmental review process in accordance with requirements of the CDBG and/or CDBG CARES grant; and be it further

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes and directs the County Manager to sign all necessary documents to engage with MRB Group in an amount up to \$6,250 for environmental assessment services, to support major renovations of Verona Village Apartments located at 2276 County Road 139, Ovid, NY; and be it further

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

Employee Bonus –ARPA Funds – Refer to Finance Standing Committee

Sprvr. Enslow offered a motion, second by Sprvr. Borst, to support a bonus for county employees not otherwise entitled by state legislation or executive action, of \$1,000 for full-time employees and \$500 for part-time employees, not including employees who have received a previous bonus or inline to receive a pending bonus (i.e. federal and state grants that provided funds that could for healthcare workers).

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Sprvr. Don Trout offered a motion, second by Sprvr. Enslow, to amend the main motion by inserting the sentence, “If the current labor attorney we are using says we can’t do it, then it’s a dead issue and we don’t”.

The motion to amend the main was carried by 434 ayes (Enslow, Borst, Brownell, Barnhart, Hayes, Rhinehart, Partee, Don Trout, and Shipley), and 316 nays (Reynolds, Jeffrey Trout, Ferrara, Kronenwetter, and Hayssen).

Sprvr. Brownell offered a motion, second by Sprvr. Ferrara, to refer the issue to the Finance, Assessment & Insurance Standing Committee, for time to consult with Jim Roemer, our contracted labor attorney, on the legality of giving a bonus to represented employees and the Taylor Law.

The motion carried with thirteen supervisors voting in favor, and Sprvr. Enslow voting against, to refer the issue to the Finance, Assessment & Insurance Committee.

Special Order of the Day

The meeting adjourned at 7:56 p.m.