

**SENECA COUNTY
BOARD OF SUPERVISORS**

Special Board Meeting
August 23, 2022

Call to Order

Chairman Hayssen called the meeting to order at

Roll Call of Members by the Clerk

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

Pledge of Allegiance and Moment of Silence

RESOLUTIONS & MOTIONS

**SUPERVISORS AUTHORIZE & DIRECT PERSONNEL OFFICER TO INITIATE
COMPLIANCE WITH NYS HEALTH CARE & MENTAL HYGIENE
WORKER BONUS (HWB) PROGRAM**

RESOLUTION NO. 225-22, motion by Sprvr. Reynolds, second by Sprvr. Barnhart and adopted.

WHEREAS, the Fiscal Year 2023 New York State Executive Budget legislation has provided \$1.2 billion in funding for the payment of bonuses for certain frontline healthcare workers; and

WHEREAS, located within Part ZZ of Chapter 56 of the Laws of 2022, the HWB provision allows for the payment of bonuses to "recruit, retain, and reward health care and mental hygiene workers" meeting specified eligibility requirements; and bonus amounts will be commensurate with the number of hours worked by eligible workers covered by the HWB Program during designated vesting periods for up to a total of \$3,000 per covered worker; and

WHEREAS, qualified employers are required to submit claims for bonus payments for their qualified employees that meet the eligibility criteria for participation in the HWB program; and

WHEREAS, claims must be submitted for qualified employees within 30-days after the department publishes a vesting schedule for completed vesting periods, and thereafter within 30-days after the end of each additional vesting period. An employee vests if they have worked for the employer for the entire duration of a vesting period in an Eligible Worker Title; and

WHEREAS, a vesting period is defined as a series of six-month periods between the dates October 1, 2021, through March 31, 2024, and must entail a consecutive six-month period. Employers will claim for all eligible employees whose 6-month vesting period ends within the defined vesting periods as outlined in the Law; and

WHEREAS, employers are required to submit claims for Vesting Period No. 1 no later than September 2, 2022; and

WHEREAS, this Resolution has been reviewed and approved by the Finance, Assessment and Insurance Standing Committee at its Meeting on August 23, 2022; now, therefore be it

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RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Personnel Officer to initiate compliance with the New York State Health Care and Mental Hygiene Worker Bonus Program.

RULE 29: Sprvr. Ferrara offered a motion, second by Sprvr. Jeffrey Trout, to introduce the following resolutions pursuant to Rules of Order #29.

Prior to voting on Resolution no. 226-22, County Attorney Ettman advised that any supervisor who is married to a county employee affected by the CSEA contract should abstain as conflict of interest. Sprvrs. Rhinehart and Reynolds abstained from voting.

BOARD OF SUPERVISORS SUPPORT TENTATIVE AGREEMENT WITH CSEA

RESOLUTION NO. 226-22, motion by Sprvr. Ferrara, second by Sprvr. Jeffrey Trout and adopted.

WHEREAS, Seneca County (the County) and the Civil Service Employees Association (CSEA) are parties to a Collective Bargaining Agreement for a term that expires on December 31, 2022; and

WHEREAS, the County and CSEA have been engaged in collective bargaining which has led to a mutual understanding between the County and CSEA for the terms and conditions of employment for a Successor Agreement; and

WHEREAS, the CSEA membership has voted on and passed a Tentative Agreement; and

WHEREAS, this Resolution was brought from the floor by a two-thirds majority vote under Rule 29 of the Board of Supervisors Rules of Order; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors supports the Tentative Agreement reached between the County and CSEA to be effective January 1, 2023 to December 31, 2026; and be it further

RESOLVED, that the term of this Agreement will take effect the first full payroll closest to the first of the month following ratification of this Agreement by the Union and the Board of Supervisors and the 2023 rates of pay will be implemented at that time; and be it further

RESOLVED, the Chairman of the Board of Supervisors is authorized and directed to sign such Agreement on behalf of the County; and be it further

RESOLVED, the County Manager is authorized to make any necessary transfers from accounts within the 2022 Seneca County Budget to effectuate the intent of this Resolution.

**BOARD OF SUPERVISORS OPPOSES NYS LEGISLATION (S.51001/A.41001) AS BEING AN
UNCONSTITUTIONAL ATTACK ON RIGHTS OF LAW ABIDING CITIZENS BY
RESTRICTING LEGALLY AUTHORIZED CONCEALED CARRY GUN PERMITS &
BANNING CONCEALED CARRY IN PUBLIC**

RESOLUTION NO. 227-22, motion by Sprvr. Rhinehart, second by Sprvr. Kronenwetter and adopted.

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WHEREAS, the Governor Hochul recently signed New York State legislation (S.51001/A.41001), which makes obtaining and retaining a concealed carry gun permit, an overly involved lengthy burdensome process, requiring citizens to divulge their social media accounts; and

WHEREAS, among the most onerous of its provisions, it makes it a felony for any individual who has a valid concealed carry permit to bring a handgun into ANY New York State park, house of worship; and restaurants, where residents, businesses and municipalities operate, live, work, socialize, worship and pay taxes; and

WHEREAS, this legislation is the result of a knee-jerk, unvetted and political reaction to the recent Supreme Court decision, New York State Rifle and Pistol Association, Inc., v. Bruen, and was surreptitiously rushed through the legislature without public discussion, input, or knowledge; and

WHEREAS, the Seneca County Board of Supervisors considers this law to be an unconstitutional infringement upon the Second Amendment right for law abiding citizens right to bear arms, an overt infringement upon freedom and liberty in New York State; is devoid of common sense and does nothing to deal with the problems of crime and illegal firearms; and

WHEREAS, the Seneca County Board of Supervisors is strongly against and requests the repeal of the new gun control legislation changes requiring both New York State citizens and various permit issuing agencies to navigate new regulations that are riddled with cumbersome, confusing, and redundant barriers of compliance, and that requires multiple processes of recertification that will lead to further confusion and create additional record sharing between agencies; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors vehemently, adamantly and with full resolve, opposes this new concealed carry law (S.51001/A.41001) and demands that the provision relative to the prohibition of concealed carry pistol permit holders be subject to a felony if brought into New York State parks, houses of worship and restaurants be repealed; and be it further

RESOLVED, that the Seneca County Board of Supervisors vehemently, adamantly and with full resolve does oppose the remaining provisions of the new concealed carry law (S.51001/A.41001), as they are also unconstitutional and violate United States law as stated in New York State Rifle and Pistol Association, Inc., v. Bruen, and are a veiled and poor attempt to skirt Bruen falling woefully short of any rational constitutional basis; and be it further

RESOLVED, that the Seneca County Board of Supervisors calls upon all other municipalities within the State of New York, and the American Civil Liberties Union, the American Center for Law and Justice, and any and all advocates who claim to protect freedom and liberty in the United States, to immediately challenge this law in court as it is most clearly unconstitutional; and be it further

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RESOLVED, that the Clerk of the Board of Supervisors shall forward copies of this resolution to Governor Kathy Hochul, our New York State representatives, New York State Association of Counties and all others deemed necessary and proper.

Prior to the vote for Resolution No. 227-22, Sprvr. Barnhart expressed his opposition to some of the text in the resolution, and offered to discuss possible amendments. He did not receive support; Sprvr. Barnhart voted nay on Resolution 227-22.

Executive Session

Sprvr. Ferrara moved to enter executive session pursuant to Public Officers Law Article 17, Section 105 (1) (f) and invite the county manager, the personnel officer and the human services commissioner. It will be a two part executive session, with the personnel officer and human services commissioner not being present. Time: 8:28 p.m. – 9:00 p.m.

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

Special Order of the Day

The meeting adjourned at 9:01 p.m.