

TENTATIVE AGENDA

**SENECA COUNTY
BOARD OF SUPERVISORS**

**REGULAR BOARD MEETING
JANUARY 10, 2023**

- 1. CALL TO ORDER**
- 2. ROLL CALL OF MEMBERS BY THE CLERK**
- 3. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- 4. PUBLIC HEARING: Proposed Local Law 1 – 2023:** to receive comments on proposed Local Law A (1) of 2023, as follows, "A Local Law to Waive Residency for the Clerk of the Board of Supervisors".
- 5. PRESENTATIONS**
- 6. PETITIONERS**
- 7. OPEN PRIVILEGE OF THE FLOOR**
- 8. APPROVAL OF MEETING MINUTES**
- 9. REPORTS OF STANDING COMMITTEES**
- 10. REPORT OF SPECIAL COMMITTEES**
- 11. CHAIRMAN'S REMARKS**
- 12. COUNTY MANAGER'S REMARKS**
- 13. COUNTY ATTORNEY'S REMARKS**
- 14. COMMUNICATIONS:**
 1. A letter from D.G. Caywood Camp #146 regarding their lease with the County.
 2. Finger Lakes Regional Airport Advisory Committee Meeting Minutes
 3. Letter received from NYS Executive Chamber VETO #124 Regarding S.6510/ A. 7785
 4. A copy of the County Historians annual Report for 2022
 5. Resolution No. 245 from Delaware County received and filed by Board of Supervisors
 6. Seneca County IDA Meeting Minutes
 7. A letter from the NY Farm Bureau regarding the 2023 membership

RESOLUTIONS & MOTIONS



**SENECA COUNTY MANAGER TO SIGN THE SENECA COUNTY 2023 EDUCATION CONTRACT BETWEEN
FINGER LAKES COMMUNITY COLLEGE AND SENECA COUNTY DIVISION OF HUMAN SERVICES FOR
EDUCATION COORDINATOR SERVICES**

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

WEHREAS, the 2023 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

WEHREAS, 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, this contract also funds EAP services for all DHS employees; and

WHEREAS, this contract is budgeted for under project account 106010 54700 SS06 for 2023;

WHEREAS, this contract has been reviewed and approved by the Human Services Standing Committee December 27, 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 2023 agreement with Finger Lakes Community College.

SENECA COUNTY BOARD OF SUPERVISORS TO APPROVE WORKFORCE INNOVATION AND OPPORTUNITIES ACT CHIEF ELECTED OFFICIALS ADMINISTRATIVE AGREEMENT JULY 1, 2022 -JUNE 30, 2023 WITH THE FINGER LAKES WORKFORCE INVESTMENT BOARD

Ontario, Seneca, Wayne and Yates Counties, through official action of their legislative bodies, and with approval of the Governor of the State of New York, established a Workforce Investment Area in 1999 consisting of the four Counties, and the Finger Lakes Workforce Investment Board in accordance with the Workforce Investment Act and agree to the same designated area under the Workforce Innovation and Opportunity Act, effective July 1, 2022; and

WHEREAS, the Workforce Innovation and Opportunity Act requires an Administrative Agreement between the Chief Elected Officials of the four Counties and the Finger Lakes Workforce Investment Board to designate the Grant Recipient and Fiscal Agent and to further define the respective responsibilities and roles of each party as identified for the operation of the programs under Title I of the Workforce Innovation and Opportunity Act (WIOA) for the duration of this Agreement; and

WHEREAS, this was approved by the Finger Lakes Workforce Investment Board at their September 21, 2022 meeting; and

WHEREAS, this resolution has been reviewed and approved by the Human Services Committee on December 27, 2022; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to electronically sign agreement through (docusign) on behalf of the County based on County Attorney review and approval; and be it further

RESOLVED, certified copies of this resolution shall be sent to the Finger Lakes Workforce Investment Board by the Clerk of the Board of Supervisors.

**SENECA COUNTY BOARD OF SUPERVISORS
PROCLAIMS JANUARY AS HUMAN TRAFFICKING AWARENESS MONTH IN SENECA COUNTY**

WHEREAS, Human Trafficking has been recognized as a form of modern day slavery that occurs nationally, in every state including New York and in many communities across the state; and

WHEREAS, human trafficking shall mean the recruitment, transport, harboring, or receipt of persons, by means of threat, or use of force, fraud or coercion; and

WHEREAS, anyone can be a victim of human trafficking. Most identified victims of trafficking in New York State are American born, females, however, immigrant and undocumented youth as well as male and transgender youth have been identified as victims of sex, and/or labor trafficking. (New York State Office of Children and Family Services); and

WHEREAS, youth who are especially vulnerable to being trafficked include: those with a history of abuse including sexual abuse, physical abuse, maltreatment, neglect and substance abuse, children with disabilities, children in foster care, or who have been involved in the justice system, LGBTQ youth and runaway and homeless youth; and

WHEREAS, the New York State Office of Children and Family Services has provided funding to the Seneca County Division of Human Services, over the last **7** years to provide community awareness campaigns, community education and training and to provide resources and services to youth identified as a victim of trafficking, or those who may be at risk; and

WHEREAS, the Human Services Committee approved this resolution on December 27, 2022; now, therefore be it

RESOLVED, the Board of Supervisors proclaims January as Human Trafficking Awareness Month in Seneca County and recognizes January 11, 2023 as National Human Trafficking Awareness Day.

**SUPERVISORS APPROVE MAINTENANCE AND SUPPORT AGREEMENT
BY AND BETWEEN NTS DATA SERVICES, LLC
AND SENECA COUNTY, NY BOARD OF ELECTIONS**

WHEREAS, Seneca County desires to continue support and maintenance services related to voter registration, signature digitization, full document imaging and interface messaging, and

WHEREAS, Seneca County in evaluating prospective suppliers of systems and services has selected NTS Data Services, LLC 2079 Sawyer Dr. Niagara Falls, NY 14304 as best suited to their requirements, and

WHEREAS, the term of this Agreement is January 1, 2023 to December 31, 2023, and

WHEREAS, this 1-year contract extension for maintenance and support shall equal \$30,167.00, and

WHEREAS, the Government Operations Standing Committee approved this resolution on December 27th, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the Board of Elections to enter into contract for maintenance and support with NTS Data Services, LLC at a rate of \$30,167.00 for a 1-year term January 1, 2023 to December 31, 2023.

RESOLUTION ADOPTING PROPOSED LOCAL LAW 1 OF THE YEAR 2023, "A LOCAL LAW TO WAIVE RESIDENCY FOR THE POSITION OF CLERK OF THE BOARD OF SUPERVISORS"

WHEREAS, Section 3 of the Public Officers Law sets forth qualifications for holding office, to include the Clerk to the Board of Supervisors; and

WHEREAS, Section 204 of New York State County Law states that the Board of Supervisors shall have power to establish positions of employment; and

WHEREAS, Section 10 of New York State Home Rule Law provides that every local government shall have power to adopt and amend local laws not inconsistent with the provisions of the constitution or not inconsistent with any general law relating to its property, affairs, or government and; and

WHEREAS, Section 10 also provides that Counties have the authority to establish powers, duties, qualifications, number, mode of selection and removal, terms of office, compensation, hours of work, protection, welfare and safety of its officers and employees; and

WHEREAS, County Law section 475 provides that the Board of Supervisors shall appoint a clerk who shall serve at the pleasure of the Board; and

WHEREAS, a clearly qualified and competent person to fill the position is available, but would otherwise require a waiver of county residency to be qualified; and

WHEREAS a waiver of the county residency requirement for this position would allow for a smooth and untroubled transition for the person responsible for the administrative operations of the Board of Supervisor;

WHEREAS a waiver of county residency does require an appropriate local law as set forth above; and

WHEREAS, this Local Law was subject to Public Hearing January 10 ,2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby adopts proposed Local Law 1 of 2023, entitled "A Local Law to waive residency for THE POSITION OF CLERK OF THE BOARD OF SUPERVISORS ", to read substantially in the following form:

SECTION 1. INTENT

It is the intent of this Local Law to waive the residency requirement for the position of Clerk to the Board of the Seneca County Board of Supervisors to allow said individual to reside in either Seneca County or a county contiguous to Seneca County.

SECTION 2. QUALIFICATIONS OF OFFICE

In the County of Seneca, no provision of law, New York State or otherwise, requiring a person to be a resident of the political subdivision or municipal corporation of the State for which he/she shall be chosen or within which his/her official functions are required to be exercised, shall prevent a person from holding the position, so long as that such person resides in the State of New York and in Seneca County or a county contiguous to the County of Seneca, to wit: Cayuga, Tompkins, Schuyler, Yates, Ontario, or Wayne; and

SECTION 3. PUBLIC OFFICERS LAW - SUPERSEDED AND/OR AMENDED.

This Local Law is intended to supersede and/or amend the provision of Public Officers Law Section 3(1), concerning residency requirements for local officers as the same concerns or effects the Clerk to the Board of Supervisors of Seneca County.

The provision of Section 3 of the Public Officers Law requiring a person to be a resident of the political subdivision for which he or she is chosen shall not prevent a person from holding the position of Clerk to the Board of Supervisors for the County of Seneca provided that such person resides in the County of Seneca or a contiguous county to the County of Seneca as set forth above, provided the county is within the State of New York.

SECTION 4. SEVERABILITY

If any section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof that can be given effect without the invalid provision, but shall be confined in its operation to the section thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE

This Local Law shall take effect immediately and upon filing in the Office of the Secretary of State.

SUPERVISORS ACCEPTS GRANT FUNDING FROM THE NEW YORK STATE SHERIFF'S ASSOCIATION

WHEREAS, the New York State Sheriff's Association has been awarded a grant/contract from the Center Disease Control Prevention to be distributed to the sixty-two (62) counties in New York State; and

WHEREAS, the Seneca County Sheriff's Office has been awarded eighty-one thousand nine hundred and forty three dollars (\$81,943.00); and

WHEREAS, the funds will and can be used for purchasing qualified and approved materials and or services for the detection and mitigation of COVID-19 in the Seneca County Sheriff's Office; and

WHEREAS, the contract started on 8/01/2021 and runs through 7/31/2024; and

WHEREAS, the grant/contract no. is 6NU50CK0005160301; and

WHEREAS, the Public Safety Standing Committee reviewed and approved this resolution on December 27, 2022; now, therefore be it

RESOLVED, that the Board of Supervisors approves and accepts the grant from the New York State Sheriff's Association (NYSSA); and, be it further

RESOLVED, that the Board of Supervisors authorizes and directs the Seneca County Sheriff to sign all agreements with the New York State Sheriff's Association.

**BOARD APPROVES MENTAL HEALTH DEPARTMENT’S 2023 CONTRACT
WITH RONALD YEARWOOD, MD FOR PSYCHIATRIC SERVICES
AND AMENDS 2023 COUNTY BUDGET**

WHEREAS, the Mental Health Department enters into services contracts each year with psychiatric service providers through agreements for contractor services; and

WHEREAS, the funds used for these contracts are included in the 2023 budget and supported through state aid monies from New York State Office of Mental Health, program grants and/or through medical fees; and

WHEREAS, the Adopted 2023 County Budget anticipated that psychiatric services would be provided by County personnel but now require contract services; and

WHEREAS, the following array indicates the not-to-exceed total and hourly rate for Ronald Yearwood, MD to be contracted in 2023:

Mental Health 104320.54350	Total Contract Amount (\$)	Rate (\$)	Hours
Ronald Yearwood, MD	199,680	160/hr	1248

;And

WHEREAS, the Mental Health Services 2023 Budget will be amended to transfer funds from Salary and Fringe Lines to Contract Services for these services; and

WHEREAS, this contract was approved by the Mental Health Services Committee of the Seneca County Board of Supervisors on December 22, 2022; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County Manager to sign the 2023 service contract for Ronald Yearwood MD, for psychiatric services; and, now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Finance Department to pay Ronald Yearwood, MD, as contracted, when duly appropriated and to make necessary budget and accounting entries in accordance with this Resolution.

**BOARD OF SUPERVISORS APPROVES
SENECA COUNTY COMMUNITY SERVICES BOARD'S (CSB) 2023 APPOINTMENTS**

WHEREAS, on December 20, 2022, the CSB agreed to appoint Seneca County CSB member Susan Ottenweller, formerly CSB Vice Chair, to the position of Chair, with a term expiration date of December 31, 2023; and

WHEREAS; the Seneca County CSB agreed to appoint CSB Member Joseph Lorenzetti, to the position of Seneca County CSB Vice Chair and reappointed Joseph Lorenzetti as the Chair of the Alcohol and Substance Abuse Subcommittee, both with a term expiration date of December 31, 2023; and

WHEREAS; the Seneca County CSB agreed to appoint CSB Member Michael Alessio to the position of Vice Chair of the Alcohol and Substance Abuse Subcommittee, with a term expiration date of December 31, 2023; and

WHEREAS, the Seneca County CSB has agreed to appoint Seneca County CSB Member Maria Gigliotti to the position of Chair of the Mental Health Subcommittee, with a term expiration date of December 31, 2023; and

WHEREAS, the Seneca County CSB reappointed Stanley Hatch as the Chair of the Developmental Disabilities Subcommittee, with a term expiration date of December 31, 2023; and

WHEREAS, the Mental Health Services Committee approved the CSB's 2023 appointments at the Mental Health Services Committee Meeting on December 27, 2022; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby approves CSB appointments for 2023.

23. UNFINISHED BUSINESS

24. NEW BUSINESS

RULE 29: With the earlier adoption of the Local Law 1 of 2023, the following resolution requires a 2/3 vote of the members present pursuant to Rule 29 to place the matter before the Board before action on the resolution.

**RESOLUTION APPOINTING AMANDA VAVRA AS
CLERK TO THE BOARD OF SUPERVISORS**

WHEREAS, Section 400 of the New York State County Law states that there shall be an appointed Clerk to the Board of Supervisors; and

WHEREAS, Amanda Vavra is the interim Clerk to the Board, pending resolution of residence requirements; and

WHEREAS, County Local Law 1 of 2023 has now been adopted by the Seneca County Board of Supervisors, said law providing for the Clerk to the Board being allowed to reside in any contiguous county to Seneca County; and

WHEREAS said law becomes effective upon its filing with the Secretary of State of the State of New York, at which time Amanda Vavra shall meet the requirements for appointment as Clerk to the Seneca County Board of Supervisors; and

WHEREAS this resolution has come before the Board pursuant to motion under Rule 29 of the Rules of the Board; now, therefore be it

RESOLVED that upon filing of Local Law 1 of 2023, Amanda Vavra shall take the position of Clerk to the Seneca County Board of Supervisors; and

RESOLVED, that she shall be compensated at Grade 4, Step 6 of the Seneca County Management Salary 2023 Schedule.

25. SPECIAL ORDER OF THE DAY