

**SENECA COUNTY
BOARD OF SUPERVISORS**

Regular Board Meeting
February 14, 2023

Call to Order

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

Roll Call of Members by the Clerk

Twelve members of the Board of Supervisors answered roll call. Sprvr. Hayes and Sprvr. Partee were not present.

Pledge of Allegiance and Moment of Silence

Presentations

None

Petitioners

None

Open Privilege of the Floor

Doug McMillen of Seneca Falls addresses the Board about NYS gun laws, Bill of Rights, and the United States Constitution

Adam Levine of Baltimore, who used to work at Cornell University but now works for John Hopkins University addressed the Board to let them know he is currently working with NYSAC to connect research and policy at the County level.

Approval of Meeting Minutes

The minutes were approved for the January 10, 2023, board meeting Sprvr. Barnhart motioned and Sprvr. D. Trout seconded.

Reports of Standing Committees

Planning Development Agriculture & Tourism, Sprvr Barnhart, Chairman stated at January 24th committee meetings the following resolutions were passed by the Committee and passed at the Special Board meeting the same night, the first resolution was to Apply and Accept Grant for Hangar Apron, the second resolution was to Apply and Accept FAA Grant for Construction of Airfield Electrical Control Vault and the third resolution was to Apply and Accept FAA Grant for Airport Master Plan Update the following resolutions are to be reviewed at the February Regular Board Meeting, Appointments to Soil and Water Conservation District Board and Supervisors Reappoint Steve Brusso to the Industrial Development Agency (IDA) Board.

Public Health Services, Sprvr. Borst, Chairman stated that at the January 24th Committee meeting the following resolutions were passed by the Committee and are on the agenda for the Board to review. The first resolution was to Accept Lead Poisoning Prevention Grant, the second resolution was to Approve Early Intervention Provider agreement with New York State, the third resolution was to Accept Performance Improvement Grant the last resolution was for Surplus Declaration- Health Department vehicle.

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Public Safety, Sprvr. Rhinehart, Chairman. Sprvr. Rhinehart stated at the at the January 24th Committee meeting the following resolutions were passed by the Committee and are on the agenda for tonight. The first resolution is BOS Accepts 2022 State Homeland Security Program Grant, the second resolution is that BOS Accepts 2022 Emergency Management Performance Grant, the third resolution is the BOS Accepts Hazard Mitigation Grant, the fourth resolution is the BOS Accepts FY 22 Domestic Terrorism Grant, the last resolution is to Accept Victims Assistant Grant. The Committee tabled the resolution regarding the Local Law on Deputy Residency, and it will be brought back to Committee on January 28, 2023.

Personnel, Sprvr. Ferrara, Chairman. Sprvr. Ferrara stated that at the January 24th Committee meeting the following resolutions were passed by the Committee and our on the agenda for tonight. The first resolution is to Reappointment of Seneca County Department of Human Services Commissioner, the second resolution is Board Approves Creation and Filling of FT Psychiatric Nurse Practitioner in the Mental Health Department and Hire Above Start Rate, the last resolution is Board of Supervisors authorize the Personnel Officer to execute a Memorandum of Agreement by and between the County of Seneca and the CSEA, Inc., Local 1000, AFSCME, AFL-CIO effective immediately. The Committee approved the Refill of one Social Welfare Examiner in Department of Human Services, and decided to table the resolution that the Supervisors Amend Longevity Policy.

Government Operations, Sprvr. Jeffrey Trout, Chairman. Sprvr. Trout stated at the January 24th Committee meeting the following resolution was passed by the Committee and is on the agenda for tonight. The resolution is Create Standing Committees of the Seneca County Board of Supervisors and Amend 2023 Rules of Order. At the January 24th Committee meeting the following resolution was passed by the Committee and passed at the Special Board meeting the same night, Resolution to Initiate Home Rule Process for Clerk of the Board Residency

Environmental Affairs, Sprvr. Kronenwetter, Chairman. Sprvr. Kronenwetter announced that on January 20th 2023 there is going to be a meeting for the Solid Waste Management Plan.

Public Works, Sprvr. Kronenwetter, Vice-Chair. The Committee passed two resolutions at the December 27, 2022 Special Board Meeting. The first resolution was for the Supervisors to award construction contracts and authorize budget transfers for the DHS Phase 4 construction project. The second resolution was for the Board to support agreement with New York for the Operation and Maintenance of Sampson Veterans Memorial Cemetery.

Human Services, Sprvr. Partee, Vice-Chair, state that the Committee brought three resolutions to the Board to be passed on January 10, 2023. The first resolution was for the 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. The second resolution is Seneca County

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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. The third and final resolution is Seneca County Board of Supervisors proclaims January as Human Trafficking Awareness Month in Seneca County.

Public Works, Sprvr. Trout, Chairman stated at the January 24th Committee meeting the following resolution was passed by the Committee and is on the agenda to be reviewed, Award Construction Contracts for DHS Phase IV and Public Defenders Project

Finance, Assessment & Insurance, Sprvr. Reynolds, Chairman stated that at the January 24th Committee meeting the following resolution was passed by the Committee and passed at the Special Board meeting the same night; Apply and Accept Federal Local Government and Tribal Consistency Funds. At the January 24th Committee meeting the following resolution was passed by the Committee and is on the agenda for tonight; Board of Supervisors authorizes amendments to 2022 Seneca County budget

Report of Special Committees

None

Chairman's Remarks

None

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County Manager's Remarks

County Manager Rowe stated that Seneca County is hosting Intercounty on Friday February 17, 2023 at del Lago Resort and Casino. Local representatives, and three Board members will be attending. He also let the County know that State and Federal Officials are planning to visit Sampson Veterans Memorial Cemetery , as the State continues to get ready to take over the cemetery. We have not received the Deed back to file, but work is progressing towards NYS ownership. County Manager Rowe also attended a conference with the Governor and reported that the Government did not address the EFM or any County funding issues. He stated that the Governor announced the DRI/NY Forward Grant winners were the Village of Perry \$10million, Geneseo \$4.5 million and Medina \$4.5 million. The town of Waterloo and Fayette applied but were not selected.

County Attorney's Remarks

None

Communications

7. Received Farm Bureau letter stating membership has been renewed for the year of 2023
8. Letter received from Halpin Firm regarding the Kanagy Solar Farm
9. Letter received from Halpin Firm regarding the 5S Development LLC, Seneca County IDA
10. Letter and resolution received from City of Geneva opposing the increase of the permitted landfill height and extended life of Seneca Meadows Inc.
11. Letter received from NYS Department of State, Local Law 5 of 2022 has been received and filed.
12. Letter received from NYS Office of the State Comptroller acknowledging the receipt of the order of the Board of Supervisors – Sewer District No. 4 Route 414 Sewer Line
13. NYS DEC overdue compliance schedule requirements Willard SD #1 and SD #2
14. NYS DEC overdue compliance schedule requirements Five Points SD #2
15. NACO membership has been renewed for the year of 2023
16. Letter from Path Home thanking the Board of Supervisors for their donation.
17. Letter received from NYS Department of State, Local Law 2 of 2023 has been received and filed.

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RESOLUTIONS & MOTIONS

BOARD OF SUPERVISORS AUTHORIZES AMENDMENTS TO 2022 SENECA COUNTY BUDGET
RESOLUTION NO. 20-23, moved by Sprvr. Barnhart, second by Sprvr. Borst and adopted.

WHEREAS, amendments to the 2022 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 Committee at its meeting on January 24, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes the following amendments to the 2022 Seneca County Budget:

Line Item	Description	Increase/ (Decrease)	Revenue/ Expenditure	\$
Note 1: DSS Budget adjustment				
106070-54700-POS47	Detention Prevention	Decrease	Expenditure	\$42,775
106070-54700-POS57	MH School Programs	Increase	Expenditure	\$13,720
106102-54700	MMIS Contractual	Increase	Expenditure	\$29,055
106010 54560 SS20	Liability & Other Insurance	Decrease	Expenditure	\$11,795
106010 54700 SSWF2	Workforce MOU DSS TANF	Decrease	Expenditure	\$53,405
106010 54700 SSWF5	Workforce MOU Summer Yth	Decrease	Expenditure	\$24,720
106010 54700 SS20	Contractual	Increase	Expenditure	\$64,770
106010 54700 SSWF3	Workforce MOU FSET	Increase	Expenditure	\$5,019
106010 54700 SSWF4	Workforce MOU TANF Serv	Increase	Expenditure	\$20,131
106055 43655	Day Care Revenue	Increase	Revenue	\$54,865
106055 54700	Child Care Block Grant Contrib	Increase	Expenditure	\$54,865
106109 54700	Temp Asst for Needy Families	Decrease	Expenditure	\$70,384
106140 54700	Safety Net Contractual	Increase	Expenditure	\$70,384
Note 2: OFA Budget adjustment				
106572-54700-CMC6	Contractual	Decrease	Expenditure	\$26,655.86
106572-54520-CMC6	Food	Increase	Expenditure	\$26,655.86
Note 3: Highway Construction Budget adjustment				
405112-52000	County Road Construction	Decrease	Expenditure	\$50,972
405112-54201	C Rd Machinery Rental	Increase	Expenditure	\$50,972
Note 4: Public Health Budget adjustment				
104147-54700	EI Contractual	Decrease	Expenditure	\$45,000
104147-54441	EI Transportation	Decrease	Expenditure	\$5,000
104149-43601	Pre-School 3-5 State Aid	Increase	Revenue	\$40,000
104149-54700	Pre-School 3-5 Contractual	Increase	Expenditure	\$90,000

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Note 5: LEC Budget adjustment				
103150 54520	Food Supplies Expense	Decrease	Expenditure	\$30,000
103151 54350	Medical Expenses	Increase	Expenditure	\$30,000
Note 6: Board of Elections Budget adjustment				
101990 54700	Contingency	Decrease	Expenditure	\$31,571
101450 51200	Part Time	Increase	Expenditure	\$31,571
Note 7: STOP DWI Budget adjustment				
103315 43391	Crackdown Grant	Increase	Revenue	\$3,664
103315 42615	STOP DWI Fines	Increase	Revenue	\$5,118
103315 54220	Repairs & Maintenance	Decrease	Expenditure	\$1,000
103315 54260	Books & Periodicals	Decrease	Expenditure	\$1,200
103315 54280	Public Info & Education	Decrease	Expenditure	\$4,700
103315 54380	Other Fees & Services	Decrease	Expenditure	\$2,000
103315 54382	Waterloo PD Enforcement	Decrease	Expenditure	\$3,500
103315 54383	SF PD Enforcement	Decrease	Expenditure	\$3,500
103315 54440	Employee Mileage Reimb	Decrease	Expenditure	\$1,000
103315 54450	Hotels, Meals & Training	Decrease	Expenditure	\$5,000
103315 49994	STOP DWI Reserve	Increase	Revenue	\$4,335
103315 54381 CRACK	Sheriff Crackdown Enforce	Increase	Expenditure	\$18,715
103315 54382 CRACK	Waterloo Crackdown Enforc	Increase	Expenditure	\$598
103315 54383 CRACK	SF Crackdown Enforcement	Increase	Expenditure	\$13,704

**BOARD OF SUPERVISORS REQUESTS HOME RULE LEGISLATION FOR EXTENSION OF
ADDITIONAL 1% SALES TAX**

RESOLUTION NO. 21-23, moved by Sprvr.Borst second by Sprvr.Barnhart and adopted.

WHEREAS, the County of Seneca presently has authority to collect an additional one percent sales tax pursuant to Section 1210(1)(28) of the New York State Tax Law; and

WHEREAS, such authority expires November 30, 2023; and

WHEREAS, without said additional one percent sales tax, real estate taxes upon the residents of Seneca County would be significantly further burdened; and

WHEREAS, this resolution has been approved by the Finance, Assessment & Insurance Committee at their Committee meeting on February 14, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby requests our State legislators, Senator Thomas O'Mara, Assemblyman Phillip Palmesano and State Assemblyman Jeff Gallahan, to prepare and introduce a Home Rule statute amending Section 1210(1)(28) of the New York State Tax Law and giving the County of Seneca authority to extend the additional one percent sales tax to November 30, 2028.

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**SENECA COUNTY BOARD OF SUPERVISORS AWARD CONSTRUCTION CONTRACTS
FOR DIVISION OF HUMAN SERVICES PHASE IV / PUBLIC DEFENDERS CONSTRUCTION
PROJECT**

RESOLUTION NO. 22-23, moved by Sprvr.Reynolds second by Sprvr.Brownell and adopted.

WHEREAS, the Seneca County Board of Supervisors authorized and directed the solicitation of bids to support the Seneca County Division of Human Services (DHS) Phase IV renovations and space for the Public Defenders Office; and

WHEREAS, bids were advertised for and sealed bids were received, opened and read aloud on January 23 , 2023 at 2:00 p.m. at the County Office Building; and

WHEREAS, bids were solicited in accordance with New York State General Municipal Law Section 101, known as Wicks Law; and

WHEREAS, Seneca County received one bid for electrical, one bid for sprinklers and one bid for mechanical for the space renovations; and

WHEREAS, lowest responsible bids have been received from Knapp Electric with a base bid of \$194,000 and bid alternate No.1 in the amount of \$39,000, Davis Ulmer for sprinkler work in the amount of \$16,700 and Crosbly-Brownlie with a base bid of \$169,200 and bid alternate No. 1 in the amount of \$19,800; and

WHEREAS, funding for these renovations is available in the 2022 DHS Budget Account Numbers 106102-54700, 106010-51100-SS02 and 106010-58600-SS02, as well as the 2022 Public Defenders Budget Account 101170-54491-SEHHR; and

WHEREAS, the Public Works Standing Committee reviewed and approved this Resolution on January 24, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors awards contracts for Phase IV of the Division of Human Services Department Renovations to Knapp Electric in an amount not to exceed \$194,00 for the base bid and \$39,000 for bid alternate No.1, Davis Ulmer for sprinkler work in an amount not to exceed \$16,700 and Crosbly-Brownlie in an amount not to exceed \$169,200 for base bid work and bid alternate No. 1 in the amount not to exceed \$19,800; and, be it further

RESOLVED, that the Director of Finance is authorized to make all necessary accounting and budget adjustments to affect the intent and authorization of this Resolution, including transferring funds to Account 106010-54700-SS02.

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RESOLUTION AMENDING THE STANDING COMMITTEES OF THE SENECA COUNTY BOARD OF SUPERVISORS AND AMENDING THE RULES OF ORDER FOR 2023

RESOLUTION NO. 23-23 moved by Sprvr.Reynolds second by Sprvr.Brownell and adopted. Sprvr. Reynolds, Sprvr. Ferrara, Sprvr Kronenwetter and Sprvr. Hayssen all voted nay.

WHEREAS, New York County Law §154 provides that the Board of Supervisors may create standing committees for the purpose of aiding and assisting the board in the transaction of its business; and

WHEREAS, the Board of Supervisors adopted Rules of Order at the reorganizational meeting on January 4, 2023 and under Rule 25, designation of Standing Committees is set forth; and

WHEREAS, pursuant to Rule 8 of said Rules of Order, an amendment of said Rules must be made on notice to the Board of the proposed amendment and the same be passed by a majority vote of all members of the Board; and

WHEREAS, to increase the efficiency and focus of the Board in matters critical to the operation and accountable governance of Seneca County; and

WHEREAS, this Resolution was reviewed and approved by the Government Operations Committee on January 24, 2023; now therefore be it

RESOLVED, that Rule 5 of the Rules of Order of the Board of Supervisors is amended as follows:

1. Call to Order
2. Roll Call of members by Clerk
3. Pledge of Allegiance and Moment of Silence
4. Public Hearings
5. Petitioners / Presentations
6. Open Privilege of the Floor
7. Approval of Minutes
8. Reports of Special Committees
9. Chairperson's Remarks
10. County Attorney's Remarks
11. County Manager's Remarks
12. Communications
13. Resolutions and Motions
14. Unfinished Business
15. New Business
16. Special Order of the Day; and be it further

RESOLVED, that Rule 25 of the Rules of Order of the Board of Supervisors is amended as follows

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COMMITTEE NO. 1 - AGRICULTURE AND ENVIRONMENTAL AFFAIRS - Responsible for Agriculture Districts, Cornell Cooperative Extension Service, Soil & Water Conservation Districts, Lake “weed control”, Clean “Green” Energy, County Solid Waste Management Plan, and keeping the Board of Supervisors abreast of those activities within Seneca County and their potential environmental impacts.

COMMITTEE NO. 2 - WAYS AND MEANS - Responsible for the County Finance Department and Budget, County Treasurer Department, Real Property Tax Services, Fixed Asset Procurement, Purchasing and the Information Technology and Communications Department.

COMMITTEE NO. 3 – ECONOMIC DEVELOPMENT AND TOURISM - Responsible for the Planning & Community Development Department, Planning Board, Industrial Development Agency, Tourism Promotion Agency, Finger Lakes Regional Airport, and all Federal and State grants.

COMMITTEE NO. 4 – HUMAN RESOURCES AND GOVERNMENT OPERATIONS - Responsible for the Humane Resources Department, Insurance, Risk Management, Worker Compensation and Third-Party Administrator, Labor Management, Civil Service employee contracts, salaries, benefits, ethics and affirmative action program. County Clerk, Motor Vehicles Office, Board of Elections, Records Management, Board of Supervisors, Rules and Order of Business, Legislative proposals and reviews, Clerk to the BOS, County Manager, Purchasing, County Law Department, County Historian and Code Enforcement Department.

COMMITTEE NO. 5 – HEALTH AND HUMAN SERVICES - Responsible for the Public Health Department, Department of Human Services, Social Services Programs, Workforce Development & Youth Bureau, Office for the Aging, Division of Mental Health Services, Addictions Treatment and Prevention, Domestic Violence Program, Community Services Board, Weatherization Programs, Veterans Service Agency and Community Colleges.

COMMITTEE NO. 6 – INTERGOVERNMENTAL AFFAIRS – Responsible for issues engaging with local, county, state, federal and tribal governments, including interaction with other NYS counties thru the NYS Inter County Association.

COMMITTEE NO. 7 - PUBLIC WORKS Responsible for the Division of Public Works, County Highway Department, Recycling & Municipal Solid Wastes, Department of Weights & Measurers, Facilities Department and County Capital Improvement Plan.

COMMITTEE NO. 8 - PUBLIC SAFETY AND CRIMINAL JUSTICE - Responsible for Sheriff's Office Enforcement and Corrections, Probation Department, District Attorney, Public Defender, Courts, Justices & Constables, Criminal Justice Advisory Board, Coroners, Office of Emergency Management, E-911 Communications Center, Fire Mutual Aid Coordination, Traffic Safety Board and STOP-DWI Program.

COMMITTEE NO. 9 – WATER & SEWER TREATMENT MANAGEMENT & OPERATIONS
Responsible for all matters related to Seneca County Sewer Districts 1, 2, 3 & 4 and Seneca County Water District 1.

**BOARD OF SUPERVISORS CALL ON THE STATE OF NEW YORK TO CONTINUE TO PASS-
THRU FEDERAL AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID ASSISTANCE
PERCENTAGE FUNDS**

RESOLUTION NO. 24-22, moved by Sprvr.Reynolds second by Sprvr.Brownell and adopted.

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WHEREAS, the SFY 2024 State Budget proposal would end the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-thru to counties and New York City; and

WHEREAS, the State is proposing to keep all of these federal savings going forward and use them to cover further expansions of Medicaid eligibility and benefits and to increase payments to health care providers; and

WHEREAS, the elimination of this ACA eFMAP federal pass-thru will require the 57 counties to spend at least \$280 million more in SFY 2024, and approximately \$1 billion when New York City is included; and

WHEREAS, the SFY 2024 costs to counties and New York City are scheduled to grow by 30 percent by SFY 2027; and

WHEREAS, it is the strong view of the Seneca County Board of Supervisors that congress intended these federal savings to be shared with counties proportional to the amount they contributed toward the nonfederal Medicaid match; and

WHEREAS, since 2003, the state has shared the funds proportionally based on our analysis of savings we have received during periods when an enhanced federal Medicaid match was enacted by Congress; and

WHEREAS, enacted in 2011, the Medicaid statutory cap for all 62 counties is \$7.6 billion. The Medicaid statutory cap for the 57 counties outside of New York City is \$2.25 billion.; and

WHEREAS, starting in SFY 2014, New York began sharing these federal ACA savings directly with counties. The savings for a year were provided by lowering the weekly payments each county and NYC make to the state to support the State's Medicaid program. Through February 1, 2023, the state continues to share the federal savings from the ACA eFMAP with the 57 counties and NYC; and

WHEREAS, counties strongly disagree with the need to cut county funding so deeply when the Governor's budget proposes to fully fund its own reserves two years ahead of schedule de depositing \$5.4 billion into reserves before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024; and

WHEREAS, this Resolution has been reviewed and recommended for approval by the Government Operations Committee at its Meeting on February 14, 2023; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors calls on the State to continue to share these federal funds with counties as has been the precedent for over 20 years; and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall forward copies of this resolution to the Governor of the State of New York, the New York State Legislature, the New York State Congressional Delegation, and all others deemed necessary and proper.

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**TRACY VANVLECK APPOINTED AS COMMISSIONER OF HUMAN SERVICES FOR
THE PERIOD MARCH 13 2023 THROUGH MARCH 13, 2028**

RESOLUTION NO. 25-23, moved by Sprvr. D. Trout second by Sprvr. Brownell and adopted.

WHEREAS, the term of office of the Commissioner of the Division of Human Services expires on March 13, 2023; and

WHEREAS, the Personnel Standing Committee has reviewed and recommended said appointment at its meeting on January 24, 2023; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby appoint Tracy VanVleck as Commissioner of the Division of Human Services for a five (5) year term of office, to expire on March 13, 2028.

**BOARD APPROVES CREATION & FILLING OF ONE FULL-TIME
PSYCHIATRIC NURSE PRACTITIONER WITH THE MENTAL HEALTH DEPARTMENT**

RESOLUTION NO. 26-23, moved by Sprvr. Barnhart second by Sprvr. D. Trout and adopted.

WHEREAS, there is a strong need for additional psychiatric service hours for provision of psychiatric services to a growing client population in our community; and

WHEREAS, an additional psychiatric service provider is required to meet this growing need in our community; and

WHEREAS, the Mental Health Department will generate additional revenue through service delivery to fund the position; and

WHEREAS, the creation and filling of this position has been approved by the Seneca County Board of Supervisors' Vacancy Committee on January 24, 2023; and

WHEREAS, the Personnel Committee has reviewed and approved this resolution at its June 24, 2023 meeting; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the creation and filling of one position for full-time Psychiatric Nurse Practitioner, for the Seneca County Mental Health Department and hiring above the start rate, effective immediately; and be it further

RESOLVED, that the Finance Department is authorized to make the following budget amendments:

Increase:	104320-41620	MH Clinic Revenue	\$128,500
Increase:	104320-51100	FT Salary	\$100,000
Increase:	104320-58100	Retirement	\$ 6,500
Increase:	104320-58300	Social Security	\$ 7,500
Increase:	104320-58400	Worker's Comp.	\$ 2,500
Increase:	104320-58600	Health Care	\$ 10,000
Increase:	104320-58700	Medicare	\$ 2,000.

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BOARD OF SUPERVISORS AUTHORIZE THE PERSONNEL OFFICER TO EXECUTE A MEMORANDUM OF AGREEMENT BY AND BETWEEN THE COUNTY OF SENECA AND THE CSEA, INC., LOCAL 1000, AFSCME, AFL-CIO EFFECTIVE IMMEDIATELY

RESOLUTION NO. 27-23, moved by Sprvr. Barnhart second by Sprvr. D. Trout and adopted.

WHEREAS, Seneca County and the Civil Service Employee's Association, Inc. Local 1000/AFSCME, AFL-CIO, County of Seneca Unit 8650 and Seneca County Local 850 are parties to a Collective Bargaining Agreement (CBA) with the effective date of January 1, 2023 through December 31, 2026; and

WHEREAS, the County and the Union have agreed to establish terms and conditions relating to the employment of individual's hired to the position of Motor Equipment Operator; and

WHEREAS, the new Entry Level Driver Training (ELDT) rule is effective and applicable to CSEA bargaining unit members; and

WHEREAS, the new ELDT will apply to applicants which shall include current employees who want to: (1) obtain a Class A or Class B CDL for the first time; (2) upgrade an existing Class B CDL to a Class A CDL; (3) obtain a Tanker Endorsement; or (4) obtain a school bus (S), passenger (P) or hazardous material (H) endorsement for the first time; and

WHEREAS, the parties agree that there is a mutual benefit to establishing a recruitment initiative to address vacancies in the titles requiring CDL licensure (e.g. Motor Equipment Operator lines) at the Seneca County Highway Department;

WHEREAS, the parties have met and conferred as to the details of a certain tuition reimbursement program to facilitate filling Motor Equipment Operator vacancies; and

WHEREAS, the Personnel and Vacancy Committees have reviewed this request at the January 24, 2023, meeting and make the recommendation to adopt this new procedure;

RESOLVED, the Seneca County Board of Supervisors hereby authorizes the Personnel Officer to execute the Memorandum of Agreement which agrees upon revisions to the January 1, 2023 through December 31, 2026 Collective Bargaining Agreement; now therefore be it

RESOLVED, IT IS HEREBY ACKNOWLEDGED AND AGREED BY THE COUNTY AND THE UNION THAT:

The applicable collective bargaining agreement shall hereby be deemed modified so as to reflect the addition of the following terms and conditions of employment:

1. It is understood that applicants for MEO Trainee ("trainee") positions, after a conditional offer of hire is made, will be required as a condition of hire to undergo and pass a drug screen required for commercial motor vehicle drivers.
2. For trainees who are hired, the County will pay for one commercial driver's license ("CDL") training course as required for a trainee to obtain a New York State Class B CDL. The County may mandate where the employee obtains training. The time the employee participates in the training shall be considered work hours and paid accordingly. It is understood and agreed that an employee's work

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schedule may be modified in the discretion of the County to conform the work schedule to the training hours to the greatest extent possible and to minimize the training time that exceeds normal work week hours and any associated overtime costs. The County will provide the employee with a County vehicle to travel between the County Highway department and the training site for the required training.

3. In the event the trainee does not pass the course and obtain the license, the employee may, in the County's sole discretion, choose to retake the course at the employee's own expense so long as the employee can complete the course and obtain licensure before the end of the maximum period of probation for the position. If this is permitted, the terms of paragraph 3 shall apply.
4. Employees will be responsible for all other costs associated with obtaining and maintaining a CDL license. This includes, but is not limited to, the cost of a CDL permit and any other fees not included in the cost of the training course.
5. In the event the trainee does not complete the course, pass the course, and/or obtain a class B New York State CDL license prior to the end of his/her probationary period, the employee must reimburse the County for the full cost of the provided CDL training.
6. Nothing herein shall prevent the County from terminating the trainee's employment at any point within the employee's probationary period as permitted by the parties' collective bargaining agreement and Civil Service Law and Local Rules.
7. The County may also offer, in its sole discretion, to employees who possess a class B CDL license, the opportunity to participate in training in order to obtain a class A CDL license. If such an offer is made and accepted, the terms of paragraphs 3, 5, 9, 10 shall apply.
8. In the event an employee who has been provided with CDL training at County expense leaves employment with the County Highway Department for any reason other than layoff, the employee shall be responsible to reimburse the County for the cost of the training course as follows:
 - a) The employee completes one year or less of employment following the conclusion of the employee's participation in training: reimburse 100% of the cost;
 - b) The employee completes two years or less but more than one year of employment following the conclusion of the employee's participation in training: reimburse 50% of the cost;
 - c) The employee completes more than two years but less than three years of employment following the conclusion of the employee's participation in training: reimburse 25% of the cost;
 - d) The employee completes three years or more of employment following the conclusion of the employee's participation in training: no reimbursement required.
10. In the event an employee must reimburse the County for some or all of the CDL training cost, the County may deduct from the employee's final pay the amount owed, or as much of said amount as can be obtained from the employee's final pay. In the event the employee's final pay is not sufficient to cover the training cost, the employee shall be obligated to reimburse the County the remaining amount no later than 30 calendar days following the employee's last day of employment. Payment shall be made to the Seneca County Finance Department. In the event the employee fails to make reimbursement as required, the County retains all rights under law to seek and obtain reimbursement from the employee.

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11. This Memorandum of Understanding shall not be modified except by a writing signed by all parties.
12. This Memorandum of Understanding shall be binding upon and inure to the benefit of each of the parties hereto, and each of their respective legal representatives, estates, successors, assigns, heirs, administrators, personal representatives, and executors.
13. This Memorandum of Understanding may be executed in any number of counterparts, all of which shall constitute one and only one Memorandum of Understanding. So long as original signatures of each party are secured, the parties agree that it is not necessary that all signatures be on a single page. A facsimile or electronic copy of this Memorandum of Understanding will have the same force and effect as the original.

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding, which consists of four (4) pages, to be executed on the date shown by each of their signatures below.

FOR THE UNION:

Brian Thomas
CSEA Union President

Dated:

Stephanie Engster
CSEA Labor Relations Specialist

Dated:

FOR THE COUNTY:

C. Mitchell Rowe
County Manager

Dated:

Laura Granger
Personnel Officer

Dated:

**BOARD OF SUPERVISORS ACCEPTS FY 2022
STATE HOMELAND SECURITY PROGRAM (SHSP/SLETPP) GRANT
RESOLUTION NO. 28-23, moved by Sprvr. Barnhart second by Sprvr. D. Trout and adopted.**

WHEREAS, the NYS Division of Homeland Security and Emergency Services authorized a \$51,215 FY 2022 State Homeland Security Program grant to Seneca County; and

WHEREAS, activities implemented under the State Homeland Security Program (SHSP) and State Law Enforcement Terrorism Prevention Program (SETPP) grant must support terrorism preparedness by building or sustaining capabilities that relate to terrorism prevention, protection, and/or response activities; and

WHEREAS, thirty percent (30%) (\$15,365) of this award must be directed to law enforcement terrorism prevention activities; and

WHEREAS, thirty percent (30%) (\$15,365) of the grant award must be spent in support of six (6) National Priority areas including Cyber Security, Protection of Soft Targets/Crowded Spaces, Intelligence and Information Sharing, Combatting Domestic Violence Extremism, Community Preparedness and Resilience, and Election Security; and

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WHEREAS, there is no local match for the FY22 SHSP/SLETTP Grant; and

WHEREAS, this Resolution was reviewed and approved by the Public Safety Standing Committee at their meeting January 24, 2023; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County Manager to sign any and all required documentation to accept the FY 2022 SHSP/SLETTP grant; and be it further

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

BOARD OF SUPERVISORS ACCEPTS FY 2022

EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG)

RESOLUTION NO. 29-23, moved by Sprvr. Borst second by Sprvr. Brownell and adopted.

WHEREAS, the New York State Division of Homeland Security & Emergency Services has awarded the Seneca County Office of Emergency Management a FY 2022 Emergency Management Performance Grant for \$18,292; and

WHEREAS, this grant is used to offset expenses related to the operation of the Office of Emergency Management; and

WHEREAS, there is no local match for this grant; and

WHEREAS, Seneca County has participated in this grant program for over 20 years; and

WHEREAS, this grant revenue is accounted for in Revenue line 103640-43305 and has a thirty-six (36) month performance period; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Standing Committee at its meeting on January 24, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the County Manager to sign any and all documents as required by the New York State Division of Homeland Security & Emergency Services for Seneca County to receive funding from the FY 2022 Emergency Management Performance Grant; and be it further

RESOLVED, that the Department of Finance is hereby authorized and directed to make the necessary budgetary and accounting entries to affect the intent of this resolution with unused portions flowing into future years.

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**BOARD OF SUPERVISORS ACCEPTS FY 2022
EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG)**
RESOLUTION NO. 30-23, moved by Sprvr. Borst second by Sprvr. Brownell and adopted.

WHEREAS, the New York State Division of Homeland Security & Emergency Services has awarded the Seneca County Office of Emergency Management a FY 2022 Emergency Management Performance Grant for \$18,292; and

WHEREAS, this grant is used to offset expenses related to the operation of the Office of Emergency Management; and

WHEREAS, there is no local match for this grant; and

WHEREAS, Seneca County has participated in this grant program for over 20 years; and

WHEREAS, this grant revenue is accounted for in Revenue line 103640-43305 and has a thirty-six (36) month performance period; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Standing Committee at its meeting on January 24, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the County Manager to sign any and all documents as required by the New York State Division of Homeland Security & Emergency Services for Seneca County to receive funding from the FY 2022 Emergency Management Performance Grant; and be it further

RESOLVED, that the Department of Finance is hereby authorized and directed to make the necessary budgetary and accounting entries to affect the intent of this resolution with unused portions flowing into future years.

**SUPRVISORS AUTHORIZE ACCEPTANCE OF NEW YORK STATE
OFFICE OF VICTIM SERVICES GRANT**

RESOLUTION NO. 31-23, moved by Sprvr. Borst second by Sprvr. Brownell and adopted.

WHEREAS, the Seneca County District Attorney has been awarded a grant from the NYS Office of Victim Services for a three year contract to provide services to crime victims and witnesses; and

WHEREAS, the grant has funded the salary and fringe benefits of Seneca County's Coordinator of Victim Witness Domestic Violence Services since 1997; and

WHEREAS, this position currently resides in the 2022 District Attorney's budget to allow assistance to victims of other crimes and not be limited to only domestic violence crimes; and

WHEREAS, services provided through this funding include: criminal justice and personal advocacy, in-person counseling (with follow-up), information and referral, telephone counseling, and home visits; and

WHEREAS, this grant provides \$230,863.74 for the period October 1, 2022 through September 30, 2025 under the Victim and Witness Assistance Grant Program with annual award amounts of:

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2022-2023	\$76,954.58
2023-2024	\$76,954.58
2024-2025	\$76,954.58

WHEREAS, this grant requires a 20% local match which is included in the District Attorney's Budget; and

WHEREAS, this grant requires the yearly approval and signing of a contract between Seneca County and the NYS Office of Victim Services; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Standing Committee on January 24, 2023; 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 accept the Victim and Witness Assistance Grant; 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.

**BOARD OF SUPERVISORS ACCEPTS FY2022
DOMESTIC TERRORISM PREVENTION (DTP) GRANT**

RESOLUTION NO. 32-23, moved by Sprvr. Brownell second by Sprvr. Kronenwetter and adopted.

WHEREAS, the NYS Division of Homeland Security and Emergency Services authorized a \$172,413 FY 2022 Domestic Terrorism Prevention (DTP) grant to Seneca County; and

WHEREAS, funding for this state grant award is directed to be utilized to support the county's capability to prevent targeted violence and domestic terrorism through the utilization of Threat Assessment and Management (TAM) teams and the development of comprehensive Domestic Terrorism Plans; and

WHEREAS, the Seneca County Sheriff's Office, Emergency Management Office, and Mental Health Department will work collaboratively with school districts and other stakeholders to develop Threat Assessment and Management (TAM) teams to identify threats in an effort to combat domestic terrorism; and

WHEREAS, the performance period of this grant is September 1, 2022 through August 31, 2024; and there is no local match for the FY22 DTP Grant; and

WHEREAS, this Resolution was reviewed and approved by the Public Safety Standing Committee at their meeting on January 24, 2023; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County Manager to sign any and all required documentation to accept the FY 2022 SHSP/SLETTP grant; and be it further

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

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COUNTY MANAGER AUTHORIZED AND DIRECTED TO SIGN A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE LEAD POISONING PREVENTION PROGRAM GRANT

RESOLUTION NO. 33-23, moved by Sprvr. Rhinehart second by Sprvr. Barnhart and adopted.

WHEREAS, the New York State Department of Health has awarded the Seneca County Health Department \$37,600 for the period October 1, 2022 through September 30, 2023 for the administration of the Lead Poisoning Prevention Program; and

WHEREAS, it is necessary for the County Manager to sign the contract to receive the funding; and
WHEREAS, these funds are included in the Health Department budget in 104010.43445.LD22 (State portion of funds) and 104010.44489.LD22 (Federal portion of funds); and

WHEREAS, the Public Health Services Committee has approved this grant; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign a contract with the New York State Department of Health for the Lead Poisoning Prevention Program Grant for the period October 1, 2022 through September 30, 2023 in the amount of \$37,600; and be it further

RESOLVED, that the Department of Finance is hereby authorized to amend the 2022 budget with any unused portions flowing into future years per the funding guidelines; and be it further

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

DIRECTOR OF PUBLIC HEALTH AUTHORIZED AND DIRECTED TO SIGN A PROVIDER AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH BUREAU OF EARLY INTERVENTION

RESOLUTION NO. 34-23, moved by Sprvr. Barnhart second by Sprvr. D. Trout and adopted.

WHEREAS, in an effort to decrease the administrative burden on the counties, the New York State Department of Health (NYS DOH) contracts with service providers for the Early Intervention Program; and

WHEREAS, the purpose of this Agreement is to set forth the terms and conditions for participation in the Early Intervention Program (EIP) and to establish the obligations, expectations and relationship between the NYS Department of Health and Seneca County Health Department; and

WHEREAS, the Seneca County Health Department receives reimbursement at 49.5% of the allowable costs; and

WHEREAS, it is necessary to enter into a new five-year agreement as the current agreement with the NYS DOH expires April 1, 2023; and

WHEREAS, the Public Health Services Committee approved this resolution on January 24, 2023; now, therefore be it

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RESOLVED, that the Director of the Seneca County Health Department is hereby authorized and directed to sign the Early Intervention Agreement for a five-year term with New York State Department of Health Bureau of Early Intervention.

**BOARD OF SUPERVISORS DECLARES VEHICLE AS
SURPLUS AND AUTHORIZES AUCTION OF THE SAME**

RESOLUTION NO. 36-23, moved by Sprvr. Rhinehart second by Sprvr. D. Trout and adopted.

WHEREAS, the Seneca County Health Department has determined that one vehicle is no longer needed for County purposes; and

WHEREAS, the vehicle is a 2017 Nissan Rogue VIN # KNMAT2MV7HP517196; and

WHEREAS, this vehicle will be auctioned and sold through Auctions International, 11167 Bid Tree Rd, East Aurora, NY 14052; and

WHEREAS, this resolution was reviewed and approved by the Public Health Services Standing Committee on January 24, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby declare the above-mentioned item as surplus and authorizes the disposal of this item with all proceeds to be transferred to Account No. 104010-41601 within the Public Health budget; and, be it further

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

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

**APPOINT MICHAEL REYNOLDS AND JEFFREY TROUT TO THE
SENECA COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD**

RESOLUTION NO. 37-23, moved by Sprvr. Kronenwetter second by Sprvr. D. Trout and adopted.

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 expires on December 31, 2022; 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

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WHEREAS, this resolution was approved by the Planning, Development, Agriculture and Tourism Standing Committee on December 27, 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, 2023 – December 31, 2023; 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, 2023 – December 31, 2023.

SUPERVISORS REAPPOINT STEVE BRUSSOTO

THE INDUSTRIAL DEVELOPMENT AGENCY (IDA) BOARD

RESOLUTION NO. 38-23, moved by Sprvr. Brownell second by Sprvr. D. Trout and adopted.

WHEREAS, Steve Brusso has served on the Industrial Development Agency (IDA) for several years and currently serves as chair; and

WHEREAS, Mr. Brusso's current time has expired; and

WHEREAS, the Seneca County Board of Supervisors is the appointing authority for the IDA Board Members; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Committee at this meeting on January 24, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby reappoint Steve Brusso as a member of the Seneca County Industrial Development Agency (IDA) for a term of six (6) years effective January 1, 2023 through December 31, 2028.

BOARD OF SUPERVISORS AUTHORIZES ACCEPTANCE OF FEMA HAZARD MITIGATION PLANNING GRANT

RESOLUTION NO. 39-23, moved by Sprvr. Brownell second by Sprvr. Kronenwetter and adopted.

WHEREAS, the Seneca County Office of Emergency Management has received notification from the New York State Division of Homeland Security and Emergency Services, that our application for a Hazard Mitigation Planning Grant has been approved by FEMA; and

WHEREAS, this grant will provide for the revision of Seneca County's Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, FEMA requires municipalities to have an updated and approved Multi-Jurisdictional Hazard Mitigation Plan to be eligible for FEMA Hazard Mitigation grants; and

WHEREAS, Seneca County's Multi-Jurisdictional Hazard Mitigation Plan expires on April 2013; and

WHEREAS, FEMA is authorizing \$157,500 in total costs for the Project, with a Federal share of \$135,000 and a local matching share of \$15,000 to be in the form of In-Kind Services, plus an additional \$7,500 for management & administration costs over the two year period of the grant; and

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WHEREAS, it will be necessary to request bids for professional services to revise the County's Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, this Resolution was reviewed and approved by the Public Safety Standing Committee at their meeting on January 24, 2023; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors accepts this grant and authorizes and directs the County Manager to sign any and all documents as required by the New York State Division of Homeland Security & Emergency Services and FEMA; and be it further

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

RESOLVED, that the Seneca County Board of Supervisors approves requesting bids for professional services to update the County's Multi-Jurisdictional Hazard Mitigation Plan.

Unfinished Business

None

New Business

Sprvr. Partee made a motion to appoint Joseph Stevens to fill the current vacant position. Sprvr. D Trout seconded.

APPOINT JOSEPH STEVENS TO FILL THE UNEXPIRED TERM OF SENECA COUNTY CORONER

RESOLUTION NO. 40-23 moved by Sprvr. Rhinehart, second by Sprvr. D. Trout and adopted.

WHEREAS, a vacancy has arisen with the resignation of Seneca County Coroner Frank Eldridge; and
WHEREAS, by the provisions of County Law §400(7), a vacancy of said position for the term through December 31 2023, may be filled by action of the Seneca County Board of Supervisors; and

WHEREAS, applicants for the position were sought and reviewed; and

WHEREAS, by this resolution, it is the intent of this Board to appoint Joseph Stevens, a resident of Waterloo and Seneca County, to this position; and

WHEREAS, this office will be filled by election in November 2023; and

RESOLVED, the Seneca County Board of Supervisors hereby appoints Joseph Stevens as Seneca County Coroner, effective upon his taking the oath of office, for a term ending December 31, 2023.

Special Order of the Day

The Board of Supervisors adjourned their meeting at 7:22 p.m. Sprvr. D. Trout motioned and Sprvr. Barnhart seconded the motion.