

BOARD OF SUPERVISORS

SENECA COUNTY

Waterloo, New York 13165

Call to Order

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

Roll Call of Members by the Clerk

Eleven members of the Board of Supervisors answered roll call. Sprvr. D. Trout, Sprvr. Barnhart and Sprvr. Kronenwetter were not present.

Pledge of Allegiance and Moment of Silence

Presentations

None

Petitioners

None

Open Privilege of the Floor

Doug McMillen from Seneca Falls, addressed the Board and asked them to consider writing a resolution that makes Seneca County a Constitutional County. Sprvr. Rhinehart asked for clarification and what Doug believes being a Constitutional County means. The discussion went back and forth regarding NYS State Laws and Federal Laws and who can enforce/not enforce and who follows and doesn't follow. Doug brought a sample resolution to the Board and the Board directed him to send a copy to the County Attorney, David Ettman so he can review.

Al Lester from Romulus addressed the Board regarding the Hotel Motel Tax/Bed Tax . The Board is considering a resolution to ask for another 2% on top of the 3% that the County currently has. This would raise the tax from 3% to 5%. Al owns an Air BNB on East Lake Road and believes that 3% is plenty to pay and has asked the Board to consider opposing the resolution that would increase the bed tax by 2%.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 February 14, 2023, Board meeting. Sprvr. Hayes motioned and Sprvr. Borst seconded.

Report of Special Committees

Sprvr. Borst gave an update on the Opioid Committee, Mr Ettman sent the Committee an email stating that CVS, Walgreens and Walmart have entered into a settlement. Seneca County will receive

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\$60,000 in 2023 and plus an additional \$10,000 to \$15,000 over the next nine years. There will be a resolution to the Board next month.

Sprvr. J. Trout gave an update on the Seneca County Cooperative Extension, they had their monthly meeting. They are still working on their relocation plan for where their new business offices will be. CCE will be entering into an agreement with surrounding Counties and plan on setting aside \$5,000 in their budget to support marketing and local fruit growers in the area. Sprvr. J. Trout also gave an update on Soil and Water. They has their monthly meeting and wanted to share with the Board and town Highway Superintendents/Supervisors that when cutting/cleaning ditches free seeding is available from Soil and Water, after the ditches are cut please reach out to S&W and they will come out a seed the area for free. The Town of Fayette and Soil and Water have entered into an agreement with CWIO/SWIO (Seneca Lake and Cayuga Lake) watersheds for road drainage assessments and they plan on working with Highway Superintendents, to collect data where drainage/culverts and erosion may be happening to help stop/prevent it in the future. It is going to be a two year study and it is fully funded by the Federal government and Soil and Water. Soil and Water is continuing to monitor the weed issue in Cayuga Lake. March 23, 2023 there will be a joint workshop at the Ginny Lee café, the workshop is called Landscape to Lake. Sprvr. J. Trout also announced a Great Lakes Commission Grant for the Finger Lakes regarding phosphorus and sediment reduction it is a \$300,000 commitment between Ontario, Yates and Seneca County, Soil and Water will be participating in this grant. The Soil and Water Board also approved a MOA for services that the County provides Soil and Water, and J. Trout wanted thank Mitch Rowe, County Manager for working with Erin on finalizing the MOA.

Sprvr. Shipley gave an update on the Finger Lakes Advisory Board meeting, the Airport Manager has requested a courtesy car because getting rentals is very difficult in Seneca County. County Manager Mitch Rowe is looking into options for the airport.

Sprvr. Hayssen asked if there could be future monthly reports on the progress of the Willard.

Chairman's Remarks

Chairman Enslow stated that he had a busy couple of weeks, meeting with different people, working through different issues. He wanted to thank the County staff and County Supervisors for working with him on some of these issues.

County Manager's Remarks

None

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County Attorney's Remarks

None

Communications

18. Town of Covert request letter for support/ funds
19. NYSDOT letter regarding RTS property
20. Soil and Water Newsletter
21. Local Law 2 of 2023 received and filed with New York State
22. Email received from Todd Setzler regarding First Amendment Auditors
23. Thank you letter from NYS regarding SVMC
24. County Manager recruitment brochure
25. Letter received from Frontenac Vineyard regarding Camp Barton

RESOLUTIONS & MOTIONS

BOARD APPROVES LAKEVIEW HEALTH SERVICES CONTRACT AMENDMENT AND ASSOCIATED BUDGET AMENDMENT

RESOLUTION NO. 49-23 moved by Sprvr. Borst second by Sprvr. Hayes and adopted.

WHEREAS, the Mental Health Department has entered into a service contract in 2023 with Lakeview Health Services for provision of Supported Housing, Care Management, Care Coordination, Outreach, Transitional Housing and Forensic Case Management Services in the amount of \$568,690, supported 100% by state aid funding through the New York State Office of Mental Health; and

WHEREAS, the New York State Office of Mental Health has made available an additional \$50,400 in state aid to support an increase to the Lakeview Health Services existing contract to include additional transitional apartment sites; and

WHEREAS, the total investment dollars, amount for this contract is now \$598,690 (revenue account 104300-43000 and expense account 104300-54700) with no local mandated share, and

WHEREAS, the Health and Human Services Standing Committee approved this resolution on February 28, 2023; and

WHEREAS, the Board of Supervisors approved this resolution on March 14, 2023; now, therefore be it

RESOLVED, that the County Manager is authorized and directed to sign the contract amendment for Lakeview Health Services in the amount of \$50,400 to support additional transitional apartments in Seneca County; and

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Finance Department to pay Lakeview Health Services, as contacted, when duly appropriate and to amend the 2023 Seneca County budget as follows:

104300-43000	Mental Health State Aid	Increase	Revenue	\$50,400
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RESOLVED, that the Seneca County Board of Supervisors authorize the County Manager to sign the agreement with Day Automation to upgrade the Seneca County access controls; and be it further

RESOLVED, that a budget transfer from Account 101990-54700 to Account 101620-5470-COB is authorized; and be it further.

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

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BOARD OF SUPERVISORS APPROVE
DAY AUTOMATION YEARLY SERVICE CONTRACT AGREEMENT
RESOLUTION NO. 52-23 moved by Sprvr. Hayes second by Sprvr. Borst and adopted.

WHEREAS; The facilities department has received the yearly service contract for the service and support of Seneca counties video surveillance, access control systems and building management systems for the county office building, H.S.S. Building, and the Mental Health and Addictions Buildings; and

WHEREAS, These are proprietary systems and controls from Day Automation, 7931 Rae Boulevard, Victor, N.Y. 14564 and the contract yearly cost for \$22,660.65;and

WHEREAS, the facilities department has funding in the budget line 101620-54700-COB to cover the service contract cost for one year and;

WHEREAS, the Public Works Standing Committee has reviewed and approved this resolution at its February 28, 2023 meeting; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the County Manager to sign the Yearly Service Agreement with Day Automation; and be it further

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

BOARD OF SUPERVISORS AUTHORIZES UTILITY EASEMENTS RELATED
TO CONSTRUCTION OF STS FACILITY ON THURBER DRIVE
RESOLUTION NO. 53-23 moved by Sprvr. Borst second by Sprvr. Ferrara and adopted.

WHEREAS, Seneca County is the owner of land on Thurber Drive adjacent to a parcel of land it has sold to the Rochester-Genesee Regional Transportation Authority (RGRTA); and

WHEREAS, RGRTA intends to construction a facility for the operation of the Seneca Transit System which requires utilities, including water and sewer; and

WHEREAS, engineered plans have been developed which provide for easements to both RGRTA and the Village of Waterloo in support of progressing the project; and

WHEREAS, said plans have been preliminarily reviewed by the County Attorney and Office of Real Property; and

WHEREAS, this Resolution has been reviewed and approved by the Public Works Standing Committee at its Meeting on February 28, 2023; now, therefore be it

RESOLVED, that the County Manager is authorized and directed to sign easement documents in support of the STS Facility subject to final review and approval by the County Attorney.

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**SENECA COUNTY BOARD OF SUPERVISORS AWARD CONSTRUCTION CONTRACT AND
AUTHORIZE BUDGET ADJUSTMENTS FOR ACCESSIBILITY IMPROVEMENTS TO
HISTORIC SENECA COUNTY COURTHOUSE**

RESOLUTION NO. 54-23 moved by Sprvr. Borst second by Sprvr. Ferrara and adopted.

WHEREAS, the Seneca County Board of Supervisors Adopted Resolution No. 14-22 in support of accessibility improvements to the Historic Seneca County Courthouse in Ovid and committed the use of American Recovery Act Funds to undertake the project; and

WHEREAS, Seneca County has undertaken the solicitation of bids to support the project; and

WHEREAS, bids were advertised for and sealed bids were received, opened and read aloud on February 21, 2023 at 3:00 p.m. at the County Office Building; and

WHEREAS, Seneca County received three bids for both base work and three alternates; and

WHEREAS, Massa Construction was the low bidder at \$259,000.00 for the base bid and offered to undertake bid alternate two for \$33,000 and bid alternate three for \$33,000; and

WHEREAS, the Public Works Standing Committee reviewed and approved this Resolution on February 28 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors awards a contract for accessibility improvements to the Historic Seneca County Courthouse to Massa Construction in an amount not to exceed \$325,000.00; 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 establishing accounts for the utilization of American Recovery Act Funds for said project.

**BOARD OF SUPERVISORS APPROVES THE CREATION AND FILLING OF ONE (1) FULL-
TIME ACCOUNT CLERK POSITION IN THE FINANCE DEPARTMENT**

RESOLUTION NO. 55-23 moved by Sprvr. J. Trout second by Sprvr. Rhinehart and adopted.

WHEREAS, the Director of Finance has identified the need to create and fill one full-time Account Clerk position within the department; and

WHEREAS, the Director of Finance has reviewed the 2023 budget and there is sufficient funding in the 101310-51100 Full Time account code; and

WHEREAS, this position has been reviewed and approved by the Vacancy Committee and the Human Resources & Government Operations Standing Committee on February 28, 2023; now, therefore be it

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RESOLVED, that the Board of Supervisors approve the creation and filling of one (1) full-time Account Clerk position at Grade 3, Hire Rate (\$19,485/\$37,995) of the CSEA Bargaining Agreement; and be it further

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

BOARD OF SUPERVISORS APPROVES THE CREATION AND FILLING OF ONE (1) FULL-TIME SENIOR ACCOUNT CLERK POSITION IN THE FINANCE DEPARTMENT
RESOLUTION NO. 56 -23 moved by Sprvr. J. Trout second by Sprvr. Rhinehart and adopted.

WHEREAS, the Director of Finance has identified the need to create and fill one full-time Senior Account Clerk position within the department; and

WHEREAS, the Director of Finance has reviewed the 2023 budget and there is sufficient funding in the 101310-51100 Full Time account code; and

WHEREAS, this position has been reviewed and approved by the Vacancy Committee and the Human Resources & Government Operations Standing Committee on February 28, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors approve the creation and filling of one (1) full-time Senior Account Clerk position at Grade 4, Hire Rate (\$21,243/\$41,423) of the CSEA Bargaining Agreement; and be it further

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

BOARD OF SUPERVISORS APPROVES THE CREATION AND FILLING OF ONE (1) FULL-TIME PRINCIPAL ACCOUNT CLERK POSITION IN THE FINANCE DEPARTMENT
RESOLUTION NO. 57 -23 moved by Sprvr. J. Trout second by Sprvr. Partee and adopted.

WHEREAS, the Director of Finance has identified the need to create and fill one full-time Principal Account Clerk position within the department; and

WHEREAS, the Director of Finance has reviewed the 2023 budget and there is sufficient funding in the 101310-51100 Full Time account code; and

WHEREAS, this position has been reviewed and approved by the Vacancy Committee and the Human Resources & Government Operations Standing Committee on February 28, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors approve the creation and filling of one (1) full-time Principal Account Clerk position at Grade 5, Hire Rate (\$22,511/\$43,896) of the CSEA Bargaining Agreement; and be it further

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

**BOARD OF SUPERVISORS APPROVES THE CREATION AND FILLING OF
ONE (1) FULL-TIME SENIOR ACCOUNT CLERK/TYPIST POSITION IN THE
DEPARTMENT OF HUMAN SERVICES**

RESOLUTION NO. 58 -23 moved by Sprvr. J. Trout second by Sprvr. Partee and adopted.

WHEREAS, the Commissioner of Human Services has identified the need to create and fill one full-time Senior Account Clerk/Typist position within the department; and

WHEREAS, the Director of Finance has reviewed the 2023 budget and there is sufficient funding in the 106010-51100 Full Time account code; and

WHEREAS, this position has been reviewed and approved by the Vacancy Committee and the Human Resources & Government Operations Standing Committee on February 28, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors approve the creation and filling of one (1) full-time Senior Account Clerk position at Grade 4, Hire Rate (\$21,243/\$41,423) of the CSEA Bargaining Agreement; and be it further

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

BOARD OF SUPERVISORS APPROVES THE CREATION AND FILLING OF ONE (1) FULL-TIME SENIOR CASEWORKER POSITION IN THE DEPARTMENT OF HUMAN SERVICES

RESOLUTION NO. 59-23 moved by Sprvr. J. Trout second by Sprvr. Partee and adopted.

WHEREAS, the Commissioner of Human Services has identified the need to create and fill one full-time Senior Caseworker position within the department; and

WHEREAS, the Director of Finance has reviewed the 2023 budget and there is sufficient funding in the 106010-51100 Full Time account code; and

WHEREAS, this position has been reviewed and approved by the Vacancy Committee and the Human Resources & Government Operations Standing Committee on February 28, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors approve the creation and filling of one (1) full-time Senior Caseworker position at Grade 8, Hire Rate (\$27,327/\$53,287) of the CSEA Bargaining Agreement; and be it further

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

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SUPERVISORS APPROVE AMENDMENTS TO SENECA COUNTY PROCUREMENT POLICY IN FURTHERANCE OF FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAMS

RESOLUTION NO. 60-23 moved by Sprvr. J. Trout second by Sprvr. Ferrara and adopted.

WHEREAS, recipients of Federal funds under the Community Development Block Grant (CDBG) Program have an obligation to comply with General Procurement Standard under United States Code § 503 and related provisions of the Code of Federal Regulations, to include addressing conflict-of-interest concerns in purchasing under said Federal programs; and

WHEREAS, amendments to Seneca County Policy Manual section 202.100 (Purchasing) as necessary to address the aforesaid obligation;

WHEREAS, this Resolution was reviewed and forwarded for action by the Human Resources and Government Operations Standing Committee at its meeting on February 28, 2023; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amends and adopts the Seneca County Purchasing Policy § 202.100, as attached hereto, replacing the existing provisions in full; and be it further

RESOLVED that this change is effective immediately upon the adoption of this resolution.

SUPERVISORS ADOPT AMENDED PROCUREMENT POLICY IN FURTHERANCE OF FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAMS

RESOLUTION NO. 61-23 moved by Sprvr. J. Trout second by Sprvr. Ferrara and adopted.

WHEREAS, recipients of Federal funds under the Community Development Block Grant (CDBG) Program have an obligation to comply with General Procurement Standard under United States Code § 503 and related provisions of the Code of Federal Regulations, to include addressing conflict-of-interest concerns in purchasing under said Federal programs; and

WHEREAS, amendments to Seneca County Policy Manual section 202.100 (Purchasing) as necessary to address the aforesaid obligation; and

WHEREAS, this resolution was reviewed and forwarded for action by the Human Resources and Government Operations Standing Committee at its meeting on February 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby adopt the Seneca County Purchasing Policy § 202.100, as attached hereto, replacing the existing provisions in full; and be it further

RESOLVED, that this change is effective immediately upon the adoption of this resolution.

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202.100 PURCHASING

AMENDED 2009, 2011, 2012

AMENDED POLICY AS PER RESOLUTION #28-09 (1/27/09) AMENDED PER RESOLUTION #164-11 (7/26/11) AMENDED PER RESOLUTION #168-12 (8/14/12) AMENDED PER RESOLUTION #47-16 (3/8/16)

AMENDED PER RESOLUTION # 61-23

PURPOSE:

This policy, adopted by the Seneca County Board of Supervisors, establishes a standard purchasing and procurement program for all County departments. This policy is created to ensure all county departments enforce the policies established by the Seneca County Board of Supervisors with regard to the expenditure of public funds. It is the policy of Seneca County to maximize the purchasing power of the County and to comply with State and Federal requirements associated with procurement and purchasing.

Any employee who violates the terms of this policy shall be personally responsible for the cost of the equipment if return to the vendor is not possible. The provisions of the county indemnification policy shall not extend to employees who fail to abide by this purchasing policy.

CONFLICT OF INTEREST: The provisions of § 503.100, SENECA COUNTY CODE OF ETHICS shall be applicable to all aspects of the purchasing policy of the County as set forth herein. Any questions of possible conflict shall be directed to the County Attorney for review and legal opinion. Any further concerns can be addressed with the County Manager and Board of Supervisors.

This policy shall be effective as of this date: March 15, 2023. This policy supersedes any previously approved policies that are inconsistent with the amendments as set forth within.

CONTROLS

The Purchasing Director, appointed by the Seneca County Board of Supervisors, is the Seneca County Manager. The County Manager may delegate his/her Purchase Director authority to a Department Head, during a known absence, for a defined and temporary duration. In a prolonged absence or disability of the County Manager, the Board of Supervisors may designate any county employee as Purchase Director by a duly enacted resolution of the Board. The Purchasing Director's role is to develop and administer the purchasing program of the County.

All purchasing procedures will comply with the applicable laws and regulations of the State of New York and the County of Seneca. The Department Heads, in conjunction with the Purchasing Director, will procure all supplies and equipment as needed at the best possible prices in the best possible timeframe and maintain adequate records to document the purchase.

Purchases will be made through available state contracts of the Office of General Services (and affiliates), Division of Purchasing, or under County contract pursuant to Section 408-a of the County Law, whenever such purchases are in the best interest of the County or through BOCES contracts whenever practical and in the best interest of the County.

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Other purchasing contracts for materials, equipment and supplies involving an estimated annual expenditure of more than \$20,000.00 require public advertising, sealed bids, and an award by resolution of the Seneca County Board of Supervisors.

Equal opportunity will be provided to all responsible suppliers to do business with Seneca County. The Purchasing Director will be responsible to develop and maintain a list of potential bidders for various types of materials, equipment, and supplies.

Where formal bidding procedures are not required by law and/or resolution of the Board of Supervisors, quotations will be solicited in a manner prescribed in this policy.

Purchases from Seneca County vendors will be made whenever possible. Seneca County vendors will be given consideration when their price meets or is within 10 percent of other bids and state contract prices, or the service provided in conjunction with the purchase merits buying the item locally (i.e. service is more expedient or less expensive). In addition, purchase contracts may be awarded on the basis of best value in accordance with Local Law 01-2015.

County departments will strive to purchase materials, equipment, and supplies from uniform vendors when consistent with the operational goal in the interest of efficiency or economy. No official or employee of Seneca County, involved in the decision of an award, can have a financial interest in any contract entered into by the County. There will be no acceptance of gratuities, financial or otherwise by anyone with a financial interest with any supplier of materials or services to the County.

The County of Seneca will not be deemed responsible for commitments made circumventing these procedures.

The Purchasing Department and Department Heads will issue Purchase Orders only after first determining that the unencumbered balances of budgetary appropriations are adequate to cover such obligations.

While it is primarily the responsibility of the departments to obtain items and maintain functionality, the County Purchasing Department will from time-to-time purchase items in quantity. This will include similar items that are being purchased by several departments such as computers, furniture and fixtures and office equipment. The Purchasing Department will notify departments when this process is being utilized.

Business Participation in Procurement and Contracting:

For federally funded projects or activities subject to Section 3 of 24 CFR Part 135 of the Housing and Urban Development Act of 1968, as amended, the County will, to the greatest extent feasible, facilitate participation of Section 3 residents and Section 3 businesses in the procurement of goods and services pursuant to its Section 3 Participation Plan. Solicitation may be undertaken via advertisements in local publications encouraging Section 3 participation, or direct outreach by letter or email to identified Section 3 businesses or individuals included on the Department of Housing and Urban Development's Section 3 Businesses Registry. The County's established purchase/ contracting thresholds will apply. Seneca County will keep documentation of Section 3 solicitation in its records and any response(s) thereto.

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Minority- and Women-Owned Business Enterprise (M/WBE): Business Participation procurement and Contracting:

For federally funded projects or activities subject to Section 3 of 24 CFR Part 135 of the Housing and Urban Development Act of 1968, as amended, the County will, to the greatest extent feasible, facilitate participation of Section 3 residents and Section 3 businesses in the procurement of goods and services pursuant to its Section 3 Participation Plan.

In an effort to affirmatively increase procurement and contracting opportunities for minority- and women-owned business enterprises, the County will solicit up to (x) MBEs and/or WBEs as part of its procurement process, when appropriate. Solicitation may be undertaken via advertisements in minority publications or direct outreach by letter or email to identified State-certified M/WBEs, or by working with a clearinghouse such as the X Business Development Center. The County's established purchase/contracting thresholds will apply. For purposes of the above, the M/WBE must be certified LDC/EDC through the Division of Minority and Women Business Development (DMWBD). The County will keep documentation of M/WBE solicitation in its records and any responses there to.

In order to encourage MWBE participation in the procurement of goods and services to the county, Seneca County will take the following actions:

Clear Qualifications: Clearly specify within the RFP the minimum qualifications that must be met in order for a proposal to be considered, as well as all significant evaluation factors and a scoring system.

Circulation Timeframe: Provide an adequate period of time within which bidders could submit a response to the RFP (Minimum 3 weeks).

Type of Circulation: Sufficiently advertise RFP in a publication of general circulation.

M/WBE Outreach: Conduct direct M/WBE outreach efforts to identify qualified firms that might be interested in submitting a proposal for the contract. This includes qualified MBE's, WBE's, small businesses, and local businesses. In this regard, whenever feasible, requests for procurement activities will search for solicitation opportunities through:

Evidence of direct outreach to MWBE firms (via email, postal mail, or fax). This evidence could look like copies of sent emails or letters, a detailed chart of outreach or other effort documentation to include the NYS MWBE Directory here: <https://ny.newnycontracts.com/frontend/searchcertifieddirectory.asp>

Seneca County will use other affirmative efforts to identify qualified M/WBE firms. This may include posting on the NYS Contract Reporter or posting in a minority newspaper or another M/WBE outlet, when possible, as well as periodic publication of the county's policy/pledge to Minority and Women's Business Enterprise Outreach.

ANTI-PIRACY:

All contractors/providers must not engage in the manufacture, use, distribution or transfer of counterfeit, pirated or illegal software or other trademarked, copyrighted, patented, or similar intellectual or otherwise protected property, data, images or documents.. There shall be no distribution, or transfer of licensed or

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protected material to any party that is known or otherwise should have known to be engaged in these activities. Any contractor/provider must report to the Contacting Officer any suspected counterfeiting, piracy or other intellectual property infringement in computer programs, manuals, marketing materials or other materials owned by someone other than the entity offering or using the protected material as soon as you become aware of it. Each contractor/provider shall cooperate with the investigation of any party suspected of these activities.

GENERAL GUIDELINES AND AUTHORITY TO PURCHASE

Planning: Anticipate your needs.

Having established what you need and within the limitations of your budget, requisition these needs as far in advance as possible.

Departmental Heads may initiate the processing of and grant the approval for requisitions of up to and including \$10,000.00. The Purchasing Department is expected to provide oversight and question, as appropriate, the information provided in the requisition. The quantity, quality, delivery date, delivery method, etc. should be considered while in pursuit of county-wide efficiencies. The Purchasing Director retains the authority to deny any purchase and is the approval authority of requisitions between \$10,000.00 up to and including \$20,000.00.

Individual departments will provide adequate catalogs, references, descriptions, and ancillary information of required items so that the Purchasing Department is able to knowledgeably procure the desired commodity and/or services.

Authority to Purchase Goods and Services:

The following guidelines were adopted in recognition of the General Municipal Law, Section 103:

Expenditures exceeding \$500.00 up to and including \$10,000.00 require 3 written quotes and Department Head or Purchasing Director approval.

Expenditures exceeding \$10,000.00 up to and including \$20,000.00 require 3 documented written quotes and the approval of the County Manager

All goods and service purchases exceeding \$20,000.00, or public works contracts exceeding \$35,000.00, require competitive bidding as detailed below.

Competitive Bidding

General Municipal Law, Section 103 requires purchase contracts exceeding \$20,000.00 and public works contracts exceeding \$35,000.00 be awarded to the lowest responsible bidder after public advertising requesting submission of sealed bids. The exception to awarding a contract to other than the lowest responsible bidder is; purchase contracts may be awarded on the basis of best value in accordance with Local Law 01-2015. (FAXED BIDS WILL NOT BE ACCEPTED). Seneca County will bid those items of like or similar nature where it is reasonably anticipated that the aggregate (total) amount of such items will exceed \$20,000.00 in a fiscal year. This process will be by sealed bids. An exception will be for Public Works projects.

NON-COLLUSION CERTIFICATION

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If competitive bidding is required by law, each bid must contain the following 'Non-Collusion Certification'. By submissions of this bid or proposal, the bidder certifies that:

The bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor. The bid or proposal has not been knowingly disclosed, prior to the opening of the bids or proposals for this project, to any other bidder, competitor, or potential competitor; No attempt has been or will be made to induce any other corporation to submit or not to submit a bid or proposal;

The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing in its behalf.

All Public Works contracts and projects exceeding \$35,000.00 shall be awarded to the lowest responsible bidder and will follow prevailing wage laws. The term "Public Works Contract" applies to those items or projects involving labor or both materials and labor.

Bid specifications shall be prepared by the Department Head in conjunction with the Purchasing Department. Detailed specifications, when required, will be approved by the Purchasing Director. All bids will include a standard bid tabulation form to be completed by each vendor. The Department Head will arrange for the Purchasing Department to have a legal notice printed in the official newspapers of the County and will also establish a date and time for the opening and reading of the sealed bids.

The bids will be opened by the Department Head or his/her designee and the Purchasing Director or his/her designee. All interested parties may attend the bid opening. If no spectators are present, two (2) or more County officials and/or County employees shall witness the bid opening. Any bids arriving after the time designated shall not be considered and will be returned unopened. Telephone and facsimile transmitted bids are not accepted on formal bids. A record must be made of all bids. The bids are then turned over to the Department Head for review to ensure the bidders have complied with the bid specifications, to make a cost analysis and to make a recommendation regarding the bid award (generally made to the lowest responsible bidder). If the low bidder does not meet specifications or, for some other reason does not meet the necessary standards or requirements to be given the award, a recommendation to award the next qualified low bidder would be given.

When there is a discrepancy or a question as to whether bid specifications are met, the Department Head must contact the County Attorney prior to contacting the bidder. The Department Head shall have the County Attorney's approval prior to recommending award to another bidder if other than the low bidder.

Cost		Bid Requirement	Chain of Approval
\$0 to & including	\$500	None	Dept Head Approval
\$501 to & including	\$1,000	2 Verbal Quotes/ Documented	Dept Head Approval
\$1,001 to & including	\$10,000	3 Written Quotes/ Documented	Dept Head Approval
\$10,001 to & including	\$20,000	# Written Quotes / Documented	Purchasing Director
Over \$20,000 for goods and services or Public Works Projects			

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\$35,000 or more

Competitive

Dept Standing
Committee of the
County Board of
Supervisors

Verbal Quotations: A telephone log or other record displaying: date, time, price quoted, name of vendor. An emailed quotation may be included.

Written Quotations: Vendors should provide at a minimum: date, description of item or details of service to be provided, price quote, name, and title of contact.

Competitive Bids: Department Heads, in conjunction with the Purchasing Director, will request formal proposals from more than three vendors, unless the goods or services can be purchased under State Contracts or from the List of Preferred Source Offerings.

All equipment that is listed in the current year's adopted budget anticipated to cost less than \$20,000.00 can be purchased without Board resolution. Neither the Purchasing Department nor Department Heads are authorized to purchase any substitutions or any variations to the listed equipment. The County Manager has the authority to increase the expenditure up to 25% if the approved item comes in over the estimate and funds are available within the line item. If a modification or substitution is requested, the appropriate Standing Committee must recommend it for full Board approval. Prior to Standing Committee consideration, three formal written quotations are required along with a letter of justification. This supplemental information and requested modification or substitution must have the County Manager's support prior to Standing Committee consideration.

If, due to unexpected circumstances, replacement of equipment and/or furniture is required, the County Manager has the immediate authority to authorize the require replacement provided the purchase is valued at \$20,000.00 or less and funds are available in the contingency appropriation.

Personal purchases for employees by the Purchasing Department are prohibited. County employees are also prohibited from using the County's name or the employee's position to obtain special consideration in personal purchases.

Insufficient Appropriations:

In the event that an appropriation balance is insufficient, the Purchasing Department will reject and return the purchase requisition to the department. To accommodate an increase in funds, the Department Heads will proceed as follows:

All notifications/requests for transfer or an increase in appropriations will be in writing (email preferred) and forwarded to the County Manager.

Department Head can authorize a cumulative transfer request that is \$10,000.00 or less from any budget category line(s) within the same budget category (.1's, .2's, .4's, etc.)

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The County Manager can authorize a cumulative transfer request that is \$20,000.00 or less from any budget line(s) to other line(s) within the same departmental budget. All other transfers will require Board resolution.

All notifications/requests for transfer must include; specific dollar amounts, a justification of need and an analysis of the impact on the line item from which the transfer is being requested. All transfer authorizations are filed with the Finance Directorate as appropriate. The Finance Directorate will make the appropriate budget revisions. The requesting Department or Purchasing will then resubmit the purchase requisition.

DEPARTMENT LEVEL PURCHASE REQUISITION:

Purpose: Provides a method of initiating the purchase requisition process for goods and services. Provides a formal record, within the department, that such goods and/or services are requisitioned. Provides the Purchasing Department with the proper authority to prepare a purchase order.

Frequency: Prepared whenever goods and services are required.

Preparation: The requisitioning department will use MUNIS (the county's standardized finance application) to enter the following data and forward the requisition to the Purchasing Department (Exhibit 1)

- Signature of Department Head or designee.
- Vendor, including address.
- Quantity to be ordered.
- Date Description of goods desired
- Cost including shipping and handling.
- Delivery date required.
- Department name and four-digit Department Code Number
- Expenditure account
- Reason for requisition
- Explanation verifying appropriate bid procedure was completed

Responsibility: Individual Departments will insure items ordered and expenditures are within the budgetary appropriations. The Purchasing Department will verify the requisition is within budgetary appropriations. If not, the requisition will be denied.

PURCHASE ORDER

Purpose: Provides a formal document and authority for the purchase of goods and services. Provides documentation of goods and services ordered and received. Provides the necessary authority to pay vendor claims. Initiates and substantiates various accounting processes. Provides the necessary tax-exempt documentation required of vendors.

Frequency: Prepared by the Purchasing Department as required, upon receipt of a purchase requisition. In no event are purchase orders to be mailed without first routing through the Purchasing Department and the Finance Directorate (as appropriate).

Distribution:

Copy white: Mailed to the vendor by the department.

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Copy yellow: Department record.
Copy pink: Remains in the Purchasing Department

Preparation: The purchase Department will enter:

- Vendor's name and address
- Requisitioning department name and address
- Terms of sale, i.e., how to ship, FOB point, delivery date.
- Vendor code
- Description of goods being ordered.
- Quantity
- Unit price
- Extension and total cost
- Expenditure account code
- Authorizing signature
- Purchase order number

Responsibility: In ALL instances, purchase orders are to be completed before purchase is made. This includes a requirement for Purchase Orders for items approved by resolution of the Board of Supervisors. The sole exception is emergency purchase orders to be described later.

BLANKET PURCHASE ORDERS:

Purpose: Blanket purchase orders or open-end accounts may be issued to vendors for purchases of those items considered to be of an immediate need or for purposes of consolidation of purchases. The reasons for the use of blanket purchase orders are twofold: To eliminate the necessity for the issuance of separate orders for groups of items which are purchased frequently from the same vendor; an example of this would be gravel for highway department use. To permit the department to purchase items of this nature on an "as needed" basis when there is no provision to maintain an inventory.

Distribution: Same as regular purchase orders.

Preparation: Same as regular purchase orders.

Responsibility: The amount and time of the blanket purchase order will be determined by the respective Department Head in conjunction with the Purchasing Director. It should be based on information available in the records covering previous fiscal years and data obtained from the Department Head involved. The department must keep a record of the purchases to ensure that they do not exceed the amount allowed by the blanket purchase order.

When supplies are delivered or picked up, receipts, delivery slips, or other documents transmitted by the vendor will be signed by the individual receiving the supplies. The blanket purchase order will also be attached to these documents and submitted for payment.

An additional purchase order will not be issued "after the fact" to cover overages. The Department Head will submit the additional invoices causing the overages to the Purchasing Director with an explanation as to how more accurate records will be maintained to ensure that overages do not occur again.

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CONFIRMING PURCHASE ORDERS

Definition: To provide a purchase order number in cases where necessity for immediate action exists.
Emergencies

Convenience: Whereby, pricing has been deemed competitive or predetermined by the department and immediate receipt of merchandise is needed to receive the price.

Procedure: When a department has an urgent situation, the following procedure will be followed:

Prior to calling the Purchase Department, the requisitioning department should be prepared to supply the following information:

The reason the purchase is urgent.

The department name and budget code

A complete description and accurate cost of the item(s) to be purchased.

The name and address of the vendor from whom the goods are to be purchased.

Requisitioning department will verify with the Finance Directorate necessary budgetary appropriation. The Purchasing Director or the appointed representative will determine if a purchase is in fact urgent. If the Purchasing Director rules that an urgent situation does exist, it will be the department's responsibility as to the selection of vendor. In these cases, the immediate availability of the required goods or services will be given prime consideration in the selection of the vendor. The department prepares the confirming purchase order and provides the regular distribution. The individual who picks up the item or items from the vendor, must obtain an extended invoice containing Quantity and description of items purchased. The unit and total cost
The signature of the person receiving the goods

The ordering department will prepare a requisition containing the same information as would normally be included, along with the purchase order number assigned. The requisition should be marked confirming purchase and forwarded to the Purchasing Department the same day.

Responsibility: The Purchasing Department WILL NOT approve a confirming purchase order when the purchase is not justified, where the purchase is being made to circumvent established procedures.

RECEIPT OF GOODS AND SERVICES

If the Purchasing Department receives any claims for materials, supplies or services for which no purchase order was issued, the Purchasing Director in conjunction with the Clerk of the Board of Supervisors will have the authority to nullify the payment of such claim.

Should a "significant difference" occur between the price or terms indicated on the purchase order and the price of any item on an invoice; the written approval of the Purchasing Director must be obtained on the invoice as support for the payment.

A "significant difference" is defined as a difference of 20% or more. A difference of \$100 or more requires approval regardless of the percent.

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Inspection and testing: Goods and materials should be checked at the time of receipt to detect any damage or defects. This inspection also includes assuring the material is in compliance with the specifications. Goods should be inspected for damage, quantity, quality, and for all other requirements listed in the specifications.

In the event of rejection, for whatever purpose, the Purchasing Department must be notified immediately.

Delayed deliveries and inferior material received: In spite of the fact that the Purchasing Department tries to procure the proper goods/services and on time, there will be occasions when:

You receive inferior goods/services.

You do not receive the goods/services within a reasonable delivery schedule.

In either of these cases, report directly in writing to the Purchasing Director stating your complaint. By doing so, the Purchasing Director will have on file what vendors are not performing and can take appropriate action.

Receiving of Equipment: Any piece of equipment with a value of \$100 or more, when received must be registered with the Insurance Director and put on the central inventory control report by using the appropriate fixed asset forms.

EXCEPTIONS TO THE PURCHASING SYSTEM

Thus far, we have discussed the procedures to be followed when a purchase order is needed. There are, however, certain expenditures for which the processing of a purchase order is unnecessary. The following should be made without purchase orders:

All single purchases under \$500.00. The Purchasing Department can be used as a resource in securing the items which cost under the \$500.00 limit.

Contracts for professional services

Utility bills.

Service contracts for a fixed monthly or annual rental.

Medical Examinations.

Advertisement and Legal notices - proof of publication or copy of the ad including date must be attached to the County voucher when submitted.

Postal fees.

Valid membership and dues.

Subscriptions

Mileage, Travel and Conference Reimbursement: The current Travel Voucher system will be used in recording and claiming reimbursement for mileage, meals, and other travel or conference expenses.

Reimbursement for petty cash funds.

All other expenses as determined by the Purchasing Director on an individual basis.

In these cases, a County claim voucher should be completed, in detail, by the departments to include:

Vendor's name and address

Description of goods and/or services

Unit price

Extension and total cost

Budget code & department name

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Department Head approval

The completed claim voucher should then be attached to the supporting invoices and circulated as normal procedure.

NON-COLLUSION CERTIFICATION

If competitive bidding is required by law, each bid must contain the following:

Non-Collusion Certification:

By submissions of this bid or proposal, the bidder certifies that:

The bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor; The bid or proposal has not been knowingly disclosed, prior to the opening of the bids or proposals for this project, to any other bidder, competitor, or potential competitor; No attempt has been or will be made to induce any other corporation to submit or not to submit a bid or proposal; The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing in its behalf.

All authority vested in the County Manager or the Purchasing Director under this section shall, in the absence or disability of the County Manager or the Purchasing Director, be vested in such County Officer as the Board of Supervisors may designate by duly enacted resolution of the Board.

PROCLAMATION IN RECOGNITION OF THE BICENTENNIAL OF WAYNE COUNTY, NY RESOLUTION NO. 62-23 moved by Sprvr. Borst second by Sprvr. Partee and adopted.

WHEREAS, Wayne County was established by action of the New York State on April 11, 1823;
and

WHEREAS, the Town of Galen and the Town of Wolcott were removed from Town of Junius of Seneca County in that same legislation of April 11, 1823 to become part of Wayne County; and

WHEREAS, from March 24, 1804 to April 11, 1823, the “history” of the present towns of Galen and Wolcott were a significant part of the “history” of Seneca County; and

WHEREAS, there have been positive and enthusiastic working relationships between the governments and peoples of both Seneca County and Wayne County these past 200 years; and

WHEREAS, the April 11, 2023 festivities planned by the Wayne County Bicentennial Committee provides Seneca County residents and governance the opportunity to highlight and celebrate the history of the towns of Galen and Wolcott specifically and the history of Wayne County as a whole; now, therefore, be it

PROCLAIMED, that the Seneca County Board of Supervisors, on behalf of the residents of Seneca County, commends Wayne County at the time of its Bicentennial.

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BOARD OF SUPERVISORS DESIGNATES COUNTY PROPERTY AS SURPLUS AND AUTHORIZES SALE BY AUCTION

RESOLUTION NO. 63-23 moved by Sprvr. Rhinehart second by Sprvr. Reynolds and adopted.

WHEREAS, the following County owned property has been recommended to be declared surplus and sold by auction:

- 2014 Ford Explorer color black VIN: 1FM5K8AR9EGB27741
- 2007 Chevrolet Express van color red VIN:1GAHG35U171221308
- 2011 Ford E 150 color red VIN: 1FMNE1BW1BDB11260
- Nikon DTM 352 surveying station (total station) with tripod and surveyors pole serial number: 011779
- 180 assorted sized tires

;And

WHEREAS, the Public Safety Standing Committee approved this resolution at their February 28, 2023 meeting; now, therefore be it

RESOLVED, that the Board of Supervisors declares the specified vehicles, and miscellaneous other property is authorized for disposal of these items with all proceeds to be transferred to the correct budget line; 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.

BOARD OF SUPERVISORS ACCEPTS FY20 REGIONAL HAZARDOUS MATERIALS GRANT

RESOLUTION NO. 64-23 moved by Sprvr. Rhinehart second by Sprvr. Brownell and adopted.

WHEREAS, the NYS Division of Homeland Security and Emergency Services authorized a \$110,600 Regional Hazardous Materials (HAZMAT) FY20 grant to Seneca County; and

WHEREAS, pursuant to Resolution 113-2022, the Seneca County Board of Supervisors authorized applying for this grant funding; and

WHEREAS, Seneca County is joined with Ontario, Wayne, and Yates Counties in a collaborative effort to provide a hazardous materials response and emergency rescue capability of Seneca County and the three adjoining counties; and

WHEREAS, this grant requires no local match and the performance period ends on August 31, 2023; and

WHEREAS, 5% of the grant proceeds can be used for grant administration; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Committee on February 28, 2023; 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 any required documentation to accept the HAZMAT FY20 grant proceeds for the enhancement of hazardous material response capabilities; and be it further

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

RESOLUTION INTRODUCING PROPOSED LOCAL LAW C OF THE YEAR 2023, “A LOCAL LAW TO WAIVE RESIDENCY FOR CERTAIN POSITIONS WITHIN THE SENECA COUNTY SHERIFF’S DEPARTMENT” AND PROVIDING FOR PUBLIC HEARING

RESOLUTION NO. 65-23 moved by Sprvr. Rhinehart second by Sprvr. Brownell and adopted.

WHEREAS, Section 3 of the Public Officers Law sets forth qualifications for holding office, to include County Sheriff’s Deputies (for purposes of this local law, this shall include employees in promotional titles of Deputy Sheriffs); 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, finding competent and qualified persons to fill positions as deputies for the Sheriff’s Office has become a serious concern to provide for the safety and protection of the Seneca County community; and

WHEREAS, a waiver of the county residency requirement for Sheriff’s Office Deputies would substantially increase the recruitment opportunities to provide viable candidates for these positions within the Sheriff’s Office, which are otherwise restricted to residents of Seneca County; and

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

WHEREAS, this resolution has been reviewed and approved by the Public Safety Committee at its meeting on February 28, 2023; now therefore be it

RESOLVED, that copies of the aforesaid proposed local law be laid upon the desks of each member of the County Board; and be it further

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RESOLVED, that the County Board hold a public hearing on said proposed Local Law at the County Office Building, 1 DiPronio Drive, Waterloo New York at or about 6:00 P.M., on April 11, 2023; and be it

FURTHER RESOLVED, that the Interim Clerk to the Board publish or cause to be published a notice of said public hearing in the official newspapers of the County at least ten (10) days prior thereto; and be it further

RESOLVED, that the Seneca County Board of Supervisors hereby introduces proposed Local Law C of 2023, entitled "A Local Law to waive residency for certain positions within the Seneca County Sheriff's Office", 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 Seneca County Deputy Sheriff to allow said individuals to reside in either Seneca County or a county contiguous to Seneca County.

SECTION 2. QUALIFICATIONS OF OFFICE

- A. 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 Office of Deputy Sheriff for the County of Seneca, provided 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
- B. As allowed or provided under the Civil Service Law of the State of New York, preference in appointment may be given by the Seneca County Personnel Office and the appointing officer to those candidates who reside in Seneca County.
- C. A Deputy Sheriff who ceases to be a resident of New York State, Seneca County, or a county contiguous to Seneca County shall be deemed to have resigned his or her employment and vacated the position.
- D. A Deputy Sheriff which is hired from a contiguous county or changes their residence changes their residence to a contiguous county at any point during their employment with Seneca County gives up his/her ability to take his/her take home vehicle to a contiguous county and will be parked when not working at an approved location in Seneca County. Any Deputy Sheriff who chooses to reside in a contiguous county acknowledges they will not be provided a take home vehicle and that certain assignments or opportunities would otherwise be unavailable to them due to this fact. The decision to not provide said opportunities based on a Deputy Sheriff's failure to reside within Seneca County will not be subject to any grievance procedure of any applicable collective bargaining agreement.
- E. Nothing in this local law should be read as requiring Seneca County to provide a take home vehicle to any Sheriff's Deputy.

SECTION 3. PUBLIC OFFICERS LAW -

Public Officer Law Section 3, Subsection 2 provides that a Municipality may hire Police Officer residing in a contiguous county; therefore, this practice will be consistent with that provision. Preference in appointment may be given to Deputy Sheriffs who reside in Seneca County. Such preference shall not be

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dispositive when hiring. 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 Office of Deputy Sheriff of 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 effect, 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.

RESOLUTION PROCLAIMING APRIL 2023 AS FAIR HOUSING MONTH RESOLUTION NO. 66-23 moved by Sprvr. Shipley second by Sprvr. Hayes and adopted.

WHEREAS, April 11, 2023, marks the 55th anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, religion, sex, handicap, familial status, and national origin. The State of New York adds: creed, disability, marital status, age, blindness, hearing impairment, use of a hearing service or guide dog, sexual orientation, military status, and domestic violence victim; and

WHEREAS, the Seneca County Board of Supervisors and the Seneca County Housing Coalition are committed to highlighting the Fair Housing Law, Title VIII of the Civil Rights Act of 1968, by continuing to address discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with other organizations to help assure every American of their right to fair housing; and

WHEREAS, this resolution has been reviewed and approved by the Economic Development & Tourism Standing Committee on February 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby proclaim April 2023 as Fair Housing Month.

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RESOLUTION TO REAPPOINT HARRIET A. HAYNES AS SENECA COUNTY FAIR HOUSING OFFICER

RESOLUTION NO. 67-23 moved by Sprvr. Shipley second by Sprvr. Hayes and adopted.

WHEREAS, Harriet A. Haynes has served as the Fair Housing Officer for the County and has been recommended for reappointment as the Fair Housing Officer of Seneca County, and

WHEREAS, the Economic Development and Tourism Standing Committee reviewed and approved this resolution on February 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint Harriet A. Haynes as the Fair Housing Officer of Seneca County for a term through December 31, 2024.

RESOLUTION SEEKING HOME RULE REQUEST FOR THE INTRODUCTION OF NEW YORK STATE SENATE AND ASSEMBLY BILLS TO AMEND THE TAX LAW IN RELATION TO AUTHORIZING A TWO PERCENT INCREASE ON HOTEL AND MOTEL TAXES IN SENECA COUNTY

RESOLUTION NO. 68-23 moved by Sprvr. Shipley second by Sprvr. J.Trout and adopted. Sprvr. Hayssen voted nay on the resolution

WHEREAS, this Board of Supervisors requests that its New York State Legislators introduce and enact a special state law authorizing and empowering Seneca County to impose an additional two percent (2%) in hotel and motel taxes in Seneca County; and

WHEREAS, said amendment will relate to New York Tax Law §1202-o and expand the collection of Hotel-Motel Tax collection from three percent (3%) to five percent (5%); and

WHEREAS, this amended percentage will further strengthen the ability of Seneca County to promote tourism and to invest in tourism related infrastructure; and

WHEREAS, this Resolution has been recommended for approval by the Economic Development and Tourism Standing Committee at its Meeting on February 28, 2023; now, therefore be it

RESOLVED, that this Board approves the Home Rule Request for the introduction and passage of Senate and Assembly Bills to increase the Hotel-Motel Tax in Seneca County to 5%; and be it further

RESOLVED, that the Clerk of this Board of Supervisors be authorized and directed to execute the required Home Rule Requests and to transmit the appropriate forms to the Senate and Assembly Representatives and Home Rule Counsel.

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Unfinished Business

None

New Business

RULE 29 Below are three resolutions that were brought up pursuant to Rule 29, these resolutions were passed.

A RESOLUTION APPROVING THE HOME RULE REQUEST FOR PASSAGE OF SENATE BILL NO. S4975 AND ASSEMBLY BILL NO. A 5008 INTRODUCING NEW YORK STATE LEGISLATION FOR EXTENSION OF ADDITIONAL 1% SALES TAX

RESOLUTION NO. 69-23, motion made by Sprvr. Reynolds, seconded by Sprvr. Partee and adopted by two-thirds of the total membership of the Board of Supervisors

WHEREAS, this Board of Supervisors requested that its New York State Legislators enact a special state law authorizing and empowering Seneca County to impose an additional one percent sales and compensating use tax; and

WHEREAS, on February 17, 2023 Senator O'Mara Helming introduced such legislation in the New York State Senate as Senate Bill No. S 4975; and

WHEREAS, on February 27, 2023, Assemblyman Gallahan and Assemblyman Palmesano introduced identical legislation in the New York State Assembly as Assembly Bill No. A 5008; and

WHEREAS, following the introduction of the bills in the State Legislature, this Board has been advised that it must adopt a resolution authorizing the execution and filing of formal Home Rule Requests for each bill; and

WHEREAS, this resolution was considered by the Seneca County Board of Supervisors pursuant to Rule 29 of the Rules of Order; now, therefore be it

RESOLVED, that the Board of Supervisors of the County of Seneca approves the legislation set forth as Senate Bill No. S 4975 and Assembly Bill No. A 5008 , " AN ACT to amend the tax la w, in relation to extending the authorization for Seneca County to impose additional rates of sales and compensating use tax"; and, be it further

RESOLVED, that this Board approves the Home Rule Request for the passage of Senate Bill No.S. 4975 and the Home Rule Request for the passage of Assembly Bill No. A 5008; and, be it further

RESOLVED, that the Clerk of this Board of Supervisors be authorized and directed to execute the required Home Rule Requests and to transmit the appropriate forms to the Senate and Assembly Home Rule Counsels.

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SUPERVISORS APPOINT BRUCE MURRAY TO SENECA COUNTY FUNDING CORPORATION BOARD OF DIRECTORS

RESOLUTION NO. 70-23, motion made by Sprvr. Shipley, seconded by Sprvr. Partee

WHEREAS, the County of Seneca (the “County”) is the sole member of the Seneca County Funding Corporation, a New York State not-for-profit corporation (the “Company”); and

WHEREAS, as the Company’s sole member the County appoints members of the Company’s board of directors; and

WHEREAS, one or more vacancies exist on the Company’s Board of Directors; and

WHEREAS, (the “County”) would like to appoint Bruce Murray to the Board of Directors; and

WHEREAS, this resolution was considered by the Seneca County Board of Supervisors pursuant to Rule 29 of the Rules of Order; now, therefore be it

RESOLVED, that (the “County”) appoints Bruce Murray to serve on the Company’s Board of Directors, which appointment shall take effect upon adoption of this resolution.

SUPERVISORS SUPPORT ALLOCATION OF AMERICAN RECOVERY ACT (ARPA) FUNDING TO ADVANCE BROADBAND ENGINEERING DESIGN PROJECT

RESOLUTION NO. 71-23, motion made by Sprvr Partee, seconded by Sprvr Hayes

WHEREAS, Seneca County has received funding from the Federal Government under the American Recovery Act; and

WHEREAS, Broadband support is eligible and encouraged activity utilizing APRA funding; and

WHEREAS, Seneca County has received a Proposal from New York Engineering Services in the amount of \$19,102 to advance engineering design services to progress broadband in five (5) towns within Seneca County; and

WHEREAS, this is an appropriate use of the ARPA Funds; and

WHEREAS, this resolution was considered by the Seneca County Board of Supervisors pursuant to Rule 29 of the Rules of order on March 14, 2023 now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the allocation of \$19,102 in ARPA Funds for Broadband Engineering Services; and be it further

RESOLVED , that that County Manager is authorized and directed to sign an agreement with New York Engineering Services in the amount not to exceed \$19,102 to progress Broadband Engineering Services in the towns of Junius, Waterloo, Seneca Falls, Fayette and Varick.

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Sprvr. Rhinehart made a motion to enter into executive session Pursuant to Sections 105 (1) (a) and (d) of New York State Opening Meeting Law which was seconded by Sprvr. Borst. The following individuals were invited into the session, the Board of Supervisors, County Manager, County Attorney, Melissa Taylor, and emergency services providers. The executive session began at 7:00pm and ended at 8:11 with no action.

Special Order of the Day

The Board of Supervisors adjourned their meeting at 6:58 p.m. Sprvr. Rhinehart motioned and Sprvr. Barnhart seconded the motion.