

# 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

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

### Pledge of Allegiance and Moment of Silence

### Public Hearing

Seneca County Board of Supervisors will hold a Public Hearing on proposed LOCAL LAW “C” OF THE YEAR 2023, “A Local Law to Waive Residency for certain positions within the Seneca County Sheriff’s Department”. Sprvr. D. Trout made a motion to open the public hearing and Sprvr. Barnhart seconded the motion. No individuals addressed the Board and the Public Hearing closed.

### Presentations

None

### Petitioners

None

### Open Privilege of the Floor

None

### Approval of Meeting Minutes

The minutes were approved for the March 14, 2023, Board meeting. Sprvr. Barnhart motioned and Sprvr. Brownell seconded.

### Report of Special Committees

Sprvr. Shipsey gave an update on the Finger Lakes Regional Airport (FLRA), he told the Board that he received an email from the Airport manager David Haimes, that stated an individual who owns a business in Seneca County would like to store their plane at the airport/hanger. This plan will need about 1,000 feet added to the runway. The Airport is currently working with the Federal Aviation on plans to design and expand the airport runway.

Sprvr. Kronenwetter let the Board know that he attended a Solid Waste Management meeting and they are working on a presentation to address options in the future.

Sprvr. J. Trout gave an update on Soil & Water and wanted to let the Board know they had just hired a new agricultural technician. He also let the Board know that Erin from Soil & Water has plans to meet with Cayuga County about weed harvesting.

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Sprvr. Partee stated that the Broadband Committee will meet next week to review engineering for Broadband.

Srpvr. Enslow gave a quick update and said they are still waiting on the Willard study to be complete so they can review.

## Chairman's Remarks

Chairman Enslow stated that he had a busy couple of weeks, meeting with different people, working through issues, overall he is excited for some positive changes that are in the works. He also let the Board know that the pictures in the Board room are being redone to help preserve some of the old photographs from past Boards, it will be an ongoing project over the next month or so.

## County Manager's Remarks

None

## County Attorney's Remarks

None

## Communications

27. Discover Seneca letter thanking the Board for their membership
28. Kind Morgan letter regarding digging; electricity/natural gas
29. Carol Doolittle email regarding the recycling service in Seneca County

## RESOLUTIONS & MOTIONS

### **SUPERVISORS CONFIRM, RATIFY AND ADOPT THE ACTIONS OF THE SENECA COUNTY TREASURER TO CONTRACT WITH AUCTIONS INTERNATIONAL, INC. FOR ONLINE AUCTIONEER SERVICES FOR COUNTY TAX SALES**

RESOLUTION NO. 72-23, motion made by Sprvr. Reynolds, seconded by Sprvr. Barnhart and adopted.

WHEREAS, the Seneca County Treasurer, as ordered by the County Court, is directed to sell tax foreclosed properties at public auction as directed by Leslie Marquart, and acts as the Enforcing Officer for that purpose; and

WHEREAS, the Treasurer intends to contract with Auctions International, Inc., of East Aurora, NY, to act as the professional auctioneer services to conduct an internet "online" auction format for the annual county tax sale auction so as to maximize proceeds for the county; and

WHEREAS, Auctions International presented the most cost-effective proposal for an online auction service at no cost to the County; as all their costs are paid by the bidder by a bidders' premium charge on sale price; and

WHEREAS, this resolution was approved by the Ways and Means Standing Committee at its meeting on March 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby confirm, ratify, and adopt the decision of the Seneca County Treasurer to contract with Auctions International, Inc., for on-line

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auctioneer services for the annual county tax sale auctions.

**EXTEND TAX ROLLS AND BILLS FOR VILLAGES**

RESOLUTION NO. 73-23, motion made by Sprvr. Reynolds, seconded by Sprvr. Brownell and adopted.

WHEREAS, Seneca County has for the past several years extended rolls and tax bills for the villages within the County; and

WHEREAS, the villages are desirous of continuing this service for 2023; and

WHEREAS, it would be in the best interest of the County and Villages to continue the service; and

WHEREAS, this Resolution has been recommended for approval by the Ways and Means Committee at its Meeting on March 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Manager, after review and approval by the County Attorney, be and hereby is authorized to sign the 2023 annual agreements pertaining to the extension of tax rolls and bills for villages located in towns that utilize the County's computer system in the following villages: Interlaken, Lodi, Ovid, and Waterloo.

**EXTEND TAX ROLLS AND BILL EXTRACT FILES TO PHELPS/CLIFTON, ROMULUS, SENECA FALLS, SOUTH SENECA, TRUMANSBURG AND WATERLOO SCHOOL DISTRICTS**

RESOLUTION NO. 74-23, motion made by Sprvr. Reynolds, seconded by Sprvr. D. Trout and adopted.

WHEREAS, Seneca County has for the past several years extended tax extract files to the school districts of Phelps/Clifton, Romulus, Seneca Falls, South Seneca, Trumansburg and Waterloo; to enable them to administer their own school tax bills; and

WHEREAS, the County and School Districts are desirous of continuing this service for 2023; and

WHEREAS, it would be in the best interest of the County and School Districts to continue the service; and

WHEREAS, the Ways & Means Standing Committee has reviewed and approved this resolution at its March 28, 2023 meeting; now, therefore be it

RESOLVED, that the Seneca County Manager, after review and approval by the County Attorney, is authorized to sign the annual agreements with the Phelps/Clifton, Romulus, Seneca Falls, South Seneca, Trumansburg and Waterloo School Districts to provide extract files to enable the schools to administer tax bills for 2023.

**BOARD OF SUPERVISORS AUTHORIZES AMENDMENTS TO 2022 AND 2023 SENECA COUNTY BUDGET**

RESOLUTION NO. 75-23, motion made by Sprvr. Reynolds, seconded by Sprvr. D. Trout and adopted.

WHEREAS, amendments to the 2022 and 2023 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 Ways and Means Standing Committee at its meeting on March 28, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes the following amendments to the 2022 and 2023 Seneca County Budget:

Line Item	Description	Increase/(Decrease)	Revenue/Expenditure	\$
<b>Note 1: 2023 Facilities DIC Budget adjustment per RES 259-22</b>				

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10 3599	General Fund Balance	Decrease	Fund Balance	\$103,981
101620 54220 DIC	Repairs & Maintenance	Increase	Expenditure	\$103,981
104339 43000	Mental Health State Aid	Increase	Revenue	\$14,700
104339 54220 DIC	Repairs & Maintenance	Increase	Expenditure	\$14,700
<b>Note 2: 2023 Mental Health Addictions Budget adjustment</b>				
104220 43000	Addictions State Aid	Increase	Revenue	\$41,250
104220 54350	Medical Fees	Increase	Expenditure	\$41,250
<b>Note 3: 2023 Sewer 3 Budget adjustment</b>				
348110 42120	Sewer Consumption	Decrease	Revenue	\$80,000
348110 42122	O and M	Decrease	Revenue	\$295,000
348110 42189	Other Home & Comm Rev	Increase	Revenue	\$275,000
348110 49998	Debt Reserve Revenue	Increase	Revenue	\$100,000
<b>Note 4: 2023 DHS Budget adjustment per RES 22-23</b>				
10 3599	General Fund Balance	Decrease	Fund Balance	\$379,900
106010 54700 SS02	Contractual - Services	Increase	Expenditure	\$379,900
<b>Note 5: 2022 Highway Budget adjustment</b>				
405110 54543	Stone and Gabions	Decrease	Expenditure	\$64,000.00
405110 54548	Salt	Decrease	Expenditure	\$28,332.41
405110 59950	Transfer to Capital Projects	Increase	Expenditure	\$92,332.41
805113 42770 BLSRD	Other Revenue	Decrease	Revenue	\$66,616.88
805113 43502	State Aid Co Rd Proj	Decrease	Revenue	\$25,715.53
805113 45031 BLSRD	Interfund Revenue	Increase	Revenue	\$66,616.88
805113 45031	Interfund Revenue	Increase	Revenue	\$25,715.53

**HEALTH DEPARTMENT AUTHORIZED TO REQUEST BIDS FOR THE ANNUAL HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT**  
 RESOLUTION NO. 76-23, motion made by Sprvr. Shipley, seconded by Sprvr. D. Trout and adopted

WHEREAS, the Health Department has offered an Annual Household Hazardous Waste Collection event for many years; and

WHEREAS, it will be necessary to request bids for the provision of these services; and

WHEREAS, the Health Department will also be applying for NYS Department of Environmental Conservation (DEC) reimbursement for 50% of the eligible costs for holding this event; and

WHEREAS, the Health & Human Services Standing Committee has approved the solicitation of bids and applying for DEC funding during its' meeting of March 28, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes the Health Department to solicit bids for the provision of the 2023 Annual Household Hazardous Waste Collection event and to also apply for DEC reimbursement.

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### **COUNTY MANAGER AUTHORIZED AND DIRECTED TO SIGN A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE TOBACCO ENFORCEMENT GRANT**

RESOLUTION NO. 78-23, motion made by Sprvr. Hayes, seconded by Sprvr. Rhinehart and adopted.

WHEREAS, the New York State Department of Health has awarded a grant to Seneca County for the Tobacco Enforcement Program; and

WHEREAS, the amount of this grant is \$27,294; and

WHEREAS, the award is for the period of April 1, 2023, through March 31, 2024; and

WHEREAS, this grant allows for county reimbursement for enforcement activities, education and prevention activities related to tobacco control; and

WHEREAS, these grant funds will be allocated in the Health Department budget Account No. 104011-43451-TOB23; and

WHEREAS, these funds are used to support the budgeted Environmental Health salaries, fringe benefits, and non-personal program expenses; and

WHEREAS, the Health & Human Services Standing Committee has reviewed and approved this resolution at its meeting on March 28, 2023; 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 Tobacco Enforcement Program Grant for the period April 1, 2023, through March 31, 2024 in the amount of \$27,294; and be it further

RESOLVED, that the Department of Finance is hereby authorized to amend the 2023 budget and to allow any unused portions to flow into future years per the funding guidelines; 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.

### **COUNTY MANAGER AUTHORIZED AND DIRECTED TO SIGN A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE IMMUNIZATION ACTION GRANT**

RESOLUTION NO. 79-23, motion made by Sprvr. Hayes, seconded by Sprvr. Rhinehart and adopted.

WHEREAS, the New York State Department of Health has awarded the Seneca County Health Department \$31,050 for the period April 1, 2023, to March 31, 2024 for the administration of the Immunization Action Program Grant; and

WHEREAS, it is necessary for the County Manager to sign the contract the receive the funding; and

WHEREAS, these grant funds are budgeted in the 2023 Health Department revenue under account 104010-43444-IAP23 and 104010-44489-IAP23; and

WHEREAS, these funds are used to support the budgeted Health Department salaries, fringe benefits and non-personal program expenses; and

WHEREAS, the Health & Human Services Committee has approved this grant at its meeting on March 28, 2023; 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 Immunization Action Program Grant for the period April 1, 2023, to March 31, 2024, in the amount of \$31,050; and be it further

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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 and to amend the 2023 budget as necessary with unused portions flowing into future years per the funding guidelines.

**COUNTY MANAGER AUTHORIZED AND DIRECTED TO SIGN A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR YEAR TWO OF THE HEALTHY NEIGHBORHOODS PREVENTIVE HEALTH CORNERSTONES GRANT AND AMEND 2023 BUDGET**

WHEREAS, the New York State Department of Health has awarded the Seneca County Health Department \$627,160 for the period April 1, 2022, through March 31, 2027, for the Healthy Neighborhoods Preventive Health Cornerstones Grant; and

WHEREAS, this grant is in the amount of \$125,432 annually for five years; and

WHEREAS, this grant allows for county reimbursement for activities to identify and mitigate residential injuries and environmental health hazards in residential homes in targeted neighborhoods; and

WHEREAS, these grant funds will be allocated in the Health Department Budget Account No. 104011-44489-HNP23; and

WHEREAS, these funds are used to support the budgeted Health Departments salaries, fringe benefits, and non-personal program expenses; and

WHEREAS, the Health & Human Services Standing Committee has reviewed and approved this resolution on March 28, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes and directs the County Manager to sign the contract with the New York State Department of Health for year two of the Healthy Neighborhoods Preventive Health Cornerstones Grant for the period April 1, 2023, through March 31, 2024, in the amount of \$125,432; and be it further

RESOLVED, that the Director of Public Health and Director of Finance will work jointly to submit Budget documents to New York State for review and approval and are authorized to amend the 2023 County Budget and to make the necessary accounting entries consistent with the intent of this Resolution

**COUNTY MANAGER AUTHORIZED AND DIRECTED TO SIGN CONTRACTS WITH SERVICE PROVIDERS FOR THE 3-5 PRE-SCHOOL PROGRAM**

RESOLUTION NO. 81-23, motion made by Sprvr. Hayes, seconded by Sprvr. Rhinehart and adopted.

WHEREAS, the Health Department is required to secure contracts with agencies and individuals to provide professional services to children enrolled in the 3-5(Pre-School) Program; and

WHEREAS, these services include Center-Based Services and/or home/community-based services to include Speech Therapy, Occupational Therapy, Social Work, Special Instruction, and Ground Therapy; and

WHEREAS, there is an ongoing shortage of providers to provide these services, including service evaluations, which has prompted some of the school districts in the county to begin offering these services; and

WHEREAS, the Seneca Falls CSD and the Romulus CSD have each indicated their intent to begin offering some of these services for vulnerable children that would necessitate contracting with the Health Department; and

WHEREAS, the funds for these contracts are in the Public Health Budget 104149-54700; and

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WHEREAS, the Health & Human Services Standing Committee has approved contracting with the Seneca Falls CSD and Romulus CSD during its' meeting of March 28, 2023; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign contracts with the Seneca Falls CSD and Romulus CSD as service providers for the 3-5 Program for the period of May 1, 2023, through June 30, 2025.

**SENECA COUNTY DIVISION OF HUMAN SERVICES TO CONTRACT WITH CHILDREN'S HOME OF WYOMING CONFERENCE, INC FOR CHILD WELFARE PREVENTIVE SERVICES FOR AT-RISK YOUTH WITH JUVENILE JUSTICE AND CRIMINAL JUSTICE CONCERNS**

RESOLUTION NO. 82-23, motion made by Sprvr Barnhart, seconded by Sprvr. Rhinehart and adopted.

WHEREAS, the Seneca County Division of Human Services will contract with Children's Home of Wyoming Conference, Inc. for Child Welfare Preventive Services experiencing juvenile justice related contact; and WHEREAS, the services to be provided in the amendment are the following:

- Parent and child education
- Parent and child mentoring services
- Youth Advocacy and Skill Building
- Casework surrounding children in the Raise the Age (16 -17-year-olds) and Lower Raise the Age of Juvenile Delinquency to age 12 and Differential Response for ages 7 to 11.
- Home and Community based programming for PINS and JD children
- Aftercare services for children coming out of foster care that are at risks of entering juvenile justice systems; and

WHEREAS, this contract of \$207,824, and is budgeted within the Department of Human Services Purchase of Services 106070 54700 contractual lines; and

WHEREAS, this agreement has been reviewed and approved by the Health & Human Services Committee on March 28, 2023; now, therefore be it

RESOLVED, the Board of Supervisors authorizes the approval of the agreement with Children's Home of Wyoming Conference, Inc. and the County Manager would be authorized and directed to sign the agreement with Children's Home of Wyoming Conference, Inc.; and be it further

RESOLVED, that the Director of Finance is authorized to amend the 2023 budget as follows:

106070 54700 POS47	Detention Prevention Contracts	Decrease	Expenditure	\$103,912
106070 54700 POS45	Lower Raise the Age	Increase	Expenditures	\$103,912

;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.

**SENECA COUNTY DIVISION OF HUMAN SERVICES TO CONTRACT WITH CHILDREN AWAITING PARENTS, DONALD J. CORBETT ADOPTION AGENCY FOR KINSHIP CHAMPION - FAMILY FINDING SERVICES**

RESOLUTION NO. 83-23, motion made by Sprvr Barnhart, seconded by Sprvr. Rhinehart and adopted.

WHEREAS, the Seneca County Division of Human Services will contract with Children Awaiting Parents for Kinship Champion – Family Finding Services; and

WHEREAS, the services to be provided in the contract are the following:

- Training on NYS OCFS required Kinship Champion role
- Recruitment of Kin resources
- Education to Kin resources on permanency options for youth placed in foster care

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- Assisting Kin on becoming foster care provider
- Providing education and training for Kin caring for youth in and out of foster care placements
- Interstate Compact on the Placement of Children (ICPC); and

WHEREAS, this contract of \$ \$111,275, and is budgeted within the Department of Human Services Purchase of Services 106070 54700 contractual lines; and

WHEREAS, this agreement has been reviewed and approved by the Health & Human Services Standing Committee on March 28, 2023; now, therefore be it

RESOLVED, the Board of Supervisors authorizes the approval of the agreement with Children Awaiting Parents and the County Manager would be authorized and directed to sign the agreement with Children Awaiting Parents; and be it further

RESOLVED, that the Director of Finance is authorized to amend the 2023 budget as follows:

106070 54700 POS47	Detention Prevention Contracts	Decrease	Expenditure	\$111,275
106070 54700 POS24	CAP Kinship	Increase	Expenditures	\$111,275

;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.

### **RESOLUTION OF THE SENECA COUNTY BOARD OF SUPERVISORS AUTHORIZING PARTICIPATION IN SETTLEMENT OF THE MATTER OF NATIONAL PRESCRIPTION OPIATE LITIGATION PERTAINING TO “CVS”, “WALGREENS” AND “WALMART”**

RESOLUTION NO. 84-23, motion made by Sprvr Hayes, seconded by Sprvr. Brownell and adopted.

WHEREAS, there is pending the Matter National Prescription Opiate Litigation as to “CVS”, “WALGREENS” and “WALMART”, related to litigation of claims against related to the “Opioid Crisis”, of which Seneca County is a claimant through action of the State of New York; and;

WHEREAS, a plan of settlement has been reached; and

WHEREAS, counsel for Seneca County has recommended acceptance of this settlement proposal as it provides the most comprehensive benefits to Seneca County; and

WHEREAS, it is in the best interest of the County of Seneca to resolve this matter with respect to Allergan without further litigation; and

WHEREAS, this resolution was reviewed and forwarded for action by the Health and Human Services Committee at its meeting on March 28, 2023; now, therefore be it

RESOLVED, that Seneca County hereby accepts and agrees to participate in the settlement agreement of the matter of the National Prescription Opiate Litigation Pertaining to “CVS”, “WALGREENS” and “WALMART”, as recommended by counsel, SIMMONS HANLY CONROY; and, be it further

RESOLVED that the County Attorney is hereby authorized to execute, and any all documents related to such settlement on behalf of Seneca County.

### **CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINIC (CCBHC) – PLANNING, DEVELOPMENT, AND IMPLEMENTATION GRANT**

RESOLUTION NO. 85-23, motion made by Sprvr Hayes, seconded by Sprvr. Brownell and adopted.

WHEREAS, there is pending the Matter National Prescription Opiate Litigation as to “CVS”, “WALGREENS” and “WALMART”, related to litigation of claims against related to the “Opioid Crisis”, of which Seneca County is a claimant through action of the State of New York; and;

WHEREAS, a plan of settlement has been reached; and



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WHEREAS, counsel for Seneca County has recommended acceptance of this settlement proposal as it provides the most comprehensive benefits to Seneca County; and

WHEREAS, it is in the best interest of the County of Seneca to resolve this matter with respect to Allergan without further litigation; and

WHEREAS, this resolution was reviewed and forwarded for action by the Health and Human Services Committee at its meeting on March 28, 2023; now, therefore be it

RESOLVED, that Seneca County hereby accepts and agrees to participate in the settlement agreement of the matter of the National Prescription Opiate Litigation Pertaining to “CVS”, “WALGREENS” and “WALMART”, as recommended by counsel, SIMMONS HANLY CONROY; and, be it further

RESOLVED that the County Attorney is hereby authorized to execute, and any all documents related to such settlement on behalf of Seneca County.

### **SUPERVISORS APPROVE REQUEST FOR PROPOSALS FOR CURBSIDE RECYCLING SERVICES AND RECYCLING CONTRACT IN SENECA COUNTY**

RESOLUTION NO. 86-23, motion made by Sprvr. Barnhart, seconded by Sprvr. Hayes and adopted.

WHEREAS, the current recycling contract with Cardinal Disposal expires December 31, 2023; and

WHEREAS, it is recommended that Seneca County issue a Request for Proposal (RFP) for interested bidders to continue the pickup of recyclable materials; and

WHEREAS, it would be advisable to issue the RFP in June of 2023 to open bids in July 2023 for budgeting purposes for 2024; and

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

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the County Managers Office to solicit proposal (RFP) for curbside recycling services and recycling contract in Seneca County.

### **SUPERVISORS APPROVE PURCHASE OF ONE 2025 AUTOMATIC HX520 6X4 TEN WHEELER FOR THE HIGHWAY DEPARTMENT**

RESOLUTION NO. 87-23, motion made by Sprvr. Brownell, seconded by Sprvr. Reynolds and adopted.

WHEREAS, the Seneca County Highway Department is requesting to buy one (1) 2025 International Automatic HX520 6X4 Ten-Wheeler; and

WHEREAS, the Seneca County Highway Department has secured a quote from Regional International through Onondaga County Contract #8996; and

WHEREAS, the funding in the amount of \$299,125.10 has been appropriated and approved in the 2023 Highway Road Machinery Budget Account No. 505130-52600 Vehicles; and

WHEREAS, the purchase was approved by the Public Works Standing Committee on March 28, 2023; therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Seneca County Highway Superintendent to purchase one (1) 2025 Automatic HX520 6X4 Ten-Wheeler from Onondaga County Contract #8996 from Regional International in the amount of \$299,125.10 with funds appropriated from the 2023 Highway Road Machinery Account 505130-52600.

### **SUPERVISORS APPROVE PURCHASE OF ONE NEW CAT CB 7 ROLLER FOR THE HIGHWAY DEPARTMENT**

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RESOLUTION NO. 88-23, motion made by Sprvr. Brownell, seconded by Sprvr. Kronenwetter and adopted.

WHEREAS, the Seneca County Highway Department is requesting to buy a CAT CB 7 Roller; and

WHEREAS, the Seneca County Highway Department has secured a quote through State Contract #PC69406 in the amount of \$149,870.00 from Milton Cat, Batavia, NY; and

WHEREAS, the funds have been appropriated and approved in the 2023 Highway Road Machinery Budget Account No. 505130-52600 Vehicles; and

WHEREAS, the purchase was approved by the Public Works Standing Committee on March 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Seneca County Highway Superintendent to purchase one (1) Caterpillar CB7 Vibratory Roller from State Contract #PC69406 from Milton Cat in the amount of \$149,870.00 with funds appropriated from the 2023 Highway Road Machinery Account 505130-52600.

### **SENECA COUNTY BOARD OF SUPERVISORS OPPOSES PROPOSED CHANGES TO NEW YORK STATE FOIL AND WATER CONSERVATION DISTRICT LAW**

RESOLUTION NO. 89-23, motion made by Sprvr. Kronenwetter, seconded by Sprvr. Partee and adopted.

WHEREAS, the Seneca County Board of Supervisors, was notified of the proposed changes to District Law Article 2 – Section 4-12 which governs established bylaws for every local soil and water conservation district (District) in New York State, that would have a negative impact on management of environmental issues, local land management consequences and impacts on County operations; and

WHEREAS, Districts have existed for over 80+ years in local communities and were established due to the local needs of every diverse geographical region with locally led leadership; and

WHEREAS, Districts strive to make programs and services inclusive and open for everyone, by bringing together municipalities, private citizens, businesses, and the agricultural community. Districts are the proven and capable organization to implement the multi-barrier approach strategy for highly cost effective conservation, enhancing climate resiliency, soil health, nutrient, sediment, and pathogen reduction that helps protect, preserve and enhance our natural resources and pristine water quality; and

WHEREAS, Districts work with partners on a watershed basis with all of their programs, and projects to address issues across municipal boundaries focusing on the watershed needs and goals of its geographic area; and

WHEREAS, the current make-up of Districts governing bodies represents the area's stakeholders effectively in a dynamic way to support the conservation needs of each region; and

WHEREAS, Year-in and year-out, the productivity of Soil and Water Conservation Districts throughout the state, as currently constructed and governed, provides an unequalled level of conservation that no other federal, state, or local agency can match; and

WHEREAS, the New York State Watershed Health Coalition is proposing wide sweeping changes to New York State Soil and Water Conservation District Law and New York State Agriculture and Markets Law; and

WHEREAS, changing structure to District Boards would have a major impact on the ability to make decisions through informed local partners on the very issues that Districts deal with every day; and

WHEREAS, the proposed changes will affect District funding, functionality and effectiveness of Districts throughout the state, which is likely to lead to less effective conservation practices and risks water quality, wildlife habitat, and billions of dollars of private and public infrastructure; and

WHEREAS, the proposed changes extend detrimental implications to local municipalities, County operations and reach statewide, ultimately affecting the conservation of natural resources, water quality, the agricultural community, food sources and the economy; and

WHEREAS, the Agriculture and Environmental Affairs Standing Committee reviewed and approved this Resolution at their March 28, 2023 Meeting; now, therefore be it

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RESOLVED, that the Seneca County Board of Supervisors strongly opposes the New York State Watershed Health Coalition's (NYSWHC) proposed legislative efforts to amend New York State Soil and Water Conservation District Law and New York State Agriculture and Markets Law and asks the Association of Counties to also oppose the proposed changes and urges the New York State Senate, Assembly, and Governor to preserve such laws by blocking amendments proposed by the NYSWHC.

### **SUPERVISORS SUPPORT SENDING LETTER TO LOCAL AND STATE REPRESENTATIVES URGING THE NYS DEC TO COMPLETE STUDY REGARDING THE HIGH PHOSPHORUS LEVELS IN CAYUGA LAKE**

RESOLUTION NO. 90-23, motion made by Sprvr. Kronenwetter, seconded by Sprvr. Barnhart and adopted.

WHEREAS, the Federal and State agencies that are in charge of protecting our lakes, act as if they are non-existent; and

WHEREAS, years of data have been collected and the data shows that there are copious amounts of phosphorus going into our lakes which is unregulated by the NYS DEC; and

WHEREAS, the NYS DEC has promised a total daily maximum (TMD) load of phosphorus in Cayuga Lake since at least 2017; and

WHEREAS, their original 90 page draft report was issued in April 2021 with a four (4) month comment period to July of 2021; and

WHEREAS, the study has not been completed yet, in almost 3 years; and

WHEREAS, with the mass amount of nutrients flowing into Cayuga Lake, which is proven by the vast data that has been collected, we get harmful algae blooms, weeds, zebra mussels and quagga mussels; and

WHEREAS, these all thrive on the phosphorous, nitrogen and E.coli that is pouring into our lake and drinking water supply; and

WHEREAS, the Agriculture and Environmental Affairs Standing Committee reviewed and approved this resolution at their March 28, 2023 meeting; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors urges our Local and State Representatives to encourage the NYS DEC to complete their study and produce a total maximum daily load (TMD) limit for phosphorus in Cayuga Lake; and be it further

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the County Attorney to draft a letter to send to our Local and State Representatives urging the NYS DEC to complete their study on the phosphorus in Cayuga Lake.

### **BOARD OF SUPERVISORS AUTHORIZES FIVE YEAR MEMORANDUM OF AGREEMENT BETWEEN THE COUTY AND THE SENECA COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR PROVISION OF SERVICES AND FUNDING PROCESS**

RESOLUTION NO. 91-23, motion made by Sprvr. Kronenwetter, seconded by Sprvr. Barnhart and adopted.

WHEREAS, the Seneca County Soil and Water Conservation District (the District) is a public corporation established under Section 5 of the Soil and Water Conservation Districts Law to provide services to the residents of Seneca County, and operates in conjunction with Seneca County, through the Seneca County Board of Supervisors; and

WHEREAS certain administrative services are provided to the District by the County, by statute, regulation, and agreement, as well as annual funding from County sources; and

WHEREAS a formal agreement between the District and the County to address these services, obligations from the District to the County, and the process for funding received by the district would serve the best interests of the County; and

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WHEREAS, the Resolution has been reviewed and forwarded for adoption to the full Board of Supervisors by the Agriculture and Environmental Affairs Committee at its meeting on March 28, 2023.; now, therefore be it

RESOLVED that the Seneca County Board of Supervisors, in support of the Seneca County Soil and Water Conservation District, and its mission in support of the residents of the County, does here by authorize the Seneca County Manager to enter into and sign a five (5) year Memorandum of Agreement with said District.

### **SENECA COUNTY BOARD OF SUPERVISORS SUPPORT SENECA LAKE POLLUTION REDUCTION AND ALLOCATES FUNDS TO SUPPORT 2023 EFFORTS**

RESOLUTION NO. 92-23, motion made by Sprvr. Kronenwetter, seconded by Sprvr. Hayes and adopted.

WHEREAS, the Seneca Lake Pure Waters Association continues to grow its Sediment and Nutrient Reduction Program (SNPR); and

WHEREAS, SNPR was started in 2020 with the intent of providing funding to reduce the harmful effects of upland erosion and pollutants that enter Seneca Lake; and

WHEREAS, the Agriculture and Environmental Affairs Standing Committee reviewed and approved the aforementioned allocation and recommended for adoption this Resolution at its Meeting on March 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the release of County Hotel-Motel Tax funding in the amount of \$2,500 in support of the 2023 Sediment and Nutrient Reduction Program for Seneca Lake; and be it further

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

### **BOARD OF SUPERVISORS AMEND SENECA COUNTY**

#### **POLICY NO. 101.216 LONGEVITY PAY EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 93-23, motion made by Sprvr. Kronenwetter, seconded by Sprvr. Hayes and adopted.

WHEREAS, the Seneca County Board of Supervisors approved restoring longevity to all full-time management employees at the current CSEA Bargaining Agreement rates effective January 1, 2023 (Res. #265-22); and

WHEREAS, the Seneca County Board of Supervisors approved the creation of Policy No. 101.216 entitled "Longevity Pay" at the 11/14/2022 Board meeting (Res. #287-22); and

WHEREAS, additional clarification is needed regarding the process of how/when longevity pay is to be distributed to affected County Employees; and

WHEREAS, the Vacancy Committee and Human Resources/Government Operations Committee met on March 28, 2023, and have recommended the following changes be made to Policy #101.216 as reflected below; now, therefore be it

RESOLVED, that the Longevity Pay Policy No. 101.216 is amended to read as follows:

#### **SENECA COUNTY POLICY MANUAL** **101.216 LONGEVITY PAY**

1. Seneca County Board of Supervisors recognizes the value of experience and knowledge of employees with long-term service to the county. Accordingly, employees shall be eligible for longevity increments on their anniversary date of hire with the County of Seneca.

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2. Longevity pay shall be afforded to county employees with substantial continuous, uninterrupted full-time service with Seneca County where the employee was not off the county payroll.

3. For all bargaining unit employees, the benefits are paid in accordance with their respective collective bargaining agreements.

4. For breaks in service of less than one (1) year, longevity shall be restored to the employee. Breaks in service over one (1) year will result in longevity not being restored to the returning employee.

## MANAGEMENT EMPLOYEES

1. All full-time managerial/confidential employees and all other full-time non-bargaining unit employees shall be paid the same longevity dollar amount as set forth in the Civil Service Employees Association (CSEA) collective bargaining unit agreement in effect at that time. The exception for those full-time managerial/confidential employees who were promoted from another bargaining unit (PBA, Corrections) will be compensated according to the unit they moved from in an effort so as not to diminish the benefits of longevity.

2. For the purposes of this policy and applicable to all full-time management/confidential employees, Longevity pay for 2023 will continue to be added to the base salary.

3. Commencing January 1, 2024, and each year thereafter, Longevity payments for all full-time managerial/confidential employees will be paid in a lump sum effective the payroll period nearest January 1st of the new payroll year.

## **BOARD OF SUPERVISORS APPROVES THE CREATION AND FILLING OF ONE (1) FULL-TIME PROBATION OFFICER AND ABOLISH ONE (1) FULL-TIME PROBATION ASSISTANT**

RESOLUTION NO. 94-23, motion made by Sprvr. Hayes seconded by Sprvr. Rhinehart and adopted.

WHEREAS, a vacancy occurred on 1/1/2023 due to the retirement of a Probation Assistant; and WHEREAS, the duties of the Probation Assistant have since been transferred amongst the other four (4) Probation Officers in the department creating additional work for the staff; and

WHEREAS, the Probation Director finds it to be advantageous to add one (1) full-time Probation Officer position to help offset the work load of the other Officers when writing investigations and supervision of clients; and

WHEREAS, the money saved as a result of the retirement and not filling the vacant position has resulted in a savings of \$8,271 and would help to offset the cost of the new position and would bring the Probation Department back to full staff; and

WHEREAS, the Director of Finance has reviewed the 2023 budget line 103140-51100; and

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

RESOLVED, that the Board of Supervisors approves the creation and filling of one (1) full-time Probation Officer position at Grade 8, Hire rate \$26,819 (\$52,297) as per the CSEA Salary Schedule; and be it further

RESOLVED, that the Board of Supervisors approved abolishing one (1) full-time Probation Assistant position in the Probation Department; 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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### **BOARD OF SUPERVISORS APPROVES RECLASSIFYING STAFF DEVELOPMENT COORDINATOR FROM GRADE 4 TO GRADE 5 ON THE MANAGEMENT SALARY SCHEDULE AND MOVE POSITION TO DHS**

RESOLUTION NO. 95-23, motion made by Sprvr. Hayes seconded by Sprvr. Rhinehart and adopted.

WHEREAS, the Commissioner of Human Services has recently restructured the DHS front office with six (6) Staff Resources Assistants and recognizes the need for supervision of this staff in order to provide adequate training and oversight; and

WHEREAS, the Staff Development Coordinator position has been identified as the most appropriate position to provide the training, onboarding and managing oversight for the office staff and would like to modify the current job description by adding a supervisory role for the position; and

WHEREAS, currently the Staff Development Coordinator position is located in the Personnel Department but paid 75% through DHS, however, the Commissioner would like to place the Staff Development Coordinator back into DHS and fully fund the position; and

WHEREAS, the Director of Finance has reviewed the 2023 budget (106010.51100); and

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

RESOLVED, that the Board of Supervisors approves the reclassification of one (1) full-time Staff Development Coordinator position from Grade 4, Step 7 (\$62,200 + longevity) to Grade 5, Step 3 (\$65,054 + longevity) on the Management Salary schedule with the effective date that coincides with the start of the next available pay period; and be it further

RESOLVED, that the Board of Supervisors approves moving the position of Staff Development Coordinator from the Personnel Department to the Department of Human Services; 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 AUTHORIZES CONTRACT WITH SQUAD 9 LLC FOR CONSULTING SERVICES**

RESOLUTION NO. 96-23, motion made by Sprvr. Hayes seconded by Sprvr. Rhinehart and adopted.

WHEREAS, New York State Governor Kathy Hochul recently signed Executive Order Number 18: Preventing and Responding to Domestic Terrorism; and

WHEREAS, this order mandates every county in New York State to develop and maintain a plan to identify and confront threats of domestic terrorism, a form of targeted violence; and

WHEREAS, a viable prevention strategy has 3 key components; an awareness campaign, a reporting mechanism, and a management team; and

WHEREAS, the NYS Division of Homeland Security and Emergency Services authorized a FY 2022 Domestic Terrorism Prevention (DTP) grant to Seneca County for \$172,413 to fund the objectives and requirements of Executive Order Number 18; and

WHEREAS, Resolution No. 32-32 authorized acceptance of the FY 2022 Domestic Terrorism Prevention (DPT) grant to Seneca County; and

WHEREAS, the Seneca County Office of Emergency Management has received a proposal for contracting services from Squad 9 LLC for Threat Assessment and Case Management training, Emergency Management Triage training, and HIPAA and FERPA Exemption training for \$23,600; and

WHEREAS, Squad 9 will also support Seneca County over the next two years with consulting services to develop and support a Threat Advisory Committee at a cost of \$120 per hour not to exceed the total grant award of \$172,413; and

WHEREAS, with over 50 years of experience at the FBI in preventing acts of targeted violence and as the developers of the Rochester Threat Advisory Committee (ROCTAC), Squad 9 LLC is uniquely qualified to provide

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these services to Seneca County and has been identified as a sole source consultant by the NYS Division of Homeland Security; and

WHEREAS, this Resolution was reviewed and approved by the Public Safety Standing Committee at their meeting on March 28, 2023; now therefore be it

RESOLVED, that the Board of Supervisors authorizes and directs the County Manager to sign any and all required documentation to contract with Squad 9 LLC for consulting services.

### **AUTHORIZE ACCEPTANCE OF DISTRIBUTION #10 GRANT FROM NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES**

RESOLUTION NO. 97-23, motion made by Sprvr. Rhinehart seconded by Sprvr. Barnhart and adopted.

WHEREAS, Pursuant to Res No. 299-21 Seneca County accepted the Distribution #9 Grant from the New York State Office of Indigent Legal Services, in the amount of \$69,321 to fund the increased salary and fringe benefits of the 3rd Assistant Public Defender; and

WHEREAS, Distribution #9 funding expired on 12/31/2021 and the Distribution #10 Grant is offered to continue the funding of the 3rd Assistant Public Defender; and

WHEREAS, the Distribution #10 grant is in the amount of \$69,321 for a three (3) year period beginning January 1, 2020 through December 31, 2022 with no local match requirement; and

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

RESOLVED, that the Seneca County Board of Supervisors approves the acceptance of the three-year Distribution #10 contract in the amount of \$69,321 from the Office of Indigent Legal Services and authorizes and directs the County Manager to sign all necessary grant paperwork; 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.

### **AUTHORIZE SNOWMOBILE TRAIL GRANT APPLICATIONS AND SIGNING AGREEMENTS WITH TWIN LAKES SNOWMOBILE ASSOCIATION AND SENECA SLEDDERS SNOWMOBILE ASSOCIATION**

RESOLUTION NO. 98-23, motion made by Sprvr. Shipley seconded by Sprvr. Trout and adopted.

WHEREAS, Seneca County has previously indicated that it would serve as Sponsor for the Twin Lakes Snowmobile Association and the Seneca Sledders Snowmobile Association for them to receive the pass-through funding for the Grant-in-Aid Program funding from the New York State Office of Parks, Recreation and Historic Preservation for sections of trail on the New York State Snowmobile System in Seneca County; and

WHEREAS, to distribute the funds for Snowmobile Trail maintenance received from the New York State Office of Parks, Recreation and Historic Preservation, agreements should be in place between the County of Seneca and Twin Lakes Snowmobile Association and the Seneca Sledders Snowmobile Association; and

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

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Department of Planning and Community Development to prepare Phase I, II, and III Applications for the New York State Snowmobile Trails Grant-in-Aid Program; and be it further

RESOLVED, that the Seneca County Manager is authorized and directed to sign the Agreements between Seneca County and the Twin Lakes Snowmobile Association and between Seneca County and the Seneca Sledders Snowmobile Association for the period of August 1, 2023 to August 31, 2024; and be it further

RESOLVED, that the Seneca County Manager is authorized to sign the Snowmobile Grant Applications for the 2023-2024 season; and be it further

RESOLVED, that the Seneca County Manager and the County Director of Finance are authorized and directed to sign necessary reports and vouchers to receive funding for the New York State Snowmobile Grant Program for the 2023-2024 season; and be it further

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RESOLVED, upon receipt of funds from the New York State Snowmobile Grant-in-Aid Program, the County Director of Finance will confer with the Seneca County Department of Planning and Community Development as the appropriate division of the funds between the Twin Lakes Snowmobile Association and the Seneca Sledders Snowmobile Association based on the mileage and type of State-approved trails, and prepare and distribute checks to the Twin Lakes Snowmobile Association and the Seneca Sledders Snowmobile Association.

### ***TABLED RESOLUTION***

#### **SENECA COUNTY TOURISM PROMOTION & DEVELOPMENT GRANT FUNDS APPROVED FOR TOWN OF COVERT**

This resolution was *tabled* by Sprvr. Brownell, seconded by Sprvr. Hayes. The Board wants to meet and discuss options with the Village of Trumansburg, the towns of Ulysses, Covert and State of New York.

WHEREAS, the New York State Parks Commission is working with the Towns of Covert and Ulysses as well as the Village of Trumansburg to establish a local-state partnership to acquire the property known as Camp Barton; and

WHEREAS, upon completion of the purchase, said local municipalities will be responsible for the care and management of a portion of said property; and

WHEREAS, the Town of Covert has sought financial support under the Seneca County Tourism Promotion & Development Grant Policy, seeking funding in the amount of \$10,000 towards the “seed money” needed to get the project underway; and

WHEREAS, the Economic Development & Tourism Standing Committee reviewed and approved the aforementioned request at its Meeting on February 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the release of county funding to the Town of Covert in accordance with Seneca County Policy 405.100, Tourism Promotion & Development Grant, in the amount of \$10,000 in support of the transformation of the soon to be former Camp Barton; and be it further

RESOLVED that by this Resolution, the Town of Covert is reminded of its obligations to file proper reports to the Board as provided by the aforesaid County Policy; and be it further

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

#### **SENECA COUNTY TOURISM PROMOTION & DEVELOPMENT GRANT FUNDS APPROVED FOR THE 2023 SENECA FALLS HERITAGE EXPRESS**

RESOLUTION NO. 99-23, motion made by Sprvr. Rhinehart seconded by Sprvr. Kronenwetter and adopted.

WHEREAS, the Seneca Falls Historical Society in the Town of Seneca Falls has sought financial assistance in the amount of \$2,500 from Seneca County for the 2023 Seneca Falls Heritage Express Program; and

WHEREAS, the Seneca Falls Historical Society financial support request is eligible for financial assistance under the Seneca County Tourism Promotion & Development Grant Policy; and

WHEREAS, the Economic Development & Tourism Standing Committee reviewed and approved the aforementioned request and recommended for adoption this Resolution at its Meeting on March 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the release of county funding to the Seneca Falls Historical Society, in accordance with Seneca County Policy 405.100, Tourism Promotion & Development Grant, in the amount of \$2,500 in support of the Seneca Falls Heritage Express, which will take place on July 23, 2023; and be it further



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RESOLVED that by this Resolution, the Seneca Falls Historical Society is reminded of their obligations to file proper reports to the Board as provided by the aforesaid county policy; and be it further

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

### **SENECA COUNTY TOURISM PROMOTION & DEVELOPMENT GRANT FUNDS APPROVED FOR THE 2023 LODI SUMMER FESTIVAL**

RESOLUTION NO. 100-23, motion made by Sprvr. Shipley seconded by Sprvr. Barnhart and adopted.

WHEREAS, the Lodi Summer Festival in the Town of Lodi has sought financial assistance in the amount of \$2,500 from Seneca County for the 2023 Lodi Summer Festival; and

WHEREAS, the Lodi Summer Festival financial support request is eligible for financial assistance under the Seneca County Tourism Promotion & Development Grant Policy; and

WHEREAS, the Economic Development & Tourism Standing Committee reviewed and approved the aforementioned request and recommended for adoption this Resolution at its Meeting on March 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the release of county funding to the Lodi Summer Festival, in accordance with Seneca County Policy 405.100, Tourism Promotion & Development Grant, in the amount of \$2,500 in support of its 2023 Festival, which will take place on June 3, 2023; and be it further

RESOLVED that by this Resolution, the Lodi Summer Festival is reminded of its obligation to file proper reports to the Board as provided by the aforesaid county policy; and be it further

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

### **RULE 29**

*Sprvr. D. Trout made the motion to consider the following resolution under Rule 29 of the Rules of order, the motion was seconded by Sprvr. J. Trout*

### **A RESOLUTION APPROVING THE HOME RULE REQUEST FOR PASSAGE OF SENATE BILL NO. S4975A AND ASSEMBLY BILL NO. A 5008A INTRODUCING NEW YORK STATE LEGISLATION FOR EXTENSION OF ADDITIONAL 1% SALES TAX**

RESOLUTION NO. 101-23, motion made by Sprvr. Shipley seconded by Sprvr. Barnhart 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 March 27, 2023 Senator O'Mara introduced such legislation in the New York State Senate as Senate Bill No. S 4975A; and

WHEREAS, on March 28, 2023, Assemblyman Gallahan and Assemblyman Palmesano introduced identical legislation in the New York State Assembly as Assembly Bill No. A 5008A; 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

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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 4975A and Assembly Bill No. A 5008A , " 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. 4975A and the Home Rule Request for the passage of Assembly Bill No. A 5008A; 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.

### **BOARD OF SUPERVISORS DECLARES THE SECOND WEEK OF APRIL 2023 AS PUBLIC SAFETY TELECOMMUNICATORS WEEK IN SENECA COUNTY**

RESOLUTION NO. 102-23, motion made by Sprvr. Rhinehart seconded by Sprvr. Borst and adopted.

WHEREAS, the second week of April is one week every year for all of us to give thanks to these rarely seen first responders who have one of the most stressful jobs in the emergency services world; and

WHEREAS, while 911 Dispatcher's rarely get credit for saving lives, they are often the first, first responder; and

WHEREAS, in every emergency, they are the calm voice on the other end of the phone to let you know that you are not alone and that help is on the way; and

WHEREAS, they serve as a lifeline for people who find themselves in an emergency where seconds can mean the difference between life and death; and

WHEREAS, it takes a unique and talented person to do this job and do it well; and

WHEREAS, they are the key that unlocks every emergency service agency in the county, but few know who they are; and

WHEREAS, 911 dispatchers are the hidden heroes; and

WHEREAS, this Resolution has been brought before the Seneca County Board of Supervisors Pursuant to Rule 29 of the Rules of Order; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors Declares the Second Week of April 2023 as Public Safety Telecommunications Week in Seneca County; and be it further

RESOLVED, that the Seneca County Board of Supervisors expresses it sincere appreciation and thanks to these dedicated public servants

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### **SUPERVISORS ADOPT PROPOSED LOCAL LAW 3 OF THE YEAR 2023, “A LOCAL LAW TO WAIVE RESIDENCY FOR CERTAIN POSITIONS WITHIN THE SENECA COUNTY SHERIFF’S DEPARTMENT”**

RESOLUTION NO. 103-23, 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; 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; and

WHEREAS, notice of said public hearing was advertised in the official paper of the County of Seneca; and

WHEREAS, said public hearing was duly held on April 11, 2023 at 6:00 p.m. at the County Office Building, 1 DiPronio Dr, Waterloo, NY, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Supervisors of the County of Seneca, after due deliberation, finds it in the best interests of the County of Seneca to adopt said Local Law; now therefore be it

RESOLVED, that the Board of Supervisors of the County of Seneca hereby adopts Local Law No. 3 of the year 2023, “A LOCAL LAW TO WAIVE RESIDENCY FOR CERTAIN POSITIONS WITHIN THE SENECA COUNTY SHERIFF’S DEPARTMENT”; to read in substantially 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

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

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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

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.

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. A Deputy Sheriff which is hired from a contiguous 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.

### SECTION 3. PUBLIC OFFICERS LAW – SUPERSEDED AND/OR AMENDED

This Local Law is intended to supersede and/or amend the provision of Public Officers Law Section 3(1), concerning residency requirements for local officers as the same concerns or effects the Office of Deputy Sheriff in Seneca County. The provision of Section 3 of the Public Officers Law requiring a person to be a resident of the political subdivision for which he or she is chosen shall not prevent a person from holding the 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.

### Special Order of the Day

Sprvr. J. Trout made a motion to enter into executive session under Section 105 (a) of the Open Meetings Law, the motion was seconded by Sprvr. Rhinehart. The following individuals were invited into the session. All Board members, Melissa Taylor, and the County Manager. The Board of Supervisors entered executive session at 6:53pm and the session ended at 7:15pm. No action came from the executive session. The Board reentered the meeting and adjourned at 7:19pm.