

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

*October 12, 2023 Board Meeting Minutes*

Call to Order:

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

Roll Call of Members by the Clerk:

10 members of the Board of Supervisors answered roll call. Sprvr. D. Trout, Sprvr. Hayes & Sprvr. Hayssen arrived after roll call. Sprvr. Rhinehart was absent. The new total members in attendance was thirteen.

Pledge of Allegiance and Moment of Silence:

Public Hearing:

Local Law 7 (G) of the year 2023 Setting salaries for current Elected Officials, County Public Officers, and previously designated Senior County Personnel for the year 2024 and application of the Seneca County 2024 Non-Bargaining Unit and Management salary schedule. Sprvr. J. Trout made a motion to open the public hearing and Sprvr. Partee seconded the motion. The public hearing opened. No one addressed the Board regarding the public hearing. Sprvr. Ferrara made a motion to close the public hearing and Sprvr. Barnhart seconded the motion.

Presentations:

Jenny Burnett Director of the Seneca Falls Library, wanted to thank the Board of Supervisors for their continued support of the 5 libraries and the Finger Lakes Library System. A short video was played for the Board of Supervisors. This video recapped the some of the events and programs that the libraries hold throughout the year. Jenny stated so far in 2023 they have had over 1,000 free programs between the libraries with over 25,000 attendees. They are ahead of where they were this time last year. She hopes for continued support in the future.

Bart Bretsch President of New York Engineering Services addressed the Board regarding Broadband in Seneca County. He stated they serve 14 states from New York, Maryland, to Kansas and Oklahoma. He has been working on a consult for bringing broadband to unserved individuals in the Northwest five towns. This presentation does not include all of Seneca County. Bart stated they have an RUS Focus, and that they do a lot with grant money from the State and Federal government. They are currently working with Yates and Madison Counties as well. Bart went into detail about what fiber is, and how it works and why fiber is becoming more popular and requested. Bart gave many examples of different options of fiber and ways to install it. Bart stated the main reason he was presenting was to give

# BOARD OF SUPERVISORS SENECA COUNTY

Waterloo, New York 13165

figures on how much it would be for each town to install fiber.

TOWN	TOTAL MAINLINE MILEAGE	AERIAL MILEAGE	BURIED MILEAGE	TOTAL DROPS	AERIAL DROPS	BURIED DROPS	TOTAL PROJECT COST	COST PER CUSTOMER
FAYETTE	58.5	55.0	3.5	124	117	7	\$ 3,016,260	\$ 24,325
JUNIUS	40.1	36.1	4.0	111	100	11	\$ 2,282,761	\$ 20,565
SENECA FALLS	28.7	26.4	2.3	95	88	7	\$ 1,648,893	\$ 17,357
VARICK	11.8	10.1	1.7	45	39	6	\$ 766,993	\$ 17,044
WATERLOO	15.3	11.9	3.4	47	37	10	\$ 1,158,898	\$ 24,657
ALL FIVE TOWNS	154.4	139.6	11.5	422	381	41	\$ 8,873,805	\$ 21,028

Bart stated that the Average Cost per rural home deployed by providers is \$2,600. This project cost per home deployed: \$21,178, Cost per mile built -- \$8,873,805 over 154.4 mi = \$57,473/mile. Property value impact + 3.1%. Bart reviewed the next steps for this project 1) Continue to review and analyze the potential for a Fiber Optic Network(FON) within these Towns and determine what model(s) that you want to follow to bring fiber to Seneca County 2) Continue to gather feedback and input from Seneca County citizens 3) Partner, Prioritize, Phases, Pilot 4) Go after Federal (Reconnect) and State (BEAD) Funds. 5) Write an RFI or RFP to select partner(s).

Open Privilege of the Floor:

Susan Ottenweller wanted to address the Board regarding the Open Meetings Law. Pursuant to Article 6 any proposed resolution, law, rule, regulation, policy, or any amendment that is scheduled to be the subject of discussion by a public body during an open meeting shall be made available at least 24 hours prior to the meeting during which the records will be discussed. Such information should be posted on the website and copies will be made for the public.

Approval of Meeting Minutes:

The minutes from the August 22, 2023 & September 13 Special Board Meeting were approved. Sprvr. Barnhart made the motion and Sprvr. Borst seconded the motion.

Report of Special Committees:

None

Chairman's Remarks:

None

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

County Manager's Remarks:

County Manager Lovell wanted to remind everyone that the Board meeting for November will be held in Ovid on Tuesday November 14, 2023 at 6:00pm. He also wanted to address Operation Green Light, November 6<sup>th</sup> – 11<sup>th</sup>, 2023 the county will be lighting up outdoor lights green in support of veterans. He stated if any other towns would like to also light up their buildings with green to please reach out. The county does have green bulbs and green film available.

County Attorney's Remarks:

None

Communications: #81- 100 have been received and filed.

81. Planning Board agenda for the month of September 2023
82. Planning Board minutes for the month of August 2023
83. Waterloo Canal Weed Harvesting event petitioner feedback
84. Airport Advisory Board Minutes for the month of June 2023
85. NYS Senator Chief of Staff Sara Lattin correspondence regarding A 4106 and S3601 home rule
86. NYS Homeland Security FY 2023 EMPG Grant Award
87. SHSP FY 2023 Homeland Security Grant Program
88. IDA 2024 Funding Request for County support 2024
89. Fulton County resolution opposing Senate Bill S7645
90. NYS Thruway Authority adoption of new toll schedule regulation notification letter
91. NYS Homeland Security & EMS FY2023 State Homeland Security Program Grant \$51,215
92. NYS Department of Tax and Finance letter of receipt for resolution 198-2023
93. Valerie Venuti email correspondence opposing Seneca Meadows increase of permits
94. Seneca Meadows SMI Valley Community input meeting notice
95. Sheriff Office August Snapshot 2023
96. Homeland Security Grant EMPG \$16,904 notice
97. Letter and resolution received from the Village of Interlaken opposing increase of permits to Seneca Meadows
98. Ontario County Res. No 535-2023 Appointment of Kyle Lovell to FLWIB
99. Planning Board Minutes from September 14,2023
100. Planning Board Agenda for October 12,2023

RESOLUTIONS & MOTIONS



# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

### **RESOLUTION TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ) FOR ENGINEERING SERVICES FOR FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 234-23, moved by Sprvr. Partee, seconded by Sprvr. Shipley and adopted.

WHEREAS, the Finger Lakes Regional Airport (the Airport) is a Seneca County owned facility servicing the general aviation needs of business and recreational users in Seneca County and the region; and

WHEREAS, with grant funding from the Federal Aviation Administration (FAA) and the New York State Department of Transportation (NYSDOT), Seneca County has made a significant investment improving the Airport; and

WHEREAS, FAA requires that every five (5) years Seneca County issue a Request for Qualifications (RFQ) from qualified firms for architectural, engineering, and planning services to support the operation, maintenance, and further development of the airport; and

WHEREAS, this resolution was reviewed and approved by the Economic Development and Tourism Standing Committee on September 26, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the issuance of a Requests for Qualifications (RFQ) from qualified firms for architectural, engineering, and planning services to support the operation, maintenance, and further development of the Finger Lakes Regional Airport.

### **SENECA COUNTY BOARD OF SUPERVISORS TO AUTHORIZE INITIAL ACTIONS TO CREATE A PUBLIC, NON-PROFIT 501(C)3 LOCAL DEVELOPMENT CORPORATION (LDC) TO LEVERAGE COLLABORATION WITH PUBLIC AND PRIVATE PARTNERS TO ADDRESS THE NEEDS AND OBJECTIVES IDENTIFIED IN THE SENECA COUNTY ECONOMIC DEVELOPMENT STRATEGY AND HOUSING NEEDS ASSESSMENT REPORT**

RESOLUTION NO. 235-23, moved by Sprvr. Partee, seconded by Sprvr. Shipley and adopted.

WHEREAS, Seneca County Board of Supervisors seeks to accelerate economic development within the county by creating an independent, public, non-profit Local Development Corporation (LDC); and

WHEREAS, the need to establish a singular, primary point of control exists in order to effectively plan, communicate, direct, and facilitate economic development activities; and

WHEREAS, the creation of the LDC will act as a catalyst for the application and growth of the Seneca County Economic Development Strategy adopted by the Board in December of 2019; and

WHEREAS, the release of the Housing Needs Assessment demonstrates the importance of economic development in creating affordable housing throughout the county; and

WHEREAS, the LDC will ensure robust economic collaboration exists between local businesses, municipalities, the county, IDA, and the Chamber of Commerce; and

WHEREAS, this resolution was reviewed and approved by the Economic, Development and Tourism Committee on September 26, 2023; now, therefore be it

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

RESOLVED, that the Seneca County Board of Supervisors authorizes the creation of a public LDC for the purposes of coalescing economic development under a single authority; and be it further

RESOLVED, that the County Manager, Director of Finance, are directed to make any necessary budgetary and accounting provisions to affect the intent of this resolution, and to include the County Attorney in any legislative or contractual agreements as required.

**BOARD APPROVES 10e11 ELECTRONIC HEALTH RECORD CONTRACT RENEWAL**  
RESOLUTION NO. 236-23, moved by Sprvr. Borst, seconded by Sprvr. Reynolds and adopted.

WHEREAS, it is essential to the provision of quality services to those individuals in Seneca County impacted by mental illness and/or substance abuse that the Seneca County Mental Health Department have an adequate electronic health record; and

WHEREAS, it is essential for effective and efficient billing practices that the Seneca County Mental Health Department have an adequate electronic health record; and

WHEREAS, the Mental Health Department's has been successfully utilizing the 10e11 electronic health record system since September 2019; and

WHEREAS, the contract is up for a 36-month renewal, effective January 1, 2024; and

WHEREAS, the funding for this expenditure will be supported by Medicaid Administrative Claiming Funds with no county cost; and

WHEREAS, the cost will be \$5,481 per month beginning January 1, 2024, with all funds available in the 2024 Mental Health Budget; and

WHEREAS, the Health and Human Services Committee reviewed and approved this resolution at its September 26, 2024 meeting; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign all necessary documents required for a 36-month contract renewal for the 10e11 Electronic Health Record for the Mental Health Department.

**COUNTY MANAGER AUTHORIZED AND DIRECTED TO SIGN CONTRACTS WITH FLH MEDICAL, P.C. AND FINGERLAKES COMMUNITY HEALTH FOR STD TESTING AND TREATMENT SERVICES**

RESOLUTION NO. 237-23, moved by Sprvr. Borst, seconded by Sprvr. Barnhart and adopted.

WHEREAS, the Health Department is required to provide services for the testing and treatment of sexually transmitted diseases; and

WHEREAS, the county is the payer of last resort after insurances are billed; and

WHEREAS, currently the Health Department has contracts with FLH Medical, P.C. and Finger Lakes Community Health to provide these services to county residents; and

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

WHEREAS, these contracts need to be renewed so that services can continue; and

WHEREAS, the funding is in the Public Health Budget line 104010-54330; and

WHEREAS, the Health & Human Services Committee has reviewed and approved this resolution at their meeting on September 26, 2023; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign contracts with FLH Medical, P.C. and with Finger Lakes Community Health for providing services for the testing and treatment of Sexually Transmitted Diseases for Seneca County residents.

### **CLERK OF THE BOARD TO ADVERTISE FOR OFFICE FOR THE AGING PUBLIC HEARING**

RESOLUTION NO. 238-23, moved by Sprvr. Borst, seconded by Sprvr. Ferrara and adopted.

WHEREAS, 9 NYCRR 6653.2 Of New York State Rules and Regulations requires submission of a Four Year Plan of Services for the Seneca County Office for the Aging and Annual Updates to this Plan, and

WHEREAS, A hearing is required to be held at least 30 Days prior to the submission of update and or Plan and notice of such hearing to be published in local newspapers at least twenty-one days prior to such hearing, and

WHEREAS, Seneca County wishes the benefit of public suggestions and comments for such Plan; and

WHEREAS, the Health and Human Services Standing Committee approved this resolution at its September 26, 2023 meeting; now, therefore be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to advertise a Public Hearing on the Four-Year Plan of Services for the Seneca County Office for the Aging for the period April 1, 2024- March 31, 2028, said hearing to be held on November 29, 2023 at 11:30 am at the Office for the Aging, 2465 Bonadent Drive, Suite 4, Waterloo, NY. Said notice is to be published at least 30 days prior to the Public Hearing in the County's newspaper of record, and be it further

RESOLVED, that single copies of the proposed annual update to the area plan or an abstract shall be made available without charge upon request as soon as it is prepared, before submission to the New York State Office for the Aging.

### **BOARD OF SUPERVISORS APPROVE APPOINTMENT OF FINGERLAKES WORKFORCE INVESTMENT BOARD MEMBER**

RESOLUTION NO. 239-23, moved by Sprvr. Borst, seconded by Sprvr. Partee and adopted.

WHEREAS, the Seneca County Board of Supervisors has authorized the creation of the Finger Lakes Workforce Investment Board for the counties of Ontario, Wayne, Seneca and Yates in compliance with the Workforce Innovation and Opportunity Act (WIOA) of 2014; and

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

WHEREAS, the appointment of the Partner/Public Sector Workforce Investment Board Members must be endorsed by the four counties of Ontario, Wayne, Seneca and Yates; and

WHEREAS, per the NYS WIOA requirements, the Seneca County Board of Supervisors must endorse the following Partner/Public Sector representative Kyle Lovell, Seneca County Manager to be appointed to fill the unexpired term of C. Mitchell Rowe through June 30, 2025; and

WHEREAS, this appointment has been reviewed and approved by the Health and Human Services Standing Committee on September 26, 2023, now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint the individual listed above to the Finger Lakes Workforce Investment Board; and be it

FURTHER RESOLVED, that the Clerk to the Board of Supervisors send a certified copy of this resolution to the Finger Lakes Workforce Investment Board and to the Clerks of the Boards of Ontario, Wayne and Yates Counties.

### **BOARD OF SUPERVISORS AUTHORIZES USE OF OPIOID SETTLEMENT FUNDS TO SUPPORT FOUR TOWN COMMUNITY CENTER PROSOCIAL ACTIVITIES IN SUPPORT OF SUBSTANCE ABUSE PREVENTION AMONG ADULTS AND YOUTH IN THE COMMUNITY**

RESOLUTION NO. 240-23, moved by Sprvr. Borst, seconded by Sprvr. D. Trout and adopted.

WHEREAS, Seneca County is currently in receipt of Opioid Settlement Dollars; and

WHEREAS, New York State specifies in Schedule C – Approved Uses: Prevent Misuse of Opioids: Engaging non-profit organizations as a system to support prevention; and

WHEREAS; Four Town Community Center (4TCC) mission to youth, parents, and other community members to foster and develop fundamental life skills in all segments of the community and 4TCC believes these skills are necessary help youth and others in the community make good choices and be productive citizens; and

WHEREAS; 4TCC fosters an environment that is abundant with prosocial activities, and that mitigates substance abuse in Seneca County, specifically in the southern portion of the county; and

WHEREAS, currently, 4TCC provides on average \$1000 a year in scholarships to youth and families in the middle and southern communities of Seneca County; and

WHEREAS, 4TCC estimates that over the course of the next five years, the cost of scholarships, and equipment refurbishment and replacement, at some expansion of programs will be over \$5,000 a year; and

WHEREAS, 4TCC has requested support to help maintain and improve its ability to meet its mission goals and to ensure that all youth who wish to engage in their programs have opportunity to do so with the provision of facilities, programming, and financial support to remove ability to pay as an

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

obstacle to participation, to wit, a 5-year program for \$5,000.00 per year to assist them to accomplish their mission goals for the community; and

WHEREAS, this request has been reviewed by the Opioid Settlement Fund Ad Hoc Committee and the Seneca county Community Services Board, and fully supports and recommends that the county utilize \$25,000 in Opioid Settlement Funds in a five (5) year grant to 4TCC, in \$5,000.00 yearly subawards, to be monitored at the County level and to make annual recommendation for continued funding to the Seneca County Board of Supervisors; and

WHEREAS; this is an authorized use of restrictive use funds that are currently held in a reserve fund; and

WHEREAS, this Resolution has been reviewed and approved by the Health and Human Services Committee at its Meeting on September 26, 2023.; now, therefore be it

RESOLVED, the Board of Supervisors authorizes and directs the County Manager to sign all necessary paperwork related to make such awards in annual amounts of \$5,000 over the period of five (5) years not to exceed \$25,000.00 in total; and be it further

RESOLVED, that the Department of Finance is hereby authorized and directed to appropriate these funds from reserves and amend the 2023 budget as follows; and be it further

104210 42735 OPSF	Opioid Settlement Funds	Increase	Revenue	\$5,000
104210 54700 OPSF	Contractual	Increase	Expenditure	\$5,000

RESEOLVED, that the Department of Finance is authorized to make the necessary budgetary and accounting entries to affect the intent of this resolution in future years 2024-2027

**BOARD ACCEPTS DEPARTMENT OF HUMAN SERVICES SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA) CERTIFIED COMMUNITY BEHAVIORAL HEALTH CENTER (CCBHC) PLANNING, DEVELOPMENT, AND IMPLEMENTATION (PDI) GRANT**

RESOLUTION NO. 241-23, moved by Sprvr. Borst, seconded by Sprvr. Barnhart and adopted.

WHEREAS, the Health and Human Services Committee authorized application for the CCBHC-PDI Grant on March 28, 2023; and

WHEREAS, SAMHSA has awarded \$1,000,000 in year one with a projected additional \$1,000,000 each year for the following 3 years for a total of \$4,000,000 in CCBHC-PDI grant funding to Seneca County with no required county match; and

WHEREAS, the purpose of the grant program is to support clinic planning, develop activities to include:

- Increasing access to and availability of high-quality services that are responsive to the needs of the community;



# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

- Supporting recovery from mental health and substance use disorder challenges via comprehensive community-based mental and substance use disorder treatment and supports;
- Use of Evidence-Based practices that address the needs of the individuals the CCBHC serves;
- Continual work to measure and improve the quality of services; and
- Meaningfully involve people with lived experience of mental and substance use conditions, individuals who have received/are receiving services from the clinic in planning and oversight activities.

WHEREAS, the Health and Human Services Committee reviewed and approved this resolution at its September 26, 2023 meeting; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes and directs the County Manager to sign all necessary documents to accept and administer the SAMHSA CCBHC-PDI Grant; be it further

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

### **BOARD OF SUPERVISORS PROCLAIM THE MONTH OF OCTOBER AS NATIONAL CHIROPRACTIC HEALTH MONTH**

RESOLUTION NO. 242-23, moved by Sprvr. Borst, seconded by Sprvr. D. Trout and adopted.

WHEREAS, about 20 percent of adults in the United States – one in five – experience chronic pain, which is pain lasting more than three months;

WHEREAS, new cases of chronic pain occur more frequently among adults than new cases of other common chronic conditions such as diabetes and high blood pressure;

WHEREAS, in the U.S., musculoskeletal conditions – a common cause of chronic pain – result in more than 130 million healthcare visits annually, making them the No. 1 reason people visit their doctors;

WHEREAS, low back pain, which ranks among the most common forms of chronic pain, has been one of the leading reasons why people are prescribed opioids; and the number of people worldwide living with back pain is projected to increase by 36% to 843 million over the next 30 years;

WHEREAS, according to the Centers for Disease Control and Prevention (CDC), one in four patients who receive prescription opioids long term for non-cancer pain struggle with addiction;

WHEREAS, the American College of Physicians low-back pain treatment guidelines promote the use of noninvasive, non-drug approaches such as spinal manipulation as a first line of defense against back pain, before the use of pain medications and surgery; and

WHEREAS, Doctor of Chiropractic play a key role in helping patients manage pain and lessen their reliance on prescription pain medications with their evidence-based, patient-centered non-drug approach; and

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

WHEREAS, with the theme “Chiropractic: Relieve, Restore, Resume,” National Chiropractic Health Month 2023 reminds citizens of Seneca County that non-drug treatments for low back, neck and joint pain, such as spinal manipulation and other chiropractic services, can help relieve pain and restore joint function, helping people to resume their lives and the activities that matter most; now therefore be it

RESOLVED that the County of Seneca in Waterloo, New York officially joins with the American Chiropractic Association (ACA) in proclaiming the month of October 2023 as National Chiropractic Health Month.

### **RESOLUTION TO ACCEPT FY 2023 EMERGENCY MANAGEMENT PERFORMANCE GRANT**

RESOLUTION NO. 243-23, moved by Sprvr. Brownell, seconded by Sprvr. Partee and adopted.

WHEREAS, the New York State Division of Homeland Security & Emergency Services has awarded the Seneca County Office of Emergency Management a FY 2023 Emergency Management Performance Grant for \$16,904; and

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

WHEREAS, Seneca County has participated in this grant program for over 20 years; and  
WHEREAS, this grant revenue is accounted for in Revenue line 103640-43305 and has a thirty-six (36) month performance period; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Standing Committee at its meeting on September 26, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the County Manager to sign any and all documents as required by the New York State Division of Homeland Security & Emergency Services for Seneca County to receive funding from the FY 2023 Emergency Management Performance Grant; and be it further

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

### **RESOLUTION TO ACCEPT FY23 STATE HOMELAND SECURITY PROGRAM (SHSP/SLETPP) GRANT**

RESOLUTION NO. 244-23, moved by Sprvr. Brownell, seconded by Sprvr. Partee and adopted.

WHEREAS, the NYS Division of Homeland Security and Emergency Services authorized a \$51,215 FY 2023 State Homeland Security Program grant to Seneca County; and

WHEREAS, activities implemented under the 2023 State Homeland Security Program (SHSP) and State Law Enforcement Terrorism Prevention Program (SLETPP) grant must support

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

terrorism preparedness by building or sustaining capabilities that relate to terrorism prevention, protection, and/or response activities; and

WHEREAS, thirty percent (35%) (\$17,925) of this award must be directed to law enforcement terrorism prevention activities; and

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

WHEREAS, this Resolution was reviewed and approved by the Public Safety Standing Committee at their meeting on September 26, 2023 now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County Manager to sign any required documentation to accept the FY 2023 SHSP/SLETPP grant; and be it further

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

### **RESOLUTION SUPPORTING DIRECT PAY REIMBURSEMENT OF AMBULANCE SERVICES**

RESOLUTION NO. 245-23, moved by Sprvr. Brownell, seconded by Sprvr. Partee and adopted.

WHEREAS, NYS Bill S1446A/A250 has passed the NYS Assembly and Senate; and

WHEREAS, Insurance companies want to pay as little as possible on commercial (non-Medicare/Medicaid) claims and have ambulance agencies accept as little as 40% of their rates in order to send payment to the provider directly or they will continue to mail a check directly to the patient; and

WHEREAS, Ambulance agencies are burdened with having to pursue the patient to get paid for services already provided and the patient has already cashed the check received from the insurance company without knowing the check was for ambulance services they received; and

WHEREAS, to better support Ambulance agencies and not the insurance lobbyists, the Seneca County Public Safety & Criminal Justice Committee requests that Governor Kathy Hochul signs this important legislation into law; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby support the signing of NYS Bill S1446A/A250 and asks that Governor Kathy Hochul support this important legislation by signing the bill to ensure the sustainability of Ambulance Services that serve our communities as the delay of this signing is causing hardship and critically affecting Ambulance agencies due to lack of payment for services; and further

RESOLVED, that certified copies of this Resolution be sent to Governor Kathy Hochul, New York Legislators representing Seneca County Senator Thomas O'Mara, Assemblyman Jeff Gallahan,

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

Assemblyman Phillip Palmesano, the Seneca County Emergency Management Office and others deemed necessary and proper.

### **BOARD OF SUPERVISORS APPROVE RECLASSIFICATION OF PSYCHIATRIC SOCIAL WORKER I TO PSYCHIATRIC SOCIAL WORKER II IN THE MENTAL HEALTH DEPARTMENT**

RESOLUTION NO. 246-23, moved by Sprvr. J. Trout, seconded by Sprvr. D. Trout and adopted.

WHEREAS, the Psychiatric Social Worker II position is an essential position with the clinic due to the LCSW requirements allowing for treatment of the most complex cases and the ability to bill Medicare; and

WHEREAS, there is a Psychiatric Social Worker on staff who has achieved the experience and licensure requirements for the Psychiatric Social Worker II position eligibility; and

WHEREAS, the Seneca County Personnel Officer has reviewed the job description for a Psychiatric Social Worker I position in the Mental Health Department and has determined that the position should be reclassified to Psychiatric Social Worker II; and

WHEREAS, the Finance Director has reviewed the 2023 budget and there is sufficient funding in the 104320-51100 full time salaries account code to cover the costs; and

WHEREAS, this position has been reviewed and approved by the Vacancy Committee and the Human Resources & Government Operations Committee on September 26, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors approve reclassifying Psychiatric Social Worker I in the Mental Health Department to Psychiatric Social Worker II (Grade 12, Step 3 - \$35.824) on the CSEA Salary Schedule; be it further

RESOLVED, that the Board of Supervisors abolishes one (1) full-time Psychiatric Social Worker I position in the Seneca County Mental Health Department; 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 APPROVE RECLASSIFICATION OF STAFF RESOURCES ASSISTANT I TO STAFF RESOURCES ASSISTANT II IN THE CODES DEPARTMENT**

RESOLUTION NO. 247-23, moved by Sprvr. J. Trout, seconded by Sprvr. Brownell and adopted.

WHEREAS, the Seneca County Personnel Officer has reviewed the job description for the Staff Resources Assistant Position I position in the Codes Department and has determined that the position should be reclassified to Staff Resources Assistant II; and

WHEREAS, the Finance Director has reviewed the 2023 budget and there is sufficient funding in the 108090-51100 full time salaries account code to cover the costs; and

# BOARD OF SUPERVISORS SENECA COUNTY

Waterloo, New York 13165

WHEREAS, this position has been reviewed and approved by the Vacancy Committee and the Human Resources & Government Operations Committee on September 26, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors approve reclassifying Staff Resources Assistant I in the Codes Department to Staff Resources II (Grade 5, Step 6 - \$49,149) on the CSEA Salary Schedule; be it further

RESOLVED, the Board of Supervisors abolishes one (1) full-time Staff Resources Assistant I position in the Code Enforcement Department; 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 APPOINT AMANDA C. VAVRA CLERK TO THE BOARD OF SUPERVISORS**

RESOLUTION NO. 248-23, moved by Sprvr. J. Trout, seconded by Sprvr. Partee and adopted.

WHEREAS, the Seneca County Board of Supervisors appointed Amanda C. Vavra as Interim Clerk to the Board of Supervisors at its January 2023 organizational meeting; and

WHEREAS, the Board made the request for special legislation to State Senator O'Mara and Assembly Member Gallahan under Municipal Home Rule to expand the residency requirement for the position of Clerk of the Board of Supervisors to allow residency in an adjoining county to qualify for the position; and

WHEREAS the Assembly and Senate of the State of New York passed Assembly Bill A-A4106 , sponsored by Assembly member Gallahan and Senate Bill S-3601, sponsored by Senator O'MARA, and the same having been signed into law by Governor Hochul on September 18, 2023; and

WHEREAS, this resolution was reviewed and approved by the Human Resources and Government Operations Committee on September 26, 2023; now, therefore be it

RESOLVED, that Amanda C. Vavara is hereby appointed Clerk of the Board of Seneca County Supervisors, as provided for under County Law § 475.

## **BOARD OF SUPERVISORS APPROVE CHANGING PROBATION DIRECTOR II FROM GRADE 7 TO GRADE 8 ON THE MANAGEMENT SALARY SCHEDULE**

RESOLUTION NO. 249-23, moved by Sprvr. J. Trout, seconded by Sprvr. Partee and adopted.

WHEREAS, the Seneca County Personnel Officer has reviewed the job description for the Probation Director II position and has determined that the position should be regraded from Grade 7, Step 12 to Grade 8, Step 8 on the Management Salary Schedule; and

WHEREAS, the Finance Director has reviewed the 2023 budget and there is sufficient funding in the 103140-51100 full time salaries account code to cover the costs; and

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

WHEREAS, this position has been reviewed and approved by the Vacancy Committee and the Human Resources & Government Operations Committee on September 26, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors approve changing Probation Director II from Grade 7, Step 12 to Grade 8, Step 8 on the Management Salary Schedule (\$96,652); 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.

**A RESOLUTION TO ADOPT LOCAL LAW 7 OF THE YEAR 2023  
“SETTING SALARIES FOR CURRENT ELECTED OFFICIALS, COUNTY PUBLIC  
OFFICERS, AND PREVIOUSLY DESIGNATED SENIOR COUNTY PERSONNEL FOR THE  
YEAR 2024 AND APPLICATION OF THE SENECA COUNTY 2024 NON-BARGAINING UNIT  
AND MANAGEMENT SALARY SCHEDULE TO SAID POSITIONS”**

RESOLUTION NO. 250-23, moved by Sprvr. J. Trout, seconded by Sprvr. Barnhart and adopted.

WHEREAS, a resolution was duly adopted by the Board of Supervisors of the County of Seneca for a Public Hearing to be held by said County on October 10, 2023 p.m. at 6:00 p.m. at the County Office Building, 1 DiPronio Dr, Waterloo, NY, to hear all interested parties on proposed Local Law 7 entitled “Setting salaries for current elected officials, County Public Officers, and previously designated Senior County Personnel for the year 2023 and application of the Seneca County 2024 Non-Bargaining Unit and Management Salary schedule to said positions”; and

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

WHEREAS, said public hearing was duly held on October 10, 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. 7 of the year 2023, “Setting Salaries for Current Elected Officials, County Public Officers, and Previously Designated Senior County Personnel for the Year 2024 and Adopt Seneca County 2023 Management Salary Schedule”; to read in substantially the following form:

**SENECA COUNTY LOCAL LAW 7 OF THE YEAR 2023,  
SETTING SALARIES FOR CURRENT ELECTED OFFICIALS, COUNTY PUBLIC OFFICERS AND  
PREVIOUSLY DESIGNATED SENIOR COUNTY PERSONNEL FOR THE YEAR 2024 AND  
ADOPT SENECA COUNTY 2024 MANAGEMENT SALARY SCHEDULE**

Be it enacted by the SENECA COUNTY BOARD OF SUPERVISORS:

1. Effective 45 days following adoption and applicable to the first payroll period after January 1, 2024 and thereafter, the salaries for the Elected Officials, County Officers and Designated Senior County Personnel shall be increased as shown below.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

2. The following Elected Officials, County Public Officers, and Designated Senior County Personnel are subject to the provisions hereof and at the salary set forth:

<b>POSITION:</b>	<b>2024 SALARY OR COMPENSATION</b>
<b>(Elected Officials)</b>	
Chair, County Board of Supervisors	\$ 19,223
Member, County Board of Supervisors	\$ 15,149
County Sheriff	\$102,660
County Clerk	\$ 84,367
County Treasurer (p/t)	\$ 43,749
County Coroner	\$ 400 Per Case
<b>(County Officers and Designated Senior Personnel)</b>	
Clerk to the Board	\$ 64,432
County Attorney	\$135,595
County Historian	\$ 19,285
Superintendent of Highways (vacant)	\$ 78,682
Election Commissioner/Democrat	\$ 79,328
Election Commissioner/Republican	\$ 79,328
Commissioner of Human Services	\$112,388
Director, Real Property Tax Service	\$ 81,766
Director, Public Health	\$106,270
Personnel Officer	\$106,270
<b>(County Officers and Designated Senior County Personnel) (continued)</b>	
County Manager	\$150,000 (pursuant to contract provisions)
Public Defender (p/t)	\$ 96,642
Director, Emergency Management	\$100,434
Director, Finance	\$112,445

3. Upon its effective date, and otherwise applicable to the first payroll period after January 1, 2024, salaries shall apply to all positions identified therein and shall continue in effect unless or until the same is amended modified or otherwise repealed and replaced.

4. In addition, consistent with the Management and Non-Bargaining Unit Salary Schedule, the above salaries are subject to a 1.9% increase annually based upon longevity in position.

5. Upon the effective date of this Local Law, and any provisions of prior local laws inconsistent with those set forth above, shall be null and void.

6. Local Law 7 of 2023 shall not be effective until 45 days after its adoption, and its filing with the Secretary of State, but it shall not be applicable until the first pay period after January 1, 2024, in accordance with County Law Section 201 and Municipal Home Rule Law Section 24 (Permissive Referendum) and upon its filing in the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

**RESOLUTION TO INTRODUCE COUNTY LOCAL LAW “H” OF 2023  
A LOCAL LAW ADOPTING A REAL PROPERTY TAX EXEMPTION FOR COLD WAR  
VETERANS PURSUANT TO REAL PROPERTY TAX LAW § 458-B**

RESOLUTION NO. 251-23, moved by Sprvr.Reynolds, seconded by Sprvr. Shipley and adopted.

WHEREAS, the New York State Real Property Tax Law § 458-b provides for a partial real property tax exemption available to certain veterans that each county, city, town, or village may adopt by local law; and

WHEREAS, the Seneca County Board of Supervisors believes that such partial property tax exemption is an appropriate benefit to those that have served our nation during a critical time in our nation’s history; and

WHEREAS, this resolution was reviewed and approved by the Ways & Means Committee to go before the Board Of Supervisors for further consideration at their meeting on September 26, 2023; now, therefore be it

RESOLVED, that Local Law “H” of 2023 be and hereby is introduced in the form annexed hereto, pursuant to Municipal Home Rule Law and the Rules of this Board; and be it further

RESOLVED that Public Hearing shall be held on Tuesday, November 14, 2023 at the Meeting of the Seneca County Board of Supervisors at the historic Three Bears complex, Ovid, NY, at 6:00 p.m.; and be it further

RESOLVED that the Clerk of the Board of Supervisors is directed to post and publish notice of said Public Hearing no later than five (5) days prior to said hearing.

**“RESOLUTION TO INTRODUCE COUNTY LOCAL LAW “H” OF 2023:  
A LOCAL LAW ADOPTING A REAL PROPERTY TAX EXEMPTION FOR COLD WAR  
VETERANS PURSUANT TO REAL PROPERTY TAX LAW § 458-B”**

BE IT ENACTED by the Seneca County Board of Supervisors, as follows:

Section 1. Title

This local law shall be known as the "Cold War Veterans Property Tax Exemption Law".

Section 2. Findings

The New York State Legislature has amended Section 458-b of the New York State Real Property Tax Law (RPTL) to provide Seneca County and other jurisdictions with the option of enacting a local law extending to Cold War Veterans a real property tax exemption similar to tax exemptions granted to other war veterans. It is the intent of the Seneca County Board of Supervisors to extend such tax exemptions to Seneca County’s Cold War Veterans by this local law consistent with the terms and provisions of Real Property Tax Law § 458-b. In the event of any apparent conflict, precedence is given to the interpretation or provisions of said RPTL section.



# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

### Section 3. Definitions

- a.) "Cold War Veteran" means a person, male or female who served on active duty in the United States armed forces, during the time period from September 2, 1945 to December 26, 1991, and was discharged or released therefrom under honorable conditions.
- b.) "Armed Forces" means the United States Army, Navy, Marine Corps, Air Force, and Coast Guard.
- c.) "Active Duty" means full-time duty in the United States armed forces, other than active duty for training.
- d.) "Service Connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in the line of duty on active military, naval or air service.
- e.) "Qualified Owner" means a Cold War veteran, the spouse of a Cold War veteran, or the unremarried surviving spouse of a deceased Cold War veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also the unremarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.
- f.) "Qualified Residential Real Property" means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War veteran or the unremarried surviving spouse of a Cold War veteran unless the Cold War veteran or unremarried surviving spouse is absent from the property due to medical reasons or institutionalization.
- g.) "Latest state equalization rate" means the latest final state equalization rate or special equalization rate established by the commissioner pursuant to article twelve of this chapter. The commissioner shall establish a special equalization rate if it finds that there has been a material change in the level of assessment since the establishment of the latest state equalization rate, but in no event shall such special equalization rate exceed one hundred. In the event that the state equalization rate exceeds one hundred, then the state equalization rate shall be one hundred for the purposes of this section. Where a special equalization rate is established for purposes of this section, the assessor is directed and authorized to recompute the Cold War veterans exemption on the assessment roll by applying such special equalization rate instead of the latest state equalization rate applied in the previous year and to make the appropriate corrections on the assessment roll, notwithstanding the fact that such assessor may receive the special equalization rate after the completion, verification and filing of such final assessment roll. In the event that the assessor does not have custody of the roll when such recomputation is accomplished, the assessor shall certify such recomputation to the local officers having custody and control of such roll, and such local officers are hereby directed and authorized to enter the recomputed Cold War veterans' exemption certified by the assessor on such roll.
- h.) "Latest Class Ratio" means the latest final class ratio established by the state board pursuant to title one of Article 12 of the Real Property Tax Law for use in a special assessing unit as defined in Real Property Tax Law §1801.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

### Section 4. Grant of Exemption

- a.) As authorized by Real Property Tax Law §458-b, Seneca County is hereby providing that qualifying residential real property of Cold War veterans, as previously defined, shall be exempt from taxation to the extent of fifteen percent (15%) of the assessed value of such property; provided, however, that such exemption shall not exceed six thousand dollars (\$6,000) or the product of \$6,000 multiplied by the latest state equalization rate for the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less.
- b.) In addition to the exemption provided in paragraph a of Section 4 of this local law, where the Cold War veteran received a compensation rating from the United States veterans affairs or from the United States department of defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent (50%) of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed twenty thousand dollars (\$20,000), or the product of \$20,000 multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

### Section 5. Limitations

- a.) The exemption from taxation provided by this local law shall not be applicable to taxes levied for school purposes.
- b.) If a Cold War veteran receives the exemption under Real Property Tax Law §458, or §458-a, the Cold War veterans shall not be eligible to receive the exemption provided by this local law.
- c.) The exemption provided by Section 4 of this local law shall be granted for a period of ten (10) years. The commencement of such ten-year period shall be governed pursuant to this subparagraph. Where a qualified owner owns qualifying residential real property on the effective date of the local law providing for such exemption, such 10-year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of the local law providing for such exemption. Where a qualified owner does not own qualifying residential real property on the effective date of the local law providing for such exemption, such 10 year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty (60) days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within 60 days after the purchase of residential real property, such 10 year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such 10-year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this subdivision for the unexpired portion of the 10-year period.
- d.) Application for exemption shall be made by the owner, or all of the owners, of the property on a form prescribed by the state board, subject to the conditions set forth in Real Property Tax Law §458-b. The owner or owners shall file the completed form in the appropriate assessor's office on or before the first appropriate taxable status date.
- e.) This law may be repealed as may be determined by the Board of Supervisors at some future date. Such repeal shall occur at least ninety (90) days prior to the taxable status date of the County.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

### Section 6. Severability

If any clause, sentence, paragraph, subdivision, section, or part of this local law be adjudged by any court or competent jurisdiction to be invalid, such judgment, decree, or order shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered.

### Section 7. Effective Date

This local law shall take effect upon the filing thereof in the Office of the Secretary of State as provided by the Municipal Home Rule Law.

### **BOARD OF SUPERVISORS AUTHORIZES CONTRACTS WITH AFFILIATE ORGANIZATIONS FOR 2024**

RESOLUTION NO. 252-23, moved by Sprvr. Reynolds seconded by Sprvr. D. Trout and adopted.

WHEREAS, Seneca County has several Affiliate Organizations that are supported by the County's General Fund; and

WHEREAS, funding allocations were established through Adoption of the 2024 County Budget and

WHEREAS, funding levels for 2024 are as follows:

Beverly Animal Shelter	\$50,000
County Libraries & System	\$140,000
Cornell Cooperative Extension	\$445,000
Seneca County Soil & Water	\$525,000
Seneca County Fair Association	\$6,000
Pathway Home	\$5,000
Memorial Day Committee	\$5,000

;And

WHEREAS, Contracts will be executed to formalize service delivery and payment schedules; and

WHEREAS, the Finance, Assessment & Insurance Standing Committee has reviewed and approved this resolution on September 26, 2023; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors authorizes and directs the County Manager to execute contracts for Affiliate Organization services in 2024 in accordance with the Adopted 2024 Seneca County Budget.

### **A RESOLUTION TO INTRODUCE SENECA COUNTY LOCAL LAW "I" OF 2023 TO AUTHORIZE AND ALLOCATE SURPLUS SALES TAX REVENUE IN EXCESS OF BUDGETARY REVENUE ESTIMATE TO THE TOWNS AND VILLAGES OF SENECA COUNTY**

RESOLUTION NO. 253-23, moved by Sprvr. Reynolds seconded by Sprvr. Barnhart and adopted.

WHEREAS, the Seneca County Board of Supervisors has by prior Resolution No. 190-23 determined that a process to share excess sales tax revenue with appropriate limitations is a reasonable

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

and sound use of funds to support the Towns and Villages in Seneca County without placing undue burden upon the taxpayers of Seneca County as a whole; and

WHEREAS by said resolution, the Boar directed the Couty manager and County Attorney to develop any and all documents or proposed legislation, to include local laws to implement the purposes and intent of the resolution; and

WHEREAS proposed Local Law “I” of 2023, provides for clearly defined parameters and formula for the determination of excess sales tax revenue and the distribution of the same through use of equalized basement value applied to the budget year; and

Whereas this Local Law serves to fairly and responsibly address the concerns of the County as well as the Towns and Villages within Seneca County, and does so through the formal budget development process set forth in the County Law; and

WHEREAS, at the Ways and Means committee meeting on September 26, 2023, this resolution with proposed local law was reviewed, approved, and forwarded by to the Board of Supervisors for further action; now, therefore be it

RESOLVED, that proposed Local Law “I” of 2023, attached hereto and titled:

### LOCAL LAW “I” of 2023 TO AUTHORIZE AND ALLOCATE SURPLUS SALES TAX REVENUE IN EXCESS OF BUDGETARY REVENUE ESTIMATE TO THE TOWNS AND VILLAGES OF SENECA COUNTY

be and herby is introduced in the form annexed hereto, pursuant to Municipal Home Rule Law and the Rules of this Board; and be it further

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

RESOLVED that Public Hearing shall be held on Tuesday, November 14, 2023 at the Meeting of the Seneca County Board of Supervisors at the historic Three Bears complex, Ovid, NY, at 6:00 p.m.; and be it further

RESOLVED, that the County Board hold a public hearing on said proposed Local Law at the historic Three Bears courtroom, Main Street, Ovid, NY at or about 6:00 P.M., on November 14, 2023 and, be it further

RESOLVED, that the 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 five (5) days prior thereto.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

### LOCAL LAW ATTACHED SENECA COUNTY LOCAL LAW “I” of 2023 A LOCAL LAW TO AUTHORIZE AND ALLOCATE SURPLUS SALES TAX REVENUE IN EXCESS OF BUDGETARY REVENUE ESTIMATE TO THE TOWNS AND VILLAGES OF SENECA COUNTY.

#### **SECTION I – STATEMENT OF PURPOSE**

A. Seneca County periodically receives a greater amount of annual sales tax revenue than the amount estimated for income in its annual budget. Based upon review and analysis of the historical data on anticipated or budgeted sales tax revenue and actual sales tax revenue, it has been determined by the Seneca County Board of Supervisors that when such income exceeds the budget year estimated income, a portion of such surplus sales tax revenue could be well utilized by the towns and villages for projects or programs at the town or village level that are otherwise beyond the fiscal means of such towns or villages, rather than utilized solely for fund balance or other reserve purposes.

B. By action of Resolution No. 190-23, the Board of Supervisors directed that when the County’s actual budget year sales tax revenue is in excess of the amount of the estimated sales tax revenue set forth in that year’s annual county budget, after retention of the first \$750,000.00 of such surplus, such excess income shall be available for distribution to the local towns and villages of Seneca County. This distribution is limited to not exceed 10% of the prior budget year’s actual sales tax revenue.

C. By adopting a specific formula for the determination of such surplus and its allocation would serve to address the concerns of all levels of government fairly and responsibly in the county for fiscal responsibility, economic development, as well as continuing to minimize property tax impact on all residents.

#### **SECTION II - DEFINITIONS**

“**Annual Budget**” shall be the annual budget, as finally adopted by required by law to adopt for Seneca County of an annual budget of expenditures to be made for a fiscal year for the general support or for the expenses of government of such municipal cooperation during such fiscal year. Such document shall also provide for sources and amounts of revenue to be used to pay for all budgeted expenditures.

“**Budget/Adopted Annual Budget**”

The budget prepared, submitted, subject to public hearing, and adopted by the county for a specific year.

“**Distribution Formula**” – the mathematical application of the Equalized Assessed Value for each of the municipalities (towns and villages) within the county, by percentage, to the Surplus Sales Tax Revenue for Distribution.

“**Equalized Assessed Value**” – using the equalization rate, which is the state’s measure of a municipality’s level of assessment (LOA). This is the ratio of total assessed value (AV) to the municipality’s total market value (MV). The municipality determines the AV; the MV is determined by the state.

“**Estimated revenue**” means revenue from a specific source which is expected to be received during a fiscal year and which is included in the annual budget as adopted for that fiscal year.

“**Excess or Surplus Sales Tax Revenue**” -The difference in the amount of sales tax received by the County for the specific Budget Year, year after subtraction of the amount specified in the initially Adopted Annual Budget, and \$750,000, as specified herein.

“**Full Valuation Of Real Property**” - The assessed valuation of real

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

property divided by the equalization rate as determined in accordance with Article 8 of the Real Property Tax Law.

**“Sales Tax Revenue”** - the distribution of the collected sales tax, as referenced under NY Tax Law. Currently such tax is collected at the Seneca County level is 4%. The tax is collected by the state and the County’s share is distributed on a periodic basis to the Finance Department during the year.

**“Surplus Sales Tax Revenue for Distribution”** - The Surplus Sales Tax Revenue as defined herein, shall not exceed 10% of the prior year’s actual sales tax revenue.

**“Surplus Sales Tax Valuation”** – During the review of the audited financial reports as filed with or by the Finance Director for the budget year, the Finance Director and the County Manager will prepare a report to the Board of Supervisors indicating the final determination of the surplus sales tax revenue available for distribution under the Local Law.

**“Town”** - A town is a municipal corporation comprising the inhabitants within its boundaries and formed for the purpose of exercising such powers and discharging such duties of local government and administration of public affairs as have been, or, may be conferred or imposed upon it by law. (New York Town Law § 2) For the purposes of this Local Law, the towns of Seneca County are Tyre, Junius, Waterloo, Seneca Falls, Fayette, Varick, Romulus, Ovid, Covert, and Lodi.

**“Village”** – A village is a general-purpose municipal corporation formed voluntarily by the residents of an area in one or more towns to provide themselves with municipal services.(New York Village Law Article 2) For purposes of this local law, the villages of Seneca County, with the portion of the town or towns that are included in the village taxing entity are: Village of Waterloo (Town of Fayette, Town of Seneca Falls, and Town of Waterloo); Village of Ovid (Town of Romulus and Town of Ovid); Village of Lodi (Town of Lodi); and Village of Interlaken (Town of Covert)

### **SECTION III PROCESS AND PROCEDURES**

#### **A. Establishment of Baseline Estimated Sales Tax Revenue**

1. Pursuant to NY County Law Article 7, commencing with the initial budget processing period, the County Manager, Finance Director, and if not already designated, the County Budget Officer, will review prior and year to date sales tax revenues as received from the state. The Budget Officer shall determine the preliminary sales tax revenue component as part of the tentative County budget to be filed with the Clerk of the Board for submission to the Board of Supervisors.

2. During the review of the tentative budget, the preliminary sales tax revenue component may be addressed and adjusted pursuant NY County Law § 354.

3. Following the public hearing required prior to adoption of the budget, any further changes to the preliminary sales tax revenue component shall be made in compliance with County Law § 358.

4. The budget, as adopted, shall contain the estimated sales tax review for the budget year, as a component in the calculation of the remaining revenue to be raised through taxes or other sources. Said amount shall be used for the later determination of Surplus Tax Revenue as defined above.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

### **B. Establishment of Surplus Sales Tax Revenue**

1. Sales tax revenue for the budget year shall be monitored by the County Manager and the Finance Director.
2. No later than February 15 of the year following the budget year, a preliminary estimate of sales tax revenue shall be calculated. The Board of Supervisors shall be advised of this preliminary estimate for information purposes only.
3. Upon the completion and filing of the audited financial reports, the County Manager and Finance Director shall include a report on the actual received sales tax revenue compared to the budget year estimated sales tax revenue.
4. If there is a deficit when the actual sales tax revenue is less than the budgeted sales tax revenue, or, if any surplus is less than \$750,000, then no surplus sales tax sharing shall occur for that budget year.
5. If, after application of Section III (B)4 above, there is a tentative Surplus Sales Tax Revenue, it shall then be compared to the amount of sales tax revenue from the prior budget year. The final Surplus Sales Tax Revenue shall be the lesser of tentative Surplus Sales Tax Revenue compared to 10% of the prior year's sales tax revenue.

### **C. Determination of Distribution Formula**

1. In conjunction with the preparation by the Real Property Tax Services Office (RPTS) final data merge prior to the preparation of the Town and County tax bill (Generally November of the year prior to the budget year) the RPTS will take the merged date of equalized assessed values for each of the towns and villages and calculate a percentage said value for each municipality.
2. RPTS shall ensure that the calculated value assigned to the villages is not included in the values assigned to the towns.
3. The determination of the percentage of equalized assessed valuation for each of the towns and villages shall constitute the Distribution Formula to be applied to the Surplus Sales Tax Revenue for Distribution.

### **D. Notice and Distribution**

1. Once the Distribution Formula has been applied to the Surplus Sales Tax Revenue for Distribution, the resulting amounts shall be verified by the County Manager and Finance Director.
2. A report shall be made to the Board of Supervisors specifying the total amount of Surplus Sales Tax Revenue for distribution and then to be paid to the towns and villages.
3. The Finance Department shall make distribution to the towns and villages within thirty (30) days of the report to the Board of Supervisors, pursuant to Section III (D)2 above.

### **SECTION IV EFFECTIVE DATE AND IMPLEMENTATION**

This Local Law shall take effect immediately upon its filing in the office of the New York Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

### **SECTION V SEPARABILITY**

If any provision of this local law or application thereof to any person or circumstances is held invalid, the remainder of this local law, and the application of such provisions to other persons or circumstances shall not be affected thereby.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

### BOARD OF SUPERVISORS AUTHORIZES AMENDMENTS TO 2023 SENECA COUNTY BUDGET

RESOLUTION NO. 254-23, moved by Sprvr. Reynolds, seconded by Sprvr. D. Trout and adopted.

WHEREAS, amendments to the 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 Committee at its meeting on September 26, 2023; now, therefore be it

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

Line Item	Description	Increase/(Decrease)	Revenue/Expenditure	\$
<b>Note 1: Workforce Budget adjustment</b>				
206011 51201	Adult Participant Wages	Decrease	Expenditure	\$10,000
206011 54373	Participant Youth Devel	Decrease	Expenditure	\$5,000
206011 54451	Participant Training	Decrease	Expenditure	\$5,000
206011 54360	Advertising	Decrease	Expenditure	\$2,075
206011 51202	Youth Participant Wages	Increase	Expenditure	\$20,000
206011 58302	Youth Participant FICA	Increase	Expenditure	\$1,250
206011 58402	Youth Participant WC	Increase	Expenditure	\$525
206011 54702	Youth Participant Medicare	Increase	Expenditure	\$300



# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

### Unfinished Business

None

### New Business

*\*MOTION MADE AND SECONDED\**

Sprvr. D. Trout made a motion to introduce the following resolutions and any and all new business to come before the Board in accordance with the Rules of Order #29. Sprvr. Barnhart seconded the motion.

#### **APPLY FOR AND ACCEPT ENVIRONMENTAL PROTECTION AGENCY BROWNFIELD ASSESSMENT COALITION GRANT**

RESOLUTION NO. 255-23, moved by Sprvr. Partee seconded by Sprvr. D. Trout and adopted.

WHEREAS, in the Fall of 2022, Seneca County (the “County”), together with the Finger Lakes Regional Land Bank Corporation (the “Land Bank”), launched a Brownfields Strategy to address various environmentally challenged properties with the purpose of returning such properties to the tax rolls and active use thus contributing to the local economy; and

WHEREAS, by Resolution 272-22, the Seneca County Board of Supervisors authorized the County to enter into an agreement with the Land Bank, the New York State Department of Environmental Conservation (NYSDEC) and the New York State Office of the State Comptroller’s New York Environmental Protection and Spill Compensation Fund, which could potentially allow the County and Land Bank to foreclose on the subject brownfield Properties, facilitate for cleanup of same, all while limiting any residual liability for the County and Land Bank; and

WHEREAS, as part of the Brownfield Strategy, Seneca County also began to pursue grant funding to pay for Phase I & Phase II Environmental Site Assessments, building material surveys, and Remediation Plans on identified properties; and

WHEREAS, United States Environment Protection Agency (EPA) has released application guidelines for it FY24 Brownfield Assessment Coalition Grant Program, with a grant application due date of November 13, 2023;

WHEREAS, Assessment Coalitions are designed for one “lead” entity to partner with two to four eligible entities that do not have the capacity to apply for and manage their own EPA cooperative agreement and otherwise would not have access to Brownfield’s Grant resources; and

WHEREAS, the EPA strongly encourages coalitions to include eligible, community-based, nonprofit organizations as non-lead members to help promote strong local engagement; and

WHEREAS, Seneca County is an eligible lead agency, and has identified the willingness of the Town of Seneca Falls, Town of Waterloo, and Seneca Towns Engaging People for Solutions (STEPS) to participate as coalition members under the Assessment Coalition grant application; and

WHEREAS, the Land Bank, Village of Waterloo and Seneca County Industrial Development Agency will be listed as Strategic Partners within the grant application; and

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

WHEREAS, the County can apply for up to \$1,500,000 on behalf of the coalition, with no local match required; and

WHEREAS, this resolution was introduced to the Board of Supervisor pursuant to Rules of Order #29; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes and directs the County Manager to sign all necessary documents to apply for and accept up to \$1,500,000 in United States Environmental Protection Agency FY24 Brownfield Assessment Coalition Grant funding; and, be if further

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

### **SUPPORTING OPERATION GREEN LIGHT FOR ACTIVE MILITARY SERVICE MEMBERS IN TRANSITION TO CIVILIAN LIFE (VETERAN STATUS)**

RESOLUTION NO. 256-23, moved by Sprvr. Borst, seconded by Sprvr. Reynolds and adopted.

WHEREAS, the residents of Seneca County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served their country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women that served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Seneca County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, New York States Veteran Population has decreased by 44% over the last 20 years; and

WHEREAS, Veterans continue to serve their community in the American Legion, Veterans of Foreign Wars, church groups, civil service; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20% increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44% to 72% of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

WHEREAS, the Board of Supervisors appreciates the sacrifices our United State Military Personnel made while defending freedom and believes specific recognition be accorded them in appreciation of their service and to demonstrate the honor and support they have earned; therefore be it

RESOLVED, with designation as a Green Light for Military Service County, Seneca County hereby declares from October through Veterans Day, November 11th 2023 a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; therefore, be it further

RESOLVED, that in observance of Operation Green Light, Seneca County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who the immeasurable sacrifices helped to preserve freedom by displaying a green light in a window of their place of business or residence.

### **RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION BRANCATO -v- SENECA COUNTY, et al**

RESOLUTION NO. 257-23, moved by Sprvr. J. Trout , seconded by Sprvr. Ferrara and adopted.

WHEREAS, litigation was commenced against Seneca County by Vito Brancato under Seneca County Supreme Court Index No. 2019-0372 in November 2019 alleging negligence on the part of the county in the construction and repair work being conducted at the Sheldrake Creek Bridge, County Route 153 that resulted caused flooding of the Brancato home, causing substantial damage; and

WHEREAS, settlement has been proposed whereby Seneca County will be released, and discharged of all claims related to this matter and the plaintiff, and would further release and discharge any and all cross claims, counterclaims, and third-party actions relative to the contractor and engineers on the project; P.S. Bruckel and Barton & Loguidice, D.P.C., respectively; and

WHEREAS, the terms of the settlement provide that Seventy-Three Thousand Five Hundred Dollars (\$73,500) from Axis Insurance on behalf of Seneca County and P.S. Bruckel, Inc will be paid to Plaintiff, with additional payment One Thousand Two Hundred Fifty Dollars (\$1,250) from Barton & Loguidice, D.P.C; and

WHEREAS, no funds from Seneca County are required to be contributed to the settlement payment in light of the insurance policy coverage and indemnification provided to Seneca County by AXIS Insurance and that of the contractor, P.S. Bruckel; and

WHEREAS, this resolution was brought before the Board of Supervisors pursuant to Rule 29 of the Rules of the Board.

NOW, THEREFORE BE IT

RESOLVED, the Seneca County Attorney is authorized and directed to sign the aforesaid Settlement Agreement, and the terms thereto.

# BOARD OF SUPERVISORS

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### Special Order of the Day

Sprvr. D. Trout made a motion to adjourn the meeting and Sprvr. Barnhart seconded the motion.  
The meeting adjourned at 6:51pm.