

BOARD OF SUPERVISORS

SENECA COUNTY

Waterloo, New York 13165

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November 14, 2023 Board Meeting Minutes

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Call to Order:

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

Roll Call of Members by the Clerk:

All 14 members answered roll call

Pledge of Allegiance and Moment of Silence:

Public Hearing:

Sprvr. Enslow made a motion to open the three public hearings and invited individuals to address the Board. Sprvr. Ferrara seconded the motion. No individuals from the public addressed the Board. Sprvr. D. Trout made a motion to close the public hearings, and Sprvr. Ferrara seconded the motion.

- Adopt Tentative 2024 Seneca County Budget
- Introduce County Local Law 8 of 2023 “A Local Law adopting a Real Property tax exemption for Cold War Veterans pursuant to Real Property Tax Law § 458-B”
- Introduce County Local Law 9 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”

Presentations:

Lynne Doyle, President of Friends of the Three Bears thanked the Board of Supervisors for the constant support and funding. She stated she is very excited to have this accessibility project completed, and that the project went well overall. She wanted to thank Massa Construction for their great team and services. Lynn also gave a special thanks to Bob Stuck- Superintendent of Facilities and the maintenance crew. She stated they were a great resource and very helpful.

Open Privilege of the Floor:

Approval of Meeting Minutes:

Sprvr. Rhinehart made a motion to approve the meeting minutes from the October 11th 2023 Board meeting & the October 24th 2023 Special Board meeting. Sprvr. Borst seconded the motion.

Report of Special Committees:

Sprvr. J. Trout stated that Ave Bauder from Cornell Cooperative Extension had an update for the Board. Ave Bauder stated that CCE found a new space for their office and have decided to lease an office area in the old Taylor Brown Hospital.

Chairman's Remarks:

Chairman Enslow stated he was very pleased that the elevator project at the Three Bears is now complete. He said it looks great, and thanked the staff for getting the Three Bears ready for the Board of Supervisors meeting. He stated he always looks forward to coming down to the south end meeting.

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County Manager's Remarks:

County Manager Kyle Lovell, thanked the Three Bears staff and everyone who helped complete the elevator project and who keep the Three Bears operating. He said he knows it is a labor of love and recognizes the importance of the Three Bears and is excited about the future of the Three Bears.

County Attorney's Remarks:

None

Communications:

101. September 2023 Personnel Report
102. Annual Farm Bureau Dinner invitation
103. Interlaken Fire Department, thank you letter for Tourism Grant Funding
104. September 2023 Board of Health meeting minutes
105. OSC Audit Notification – Office of Weights and Measures
106. Resignation of Town of Lodi Supervisor, Kyle Barnhart
107. Greater Tompkins County Municipal Health Insurance Consortium 2024 rates
108. Planning Board agenda for November 9, 2023 meeting
109. Planning Board minutes for October 12, 2023 meeting
110. Board of health Meeting minutes
111. October 2023 Personnel Report

Communications have been received and filed.

RESOLUTIONS & MOTIONS



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~ DISCUSSION RES. 263-23~

Sprvr. J. Trout stated that the Board requested information on the tax rate and wanted to review the rates. Finance Director Halle Stevens stated that she has been working on preparing these numbers and can discuss them with the Board. Halle stated she had Lisa Keshel, Real Property Tax Director run the new tentative at the same rate which is the 3.79% tentative budget levy, and it would also require the override of the tax cap. Halle stated that tax levy would be 12,600,000 and the increase is \$1,530,000 over the tentative budget levy \$11,700,000. Sprvr. J. Trout stated that he believes they should keep it at 379 and exceed the tax cap and take the \$1.5 million and put it into reserves. Sprvr. J. Trout stated he is not in any way criticizing the appropriations of the budget. He stated to continually reduce the property tax rate knowing that sales taxes leveling off potentially even stagnating in 4 or 5 or even 10 years from now he is concerned we will deplete our reserves, and the money will not be available which will force the board to do a significant property tax increase. Sprvr. Ferrara said it is not a bad idea and makes sense, but he doesn't know if this is the time to make these changes so close to the budget deadline, or if we should make these changes next year in future budget workshops. He stated he believes most people would be upset if we exceed the tax cap. Sprvr. Partee stated she attended a NYSAC conference in the fall and at one of the workshops the NYS Comptrollers Office spoke and one of the things they said was across the state a lot of counties are having to raise taxes 30 to 50%. She stated it worries her that certain reserves do not seem to have enough funds. Sprvr. Kronenwetter asked if someone could go over the ramifications if the County was to exceed the tax cap. Halle Stevens stated there is one ramification that can happen is a program called Raise the Age, which is through the Department of Human Services. If the County ended up having a raise the age juvenile end up in detention the State will not cover any of those costs, which if the County is below the tax cap they would. Halle stated she asked Commissioner VanVleck what a potential hypothetical yearly cost of one in detention for the full year would cost approximately, which is \$300,000. Halle Stevens stated in the last 4 years we have not fully utilized the tax reduction reserve that was not allocated for each of those years we actually reduced some fund balances. She said we do have approximately \$3.7 million of prior years tax reduction reserve allocation. She stated there is another \$4.4 million sitting in the reserve from years prior to 2013 and interest. Halle stated we need to amend our fund balance policy. Updating policies and deciding on how to spend the funds is important. The fund balance policy has not been addressed by the Board in 10-15 years. The County needs to work on a CIP plan and there are many other projects that the Board would like to do. Sprvr. J. Trout stated for this years time line lets stick with the tax rate decrease and work on reviewing policy, so we can address some of these concerns for next years budget.

BOARD OF SUPERVISORS ADOPTS 2024 TENTATIVE COUNTY BUDGET

RESOLUTION NO. 263-23, moved by Sprvr. Reynolds, seconded by Sprvr. Ferrara and adopted.

WHEREAS, the heads of Seneca County Departments have made their estimates of revenues and expenditures for Fiscal Year 2024; and

WHEREAS, the Proposed 2024 Seneca County Budget has been duly filed and presented to the Board of Supervisors by the Budget Officer and a duly advertised Public Hearing has been held on November 14, 2023; and

WHEREAS, this Resolution has been reviewed and recommended for approval by the Ways and Means Committee at its meeting on October 24, 2023; now, therefore be it

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RESOLVED, that Pursuant to Section 360 of New York State County Law, said Proposed Budget be and hereby is Adopted as the Budget for Seneca County for the year 2024; and be it further

RESOLVED, that the several amounts specified in the 2024 County Budget be and hereby are appropriated for the objects and purposes enumerated therein.

~ MOTION MADE AND SECONDED ~

Sprvr. Reynolds made a motion to the proposed amended resolution which added note 2 and note 3 to the 2023 Budget amendment resolution. Sprvr. D. Trout seconded the motion.

BOARD OF SUPERVISORS AUTHORIZES AMENDMENTS TO 2023 SENECA COUNTY BUDGET

RESOLUTION NO. 264-23, moved by Sprvr. Reynolds, seconded by Sprvr. Ferrara 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 October 24, 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	\$
Note 1: County Highway Budget adjustment				
405110 51100	Salaries	Decrease	Expenditure	\$30,849.48
405110 58100	Retirement	Decrease	Expenditure	\$3,983.18
405110 58300	Social Security	Decrease	Expenditure	\$1,847.05
405110 58400	Workers Comp	Decrease	Expenditure	\$638.76
405110 58600	Health Insurance	Decrease	Expenditure	\$8,160.11
405110 58700	Medicare	Decrease	Expenditure	\$431.96
405112 51100	Salaries	Increase	Expenditure	\$30,849.48
405112 58100	Retirement	Increase	Expenditure	\$3,983.18
405112 58300	Social Security	Increase	Expenditure	\$1,847.05
405112 58400	Workers Comp	Increase	Expenditure	\$638.76
405112 58600	Health Insurance	Increase	Expenditure	\$8,160.11
405112 58700	Medicare	Increase	Expenditure	\$431.96
Note 2: DHS Budget adjustment				
106102 54700	MMIS Contractual	Decrease	Expenditure	\$217,900
106010 54700 SS20	DHS Contractual	Increase	Expenditure	\$51,900
106010 54700 SS02	DHS Contractual	Increase	Expenditure	\$36,000
106123 54700	Juvenile Care Contractual	Increase	Expenditure	\$70,000

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106192 54700	Committee on Special Ed	Increase	Expenditure	\$60,000
Note 3: Coroners Budget adjustment				
101990 54700	Contingency	Decrease	Expenditure	\$43,741
101190 51200	Salaries Part Time	Increase	Expenditure	\$15,650
101190 54380	Other Fees and Services	Increase	Expenditure	\$23,900
101190 54450	Training	Increase	Expenditure	\$500
101190 58100	NYS Retirement	Increase	Expenditure	\$1,020
101190 58300	Social Security	Increase	Expenditure	\$1,716
101190 58400	Workers Comp	Increase	Expenditures	\$553
101190 58700	Medicare	Increase	Expenditures	\$402

**RESOLUTION TO ADOPT COUNTY LOCAL LAW 8 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. 265-23, moved by Sprvr. Reynolds, seconded by Sprvr. Shipley 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 November 14, 2023 p.m. at 6:00 p.m. at the Historic Three Bears Complex in Ovid, New York 14521 to hear all interested parties on proposed Local Law 8 entitled “A LOCAL LAW ADOPTING A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS PURSUANT TO REAL PROPERTY TAX LAW § 458-B”; 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 November 14, 2023 at 6:00 p.m. at the Historic Three Bears Complex in Ovid, New York 14521, 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. 8 of the year 2023, “A LOCAL LAW ADOPTING A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS PURSUANT TO REAL PROPERTY TAX LAW § 458-B”; to read in substantially the following form:

**“RESOLUTION TO INTRODUCE COUNTY LOCAL LAW “8” 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

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Veterans are 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.

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.

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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. 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
- b.) 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.
- c.) 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.

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- 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.

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.

~ DISCUSSION RES 266-23 ~

Sprvr. Partee made a motion to amend proposed local law "9" of 2023 (following public hearing) I move to make the following amendments to the proposed local law as follows: Page 4, line 13: substitute "revenue" for review, following "estimated sales tax" Page 4, lines 46: add "This report shall contain a list of any accounts due to the County from any village or town for any services of any type. Page 5, lines 2: add "except that portion of the planned distribution to any such municipality shall be withheld by the County until such time as the arrears or account payable is cleared". I move to amend Ways and Means Resolution# 16 by withdrawal and and substitute. Sprvr. J. trout seconded the motion to amend the resolution.

RESOLUTION TO RE-INTRODUCE LOCAL LAW "9" OF 2023 AND SCHEDULE PUBLIC HEARING

WHEREAS following public hearing this date, certain amendments were made to proposed Local Law "9" 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; and

WHEREAS by making said amendments, a further public hearing is required pursuant to Section 10 of the Municipal Home Rule Law; now, therefore be it

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

RESOLVED that a Public Hearing shall be held on Tuesday, November 28, 2023 at 6:00 p.m., or otherwise prior to the schedule Board Committee meetings at the Seneca County Board of Supervisors meeting room, County Office Building, 1 DiPronio Dr., Waterloo, NY; 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 newspaper of the County at least five (5) days prior thereto.

RESOLUTION TO RE-INTRODUCE LOCAL LAW "9" OF 2023 OF 2023 TO AUTHORIZE AND ALLOCATE SURPLUS SALES TAX REVENUE IN EXCESS OF BUDGETARY REVENUE ESTIMATE TO THE TOWNS AND VILLAGES OF SENECA COUNTY AND SCHEDULE PUBLIC HEARING

RES 266-23, moved by Sprvr. Reynolds, seconded by Sprvr. Partee and adopted.

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WHEREAS, following public hearing this date, certain amendments were made to proposed Local Law “9” 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; and

WHEREAS, by making said amendments, a further public hearing is required pursuant to Section 10 of the Municipal Home Rule Law; now, therefore, be it

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

RESOLVED, that a Public Hearing shall be held on Tuesday, November 28, 2023 at 6:00 p.m., or as soon as possible thereafter, at the Seneca County Board of Supervisors meeting room, County Office Building, 1 DiPronio Dr., Waterloo, NY; 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 newspaper of the County at least five (5) days prior thereto.

SENECA COUNTY LOCAL LAW “9” 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

Be it enacted by the SENECA COUNTY BOARD OF SUPERVISORS:

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.

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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 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)

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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 revenue 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.

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. This report shall contain a list of any accounts due the County from any village or town for any

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services of any type

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, except that portion of the planned distribution to any such municipality shall be withheld by the County until such time as the arrears or account payable is cleared.

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.

COUNTY MANAGER AUTHORIZED AND DIRECTED TO SIGN A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE CHILDREN AND YOUTH WITH SPECIAL HEALTH CARE NEEDS ADMINISTRATION GRANT

RESOLUTION NO. 267-23, moved by Sprvr. Reynolds, seconded by Sprvr. Ferrara and adopted.

WHEREAS, the New York State Department of Health has awarded the Seneca County Health Department \$53,854 for the period October 1, 2023, through September 30, 2024, for the administration of the Children and Youth with Special Health Care Needs (CYSHCN) Program; and

WHEREAS, the CYSHCN Program seeks to improve the system of care for children and youth with special health care needs from birth up to 21 years of age; and

WHEREAS, the CYSHCN Program provides critical financial and other supports for families caring for children with severe chronic illnesses and/or physical disabilities; and

WHEREAS, it is necessary for the contract to be signed to receive the funding; and

WHEREAS, the funds are allocated in the Health Department budget account no. 104010-44451.CYS23; and

WHEREAS, the Health & Human Services Committee has approved this resolution at its meeting of October 24, 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 Children and Youth with Special Health Care Needs Administration Grant; 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 is authorized to make the necessary budgetary and accounting entries to affect the intent of this resolution.

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MENTAL HEALTH AND SUBSTANCE ABUSE 2024 AGREEMENTS FOR CONTRACT SERVICES

RESOLUTION NO. 268-23, moved by Sprvr. Borst, seconded by Sprvr. Rhinehart and adopted.

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

WHEREAS, the funds used for these contracts will be included in the 2024 budget and supported through state aid monies from New York State Office of Mental Health and New York State Office of Alcoholism and Substance Abuse Services and/or through collection of medical fees; and

WHEREAS, the following array indicates the not-to-exceed totals and hourly rates of providers to be contracted in 2024:

Mental Health 104320.54350	Total Contract Amount (\$)	Rate (\$)	Hours
Ann Knoll (Trauma Specialist)	82,355	65	1267
Steve Kane (Utilization Review Specialist)	10,010.00	35	286
David Kaufman (Child Psychiatrist)	140,250.00	165	850
Pamela King (Prescriber)	43,200.00	90	480
Mark Reynolds (730 CPL Examiner)	10,000.00	125	80
Rick Hoyt (730 CPL Examiner)	10,000.00	150	66.66
Christine Tompkins (Medicare Provider)	4,050.00	45	90
Janice Creamer (Medicare Provider)	10,000.00	45	222
Sara Caceres (Interpreter)	9,180.00	60	153
AOT Coordinator	3,500.00	35	100
Deena Schwartz (Prescriber)	60,000.00	120	500
Sexual Behaviors Outreach	25,175.00	95	265
Brianna En (Prescriber)	77,400.00	96.75	800
Ronaldo Yearwood (Medical Director)	182,000	175	1040
Janine Quinlan (Prescriber)	47,840	115	416
Subtotal	714,960		

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Additions 104220.54350			
Dorothy Lennon (Medical Director)	50,100.00	150	334
Vacant (Vocational Case Manager)	15,000.00	25	600
Vacant (Suboxone Prescriber)	72,400	100	724
Robert Shields (Peer Advocate)	24,000	17	1411
Vacant (Peer Advocate)	16,640	16	1040
Subtotal	178,140		
TOTAL:	893,100		

WHEREAS, these contracts were approved by the Mental Health Services Committee of the Seneca County Board of Supervisors on October 24, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County Manager to sign the 2024 Mental Health and Substance Abuse Services Providers agreements for contract services; be it further

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Finance Department to pay the 2024 service providers, as contracted, when duly appropriated.

AUTHORIZATION TO PASS THROUGH \$100,000 IN NEW YORK STATE OFFICE OF MENTAL HEALTH STATE AID DWYER FUNDS TO THE SENECA COUNTY VETERAN SERVICES ORGANIZATION

RESOLUTION NO. 269-23, moved by Sprvr. Borst, seconded by Sprvr. Brownell and adopted.

WHEREAS, Seneca County Mental Health Department is currently in receipt of \$100,000 in State Aid, Dwyer Funding from The New York State Office of Mental Health for development of a Dwyer Peer Support Program for veterans in Seneca County; and

WHEREAS, Seneca County Mental Health Department seeks to pass these dollars through to the Seneca County Veterans Service Organization to be utilized for development of the Seneca County Dwyer Program; and

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

RESOLVED, the Board of Supervisors authorizes and directs the County Manager to sign all necessary paperwork related to the same; be it further

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RESOLVED, the Board of Supervisors authorized and directs the Finance Department to make the necessary budgetary modifications to fulfill the intent of the resolution.

SUPERVISORS APPROVE 2024 MENTAL HEALTH SERVICES PROVIDER AGENCY CONTRACTS

RESOLUTION NO. 270-23, moved by Sprvr. Borst, seconded by Sprvr. Ferrara and adopted.

WHEREAS, the Department of Mental Health enters into services contracts each year with various service providers for provision of mental health and substance use disorder treatment and prevention services to the residents of Seneca County. In 2024 the Department of Mental Health will enter into services contracts with the following entities: Lakeview Mental Health Services, Inc.; Aspire Hope NY; Glove House; Unity House of Cayuga County; the Franziska Racker Centers; the Council on Alcoholism and Addictions of the Finger Lakes, Inc.; the United Way of Seneca County; Family Counseling Service of the Finger Lakes Inc., The Seneca County Sheriff's Department; and The Seneca County Veteran Services Organization; and

WHEREAS, the funds used for these contracts are passed through state aid monies from New York State office of Mental Health and New York State office of Alcoholism and Substance Abuse Services; and the del Lago gambling contract and

WHEREAS, the total investment dollars, amount for these contracts is \$1,963,012 (revenue account 104300-43000 and expense account 104300-54700) with no local mandated share, and included in the 2024 Budget; and

WHEREAS, the Health and Human Services Standing Committee approved this resolution on October 24, 2023 now, therefore be it

RESOLVED, that the County Manager is authorized and directed to sign the 2024 services providers' contracts for Lakeview Health Services, Inc.; Aspire Hope NY; Glove House; Unity House of Cayuga County; the Franziska Racker Centers; Council on Alcoholism and Addictions of the Finger Lakes, Inc and United Way of Seneca County; Family Counseling Service of the Finger Lakes, Inc., The Seneca County Sheriff's Department; and The Seneca County Veteran Services Organization; and be it further

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Finance Department to pay the 2023 service providers, as contracted, when duly appropriated.

SUPERVISORS AWARD HUNT ENGINEERING FOR L.E.C. BOILER REPLACEMENT

RESOLUTION NO. 271-23, moved by Sprvr. D. Trout, seconded by Sprvr. Hayssen and adopted.

WHEREAS; the Facilities Department was authorized to issue a request for proposal (RFP) for the purpose of replacing the boiler at the Seneca County law enforcement center; and

WHEREAS, Hunt Engineering was the lowest cost and qualified response of \$26,950.00 for the final design, engineering, project management, bidding and oversight of the project; and

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WHEREAS, the boiler replacement project will begin after January 1, 2024 and to be completed no later than October 30, 2024; and

WHEREAS, the Public Works Committee reviewed and approved this resolution at its October 24th Committee meeting; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorize the County Manager to sign the agreement with Hunt Engineering to replace the LEC Boiler; and be it further

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

BOARD OF SUPERVISORS APPROVE RECLASSIFICATION OF MENTAL HEALTH CLINICAL THERAPIST TO PSYCHIATRIC SOCIAL WORKER II IN THE MENTAL HEALTH DEPARTMENT

RESOLUTION NO. 272-23, moved by Sprvr. J. Trout, seconded by Sprvr. Rhinehart 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 Mental Health Clinical Therapist 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 Mental Health Clinical Therapist 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 October 24, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors approve reclassifying Mental Health Clinical Therapist in the Mental Health Department to Psychiatric Social Worker II (Grade 12, Step 4 - \$36.504) on the CSEA Salary Schedule; be it further

RESOLVED, that the Board of Supervisors abolishes one (1) full-time Mental Health Clinical Therapist 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.

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BOARD OF SUPERVISORS APPROVES THE CREATION AND FILLING OF ONE (1) PART-TIME CLEANER POSITION AT THE COUNTY OFFICE BUILDING
RESOLUTION NO. 273-23, moved by Sprvr. J. Trout, seconded by Sprvr. Rhinehart and adopted.

WHEREAS, renovations in the Division of Human Services Department, Public Defender's Office and Glove House have been ongoing for several months creating additional offices to clean and maintain in the County Office Building; and

WHEREAS, the Superintendent of Facilities has identified the need for a part-time Cleaner at the County Office Building to help maintain and clean these new offices; and

WHEREAS, the Director of Finance has reviewed the 2023 budget and there is sufficient funding in the Part-time Account Code #101620-51200; and

WHEREAS, this position has been reviewed and approved by the Vacancy Committee and the Human Resources & Government Operations Committee on October 24, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors approve the creation and filling of one (1) part-time Cleaner position at Grade 1 of the CSEA Bargaining Agreement (16.047/\$34,126); 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.

SUPERVISORS APPROVES CREATION AND FILLING OF THREE (3) FULL-TIME MENTAL HEALTH CLINICAL THERAPIST POSITIONS IN THE MENTAL HEALTH DEPARTMENT

RESOLUTION NO. 274-23, moved by Sprvr. J. Trout, seconded by Sprvr. Rhinehart and adopted.

WHEREAS, Seneca County is experiencing a mental health crisis resulting in increased demand for mental health services in the clinic, community and school systems; and

WHEREAS, the SAMHSA CCBHC-PDI Grant accepted by the Board of Supervisors in Resolution 241-23, in effect October 1, 2023 – September 29, 2027, supports the creation of 3 new Mental Health Clinical Therapists in the Mental Health Department to meet increased demand for services; and

WHEREAS, the new positions will be paid through the SAMHSA CCBHC-PDI Grant and medical fees and will be sustained in full through collection of medical fees following the 4 year grant period; and

WHEREAS, this action was reviewed and approved by the Vacancy Committee and the Human Resources/Government Operations Committee on October 24, 2023; now therefore be it

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RESOLVED, that the Seneca County Board of Supervisors does hereby approve the creation/filling of 3 full-time Mental Health Clinical Therapist positions to serve within the Seneca County Mental Health Department (CSEA Grade 11, Step 3: \$33,797 or \$66,259); be it further

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the finance department to make budgetary and accounting entries to affect the intent of this resolution.

**SUPERVISORS APPROVES THE CREATION AND FILLING OF
ONE (1) FULL-TIME CASE MANAGER IN THE MENTAL HEALTH DEPARTMENT**
RESOLUTION NO. 275-23, moved by Sprvr. J. Trout, seconded by Sprvr. Rhinehart and adopted.

WHEREAS, the SAMHSA CCBHC-PDI Grant accepted by the Board of Supervisors in Resolution 241-23, in effect October 1, 2023 – September 29, 2027, supports the creation of 1 full-time Case Manager position in the Mental Health Department to meet project goals including the case management needs of clinic clients to support client engagement and success in connecting to needed community services including housing; and

WHEREAS, the position has been evaluated by the Personnel Officer and recommended to be placed on CSEA Grade 8, Hire Rate (\$26,819/hr or \$52,297); and

WHEREAS, the new position will be paid in full through the SAMHSA CCBHC-PDI Grant; and

WHEREAS, this action was reviewed and approved by the Vacancy Committee and the Human Resources/Government Operations Committee on October 24, 2023; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the creation/filling of 1 full-time Case Management position to serve within the Seneca County Mental Health Department and placed at Grade 8, Hire Rate (\$26,819/hr or \$52,297) on the CSEA salary schedule; be it further

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the finance department to make budgetary and accounting entries to affect the intent of this resolution.

**SUPERVISORS APPROVE MENTAL HEALTH DEPARTMENT TO HIRE
CHILDRENS SERVICES DIRECTOR IMMEDIATELY**
RESOLUTION NO. 276-23, moved by Sprvr. J. Trout, seconded by Sprvr. Borst and adopted.

WHEREAS, the Seneca County Board of Supervisors approved the creation/filling of a full-time Childrens Services Director position for the 2024 budget at their August 8, 2023 Board meeting (Res.#211-23); and

WHEREAS, the Director of Mental Health has received federal SAMHSA grant funding to pay for this position with no county required match; and

WHEREAS, the Director is requesting to utilize this grant funding immediately to fill the position in 2023 rather than wait until January 2024; and

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WHEREAS, this resolution was reviewed and approved by the Human Resources/Government Operations Committee on October 24, 2023; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve filling the full-time Children's Services Director position in 2023 effective immediately; and therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby direct the finance department to make all necessary budget modifications to fulfill the intent of this resolution.

RESOLUTION TO INTRODUCE COUNTY LOCAL LAW "J" OF 2023 "A LOCAL LAW UNDER COUNTY LAW §§ 151(1) AND 151(3) PROVIDING FOR THE ORGANIZATIONAL MEETING AND SELECTION OF CHAIR OF THE BOARD OF SUPERVISORS ON OR BEFORE THE EIGHTH DAY OF JANUARY IN EACH EVEN-NUMBERED YEAR, AND ESTABLISHING A TWO-YEAR TERM FOR THE CHAIR OF THE SENECA BOARD OF SUPERVISORS"
RESOLUTION NO. 277-23, moved by Sprvr. J. Trout, seconded by Sprvr. Borst and adopted.

WHEREAS, the New York State County Law § 151 provides for the organizational meeting of a County Board of Supervisors to be held each year, on or before the eighth day of January of each year; and

WHEREAS, the same law provides for the Board's selection of the Chair at that time; and

WHEREAS, the same County Law provides that the Board may, by local law, provide for such organizational meeting and actions thereunder to be held on or before the eighth day of January in each even-numbered year, and that the Chair of the Board may be appointed for a two-year term as well; and

WHEREAS, such two-year period would appropriately follow the full term of the County Supervisors, who serve a two-year term of office, as well as for the continuity of the Chair; now, therefore be it
RESOLVED, that Local Law "J" 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, December 12, 2023 in conjunction with the regular meeting of the Seneca County Board of Supervisors at the historic 3 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.

-See next page for Local Law J

LOCAL LAW "J" OF 2023 A LOCAL LAW UNDER COUNTY LAW §§ 151(1) AND 151(3) PROVIDING FOR THE ORGANIZATIONAL MEETING AND SELECTION OF CHAIR OF THE BOARD OF SUPERVISORS ON OR BEFORE THE EIGHTH DAY OF JANUARY IN EACH EVEN-NUMBERED YEAR, AND ESTABLISHING A TWO-YEAR TERM FOR THE CHAIR OF THE SENECA BOARD OF SUPERVISORS"

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

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Section 1. Title

This local law shall be known as the "Adoption of Optional Biennial Organizational Meeting of the Seneca County Board of Supervisors and Establishing a Two-Year Term for the Chairman of the Board of Supervisors.

Section 2. Findings

A) The purpose of this local law is to adopt the optional biennial organization meeting of the Board of Supervisors, as provide for under County Law § 151, and to further extend the term of Chair of the Board of Supervisors from one to two years.

B) Further, by such change, the term of office as the elected County Supervisors, as well as the term of the Chair, would follow the full term of the Board.

Section 3. Adoption

Pursuant to the provisions of County Law § 151(1) and County Law § 151(4):

A) the Organizational Meeting of the Seneca County Board of Supervisors shall be held biennially on or before the eighth day of January in each even-numbered year.

B) The selection of the Chair shall be made by the Board of Supervisors at said organizational meeting, and the term of office of the shall be for a term of two (2) years, or in the event of an in-term selection, the term of the then sitting Board.

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.

SENECA COUNTY SUPERVISORS STRONGLY SUPPORT UPCOMING SENECA HOUSING INC. APPLICATION TO NEW YORK STATE HOMES AND COMMUNITY RENEWAL TO BECOME A CERTIFIED RURAL PRESERVATION COMPANY

RESOLUTION NO. 278-23, moved by Sprvr. J. Partee, seconded by Sprvr. J. Trout and adopted.

WHEREAS, the Seneca County Board of Supervisors accepted the findings of the 2023 Housing Needs Assessment resolving that Housing Development is Economic Development; and

WHEREAS, the Housing Needs Assessment identified a clear and significant need to increase nonprofit housing development capacity in Seneca County; and

WHEREAS, the Finger Lakes Regional Land Bank Corporation (FLRLBC) identified through a strategic planning process the need to cultivate a locally committed development partner to return properties to the tax rolls and create housing opportunities; and

WHEREAS, New York State Homes and Community Renewal (HCR) provides annual funding for administration of certified Rural Preservation Companies, which are organizations committed to developing, providing, and preserving affordable housing in rural areas; and

WHEREAS, by New York State Law, there is a cap of how many Rural Preservation Companies HCR can provide annual administrative support to; and

WHEREAS, there are two RPC designations currently unutilized with HCR indicating that applications will be opening up in the near future, within Fall 2023; and

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WHEREAS, Seneca Housing Inc. recognizing the needs of our community is committed to expanding its operations to become an RPC and begin acquiring and developing properties for ownership and rental opportunities as well as addressing issues of deferred maintenance; and

WHEREAS, Seneca Housing Inc. has a strong local track record of successfully managing various housing programs for many years, including administering the Section 8 voucher program; and

WHEREAS, Seneca Housing Inc. operating as an RPC will be the primary local development partner for the FLRLBC and Seneca County in pursuing goals of housing development at the neighborhood scale; and

WHEREAS, the Economic, Development and Tourism Committee reviewed this resolution on October 23, 2023; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors strongly supports Seneca Housing Inc. in their application to become a Rural Preservation Company; and be it further

RESOLVED, that the Seneca County Department of Planning & Community Development provide technical assistance in drafting the application to become an RPC; and be it further

RESOLVED, a copy of this Resolution and Letter of Support be transmitted to Seneca County's Representatives to the New York State Senate and Assembly, as well as be included in the final application to HCR.

REAPPOINT MEMBERS TO FINGER LAKES REGIONAL AIRPORT ADVISORY COMMITTEE (GILLON AND SHIPLEY)

RESOLUTION NO. 279-23, moved by Sprvr. Partee, seconded by Sprvr. Ferrara 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, the Finger Lakes Regional Airport Advisory Committee was established by the Seneca County Board of Supervisors to advise and make recommendation in all matters relating to the operation of the Airport; and

WHEREAS, appointments for August Gillon and Jeff Shipley will expire on November 30, 2023; and

WHEREAS, this resolution has been reviewed and approved by the Economic, Development and Tourism Committee on October 24, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby reappoint August Gillon and Jeff Shipley to the Finger Lakes Regional Airport Advisory Committee effective December 1, 2023 to November 30, 2026.

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SENECA COUNTY TOURISM PROMOTION & DEVELOPMENT GRANT FUNDS APPROVED FOR THE OVID WINTER FESTIVAL

RESOLUTION NO. 280-23, moved by Sprvr. Partee, seconded by Sprvr. Borst and adopted.

WHEREAS, the Ovid Winter Festival in the Town of Ovid has sought financial assistance in the amount of \$2,100 from Seneca County for the 2023 Winter Festival; and

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

WHEREAS, the Economic, Development and Tourism Standing Committee reviewed and approved the aforementioned request and recommended for adoption this resolution at its meeting on October 24, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the release of county funding to the Ovid Winter Festival, in accordance with Seneca County Policy 405.100, Tourism Promotion & Development Grant, in the amount of \$2,100 in support of the Ovid Winter Festival, which will take place in and around the Town of Ovid on Saturday December 2, 2023; and be it further

RESOLVED that by this resolution, the 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.

BOARD OF SUPERVISORS APPOINT SETH KIRCHER TO SENECA COUNTY IDA BOARD

RESOLUTION NO. 281-23, moved by Sprvr. Partee, seconded by Sprvr. Borst and adopted.

WHEREAS, the Seneca County Board of Supervisors recognizes the important role of the Industrial Development Agency Board in the economic development of the County; and

WHEREAS, there is currently one vacancy on the Board; and

WHEREAS, after interviewing potential candidates the committee agreed on appointing one of the candidates; and

WHEREAS, the Committee respectfully requests that the Board of Supervisors appoint Seth Kircher of Ovid, New York to the IDA Board; and

WHEREAS this resolution was reviewed and approved by the Econmoic, Development and Tourism Committee on October 24, 2023; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint Seth Kircher to a term on the Industrial Development Agency (IDA) Board effective immediately and with the term expiring on December 31, 2027.

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~DISCUSSION ON RES 282-23~

Sprvr. Partee made a motion to amend the resolution on the 9th and 10th WHEREAS clause. On the 9th she would like it to read “WHEREAS, funding for such lease space of operation of said Visitors Center/Tourism Promotion Facility is determined to be an eligible undertaking utilizing Hotel-Motel Tax Revenue, and she asked for the 10th WHEREAS to be removed completely. She also stated in the first RESOLVED clause to update Chairman of the Board with County Manager and to cross out contract for the space and add contract for operation. On the third WHEREAS, cross out and not after Hotel and Motel Occupancy Tax. Sprvr. Partee also stated a new RESOVLED clause would be added that stated “ RESOLVED, that the final ap[approval of such contract shall be made by the Board of Supervisors pursuant to the provisions of Local Law 5 of 2023 requiring two-thirds majority vote of the Board. Sprvr. Reynolds seconded the motion. On the original motion before amendments were introduced Sprvr. Brownell voted nay. On the amendments Sprvr. Shipley and Brownell voted nay. The motion passed. Some discussion was has on these amendments and County Attorney David Ettman stated that the County Manager would negotiate the lease agreements with the Chamber and report back to the Board of Supervisors. This resolution is just to authoring the County Manager to negotiate a lease agreement with the Chamber and then it would be for full Board review and the actual lease agreement would need at least a 2/3 majority vote to pass, since the lease agreement would be over 5 years. (Local Law 5)

BOARD OF SUPERVISORS SUPPORTS DEVELOPMENT AND OPERATION OF TOURISM PROMOTION AND VISITORS CENTER AT 1718 NYS ROUTE 318 IN THE TOWN OF TYRE
RESOLUTION NO. 282-23, moved by Sprvr. Partee, seconded by Sprvr. Reynolds and adopted.
Sprvr. Shipley & Sprvr. Brownell voted nay.

WHEREAS, the Seneca County Chamber of Commerce is the owner of a property at 1718 New York State Route 318 in the Town of Tyre, Seneca County; and

WHEREAS, the Chamber of Commerce has plans to renovate and occupy the subject property for Chamber of Commerce operations on the second floor and a Seneca County Visitor’s Center/Tourism Promotion Facility on the first floor to support tourism in Seneca County; and

WHEREAS, the Seneca County Board of Supervisors finds the creation of a Visitor’s Center on the first floor of the subject property, and staffing thereof to be in the best interest of tourism promotion and considers the restoration and re-occupancy of this significant historic property at a major entry point to Seneca County a significant endeavor; and

WHEREAS, by securing the location and staffing of such Visitor’s Center/Tourism Promotion Facility for a substantial term of years, the Board of Supervisors makes a strong commitment to the support of tourism promotion for the county; and

WHEREAS, there is a local law that authorizes the Board of Supervisors to enter into real property leases in excess of five (5) years; and

WHEREAS, a term of a lease to provide for the space and operation by the Chamber of Commerce of the Seneca County Visitor’s Center/Tourism Promotion Facility of fifteen (15) years, under

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the general terms of \$50,000 per year for the first 10 years of operation, and at no cost to the county for the final five (5) years of the term would be a reasonable and responsible investment for the county; and

WHEREAS, Pursuant to Section 1202-o of New York State Tax Law, Chapter 60, Article 29, Part 1, Sub-Part A, Seneca County collects Hotel-Motel Taxes; and

WHEREAS, said Law provides that collected funds shall be made available thereafter for the promotion of tourism and tourism attractions in Seneca County; and

WHEREAS, funding for such lease of space of operations of said Visitor's Center/Tourism Promotion Facility is determined to be an eligible undertaking utilizing Hotel-Motel Tax revenue; and

WHEREAS, this Resolution has been reviewed and approved by the Economic Development ; and Tourism Committee at its Meeting on October 24, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the County Manager to negotiate with the Seneca County Chamber of Commerce to a lease space and contract for operation of the planned Visitors Center/Tourism Promotion Facility on the first floor of the property owned by the Seneca County Chamber of Commerce at 1718 New York State Route 318 for a period of fifteen (15) years to support the development of said center, and its operation and staffing by the Chamber of Commerce. Said lease shall be at rate not to exceed \$50,000 per year for the first ten (10) years of operation, and at no cost to the county for the final five (5) years of the term; and be it further

RESOLVED that the operation and staffing of the Visitors Center/Tourism Promotion Facility for Seneca County will be provided by the Seneca County Chamber of Commerce; and it is further

RESOLVED that the funding for such lease shall be from revenues derived from the Seneca County Hotel and Motel Occupancy Tax, as part of the Tourism Promotion Agency annual contract funding program or as otherwise determined by the Board of Supervisors; and it is further

RESOLVED that final approval of such contract shall be made by the Board of Supervisors pursuant to the provisions of Local Law 5 of 2023 requiring two-thirds majority vote of the Board.

BOARD OF SUPERVISORS ESTABLISHES 2023 FUNDING APPROPRIATION FOR THE TOURISM PROMOTION AGENCY - SENECA COUNTY CHAMBER OF COMMERCE

RESOLUTION NO. 283-23, moved by Sprvr. Partee, seconded by Sprvr. Ferrara and adopted.

WHEREAS, Seneca County Board of Supervisors by Resolution No. 224-23 has designated the Seneca County Chamber of Commerce (SCCC) as the Tourism Promotion Agency (TPA) for the Year 2024; and

WHEREAS, it is in the interest of Seneca County to maintain a viable TPA for the promotion of tourism and the pursuit of sustained economic benefit from the second largest industry in the county; and

WHEREAS, it is in the interest of the TPA to have a predictable funding stream for annual operations; and

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SENECA COUNTY

Waterloo, New York 13165

WHEREAS, the Seneca County Board of Supervisors TPA Funding Policy supports the TPA with an annual appropriation for funding TPA operations that is derived from the past four calendar quarters of known revenue and equal to 85% of that revenue subsequent to the application of the County 5% administrative allocation; and

WHEREAS, the actual revenue for these four quarters, a period from October 1, 2022 to September 30, 2023, is known to be \$743,497.45 and

WHEREAS, 85% of said revenues after deduction of the 5% administrative allocation to the Seneca County Treasurer, is \$600,374.20; and

WHEREAS, this Resolution was reviewed and approved by the Economic Development and Tourism Standing Committee at its meeting on October 24, 2023; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors authorizes and directs the County Manager sign a contract with the Chamber of Commerce and to implement a funding appropriation in the amount of \$600,374.20 of Hotel Motel Occupancy Tax revenues for tourism promotion and to distribute said funds in four quarterly payments in Fiscal Year 2024

Unfinished Business:

None

New Business:

None

Special Order of the Day

Sprvr. D. Trout made a motion to adjourn the meeting and Sprvr. Ferrara seconded the motion. The meeting adjourned at 6:46pm.