

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

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*December 12, 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:

Twelve members of the Board answered roll call. Sprvr. Borst and Sprvr. Latini were absent.

### Pledge of Allegiance and Moment of Silence:

### Public Hearings

- Supervisors will hold a public hearing on proposed Local Law 10 of 2023 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 County Board of Supervisors
- Supervisors will hold a public hearing on proposed water rate changes to Seneca County Water District #1.

Sprvr. Ferrara made a motion to open the public hearings and Sprvr. Trout seconded the motion. No one from the public had input or comments. Sprvr. Ferrara made a motion to close to public hearings and Sprvr. Partee seconded the motion.

### Presentations:

- Gregory Peck, Director, Housing Efficiency & Home Modification for Seniors from Finger Lakes Community Action (FLCA) addressed the Board regarding a program called Older Adults Safe & Sound (OASA)- home modification program. FLCA is a not-for-profit organization that provides various services to older adults in the Finger Lakes region. Some of the services they provide are add exterior solar powered lighting at entry ways, fixing gutters if causing a safety hazard, temporary ramps outside of homes, replace locks with easier to open locks, replace doors knobs and faucets that are easier, replace broken storm doors, install handheld showers, and much more. Gregory asked the Board of a letter of Support from the County to help older adults in Seneca County.
- Paul Bishop, from CGR gave an updated to the Board regarding the current operations and future options of Seneca County EMS. Paul reported that the current state of EMS is good. Paul gave some details about the current state.
  - Call volume has increased 30% since 2016.
  - North Seneca Ambulance(NSA) covers 75% of the total call volume.
  - Most calls are in Seneca Falls and Waterloo
  - There is a flow of mutual aid for about 5% of calls
  - Response times are reasonable for a semi-rural county.
  - Median Response time is 12 minutes
  - The 90th percentile response is 20 min(NSA) to 25 minutes (SSA).
  - Both agencies are at full staff however, there isn't a lot of margin for error.
  - Very few volunteers remain active

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

- There are unfunded capital needs for South Seneca Ambulance (SSA) in the near future.
- Both agencies report a need to have a subsidy from municipalities they serve.
- For NSA, that cost is about \$275k and for SSA it is about \$300k.
- In 2024, every town will have a contract for EMS services to supplement the billing for services.
- Medical director/REMAC observes that there is overall good clinical care.
- Approximately 80% of transports go to Geneva General Hospital.

Paul then discussed some options going forwards for EMS

- Immediate System Improvements
- Address the workforce issue
- Look to integrate Trumansburg into the EMS system
- Assist EMS agencies with administrative functions (ex. Purchasing and financial reviews)
- Ambulance Service Changes
- Continue the Support of NSA and SSA through the Towns
- Put ambulance service out to bid
- Create a County Based EMS System
- Encourage NSA and SSA to merge into a single agency

Continue support of EMS through towns

- No cost at the county level
- Managed through the towns with a wide variety of price points
- There will continue to be competition between the services for providers, leadership and funding
- This model isn't likely to remain viable in the long run
- Pros: least amount of work to implement and no direct county costs
- Cons: Towns have a variety of priorities, and the costs vary substantially between them. The property tax/unit fee cost of EMS is also quite substantial in some areas.

Solicit County-Wide Bid for Ambulance Service

- Develop an RFP for a full county ambulance service and Solicit bids from potential vendors. The County would likely need to establish a County Ambulance. Operating Certificate to ensure that there is a broad selection of vendors to submit bids.
- Pros: Would give County more control over the EMS service under a single agreement and would likely have the lowest cost because of competitive bids and economy of scale across the whole county.
- Cons: County would need to establish an operating certificate, would need to oversee the performance of the vendor and would need to renew the contract on a regular basis. County may also need to subsidize the service. It is not clear that there would be competitive bids in the future as entities that were not selected may not remain going concerns.

Create a County-Based EMS System

- This is the most involved and expensive of the options.
- Substantial staff time and expense to create a new EMS agency, even if vehicles and equipment can be acquired from the non-profits.
- Annual operating costs estimated at \$3.0 million with billing revenue of \$1.9 million.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

- County would be in full control of EMS and would have a better work environment for the staff.
- Most expensive and time consuming. County would need to raise \$1.1 million via property tax (\$0.33 per 1,000) or \$70 per blue bin unit

### Encourage NSA and SSA to Merge

- No functional reason for two agencies and operations feels it to be proper goal.
- Key criteria: two bases, six or more ambulances, all employees keep similar position, and pay levels up.
- Need an incentive to facilitate the change of structure
- Independent board with diverse representation oversees operations and contracts with County.
- Ongoing operations cost of about \$2.5 million (20% less than county and similar to today's combined costs)
- Revenue is forecast to be about \$1.9 million leading to \$625,000 subsidy from County.
- Ongoing subsidy costs \$0.19 per 1,000 or \$40 per blue bin.

### Next steps

- Make edits to the draft report based on feedback from agencies and staff
- Clarify the options and answer questions from the legislature
- Submit a complete report to Public Safety Committee no later than mid-January
- Brian Sibiga, PE from Wendel presents updates to the Board regarding the Seneca County Wastewater Treatment Facility upgrades (Willard & Five Points)
  - New SPDES Permit for Five Points and Willard issued on April 14, 2020
  - Engineering Report Approval requirement was May 21 -Not Met
  - Plans and Specs Submitted to NYSDEC requirement was March 22 -Not Met
  - Construction Start -Feb 23 -Not Met

### Brian then reviewed the current Project Status

- Wendel hired to rescope project
- 2023 WQIP Grant for Five Points UV Submitted
- Flex Tech Grant of \$55,000 towards rescoping project received
- Preliminary Engineering Report being finalized for presentation and review in Dec 23
- Informal communication with NYSDEC that consent order or other written directive is being prepared because of missing schedule in permits
- Status of design was discussed with NYSDEC and if decision was made to do 1 or 2 plants

Brian Sibiga stated he received a call from Don Cardinal from the DEC, and Don stated that the EPA puts pressure on the DEC, the reviewed the County's compliance schedule and it is behind and not being followed. Brian stated that Wendel is working on completing the report and it should be ready by sometime in December.

Brian went over the project history- Grant Funding and Loan. Brian stated that letters were sent in August of 2022 (see handout) that reviewed the additional documentation that needed to be submitted regarding the Funding for the NYS Water Infrastructure Improve Grants Program. Brian stated that EFC never

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

received anything from the County. The amount of funding that was rescinded was \$1.9 million for the Willard Plant and \$3.1 million for Five Points Plants.

- WIIA Grant Submitted -July 21-Done
- WQIP Grant Submit -July 21 -Not Done
- CWSRF Loan App -July 21 -Not Done
- SEQR Completion -Oct 21 -Done
- Bond Resolutions -Oct 21 -Done
- WIIA Grant Awarded -Nov 21 -Done
- WIIA Missing Items -Aug 22 -Not Done
- WIIA Grant Rescinded -Sept 23 -Received

Seneca County WWTP Upgrade Concept

- Keep two treatment plants

Brian stated that the Willard WWTF performs well, and the County can reuse existing systems:

- Extended Aeration
- Influent Pumps
- Sludge Dryers Beds
- Filtration Footprint

Brian stated that Five Points WWTF uses a similar process as Willard. They would like to eliminate front end pumping. Brian stated that maintaining the existing plant operations during construction is important.

Brian then reviewed the Grant and Loan Funding next steps

The County needs to authorize design contracts for Engineering.

- Proactively send updated schedule to NYSDEC
- Document with NYSDEC that 2 plants continuing
- Submit Project for NYSEFC IUP -Jan 24
- Seneca County to Issue BAN based on current Bond Resolutions (Fiscal Advisors)-Feb 24
- County to retain Fiscal Advisors for CWSRF Loan
- Application -Jan 24
- Submit updated engineers report to DOCCS for Five Points -Feb 24
- Submit app for CWSRF Loan Funding -Apr/May 24 " Prepare WQIP Submittal for 24 Grant Cycle for Five Points and Willard – June 24 (TBD)
- Update Bond Resolutions as needed based on updated estimates -June 24 (TBD)
- Update SEQR and SHPO as needed -June 24 (TBD)
- Prepare WIIA & BIL Grant Application for Five Points and Willard -August 24 (TBD)
- Evaluate CBDG for 24/25 submittal -June 24/25 -they desire to be last in and provide more dollars if other funding sources are in place.

Open Privilege of the Floor:

- Tony DelPlateau, Village of Interlaken Trustee and he is also a partner in a small business in the village and he is also a grandparent. He thanked the Board of the opportunity to speak. He addressed the Board regarding the Cayuga Nation issue and said that he has witnessed the injustices to the Cayuga Nation people. The US government through the Department of the

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

Interior and Bureau Indian Affairs has established a dictatorship in the Cayuga Nation. The unelected Federally recognized “appointed” leader of the Cayuga Nation of NY is Clint Halftown, he is appointed for life by the Secretary of the Interior Deb Holland. Mr. Halftown takes his orders from Secretary Holland, and she takes her orders from the President of the United States. Tony stated that its ironic that the foundations of US Government are based upon the Haudenosaunee and Iroquois nations great law of peace. Neither Mr. Halftown or the US Government are practicing any semblance of a democracy, a poll giving Mr. Halftown 60% support is not a valid vote for anything. I understand that the Seneca County Board of Supervisors are between a rock and a hard place, you are required to accept the BIA’s representative Clint Halftown as the Leader of the Cayuga Nation. Perhaps the Board of Supervisors should send a message back to Secretary Holland by stating that in light of the terrorist attacks and threats against his own people over the year, Mr. Halftown is not the best representative to lead.

- Charles Bowman from Fayette NY, addressed the Board. Charles stated that he would like the Board to Google “Cayuga Nation sues”, and see what pops up. How many times he has sued Seneca Falls, Seneca County, NYS, the FBI, the BIA, the DOJ. He may be the recognized leader from the BIA but it doesn’t mean we have to work with him. You don’t allow someone to sue everyone around and then he volunteers to pay for upkeep on the Ludovico Trail, you know what that’s called? Charles stated an abusive relationship. It a relationship that we could get out of. He stated he understands the Board has to recognize him but the Board does not need to work with him. Clint has does nothing but bad things in our community, and we just don’t need it.
- Cindy Garlick Lorenzetti, former 12 year Board member. Cindy stated she believes the Board should not recognize him because there is litigation going on as to whether he is going to remain to be chosen one to lead the Cayuga Indian Nation. Cindy feels the Board of Supervisors needs to stay out of it. The Cayuga Nation owes \$9 million dollars to Seneca County. Cindy stated she has lived her all her life and she pays a lot of taxes, just like we all do. Cindy stated she has a hard time swallowing that. They only pay taxes on three parcels, the parcels they pay taxes on are 3149 Garden Street Ext, 2538 and 2540 Route 89 and 2552 route 89. Cindy questioned why these parcels? These parcels are the parcels that they make all their money on, which includes selling gas, selling cigarettes, and now marijuana dispensaries that have not been given a NYS license all without tax. It not only takes it away from everyone here in this room but everyone in this state. \$9 million dollars is only going to continue to grow , because they are not going to pay their taxes. Mr. Halftown has proven time and time again that he has a hostile and subversive way to do things, and that is not somebody I would want any of us to recognize. Cindy stated someone on the Board needs to have some common sense to retract, the Board does not have to support anyone. Let the factions go in on it on their own and see where it all falls. Clint Halftown can promise you anything but it does not mean he has to produce. She would like the Board to hire Paul Clement again, he has already written the brief up, he has everything in place to go to the Supreme Court. He was a NYS Solicitor General in George Bush’s term and he was also on Trumps short list to be considered a Supreme Court Judge. The man would have never taken this on if he didn’t think he had a good fight. If he goes and wins it’s a huge precedent not only for this County but for every State in this Country. Cindy stated she would rather spend her tax paying dollars on this. We didn’t lose in the Supreme Court, we didn’t get to be heard. Cindy stated she has a statement from Thomas Fox, that she is reading on his behalf because he is not

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

able to attend the meeting. The statement reads” It has been brought to my attention from several persons with the Town of Seneca Falls in Seneca County of an unannounced or discussion or decision that the Seneca County Board of Supervisors will support and recognize Clint Halftown as a leader of the Cayuga Nation. This is a major issue in our County and has been going on for 40 years. The issues with Cayuga Nation could have saved millions of dollars of impact on our entire county. I as well as numerous voters, who you represent are very much alarmed about something this of magnitude and importance, is decided on in an executive session. No serious discussion was brought up on the floor or prior knowledge that this decision was forthcoming. You have seemed to forgotten who you represent, the voters of this County. This is not an independent decision based on how you feel personally. This is such a tremendous and most critical decision that can affect the lived of everybody in this County. I do not see the rush in such a decision as you have a responsibility to explore every aspect of this and bring it out to the public for their comments and support. There is no rush on this but you still passed it in executive session behind closed doors. No matter how good your intentions were and not wanting to spend more tax dollars on fighting an issue you feel we cant win we no excuse to make such a decision without additional support and comment from the people that you represent. You need to know the impact that this can have on our people. If you intentions were to open the door to negotiations fine, but you should be sure that you have the support of the people. You can hold a public comment session or there are many ways to bring it to the floor for discussion. I have also been told that everyone agreed to this decision but when I spoke to some of the Supervisors, that is not so. People want transparency and this is not it.” Cindy said Ralph Lott wanted to make it to the meeting tonight but was unable to, and wanted her to share his statement. “you can just tell them that the Indians cannot be trusted something about how they tried to have everyone east of Route 414 kicked off their properties back in 1980. Cindy stated she also spoke to Rich Ricci and that he spoke with Rich Telkit, and that Mr. Telkit was very instrumental, he knew a lot of information regarding the Cayuga Nation disputes. The Board should consider reaching out to him.

- Bruce Murray from the Town of Lodi and he is a winery owner in Lodi. He addressed the Board regarding the Seneca County IDA. He is currently the Vice-Chair of the IDA and the Willard redevelopment project has passed from the Seneca County IDA to Seneca County. Bruce believes that this is the right move. As lead agency now you are in receipt of the MRB consulting final report. Bruce reviewed the report and wanted to bring attention to some important numbers. MRB reviewed the Willard site . MRB stated roughly 1,000 construction jobs would be created developing the site. \$45 million in construction wages, total ongoing jobs would be 322, total ongoing wages around 12.5 million- that’s money in the pockets of residents- mostly residents, and finally annual tax revenue which would be 8.4 million. The State currently owns it and currently maintains it at about \$4 million a year. They plan on maintaining it for another 10-11 months but after that we do not know what will happen. The County hopes to put out an request for expression of interest. There is a lot of potential for the site. Bruce also stated he has been nominated for IDA Chair next year and moving forward and he hopes he can work with the Board in the future.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

- Cindy Garlick Lorenzetti, from Fayette addressed the Board again stating that if Mr. Halftown wanted a letter of support from the Board, he should have come to a Board meeting and asked for it. Cindy stated she was on the Board for 12 years and she never remembers a time when he came to the meeting, she stated he had been invited a few times.
- Ken Wolken stated he has spent the last 3 years building relationships with Cayuga Nation in Seneca Falls and around the lake. This relationship started to better understand the tangled web of governance relationships between Cayuga Nation and the US Government on all scales, Federal, State and local levels. Ken stated he does not support moving forward in anyway with any claims that are based upon denying Cayuga Nation Sovereignty and denying the validity of the Treaty of Canandaigua. Ken question what the counties intentions are with the press release and that the information was vague. He stated he encourages and supports a retraction of the press release and to not work with Clint Halftown.
- Sam George, Bear Clan, Cayuga Nation. Sam stated just because the government calls him Cayuga Nation, he is not Cayuga Nation. As you can see we have people here who are Cayuga Nation. He referenced a comment made by Cindy Garlick Lorenzetti – John Waynes attitude about how a good Indian is a dead Indian, probably along the same lines as Indians cant be trusted. Sam believes that they can be trusted, those of us that our traditional. He understands their way of thinking because of something that maybe happened in the past. He stated the government representative is trying to sue the government in quite a few different ways, now he is going after the state. Sam states he says government representative because he's not a representative of ours, never has been. We have been doing this for 12 years trying to get that title away from him. Sam stated that the way things are going right now, somebody got bought , someone got a new pool or a new car or house.. or they were promised one anyways if you do what he asked you to do. Sam asked the Board to reconsider on anything that you decide to do that you talk with us first, or at least include us in what's going on, rather than surprise us.
- Dylan John, Seneca Falls NY he wanted to extend his peace and friendship to everyone in respect and trust. Dylan encouraged the Board to review the current DOJ case that is pending currently before making any decisions. The internal dispute has not been resolved. Dylan asked the Board to not make any agreements with Halftown until the internal disputes are resolved, or else the Board could be interfering with an internal affair. Halftown's courts, and police force fail to hold any kind of proof of legitimacy. He hijacked his own government and rightful governing body.
- Sprvr. Paul Kronenwetter said when this topic was brought to his attention from County Manager Kyle Lovell he stated that he supported Cayuga Nation, and that he believes they have a reservation here, but Sprvr. Kronenwetter does not support Clint Halftown as their leader.
- Sprvr. D Trout stated he is weary to trust or support anyone who ran over their own people's school with a bulldozer in the middle of the night. A place where they learn their traditions and history. He destroyed his own peoples businesses and homes. He said the Board should not support a leader that does this and that he should not be trusted.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

- Jason John “the sky is resting”, Canadian Cayuga. He stated this is his home land just as it as ours as well. He stated we need to be good neighbors and work together to build relationships. He stated he came here on his spiritual journey to help protect his people- elders and children. He stated he see Mr. Halftown destroying homes, business and schools. Clint Halftown does not have any legal authority to do so.
- Sprvr. J. Trout addressed the traditionalist for Cayuga Nation and stated that recently there was a deed transfer in the town of Fayette. He asked them if the new owners plan on abiding by Seneca County and the Town of Fayette building and land use codes. Dylan John stated that yes they plan on following the codes. He asked if they planned to pay the property taxes and Dylan stated that as far as he knew the taxes were already paid. Going forward they plan to as well. Sprvr. Trout stated he would like to get together and have a conversation and asked to exchange contact information.

### Approval of Meeting Minutes:

Sprvr. Rhinehart made a motion to approve the minutes from November 14, 2023 Board meeting and November 28, 2023 Special Board meeting. Sprvr. Hayes seconded the motion.

### Report of Special Committees:

Sprvr. J. Trout announced that the Town of Fayette was awarded a \$1 million dollar WIIA grant for phase two of water district no. 8. Sprvr. J. Trout stated they are current in phase 1 and are currently building. He also stated that district no. 8 could be the backbone for Seneca County north in terms of providing water. Sprvr. Trout also gave an update for the Cornell Cooperative Extension Board, he explained that on all the Supervisors desks there are a jar of beans. He stated they just had their annual meeting and these jars were handed out. The CCE wanted to thank the supervisors for their support. The Chamber of Commerce awarded Cornell Cooperative Extension the nonprofit of the year. Sprvr. J. Trout also wanted to thank Mo Tibball for putting the jars together.

Sprvr. Shipley wanted to report that the quarterly meeting for the Finger Lakes Regional Airport will be tomorrow night 12/13/2023, and he will give the Board an updated in January.

### Chairman’s Remarks:

Chairman Enslow stated that soon Sheriff Luce will be retiring and he wanted to say that it has be an honor and a privilege working with Sheriff Luce. Chairman Enslow presented a certificate to Sheriff Luce for his years of dedication to Seneca County.

### County Manager’s Remarks:

None

### County Attorney’s Remarks:

None

Communications: Communications #112-133 have been received and filed.

**112.** Resignation of Lucas Latini as councilman for the Town of Lodi 11.9.23

**113.** Appointment of Lucas Latini as Lodi Town Supervisor 11.9.23

**114.** Oath of Office for Lucas Latini as Lodi Town Supervisor 11.9.23



# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

115. Board of Health November meeting minutes
116. Ontario County resolution Finger Lakes Work Investment Board (FLWIB) appointments
117. Shine Bright for Children Gala event invite 12.8.23
118. NYSDOT letter regarding Statewide Mass Transportation Operating Assistance Program
119. The Haplin Firm letter regarding Seneca Gardens Solar, LLC
120. Town of Tyre letter to Governor Kathy Hochul to reconsider the proposed solar project in Tyre.
121. Historian Walter Gable resignation letter 2023
122. NYSDEC Notice of Violation letter SD#2 Five Points Wastewater Treatment Plant
123. NYDEC Notice of Violation letter SD#1 Willard Wastewater Treatment Plant
124. Copy received of the 2024 Fayette Town Budget
125. Copy received of the 2024 Covert Town Budget
126. Copy received of the 2024 Junius Town Budget
127. Copy received of the 2024 Lodi Town Budget
128. Copy received of the 2024 Ovid Town Budget
129. Copy received of the 2024 Romulus Town Budget
130. Copy received of the 2024 Seneca Falls Town Budget
131. Copy received of the 2024 Varick Town Budget
132. Copy received of the 2024 Waterloo Town Budget
133. Copy received of the 2024 Tyre Town Budget

### RESOLUTIONS & MOTIONS



# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

**THE FINANCE DEPARTMENT AUTHORIZED TO PAY MORTGAGE TAX**  
 RESOLUTION NO. 288-23, moved by Sprvr. Reynolds seconded by Sprvr. Shipley and adopted.

WHEREAS, pursuant to Section 261 of the Tax Law, the mortgage tax report for the period April 1, 2023 through September 30, 2023 has been filed; and

WHEREAS, the Ways and Means Committee reviewed and approved this resolution at their November 28, 2023 meeting; now, therefore be it

RESOLVED, that the Finance Department is hereby authorized and directed to pay to the municipalities of Seneca County the amount apportioned as follows:

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

RESOLUTION NO. 289-23, 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 November 28, 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: Sheriff Road Patrol Budget adjustment</b>				
103113 51200	Salaries Part Time	Decrease	Expenditure	\$30,000
103113 51300	Overtime	Increase	Expenditure	\$30,000
<b>Note 2: DHS Budget adjustment</b>				
106070 54700 POS27	MST Cayuga Center	Decrease	Expenditure	\$30,000
106070 54700 POS02	QI-QRTP	Increase	Expenditure	\$30,000

**COUNTY MANAGER AUTHORIZED AND DIRECTED TO SIGN A CONTRACT WITH THE  
 NEW YORK STATE DEPARTMENT OF HEALTH FOR THE EARLY INTERVENTION  
 ADMINISTRATION GRANT**

RESOLUTION NO. 290-23, moved by Sprvr. Ferrara, seconded by Sprvr. Partee and adopted.

WHEREAS, the New York State Department of Health has awarded the Seneca County Health Department \$28,158 for the period October 1, 2023, through September 30, 2024, for the administration of the Early Intervention Program; and

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

WHEREAS, this grant funding will aid the Health Department in providing services and supports to young children with developmental delays and disabilities, and to their families; 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 nos. 104010-43448.EI23 (NYS portion of funding) and 104010-44451.EI23 (Federal portion of funding); and

WHEREAS, the Health & Human Services Committee has approved this grant during its' meeting of November 28, 2023; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign a contract with the New York State Department of Health for the Early Intervention 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

# BOARD OF SUPERVISORS SENECA COUNTY

Waterloo, New York 13165

## **COUNTY MANAGER AUTHORIZED AND DIRECTED TO SIGN A CONTRACT FOR THE EXTENSION OF THE ELC COVID-19 ENHANCED DETECTION GRANT**

RESOLUTION NO. 291-23, moved by Sprvr. Ferrara seconded by Sprvr. Partee and adopted.

WHEREAS, the New York State Department of Health has awarded the Seneca County Health Department funding to assist with the COVID-19 response efforts; and

WHEREAS, the Epidemiology and Laboratory Capacity (ELC) COVID-19 Enhanced Detection Grant is to be used to enhance detection, surveillance and prevention of COVID-19; and

WHEREAS, this funding is used to offset a portion of the salary of a staff member assigned to oversee COVID-19 case management and to report data; and

WHEREAS, this funding is also routinely utilized to purchase COVID-19 home testing kits to provide to the public, and to purchase clinic supplies and other necessities; and

WHEREAS, this grant was originally accepted on Resolution No. 188-2020 in the amount of \$151,788 for the first year with a grant period of July 1, 2020, through June 30, 2022; and

WHEREAS, an initial extension of the grant period through March 31, 2023 with additional funding of \$263,768 was accepted on Resolution No. 151-21; and

WHEREAS, a second extension of the grant period (no additional funding) through December 31, 2023, was accepted on Resolution No. 326-22; and

WHEREAS, the grant period has now been extended through July 31, 2024; and

WHEREAS, the funds are allocated in the Health Department budget under project code ELC; and

WHEREAS, the Health and Human Services Committee has reviewed and approved this resolution during its' November 28, 2023, meeting; now therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign any and all documents as may be necessary to continue receiving these funds through July 31, 2024; 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.

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

RESOLUTION NO. 292-23, moved by Sprvr. Ferrara seconded by Sprvr. J. Trout 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 Lynne C. Rutnik, District Superintendent Wayne Finger Lakes BOCES to be appointed to fill the unexpired term of Vicki Ramos through June 30, 2024; and

WHEREAS, this appointment has been reviewed and approved by the Health and Human Services Standing Committee on November 28, 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; further be it

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.

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

RESOLUTION NO. 293-23, moved by Sprvr. Ferrara seconded by Sprvr. Partee and adopted.

WHEREAS, the New York State Department of Health has awarded the Seneca County Health Department \$37,600 for the period October 1, 2023 through September 30, 2024 for the administration of the Lead Poisoning Prevention Program; and

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

WHEREAS, these funds are included in the Health Department budget in 104010.43445.LD23 (State portion of funds) and 104010.44489.LD23 (Federal portion of funds); and

WHEREAS, the Health & Human Services Standing Committee has approved this grant during its' meeting on November 28; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign a contract with the New York State Department of Health for the Lead Poisoning Prevention Program Grant for the period October 1, 2023, through September 30, 2024, in the amount of \$37,600; and be it further

RESOLVED, that the Department of Finance is hereby authorized to amend the 2023 budget with any unused portions flowing into future years per the funding guidelines; and be it further

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

## **MENTAL HEALTH AND SUBSTANCE ABUSE 2024 AGREEMENTS FOR CONTRACT SERVICES**

# BOARD OF SUPERVISORS SENECA COUNTY

Waterloo, New York 13165

RESOLUTION NO. 294-23, moved by Sprvr. Ferrara seconded by Sprvr. Partee and adopted.

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

WHEREAS, the funds used for these contracts will be included in the 2024 budget and supported through collection of medical fees; and

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

Mental Health 104320.54350	Total Contract Amount (\$)	Rate (\$)	Hours
Psychiatric Nurse Practitioner	\$62,400	120	520
Psychiatric Nurse Practitioner	\$62,400	120	520
<b>Subtotal</b>	<b>\$124,800</b>		

;and

WHEREAS, these contracts were approved by the Health and Human Services Committee of the Seneca County Board of Supervisors on November 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County Manager to sign the above listed provider agreements for contract services; and be it further

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Finance Department to pay the above contract providers, when duly appropriated; and be it further

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

## **BOARD OF SUPERVISORS APPROVE SENECA COUNTY COURTHOUSE PERIMETER COATING**

RESOLUTION NO. 295-23, moved by Sprvr. D. Trout seconded by Sprvr. Kronenwetter and adopted.

WHEREAS; the fascia and soffit at the Seneca County Courthouse, located at 48 West Williams Street, Waterloo, New York is in need of re-coating; and

WHEREAS, Garland/DBS, Inc., located at 3800 East 91<sup>st</sup> Street, Cleveland, Ohio, 44105 has secured bids through the U.S. Communities/OMNIA Purchasing Agreement; and

WHEREAS, the lowest and most responsible bid in the amount of \$187,325.00 was received from C.J. Marly Construction, Inc. 4701 North Street Road, Marcellus, New York 13108; and

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

WHEREAS, New York State Unified Court System will reimburse Seneca County in the amount of \$41,211.50; and

WHEREAS, the Public Works Standing Committee reviewed and approved this resolution at its November 28<sup>th</sup>, 2023 meeting; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the County Manager to sign the contract agreement with Garland/ DBS giving permission to have C.J. Marly Construction to proceed with the coating of the Seneca County Courthouse dome; 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.

### **AUTHORIZATION TO ACCEPT BRIDGE NY FUNDS FOR THE REPLACEMENT OF COUNTY HOUSE RD/COUNTY RD 118 OVER SILVER CREEK CULVERT**

RESOLUTION NO. 296-23, moved by Sprvr. D. Trout seconded by Sprvr. Kronenwetter and adopted.

WHEREAS, a Project for the COUNTY HOUSE RD/CR 118 OVER SILVER CREEK CULVERT REPLACEMENT, SENECA COUNTY, BRIDGE NY 2022, P.I.N. 375733 (the Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, Seneca County will design, let, and administer all phases of the Project; and

WHEREAS, Seneca County desires to advance the Project by making a commitment of 100% of the costs of Engineering, ROW, and Construction that are estimated at \$1,225,758; and

WHEREAS, this resolution was approved by the Public Works Standing Committee on November 28, 2023; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes the County Manager to pay in the first instance 100% of the cost of Design, ROW and Construction work for the Project or portions thereof, with the understanding that qualified cost will be reimbursed from Bridge NY funding; and it is further

RESOLVED, that the sum of \$1,225,758 is hereby appropriated from the Seneca County General Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the Seneca County Board hereby agrees that Seneca County shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the Bridge NY funding awarded to Seneca County; and it is further

# BOARD OF SUPERVISORS SENECA COUNTY

Waterloo, New York 13165

RESOLVED, that in the event the costs of the Project exceeds the amount appropriated above, the Seneca County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Manager, and it is further

RESOLVED, that the Department of Finance is hereby authorized and directed to establish the Capital Project budget as follows:

805112-44589-SILVR	Federal Aid Other Transportation	Increase	Revenue	\$1,225,758
805112-52001-SILVR	Bridge Projects	Increase	Expenditures	\$1,225,758

; and it is further

RESOLVED, that the County Board of Supervisors agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the County Manager is authorized to solicit an engineering firm that will provide the design and engineering for the Project to be awarded under separate resolution; and it is further

RESOLVED, that the County Manager is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests with New York State Department of Transportation for State Aid and /or Bridge NY funding on behalf of Seneca County in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of Project cost, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project. and it is further

RESOLVED, this Resolution shall take effect immediately.

**RESOLUTION AUTHORIZING THE IMPLEMENTATION, AND FUNDING OF THE COSTS OF A TRANSPORTATION PROJECT WHICH MAY BE ELIGIBLE FOR FEDERAL-AID, AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS, AND APPROPRIATING FUNDS THEREFORE FOR THE WYERS POINT RD OVER GROVES CREEK BRIDGE**

RESOLUTION NO. 297-23, moved by Sprvr. D. Trout seconded by Sprvr. Kronenwetter and adopted.

WHEREAS, a Project for the WYERS POINT RD OVER GROVES CREEK BRIDGE REPLACEMENT, BIN 2209630, TOWN OF OVID, SENECA COUNTY, P.I.N. 3757.28 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also



# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

known as the “Bipartisan Infrastructure Law” (BIL) that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, Seneca County desires to advance the cash flow for the Project for the costs of Design, ROW, and Construction that are estimated at \$2,668,810; and

WHEREAS, the Town of Ovid will be making a commitment of 100% of the non-federal share of the costs of the Project estimated at \$133,440.50; and

WHEREAS, this resolution was approved by the Public Works Standing Committee on November 28, 2023; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes the County Manager to pay in the first instance 100% of the federal and non-federal share of the cost of Design, ROW and Construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$2,668,810 is hereby appropriated from the Seneca County General Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Seneca County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Manager, and it is further

RESOLVED, that the Town of Ovid appropriates the non-federal share of the costs of the Project in the amount of \$133,440.50 to cover the cost of participation in the above project or portions thereof; and it is further

RESOLVED, that the Department of Finance is hereby authorized and directed to establish the Capital Project budget as follows:Capital Project budget as follows:

805112-42306-GROV	Bridge Charges, Other Govt	Increase	Revenue	\$133,440.50
805112-44589-GROV	Federal Aid Other Transportation	Increase	Revenue	\$2,535,369.50
805112-52001-GROV	Bridge Projects	Increase	Expenditures	\$2,668,810

;and be it further

RESOLVED, that the County Board of Supervisors agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be

# BOARD OF SUPERVISORS SENECA COUNTY

Waterloo, New York 13165

completed within thirty (30) months; and it is further

RESOLVED, that the County Manager is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of Seneca County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Town of Ovid first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project. and it is further

RESOLVED, this Resolution shall take effect immediately.

## **BOARD OF SUPERVISORS AUTHORIZE BUDGET TRANSFER FOR ACCESSIBILITY IMPROVEMENTS TO HISTORIC SENECA COUNTY COURTHOUSE IN OVID CAPITAL PROJECT**

RESOLUTION NO. 298-23, moved by Sprvr. D. Trout seconded by Sprvr. Partee and adopted.

WHEREAS, Pursuant to Res. 54-23 and Res 14-22 the Seneca County Board of Supervisors had awarded contracts to support the accessibility improvements to the Historic Seneca County Courthouse in Ovid and committed the use of American Recovery Act Funds to undertake the project; and

WHEREAS, Seneca County Board of Supervisors authorized to establish a total budget for this project in the amount of \$381,200; and

WHEREAS, the original contracts awarded for engineering and construction amounted to \$356,200 leaving a balance of \$25,000 in the project contingency line; and

WHEREAS, there has arisen a three change orders and other ancillary costs needed to complete that project that fall within the \$25,000 contingency budget thereby prompting this request to transfer the contingency funds into the construction line, and

WHEREAS, this resolution was approved by the Public Works Standing Committee on November 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approves the following budget transfer for the Accessibility Improvements Project at the Historic Seneca County Courthouse in Ovid:

801620 54731 ARPA	Contingency	Decrease	Expenditure	\$25,000
801620 52000 ARPA	3 Bears Capital Project	Increase	Expenditure	\$25,000

;And be it further

# BOARD OF SUPERVISORS SENECA COUNTY

Waterloo, New York 13165

RESOLVED, that the Capital Project budget be, amended as follows:

Account code	Description	Current Budget	Change	Revised Budget
801620 44089 ARPA	Federal Aid Other	\$381,200		\$381,200
801620 52000 ARPA	3 Bears Capital Project	\$356,200	\$25,000	\$381,200
801620 54731 ARPA	Contingency	\$25,000	(\$25,000)	\$0

;And be it further

RESOLVED, that the County Manager is authorized and directed to sign all documents with Massa Construction; 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.

**SUPERVISORS CALL FOR FULL AND INDEPENDENT INVESTIGATION AND REVIEW  
ENVIRONMENTAL ISSUES RELATED TO THE POSSIBLE SALE OR OPERATIONS OF  
THE CAYUGA LAKE CARGILL SALT MINE**

RESOLUTION NO. 299-23, moved by Sprvr. Kronenwetter seconded by Sprvr. Hayssen and adopted.

WHEREAS, the Cargill Corporation owns and operates a deep rock salt mine in the Town of Lansing, Tomkins County, NY, which mine extends under the waters of Cayuga Lake; and

WHEREAS, it has come to light that Cargill is anticipating the sale of the mine to parties unknown; and

WHEREAS, the structural integrity of the Cayuga Lake mine is critical to the prevention of massive salt intrusions into the waters of Cayuga Lake, which provides both drinking water, critical wildlife habitat and drinking water for thousands of Finger Lakes Region residents, which has been regularly identified by the Governor as a critical environmental and economic resources for all of New York; and

WHEREAS, the Cargill Cayuga Lake salt mine is 2,200 feet beneath Cayuga Lake. There is a risk that mine flooding and brine venting could continue to raise the sodium content of lake water, which is already twice the recommended level for persons suffering from hypertension, let alone habitat loss; and

WHEREAS, an unregulated sale of the mine could further increase the risk of mine collapse, similar to the Genesee County salt mine collapse of 1994; and

WHEREAS, independent critical review of the implications of the sale, whether operations continue to are discontinued, is necessary for the protection of the community and the environment; and

WHEREAS, the Agriculture and Environmental Affairs Committee reviewed and approved this resolution at their November 29, 2023 meeting; now, therefore be it

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

RESOLVED, that the Seneca County Board of Supervisors calls upon the Governor and the Commissioner of the Department of Environmental Conservation to intervene and demand oversight of any such possible sale or otherwise that could impact the safety and well-being of Cayuga Lake; and it is further

RESOLVED, that a copy of this resolution shall be transmitted to the Governor of the State, the Commissioner of the Department of Environmental Conservation, and to the legislatures of all counties contiguous to Cayuga Lake, and to State Senator Thomas O'Mara, and Assemblymen Jeff Gallahan and Philip Palmesano.

### **BOARD OF SUPERVISORS APPROVE PAYMENT FOR 2023 CAYUGA LAKE WEED CONTROL PLAN TO THE SENECA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

RESOLUTION NO. 300-23, moved by Sprvr. Kronenwetter seconded by Sprvr. Ferrara and adopted.

WHEREAS, Seneca County Board Supervisors approved per Resolution 315-22 the 2023 Cayuga Lake Weed Harvesting Plan with the Seneca County soil and Water Conservation District; and

WHEREAS, said resolution only authorized purchase of equipment specified, but did not authorize the specific allocation of Contingency funds in the amount of \$15,000 and Hotel-Motel Tax funds in the amount of \$18,000 for the actual weed control harvesting as identified in the 2023 Cayuga Lake Weed Harvesting Plan; and

WHEREAS, said work as identified in the plan was performed and payment is otherwise due; and

WHEREAS, the Agriculture and Environmental Affairs Committee reviewed and approved this resolution at their November 29, 2023 meeting; now, therefore be it

RESOLVED, that the Board of Supervisors hereby authorizes the Finance Department to amend the 2023 Seneca County budget as follows:

101990-54700	Contingency	Decrease	Expenditure	\$15,000
10-3899	Occ Tax Reserve	Decrease	Reserve FB	\$18,000
108021-54701	Tourism Other	Increase	Expenditure	\$33,000

; and be it further

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

### **SENECA COUNTY BOARD OF SUPERVISORS SUPPORT EFFORTS TO AMEND HIGHWAY LAW § 343-K, TO EXPAND GRAPE CLUSTER SIGNAGE INSTALLATION TO WINE TRAIL ACCESS HIGHWAYS**

RESOLUTION NO. 301-23, moved by Sprvr. Kronenwetter seconded by Sprvr. Partee and adopted.

# BOARD OF SUPERVISORS SENECA COUNTY

Waterloo, New York 13165

WHEREAS, official “Wine Trail “signage for wineries, known as the “grape cluster” is limited to wineries along New York State statutory “wine trails”, as set forth in Highway Law § 343-k; and

WHEREAS, many new wineries have located on highways between or adjoining currently designated wine trails throughout the state, but are not eligible for such signage; and

WHEREAS, the “grape cluster” signage has brand impact for New York wine, and as such, should be available to all New York state wineries; and

WHEREAS, the Agriculture and Environmental Affairs Committee reviewed and approved this resolution at their November 29, 2023 meeting; now, therefore be it

RESOLVED that the Seneca County Board of Supervisors hereby supports such legislation to amend Highway Law § 343-k to authorize the expansion of the “grape cluster” signage to all wineries, regardless of wine trail designation; and be it further

RESOLVED, that a copy of this resolution shall be forwarded to the Seneca County Farm Bureau, and to State Senator Thomas O’Mara, and Assemblymen Jeff Gallahan and Philip Palmesano.

## *~DISCUSSION REGARDING RESOLUTION BELOW~*

The Board received handouts on their desks of potential amendments to the policy and resolution. The Board decided to send these policies back to Committee to have the updates reviewed and completed and have them brought back to the Board. Sprvr. Ferrara made the motion and Sprvr. D. Trout seconded the motion.

### **RESOLUTION TO ADOPT SELF-CARE PAID LEAVE POLICY (PILOT PROGRAM) EFFECTIVE IMMEDIATELY**

WHEREAS, the County recognizes the need for employees to take time away from work to take care of oneself and reenergize; and

WHEREAS, the County has created Policy #510.605 to provide for five (5) paid leave days for this purpose; and

WHEREAS, the Human Resources Government Operations Committee reviewed this resolution on their November 28, 2023; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors create Policy #510.605 Self Care Paid Leave Policy as a Pilot Program for 12 months effective 1/1/2024 to sunset 12/31/2024:

#### **SELF-CARE PAID LEAVE POLICY- Policy 510.605**

##### **PURPOSE:**

Seneca County recognizes the need for time away from work to take care of oneself and re-energize. This policy is intended to assist full-time employees of the County to create a better work/life balance to County employees by providing paid leave to full-time employees.

# BOARD OF SUPERVISORS SENECA COUNTY

Waterloo, New York 13165

This Pilot Program policy allows eligible employees to take paid leaves of absence to take care of themselves.

## **ELIGIBILITY:**

Effective January 1, 2024, all employees shall be granted five (5) days of Self-Care Paid Leave upon commencement of full-time employment with Seneca County. This is a Pilot Program that will sunset on 12/31/2024 unless the Board of Supervisors decide to retain this policy.

## **PROCEDURES:**

1. Self-care paid leave days can be used on two (2) hours' notice.
2. Self-care paid leave days cannot roll over into the following year.
3. Self-care paid leave days cannot be used in conjunction with regularly scheduled days off, or to extend a weekend.
4. Self-care paid leave days will not be used either the day before, the day of, or the day after a recognized holiday or any contractual benefit time (with the exception of Sick Time). This includes, but is not limited to Personal, Vacation, or Comp-time.
5. If Sick time is used immediately following a self-care paid leave day, the employee must have reached out to a professional, such as, a Telemedicine Provider, Primary Care Provider, Counselor or Therapist, and provide written documentation of proof.
6. The entirety of the self-care paid leave days must be taken in full days and cannot be broken up into quarter hours or half hours.
7. Self-care paid leave days cannot be unreasonably denied. If there is a work shortage or loss of coverage for a department, the department head may revoke the self-care paid leave; however, Department Heads (or designee) shall notify the County Manager in writing no later than one (1) day after revoking the request.

All self-care paid leave days shall be counted as time worked for overtime purposes.

### *~DISCUSSION REGARDING RESOLUTION BELOW~*

The Board received handouts on their desks of potential amendments to the policy and resolution. The Board decided to send these policies back to Committee to have the updates reviewed and completed and have them brought back to the Board. Sprvr. Ferrara made the motion and Sprvr. D. Trout seconded the motion.

## **RESOLUTION TO ADOPT PRIMARY AND SECONDARY CAREGIVER PAID LEAVE POLICY EFFECTIVE IMMEDIATELY**

WHEREAS, the Seneca County Board of Supervisors adopted Policy #101.713 FMLA on 5/8/2012 (Res. 86-12); and

WHEREAS, the County recognizes that employees are allowed reasonable leaves of absence for the purposes of births, adoption of foster children and adoptions; and

WHEREAS, the County desires to provide primary and secondary caregivers to allow for paid leaves of absences for this purpose; and

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

WHEREAS, the Human Resources Government Operations Committee reviewed this resolution on their November 28, 2023; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors creates Policy #510.604 Primary and Secondary Caregiver Paid Leave Policy effective immediately:

### **PRIMARY & SECONDARY CARE LEAVE**

#### **PURPOSE:**

Seneca County recognizes the need for time away from work to participate in early child rearing and family planning. This policy is intended to assist employees of the County in better balancing those family needs with workplace demands by providing full-time pay to the employees during this period.

The policy allows eligible employees to take paid leaves of absence for the birth or adoption of a child.

#### **DEFINITIONS:**

1. 12 Month Period"; (Example): means a rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken.
2. Spouse; the husband or wife of the employee. This does not include unmarried domestic partners.
3. Child; Son or daughter under 18 years of age, or 18 or older who is incapable of self-care because of a mental or physical disability. A "Child" is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, foster or stepchild.
4. Primary Caregiver: Defined as the parent who acts the main source of care for the child or children on a full-time basis during the PSCL period. The Primary Caregiver will receive ninety (90) days of leave.
5. Secondary Caregiver: Defined as the parent who provides supplementary support for the care of the child or children during the PSCL period. The Secondary Caregiver will receive forty-five (45) days of leave.

#### **ELIGIBILITY:**

An employee is eligible to request PSCL leave if he/she has been employed by the County for at least six (6) months and has worked at least 650 hours during the 6-month period immediately preceding the leave. This leave is designed only for full-time, salaried employees of Seneca County, both bargaining and non-bargaining members.

Employees applying for and granted a PSCL are required to meet notification and documentation requirements as outlined further in this policy. Failure to meet these requirements may result in the denial or revocation of a family leave.

An employee requesting to take PSCL must:

1. Have fulfilled a minimum of 650 working hours before beginning PSCL.
2. Must return to their previous position within 12 weeks of the PSCL terminating.
3. Must complete a minimum of 2 years of full-time employment with Seneca County or
4. Pay back the balance of the salary received over the length of time the PSCL was taken.

#### **A. Duration and Basis for Leave:**

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

Eligible employees are entitled to ninety (90) days of PSCL if they identify themselves as Primary Caregivers, and forty-five (45) days of leave if they identify themselves as secondary caregivers, during any 12-month period for one or more of the following reasons:

- i. New Child - Because of the birth of a son or daughter of the employee, and in order to care for such a child, or because of the adoption of a son or daughter with the employee.
- ii. Leave for a new child cannot be taken later than 6 months after the birth or placement of the child.
- iii. If both an employee and his/her spouse are employed by the County, one employee must identify themselves as the Primary Caregiver and the other must then identify as the Secondary Caregiver.
- iv. PSCL leave must be taken before any other leave request time, when requested in conjunction with other leave requests.

### **B. Paid Leave policy for PSCL**

Eligible employees are entitled to receive their full-time, regular rate of pay (Salary) while on PSCL.

### **C. Employee Notice and Scheduling Requirements**

An employee requesting PSCL family leave is required to give 30 days' written notice to his/her Department Head before the leave is to begin, except for bona fide emergencies, which will be accommodated as soon as practical.

While family planning and births often have unforeseen circumstances, the employee is directed to make every reasonable accommodation for scheduling purposes.

Employees MUST use their PCSL in a minimum of 5-day increments meaning all time requested has to be used 1 week at a time. For example: an employee can work 2 weeks, then request to use the PSCL leave for 1 week, then return to work for another 2 weeks, etc. PCSL cannot be taken one day on an intermittent basis. It needs to be used in a block of 1 week at a time. PSCL expires one year after giving birth or adopting, despite an unused PSCL balance left.

### **D. Restoration to Position**

If the employee returns to work within 12 weeks following PSCL, he/she will be reinstated to his/her former position or equivalent position with equivalent employment benefits, pay and other terms and conditions of employment.

The employees' restoration rights are the same as they would have been had the employee not been on leave. Therefore, if the employee's position would have been eliminated or the employee would have been terminated had he/she not been on FMLA leave, the employee would not have the right to be reinstated upon return from leave.

If the employee fails to return within 12 weeks following a leave, the employee will be reinstated to his/her same or similar position, only if available, in accordance with applicable laws. If the same or similar positions are not available, the employee may be terminated.

### **E. Medical Certification & Reporting Requirements**



# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

PSCL leave requires a medical provider's documentation attesting to the pregnancy and projected birth date, and the employee must submit a completed "Physician or Practitioner Certification" form (available at the Personnel Office) and return the certification to the Personnel Officer. A

Medical Certification must be provided by the employee within 15 days, or as soon as reasonably possible. Failure to provide certification may result in a denial of leave. Medical certification may be provided by using the medical certification form available from the Personnel Office.

### **F. Effect on Benefits**

An employee granted PSCL will continue to be covered under the County's group health insurance plan under the same conditions as coverage would have been provided if continuously employed during the leave.

Employee contributions will be required either through payroll deduction or by making direct payment arrangements with the Seneca County Insurance Office. The employee must fully comply with those arrangements throughout the leave or risk termination of the health benefits.

Employee contribution amounts are subject to any change in rates that occurs while the employee is on leave.

Employee accrues leave dates per the regular accrual rates in accordance with current county policies while on PSCL.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

### BOARD OF SUPERVISORS ABOLISH LONG-STANDING VACANT POSITIONS EFFECTIVE JANUARY 1, 2024

RESOLUTION NO. 302-23, moved by Sprvr. J. Trout seconded by Sprvr.  
Kronenwetter and adopted.

WHEREAS, as part of the 2024 budget process, the Personnel Officer has identified positions to have been vacant for greater than or equal to one (1) year; and

WHEREAS, per Seneca County's Refilling Vacant Position Policy #101.201, positions found to be vacant either greater than or equal to one (1) year are recommended for abolishment; and

WHEREAS, opportunity was given to appeal the decision based on Seneca County's policy; and

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

RESOLVED, that the Board of Supervisors abolish the following long-standing vacant positions effective January 1, 2024;

<b>Position</b>	<b>Description</b>		
<a href="#">700100010</a>	ACCOUNT CLERK	<a href="#">704700002</a>	HWY MAINT SUPERVISOR
	CLEANER PT NONUNION	<a href="#">705100005</a>	MEO LIGHT
<a href="#">801200001</a>		<a href="#">705100007</a>	MEO LIGHT
<a href="#">601000001</a>	STAFFRESASSTII-LEC	<a href="#">705300007</a>	MEO HEAVY
<a href="#">500400004</a>	SERGEANT - ROAD		AUTOMOTIVE MECHANIC
<a href="#">810500001</a>	DEP SHERIFF FT TEMP	<a href="#">791200002</a>	
<a href="#">810500002</a>	DEP SHERIFF FT TEMP	<a href="#">708300002</a>	SR TYPIST CSEA DHS
<a href="#">810500003</a>	DEP SHERIFF FT TEMP		SR SOC WELF
<a href="#">600200001</a>	COOK - JAIL	<a href="#">708900004</a>	EXAMINER
<a href="#">600200002</a>	COOK - JAIL	<a href="#">708900005</a>	SR SOC WELF
<a href="#">807500009</a>	REG PROF NUR PT JAIL	<a href="#">709700008</a>	EXAMINER
<a href="#">807500010</a>	REG PROF NUR PT JAIL	<a href="#">709700011</a>	TYPYST CSEA DHS
<a href="#">706200003</a>	PEER ADVOCATE	<a href="#">702000006</a>	TYPYST CSEA DHS
<a href="#">706200004</a>	PEER ADVOCATE	<a href="#">704000002</a>	CLERK - WFD
<a href="#">706200005</a>	PEER ADVOCATE	<a href="#">708100001</a>	EMPL & TRAIN ASST
			HEAD CODE
			ENFORCER

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

**RESOLUTION TO ADOPT COUNTY LOCAL LAW 10 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. 303-23, moved by Sprvr. J. Trout seconded by Sprvr. Ferrara 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 eight 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; and

WHEREAS, a public hearing was duly held on December 12, 2023 at 6:30 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, notice of said public hearing was duly advertised in the official newspaper of the County of Seneca; 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 Seneca County Board of Supervisors hereby adopts Local Law No. 10 of the year 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

**“LOCAL LAW “10” 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:

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.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

### 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 4. 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.

### **AUTHORIZE YEAR 5 BUDGET OF STATEWIDE EXPANSION OF HURRELL-HARRING REFORM GRANT FROM NYS OFFICE OF INDIGENT LEGAL SERVICES**

RESOLUTION NO. 304-23, moved by Sprvr. Rhinehart seconded by Sprvr. Ferrara and adopted.

WHEREAS, pursuant to Res No. 178-19, Seneca County accepted the \$4,777,143.84 grant contract with the New York State Office of Indigent Legal Services, through the Statewide Expansion of Hurrell-Harring Reform Grant over a five year period; and

WHEREAS, this contract contains a budget and work plan for Year Five of the five year contract in the amount of \$1,592,381.28; and

WHEREAS, this funding is to support the staffing, contractual expenses and office renovations related to the improvement of indigent legal defense services; and

WHEREAS, this contract may be extended for an additional twenty-four (24) months; and

WHEREAS, the Public Safety and Criminal Justice Committee have approved this resolution on November 28, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the Year 5 budget of \$1,592,381.28 from the NYS Office of Indigent Legal Services and authorizes and directs the County Manager to sign all necessary grant paperwork; and be it further

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

RESOLVED, that the Department of Finance is hereby authorized and directed to amend the 2023 budget as per the contract budget workplan with unused portions of the grant flowing into future years; 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

### **SUPERVISORS SELECT MCFARLAND JOHNSON FOR ENGINEERING SERVICES IN SUPPORT OF FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 305-23, 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, the 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, by Resolution 234-23 the Seneca County Board of Supervisors authorized the issuance of a Request for Qualifications (RFQ); and

WHEREAS, the Department of Planning and Community Development received (2) responses; McFarland Johnson, Pittsford, NY; DiDonato Associates, Buffalo, NY; and

WHEREAS, after review and consideration, the Department of Planning and Community Development recommends selection of McFarland Johnson as the most qualified firm to serve the needs of the Airport; and

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

RESOLVED, that the Seneca County Board of Supervisors selects McFarland Johnson as consultants for engineering services at the Finger Lakes Regional Airport and be it further

RESOLVED, that the Seneca County Manager is authorized and directed to sign Agreement between Seneca County and McFarland Johnson for architectural, engineering, and planning services to support the operation, maintenance, and further development of the Finger Lakes Regional Airport.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

### **SUPERVISORS APPOINT FINGER LAKES REGIONAL LAND BANK DIRECTORS** RESOLUTION NO. 306-23, moved by Sprvr. Partee seconded by Sprvr. Ferrara and adopted.

WHEREAS, the Finger Lakes Regional Land Bank Corporation (FLRLBC) Directors serve a two year term; and

WHEREAS, the current term of all Board of Directors expires on December 31, 2023; and

WHEREAS, the Chairman of the Seneca County Board of Supervisors is designated to nominate individuals for consideration to the FLRLBC Board of Directors; and

WHEREAS, the Chairman of the Seneca County Board of Supervisors nominates the following individuals; and

Frank Sinicropi – Seneca Falls Town Board Member  
Ernie Brownell – Junius Town Supervisor  
Les Marquart – Seneca County Treasurer  
Jill Henry – Director of Planning and Community Development  
Don Northrup – Village of Waterloo Administrator  
David Wood – Village of Ovid Trustee  
Joe Borst – Town of Ovid Supervisor

WHEREAS, the term of each shall begin on January 1, 2024, and end on December 31, 2025; and

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

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and appoints the aforementioned to serve as members of the Finger Lakes Regional Land Bank Corporation Board of Directors for a two-year term, effective January 1, 2024, and terminating on December 31, 2025.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

**BOARD OF SUPERVISORS APPROVES INCREASE IN WATER RATES FOR SENECA COUNTY WATER DISTRICT NO. 1 FOLLOWING PUBLIC HEARING**  
**RESOLUTION NO. 307-23, moved by Sprvr. Hayes seconded by Sprvr. Trout and adopted.**

WHEREAS, Resolution No. 286-23 as adopted November 28, 2023, called for a public hearing for December 12, 2023 to review of the proposed changes in water rates for Seneca County Water District No. 1 ; and

WHEREAS, said public hearing was held on said December 12, 2023; and

WHEREAS, the proposed water rate changes are acceptable by the Board. to wit:

<b>Seneca County Water District Water Rates</b>		
<b>In Seneca County District Water Customers</b>		
	<u>Current Rates</u>	<u>Proposed Rates to commence with bills issued after January 1, 2024</u>
<b>Water Charge</b>	\$7.75 per 1,000 gallons	\$8.13 per 1,000 gallons
<b>O &amp; M</b>	\$53.00 / quarter / unit	\$ 65.00/quarter/unit (O & M Fixed Charge)
<b>Minimum Bill 8,000 gallons per quarter</b>	\$62.00	\$65.04
<b>O &amp; M</b>	\$53.00	\$65.00 (O & M Fixed Charge)
<b>Minimum Bill per quarter</b>	\$115.00	\$130.04
A unit is defined as a single family home and for commercial users, it is 60,000 gallons per year or part thereof for average use 2023,2023		
<b>Out of Seneca County District Water Customers (there are town water districts, sharing meters)</b>		
	<u>Current Rates</u>	<u>Proposed Rates to commence with the January 2024 billing</u>
<b>Water Charge</b>	\$7.05 per 1,000 gallons	\$8.13 per 1,000 gallons

NOW, THEREFORE BE IT

RESOLVED, that the Seneca County Board of Supervisors adopts the water rate increases below:

<b>Seneca County Water District Water Rates</b>		
<b>In Seneca County District Water Customers</b>		

# BOARD OF SUPERVISORS SENECA COUNTY

Waterloo, New York 13165

	<u>Current Rates</u>	<u>Proposed Rates to commence with bills issued after January 1, 2024</u>
<b>Water Charge</b>	\$7.75 per 1,000 gallons	\$8.13 per 1,000 gallons
<b>O &amp; M</b>	\$53.00 / quarter / unit	\$ 65.00/quarter/unit (O & M Fixed Charge)
<b>Minimum Bill 8,000 gallons per quarter</b>	\$62.00	\$65.04
<b>O &amp; M</b>	\$53.00	\$65.00 (O & M Fixed Charge)
<b>Minimum Bill per quarter</b>	\$115.00	\$130.04
A unit is defined as a single family home and for commercial users, it is 60,000 gallons per year or part thereof for average use 2023,2023		
<b>Out of Seneca County District Water Customers (there are town water districts, sharing meters)</b>		
	<u>Current Rates</u>	<u>Proposed Rates to commence with the January 2024 billing</u>
<b>Water Charge</b>	\$7.05 per 1,000 gallons	\$7.43 per 1,000 gallons

And be it further

RESOLVED, that said rates are effective with the first billing issued after January 1, 2024.

## RESOLUTION TO CONTRACT WITH WENDEL TO PROVIDE ENGINEERING SERVICES FOR WATER AND SEWER TREATMENT FACILITIES

RESOLUTION NO. 308-23, moved by Sprvr. Hayes seconded by Sprvr. Trout and adopted.

WHEREAS, Seneca County has been issued an updated SPDES permit with an associated schedule of compliance in April of 2020, with an approvable engineering report May of 2021, plans and specifications due March 2022, construction to start February of 2023; and

WHEREAS, this schedule has not been met and the NYSDEC has notified our office that they will be providing written correspondence to the County on this matter. Seneca County has also failed to provide the required items required for processing of their grants with NYSEFC as part of the WIIA program and well as to complete various grant funding and loan applications; and

WHEREAS, Wendel has since been contracted with by Seneca County to provide engineering service to rescope and evaluate, design, and provide construction support as well as provide grant support for the upgrade of the Sewer District No. 2 Five Points WWTP, Sewer District No. 1 Willard WWTP and to provide engineering and grant application support; and

WHEREAS, Wendel is proposing to provide engineering design services for upgrades at the Sewer District No. 1 Willard Wastewater Treatment Plant, currently projected to have a total project cost



# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

of approximately \$9.5 million, including upgrades to the following processes and systems, with such services to be provided for Sewer District No. 1 for \$797,975.00; and

WHEREAS, Wendel is proposing to provide engineering design services for upgrades at the Sewer District No. 2 Five Points Wastewater Treatment Plant, currently projected to have a total project cost of approximately \$18 million, with such services to be provided for Sewer District No. 2 for \$1,497,775.00.

WHEREAS, Seneca County desires to advance the Projects by making a commitment to fund the \$2,295,750 in costs from the General Fund until Bond financing is in place; and

WHEREAS, this resolution has been reviewed and recommended for approval by the Water and Sewer Committee at its meeting on November 21, 2023; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the County manager to enter into a contract with Wendel to provide such engineering design and support services; and be it further

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize contracting with Wendel for such services as outlined in the full scope of work; and be it further

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

Unfinished Business:

None

New Business:

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. J. Trout seconded the motion.

Sprvr. J. Trout made a motion to enter Executive Session Pursuant to Sections 105 (1) (F) of the New York State Open Meetings Law to review the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, and invite the following individuals to attend: County Manager, Board of Supervisors, Supervisor Elects. Sprvr. Ferrara seconded the motion. They entered into executive session at 8:00pm. Regular session of the Board resumed at 8:25pm and discussed the following:

- A. The Supervisors received copies of draft job description and specs for a potential Water and Sewer Direction job, they were asked to review and let the Water and Sewer Committee know of any of their input, questions or concerns.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

**B. BOARD OF SUPERVISORS APPOINTS MICHAEL WHIRTLEY AS INTERIM  
COMMISSIONER OF HUMAN SERVICES EFFECTIVE IMMEDIATELY**  
RESOLUTION NO. 310-23, moved by Sprvr. J. Trout seconded by Sprvr. Hayssen and adopted.

WHEREAS, due to an unexpected vacancy of the position of Commissioner of Human Services on December 11, 2022; and

WHEREAS, it is critical that the Commission position be filled immediately to meet statutory regulations and State mandates; and

WHEREAS, the County Manager recommends that Michael Whirtley be appointed as Interim Commissioner of Human Services at Management Salary of Grade 9, Step 7 (\$106,624); and

WHEREAS, the Human Resources and Government operation Standing Committee met on December 12, 2023 and have recommended that Michael Whirtley be appointed as Interim Commissioner of Human Services effectively immediately; and

WHEREAS, the resolution was brought under Rule 29 of the Board of Supervisors Rules of Order; now, therefore be it

RESOLVED, the Board of Supervisors does hereby appoint Michael Whirtley as Interim Commissioner of Human Services of the division of Human Services at Management Grade 9, Step 7 (\$106,624) effective immediately; 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

Sprvr. J. Trout. wanted to address some of the issues that have been recently discussed regarding Cayuga Nation. He said he has had many phone calls and conversations with many questions and concerns. Sprvr. Trout stated that if Supervisors on this current Board of Supervisors are going to share executive session conversations, at least get the information correct. He stated for the record there was no vote in executive session about the press release. He said some of the information that was shared and spoken to tonight was absolutely incorrect. He stated it is a volatile enough issue as is, it is important to now inflame things with false information that misleads people and gets them unnecessarily upset.

Chairman Enslow stated that he questions the validity of the letter that was received from Mr. Thomas H Fox. Chairman Enslow stated that he questions whether he actually wrote this letter or it was written by someone else and his name was put to it. He stated that as far as he is concerned if it was valid Mr. Fox would be here himself, or it would have the letter signed and notarized. He stated is does not know if this letter is credible. Chairman Enslow stated he understand there are a lot of mixed emotions on this topic. He stated that he would like to entertain a motion and he welcomes it, to say what I said in the public was wrong or I shouldn't have said it or resend it as numerous people have said tonight. He stated he welcomes the motion to the floor right now and the Board can vote on this in public for the record. He stated he has no problem doing that.

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

Chairman Enslow also stated that the simple fact is, he understands there are hard feelings, and he knows some people will disagree with him but the definition of insanity is exactly what has been going on in this County, and it is just going to keep going. He stated he does not know when the time is ever going to be right to try to do something different. He stated he cant understand what's wrong with people who want to think outside the box and do something different. Every time this happens in the County is just like everything else, fighting in Water and Sewer for decades, fighting this topic for decades, the County just kicks the can down the road. He questioned if the County actually wants to make progress or not, does the County not want to move forward. He stated the letter from Thomas Fox stated that the press release did not consider all the people, although Chairman Enslow stated that he has received a lot of hate mail in the last week he has also received positive praise, with individuals stating we are doing a good job and we are going the right thing. We are looking forward and trying to better this County. Chairman Enslow stated he feels confident with his decision after speaking with members of the Board of Supervisors and believes the press release was the right step forward for this body and government. He then gave another chance for the Board members to make a motion to resend the press release.

Sprvr. Kronenwetter stated that the Board should make a referendum stating that the Board does not Support Clint Halftown to the public and let the public decide. County Attorney Ettman said that is not allowed.

Sprvr. Brownell followed up by stating no one stated that we supported him, the comment was we supported the BIA's official recognition. We have not stated that he is actually the Chief

Sprvr. Hayssen stated that once we recognize him, he is going to take that recognition to the BIA and state that the County recognizes him as the rightful leader. He said once Clint receives his legitimacy, he will then create a Class 3 Casino and we can kiss del Lago goodbye.

Sprvr. J Trout followed up by stating he has had many conversations with Rich Ricci. Rich was part of the IAC Citizens Advisory Committee. He stated their conversations were reasonable. Sprvr. Trout stated he told Rich that he would bring the issues to the Intergovernmental Affairs Committee, and hope to set a meeting up in the near future. Sprvr. Trout stated he supports taking this topic through the Committee so thoughtful and fact-based conversations can be had. Sprvr. Trout said after speaking with County Attorney Ettman, there has been some information that was presented that was absolutely false. He stated he spoke with Senator Schumer's office last week, and again there is information that was presented that was not correct.

Chairman Enslow stated as of right now, the Board simply had a conversation with them and stated that the door is open for future conversations. He stated the Intergovernmental Affairs Committee will take this topic to the next step, that where the future is heading if it goes anywhere.

Sprvr. D. Trout stated that some Board members have been on the Board a long time, and that they have tried to have conversations with Clint Halftown in the past. He stated that Clint Halftown has continually insulted us, the last time he sent a crisis negotiator to speak with us. The Board never said that he had to speak publicly to speak with he Board. Clint Halftown continues not to do it. I feel like the Board is being jerked around. Srprvr. Trout stated he is also fairly concerned about a leader who tears down and destroys his own peoples things in the middle of the night. I don't know what kind of leader

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

does that, because he is upset with a certain faction of his own people, and why you would ever think that there could be trust there when he is willing to do this to his own people, just because he disagrees with them.

Sprvr. Shipley stated that the Cayugas are ruled by their clan Mothers and their Chiefs and they have a Federal representative. So if the Board is going to deal with the Cayugas the Board should invite both groups and try to deal with both groups together. Sprvr. Shipley stated he believes this should be relayed to the Intergovernmental Affairs Committee and let them decide if the press release that was sent out need to be adjusted and which groups to deal with down the road. Let the Committee talk about it in public and let them come up with an idea that makes sense and then let the full Board vote on it.

Sprvr. J. Trout said he understand the emotion and how people are deeply invested in it. Sprvr. Trout stated it took Nixon to go to China to open communication up, just like it took Reagan to sit down with Gorbachev to start a conversation. If we are going to get back taxes or if were going to have a productive relationship going forward somewhere a conversation has to start. Sprvr. J. Trout said he knows from speaking with Enslow and others that, the press release was his intent- to have a conversation. Cayuga Nation owes \$9million and Sprvr. Trout stated they are not going to even think about paying the 9 million if you're not talking to them, it just doesn't happen that way. We need to have a conversation to start, Sprvr. J. Trout quoted Ronald Reagan stating "you trust but you verify".

*~MOTION MADE AND SECONDED~*

Sprvr. D. Trout made a motion to let the press lease stand, Sprvr. Kronenwetter seconded the motion. Sprvr. Enslow asked if there was anymore discussion on letting the press release stand. The Board took a vote and no Supervisors were opposed, the vote was unanimously carried.

### **C. SENECA COUNTY BOARD OF SUPERVISORS APPROVE MUNICIPAL COOPERATIVE AGREEMENT FOR 2023 & FUTURE AMENDMENTS TO (MCA) EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 309-23, moved by Sprvr. J. Trout seconded by Sprvr. Hayssen and adopted.

WHEREAS, Seneca County, as a member of Greater Tompkins County Municipal Health Insurance Consortium (GTCMHIC), must approve any changes to the GTCMHIC Municipal Cooperative Agreement (MCA) by resolution, and

WHEREAS, GTCMHIC must amend the MCA annually when any new members are approved at the Annual Board of Directors meeting, and

WHEREAS, from time-to-time other changes are made to the MCA as necessary and when changes are made, they are reported at the Annual Meeting with membership approval, and

WHEREAS, this resolution was brought under Rule 29 of the Board of Supervisors Rules of Order; now therefore be it,

RESOLVED, until rescinded by resolution our current presiding elected official is approved to sign, without further action, any GTCMHIC MCA updates that have been advanced at the GTCMHIC Board of Directors meetings and approved by the Department of Financial Services, and be it

# BOARD OF SUPERVISORS

## SENECA COUNTY

Waterloo, New York 13165

FURTHER RESOLVED, the GTCMHIC is directed to keep this resolution on file to accompany any current presiding elected official signatures to amended MCA changes.

Sprvr. Hayssen asked for clarification on what the motion was that Sprvr. D. Trout brought forward for the Board to vote on. Sprvr. Ferrara stated that Hayssen voted yes for the motion. Sprvr. Enslow clarified that he asked if anyone was opposed twice and there was no answer, and that Sprvr. Hayssen was on his cellphone, sorry.

### Special Order of the Day

Sprvr. D. Trout made a motion to adjourn the meeting and Sprvr. J. Trout seconded the motion. The meeting adjourned at 8:53pm.

DRAFT