

BOARD OF SUPERVISORS

SENECA COUNTY

Waterloo, New York 13165

JANUARY 9, 2024
MEETING MINUTES

Call to Order

Chairman Enslow called the meeting to order at 6:05 p.m.

Roll Call of Members by the Clerk

14 members of the Board of Supervisors answered roll call.

Pledge of Allegiance and Moment of Silence

Presentations

None

Petitioners

None

Open Privilege of the Floor

Sprvr. Trout made a statement before the open privilege of the floor began. He stated he sees a lot of individuals here to speak about the landfill. He wanted to remind everyone that the Board of Supervisors has nothing to do with the landfill and there are no resolutions or motions to support the landfill at all.

Bob Romick, from the town of Lodi, stated that when he found out that the Town of Varick put out a statement about supporting the landfill, he understood that maybe other townships and the County would do the same. He stated he believes it would be unwise for the Board to support the landfill. He stated that the landfill is widely recognized as a hazard to people. He stated he believes it is inhibiting individuals from moving to the area. Bob stated if the Board is asked to support to landfill, he asks them to please not support them. He also hopes the Board will consider issuing a statement to oppose the expansion of the landfill.

Steve Churchill, from the town of Seneca Falls, past Board member. He thanked the Board for doing the job they do; he understands it is not always easy and can be stressful. He stated 60 years ago where the County building is now located was an old pastor of the Thurber Farm, and to the West lay the Durkin Farm- his uncle Frank's and family's farm. North of these farms was another farm, owned by the Marino Family. Most of this farm was consumed by the landfill. These farms are now a distant memory. The housing projects were built in the 1950s along with the Taylor Brown hospital in the 1960s. Steve stated at that time the Tantel Dump was just a small-town dump.

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He stated absolutely no one could have seen what was coming and what the future would hold back then. The dump back then was about 5 acres and was a mix of everything. He stated there were no regulations back then and no NYS DEC. The NYS DEC didn't come along until 1973 and they did not regulate landfills until 1976. Over the next few decades that dump grew from 5 acres to over 500 acres and 300 feet in height. He stated that Kyle Black and Mark Benjamin state that the landfill is good for the environment. He stated it hasn't been good the environment that he knows and grew up in. That environment was forever destroyed by the landfill.

Charles Brady, town of Fayette, he stated that he was driving home last night from Geneva on 5 & 20 and by the time he was driving by Macs Drive In he could smell the dump, and it did not smell good. He stated we all have trash, and he understands we need a landfill, but he asked does Seneca County need to be the landfill for the whole northeast? He stated it is not good for Seneca County. He stated people that visit our area and fly into Rochester or Syracuse will drive by the dump and always wonder what it is.

Sam George, Bear Clan Cayuga Nation, he stated that everyone always says nothing is going to happen with the dump and that the County has nothing to do with it. He stated that is not true. He stated that every single town was approached by the landfill for a support letter regarding the expansion of the landfill. He stated people come from all around the world to Seneca County and they wonder what the landfill is. He stated he is one of the original environmentalists here and that he has to look out for those that aren't here yet and part of that job is to help the Board do the same thing. He stated the issues that the Board decides on have to be discussed with the people that you represent before the Board makes a decision. He stated it's the Board responsibility to keep the lake and the air clean, with having the landfill grow it does not allow the air to be clean. He asked how many people must become sick before they decide to do something about it. Every decision they make affects families, and the livelihood of Seneca County. He stated there might not be anything coming at the Board right now about the landfill, but in time it will.

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Joseph Campbell President and Co-Found of Seneca Lake Guardian, their mission is to oppose dirty and industrial projects that threaten the air, water and the character of the Finger Lakes region. It has come to their attention the Seneca Meadows has or will be reaching out to every town and the County Board for support regarding the expansion of the landfill. He stated their extension of time to accept 6,000 tons of other peoples garbage daily for an additional 15 years. Seneca Falls and Waterloo receive millions of dollars from the landfill the other towns do not, and they still have to deal with massive, filthy, stinky trucks damaging their roads. When you see a truck with three to four axels, you know it is hauling trash from New York City, all over the northeast and even as far as Canada. The individuals in close proximity to the dump are the ones who are impacted the most by the noise, dust and unbearable smell. It is a known fact that the NYS Department of Health has identified cancer clusters and northern end of Seneca and Cayuga counties. With rates of lung cancer over 30%, which is 30% higher than the state or national average. The most common causes of lung cancer are smoking and exposure to radon. He stated the landfill has stated many jobs would be lost if the landfill was to close. He stated that it isn't necessarily true that pile of garbage is going to require constant monitoring and upkeep for many generations if it does close. He mentioned the jobs that have been lost as a result of their operation. It is a fact that all jobs within accommodations and food services sector within a 2km radius of the landfill since 2002 disappeared. He stated that is a U.S. Census Bureau statistic. He urges the Supervisors to reject any attempt by Seneca Meadows or its spokesperson to pass resolutions in support of the expansion. He stated the Board needs to pass a resolution and send it to NYS for the landfill expansion permit to be denied.

Jada Siders, from Seneca Falls, Senior at Mynderse Academy, she stated she plans to graduate and attend Keuka College for Environmental Studies to become an environmental lawyer. She stated to site a new landfill anywhere in NYS is impossible. There have been attempts but the opposition is quick. The expansion is being proposed in our home, in our region and on our watch. This expansion is to add a new mega landfill right on top of an existing landfill, that is slated to close at the end of 2025. Let history show that the County Board made the right decision in not supporting the expansion of the landfill.

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Jeana Gilroy, from Seneca Falls, she stated that the town of Varick has a population of 1,639 according to the 2020 census. 1, 639 souls were not consulted when the Varick town Board voted 3-0 in support of the expansion of the Seneca Meadows landfill, without an agenda item and in violation of NYS Open Meetings Law. The town of Varick stretched from Seneca Lake to Cayuga Lake, which includes local businesses such as wineries- like Swedish Hill, Goose Watch, and Knapp, who are opposed to Seneca Meadows expansion. On April 5, 2023 a petition was sent to Governor Hochul which was signed by 24 regional and national organizations, 40 state legislators, towns and villages and seven pages of local businesses asking the NYS DEC to decline the request for the expansion. She has asked the Board to table any resolutions under consideration regarding the expansion of the landfill.

Debbie George, from Seneca Falls, stated just because this issue hasn't reached your town yet, and we all know that some people stay quiet and don't say anything. She stated she knows there are individuals sitting here that think this issue has nothing to do with them, but that is not true. She asked the Board to look into their hearts, a lot of you have children and will someday have grandchildren. She asked what kind of legacy and future are you leaving for them?

Sprvr. Kronenwetter, since the Seneca Falls Environmental Action Committee is here, our new Solid Waste Management Plan calls for an outside agency to monitor its activities. He stated that Jill Henry brought this up, and they hope to have things in order by spring and he thinks the people that came in tonight would be the perfect group for it.

Approval of Meeting Minutes

The minutes were approved for the December 12, Board meeting, the December 19 Committee meeting and special Board meeting, and the December 26 special board meeting. Sprvr. D. Trout motioned to approve and Sprvr. J. Trout seconded.

Sprvr. Hayssen stated that he would like to change his vote from the December 12, 2023 Board Meeting to abstain. He stated he did not hear the vote and was looking for an email on his cellphone. He stated he did not vote yes and his vote should have been abstained. Sprvr. Hayssen made a motion to amend the minutes, Sprvr. Kronenwetter seconded the motion.

Sprvr. Kronenwetter stated he supported the Treaty of 1794 is in effect but that he does not support Clint Halftown as the representative of Cayuga Nation.

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Sprvr. J. Trout stated that statement is not what the motion was, Chairman Enslow explained what the motion was that they voted on. The motion was to have the Chairman rescind the press release.

Sprvr. J Trout stated making a motion to amend a vote sets a bad precedent, he stated he accepts that fact that maybe Sprvr. Hayssen was not paying attention and didn't mean to vote but, to go back and say there was an abstention when there were clearly no abstentions. He stated he has a problem with changing public records to reflect something that didn't happen.

Sprvr. Hayssen stated he does not want his name associated with Clint Halftown. He stated he would never support him or his actions. He stated Clint is not a leader and treats his own people horrible.

Chairman Enslow asked for a roll call on the motion for Sprvr. Hayssen to change his vote to abstain in the minutes for December 12, 2023.

- Sprvr. Reynolds, Hayssen, D. Trout and Shipley all voted aye.
- Sprvr. Jeffery Trout, Sprvr. Brownell, Sprvr. Borst, Sprvr. Hayes, Sprvr. Kronenwetter, Sprvr. Rhinehart, Sprvr. Partee, Sprvr. Enslow all voted nay.
- Sprvr. Schmitter and Sprvr. Latini abstained from the vote.

The final roll call was 203 ayes, 442 nays, and 105 abstentions, the motion did not pass.

Chairman Enslow made a motion to approve the minutes as written, Sprvr. Hayes seconded the motion. Sprvr. Hayssen voted nay- opposed.

Report of Special Committees

Sprvr. J. Trout stated the Cornell Cooperative Extension (CCE) has their organizational meeting in their new offices, which are located at the former Taylor Brown hospital. He said their new offices look great and they are adapting to their new office space and they also continue to do amazing work.

Sprvr. Shipley the Finger Lakes Regional Airport Committee had there quarterly meeting in December. This meeting was dedicated to discussing the review of the FFA Airport Master Plan. The Committee is requesting support letters from local businesses. These letters state that having the airport upgrades would impact positively impact the economic development of Seneca County. He stated that he will be writing a letter on behalf of himself. He also stated del Lago wrote a nice support letter as well.

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Chairman's Remarks

None

County Manager's Remarks

County Manager Lovell stated that the RFI for the Willard site redevelopment is now live on the County website. He stated that have requests for Economic interest extension till the end of the month for anyone that would like to review. They are currently working on making the site more marketable. They have stated to reach out and send the development requests out across the nation.

County Attorney's Remarks

None

Communications: #1-23 have been received and filed

1. Thank you letter from Revitalization Committee of Waterloo
2. William Ross Historian letter of interest for Seneca County Historian position
3. Soil and Water and Newsletter
4. Seneca County IDA Meeting Notice Jan 4 2024
5. BOH December meeting minutes
6. Clint Halftown letter to the Board regarding press release
7. Letter from Valerie Venuti opposing Seneca Meadows extension
8. Letter from Eileen Venuti opposing Seneca Meadows extension
9. Letter from Susan Wertman opposing Seneca Meadows extension
10. Letter from Debbie Benedict opposing Seneca Meadows extension
11. Letter from Linda Vinuti opposing Seneca Meadows extension
12. Letter from Holly Mosher opposing Seneca Meadows extension
13. Letter from Sky Minkoff opposing Seneca Meadows extension
14. Letter from Mary Bender opposing Seneca Meadows extension
15. Letter from Ann Van Der Meulen opposing Seneca Meadows extension
16. Letter from Cea Dom opposing Seneca Meadows extension
17. Letter from Gena Rangel opposing Seneca Meadows extension
18. Letter from Robert Romick opposing Seneca Meadows extension
19. Letter from Susan Souhan opposing Seneca Meadows extension
20. Letter from Deborah Green opposing Seneca Meadows extension
21. Letter from Barb Reese opposing Seneca Meadows extension
22. Letter from Rachel Weil opposing Seneca Meadows extension
23. Letter from Patricia Bielsawski opposing Seneca Meadows extension

RESOLUTIONS & MOTIONS

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COUNTY MANAGER AUTHORIZED AND DIRECTED TO SIGN A SERVICE AGREEMENT WITH THE PIVOTAL PUBLIC HEALTH PARTNERSHIP (S2AY RURAL HEALTH NETWORK) FOR NETWORK MEMBERSHIP AND QUALITY IMPROVEMENT ACTIVITIES
RESOLUTION NO. 09-24, moved by Sprvr. Borst, second by Sprvr. Hayes and adopted.

WHEREAS, the Pivotal Public Health Partnership is comprised of the Public Health Departments in 8 counties (Schuyler, Steuben, Seneca, Yates, Ontario, Wayne, Livingston and Chemung); and

WHEREAS, the Partnership has been in existence since 1997 with Seneca County joining in 2003; and

WHEREAS, the mission of the network is to be a leader in improving health outcomes for our rural counties; and

WHEREAS, the cost of the membership is \$23,125; and

WHEREAS, the funds are in the 2024 departmental budget 104010-54270; and

WHEREAS, the Health and Human Services Committee has approved this service agreement during its meeting of December 19, 2023; now therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign a service agreement with the Pivotal Public Health Partnership (S2AY Rural Health Network) for network membership and Quality Improvement activities for 2024 at a cost of \$23,125.

BOARD OF SUPERVISORS AUTHORIZES REFILL AND HIRING ABOVE START RATE FOR ASSISTANT COUNTY ATTORNEY POSITION IN THE LEGAL DEPARTMENT EFFECTIVE IMMEDIATELY

RESOLUTION NO. 10-24, moved by Sprvr. J. Trout, second by Sprvr. Rhinehart and adopted.

WHEREAS, effective January 18, 2024 the position of Assistant County Attorney will be vacant with the resignation of the incumbent; and

WHEREAS, this position is critical to the continuing support to the Division of Human Services as well as the Legal Department; and

WHEREAS, there is the possibility of short-term overlap of the incumbent with a new hire for transition ; and

WHEREAS, due to recruiting difficulties experienced locally and by municipal legal departments across region as well as the state, to be able to attract candidates, it is requested that the County Attorney be authorized to fill this position at the Grade 8, Step 8 level for 2024; and; and

WHEREAS, the Finance Director has reviewed the position and there is money available in the 2024 budget to offset the cost of the same; and ;

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WHEREAS, this resolution has been reviewed and approved by the Vacancy Committee and Human Resources and Governmental Operations Committee on December 19, 2023; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes the County Attorney to immediately fill the position of Assistant District County Attorney position at Grade 8, Step 8 (\$100,434.00) on the 2024 Management Salary Schedule; now, 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

The following resolutions were considered under Rule 29 of the Board of Supervisors Rules of Order

Sprvr. D. Trout offered 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. Hayes seconded the motion.

Sprvr. Borst made a motion to enter into 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, the Board of Supervisors, Personnel Director and County Manager. Action is anticipated. Sprvr. Hayes seconded the motion. The Board entered executive session at 7:00pm and returned to the regular meeting at 7:30 and had the following resolutions to review.

SUPERVISORS APPROVE TERRI HASKINS, FNP CONTRACT FOR SERVICES RENDERED FOR THE MEDICATION ASSISTED TREATMENT PROGRAM (MAT)

RESOLUTION NO. 11-24, moved by Sprvr. Borst second by Sprvr. Hayes and adopted.

WHEREAS, the Seneca County Sheriff's Department provides Medication Assisted Treatment (MAT) program for addictions to inmates at the Seneca County Jail; and

WHEREAS, this program is funded by grant, for 2024 in the amount of \$101,00.00; and

WHEREAS in the past, the program engaged FNP Terri Haskins as a Department of Mental Health entered into a 2022 contract with Terri Haskins, FNP, to provide medication assessment, intervention, management, and evaluation of patient care to Seneca County Jail Inmates during incarceration and upon re-entry into the community as needed; and

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WHEREAS in prior years her services were contracted through the Mental Health Services department of the County; and

WHEREAS, due to the nature of the program, this contract is better administered and monitored by the Sheriff's Department staff; and

WHEREAS, the contract for services for 2024 provides for up to four hundred twelve and one half (412.5) hours of services, at \$100 per hour, for a total contract not to exceed \$41,250.00 per year; and

WHEREAS, this program is funded from budget line 103151-54372-MAT Professional Fees Medically Assisted Treatment; and

WHEREAS, this Resolution was brought from the floor by a two-thirds majority vote of the Board under Rule 29 of the Board of Supervisors Rules of Order; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County Manager to sign the 2024 MAT Services contract with Terri Haskins for the 2024 calendar year; and be it further

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Finance Department to pay for such services from Budget Line 103151-54372-MAT upon submission of proper documentation of services provided.

BOARD OF SUPERVISORS APPROVES SEVERANCE FOR JOHN CLEERE RESOLUTION NO. 12-24, moved by Sprvr. Borst second by Sprvr. Rhinehart and adopted.

WHEREAS, John Cleere was employed with the Seneca County Sheriff's Department beginning his career on 9/22/1986 and retired as Undersheriff effective 12/29/23; and

WHEREAS, Undersheriff Cleere moved from the Seneca County Sheriff's Police Benevolent Association, Local 9825 of NYS Law Enforcement Officers Union, Council 82, AFSCME, AFL-CIO (the PBA) to management on 12/30/2013; and

WHEREAS, severance payments at retirement consist of unused and accrued vacation at time of separation from the County; and

WHEREAS, there is no County policy in place that addresses members of the PBA moving into management positions and retaining their PBA benefits, with the exception of longevity; and

WHEREAS, the current PBA contract states: "Upon retirement, an employee must have a minimum of one hundred (100) sick days accumulated to be eligible for this benefit...Employees who accumulate two hundred (200) or more sick days at the time of retirement will be credited 100% of the value of one hundred (100) days for health insurance premium payments...In the event that an employee elects not to participate in health insurance in retirement, the County will pay the retiree the cash equivalent of the amount calculated above."; and

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WHEREAS, the County recognizes the long career of the Undersheriff and desires to compensate him in appreciation for his service accordingly in a non-precedent setting payment of unused sick time in the amount of \$40,136 gross pay; and

WHEREAS, this Resolution was brought from the floor by a two-thirds majority vote of the Board under Rule 29 of the Board of Supervisors Rules of Order; now, therefore be it

RESOLVED, the Board of Supervisors authorizes payment of unused sick time and related fringe benefits to John Cleere in the amount of gross pay \$68,981.76; be it further

RESOLVED, the Director of Finance recommends the following amendments to the 2024 budget:

Line Item	Description	Increase/Decrease	Revenue/Expenditure	\$\$\$\$
Severance				
101990-54700	Contingency	Decrease	Expenditure	68,981.76
103110-51400	Severance	Increase	Expenditure	51,775.44
103110-58100	Retirement	Increase	Expenditure	12,219.00
103110-58300	Social Security	Increase	Expenditure	3,201.07
103110-58400	Workers Comp	Increase	Expenditure	1,035.51
103110-58700	Medicare	Increase	Expenditure	750.74

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

BOARD OF SUPERVISORS APPROVES SEVERANCE FOR KIPP GOODMAN
RESOLUTION NO. 13-24, moved by Sprvr. Borst second by Sprvr. Rhinehart and adopted.

WHEREAS, Kipp Goodman was employed with the Seneca County Sheriff's Department beginning his career on 8/3/1992 and retired as Chief Deputy Sheriff effective 1/5/2024; and

WHEREAS, Chief Deputy Goodman moved from the Seneca County Sheriff's Police Benevolent Association, Local 9825 of NYS Law Enforcement Officers Union, Council 82, AFSCME, AFL-CIO (the PBA) to management on 3/9/2016; and

WHEREAS, severance payments at retirement consist of unused and accrued vacation at time of separation from the County; and

WHEREAS, there is no County policy in place that addresses members of the PBA moving into management positions and retaining their PBA benefits, with the exception of longevity; and

WHEREAS, the current PBA contract states: "Upon retirement, an employee must have a minimum of one hundred (100) sick days accumulated to be eligible for this benefit...Employees who accumulate two hundred (200) or more sick days at the time of retirement will be credited 100% of the

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value of one hundred (100) days for health insurance premium payments...In the event that an employee elects not to participate in health insurance in retirement, the County will pay the retiree the cash equivalent of the amount calculated above.”; and

WHEREAS, the County recognizes the long career of the Chief Deputy Sheriff and desires to compensate him in appreciation for his service accordingly in a non-precedent setting payment of unused sick time in the amount of \$35,879.20 gross pay; and

WHEREAS, this Resolution was brought from the floor by a two-thirds majority vote of the Board under Rule 29 of the Board of Supervisors Rules of Order; now, therefore be it

RESOLVED, the Board of Supervisors authorizes payment of unused sick time and related fringe benefits to Kipp Goodman in the amount of gross pay \$59,283.20; be it further

RESOLVED, the Director of Finance recommends the following amendments to the 2024 budget:

Line Item	Description	Increase/Decrease	Revenue/Expenditure	\$\$\$
Severance				
101990-54700	Contingency	Decrease	Expenditure	59,283.20
103110-51400	Severance	Increase	Expenditure	44,490.21
103110-58100	Retirement	Increase	Expenditure	10,499.69
103110-58300	Social Security	Increase	Expenditure	2758.39
103110-58400	Workers Comp	Increase	Expenditure	889.80
103110-58700	Medicare	Increase	Expenditure	645.11

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

Sprvr Hayes made a motion to review the following resolution, after discussion with Bob Stuck, the Superintendent of Facilities the Board decided to not act on the following resolution and Sprvr. Hayes rescinded his motion. The resolution was not adopted. Bob Stuck stated they have a generator in place for now that wil work and that they are still working on receiving quotes and ordering a permanent generator.

SUPERVISORS AUTHORIZE TIME SENSITIVE PURCHASE AND INSTALLATION OF EMERGENCY POWER BACKUP GENERATOER FOR WILLARD SEWER TREATMENT PLANT (Sewer District No. 1)

WHEREAS, due to equipment breakdown and inability to economically repair the existing emergency power backup generator at the Willard Sewer Treatment Plant, Seneca District No. 1, the purchase and installation of a replacement unit presents a critical and time sensitive situation for the Sewer District; and

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WHEREAS the lack of an operational backup generator would result in the inability of the plant to properly treat the sewage from Sewer District No. 1, and could lead to economic, personal, and environmental damage; and

WHEREAS this equipment is not available to State Contract or comparable listings, and can only be met by a general procurement action; and

WHEREAS, New York State General Municipal Law Section 103 (4) provides a framework for unforeseen occurrences or conditions whereby circumstances affecting public buildings, public property or the life, health, safety, or property of the inhabitants of a political subdivision or district therein, that require immediate action which cannot await competitive bidding or competitive offering; and

WHEREAS, the estimated costs of purchase and installation should not exceed \$120,000.00; and

WHEREAS, funding is available in Account Line No. 808110-52000-SWR1 Capital Projects; and

WHEREAS, this Resolution was brought from the floor by a two-thirds majority vote of the Board under Rule 29 of the Board of Supervisors Rules of Order; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the purchase and installation of the self-contained emergency power generator for Sewer District No. 1, Willard Sewer Treatment Plant in a total amount to not exceed \$120,000.00 in accordance with Section 103(4) of New York State General Municipal Law; and be it further

RESOLVED, that the County Manager be authorized to sign all necessary contract documents; and that the Finance Director is authorized to make all necessary budget transfers and payments.

Special Order of the Day

The Board of Supervisors adjourned their meeting at 7:38p.m. Sprvr. D. Trout motioned and Sprvr. Partee seconded the motion.