

PROCEEDINGS OF THE YEAR 2023

**ORGANIZATIONAL MEETING
JANUARY 4, 2023**

The January 4, 2023, Organizational Meeting of the Schuyler County Legislature was called to order at 9:00 a.m. by Stacy B. Husted, Clerk, acting as Temporary Chairman. The Pledge of Allegiance was led by Legislator Blowers and followed by a Moment of Silence. All Legislators were present. County Administrator Fonda Chronis, and County Attorney Steven Getman were also present.

The oath of office was administered by Schuyler County Judge, Matthew C. Hayden, to Legislators-Elect, Philip C. Barnes and Carl H. Blowers followed by them signing the Oath Book.

PUBLIC PARTICIPATION: None.

The Acting Chair then opened the floor for nominations for Chairman of the Legislature for the year 2023.

MOTION by Legislator Barnes to nominate Legislator Blowers as Chairman, **SECOND** by Legislator Rondinaro.

RESOLUTION NO. 1 Motion by Rondinaro, Second by Jaynes.

RE: CLOSE NOMINATIONS - 2023 CHAIRPERSON OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the nominations for the 2023 Chairperson of the Schuyler County Legislature be closed.

Vote 8-0.

RESOLUTION NO. 2 Motion by Barnes, Second by Gray.

RE: APPOINTMENT - CHAIR, SCHUYLER COUNTY LEGISLATURE – 2023

BE IT RESOLVED, that Carl H. Blowers be Chairperson of the Schuyler County Legislature for the year 2023.

Vote 8-0.

RESOLUTION NO. 3 Motion by Barnes, second by Rondinaro.

RE: "CONTINUITY OF LOCAL GOVERNMENT" FOR 2023

BE IT RESOLVED, that the duly authorized vice-chairman successors for "Continuity of Local Government", as prescribed by Schuyler County Local Law No. 1-1972, be adopted for the year 2023, as follows:

Chairman	Carl H. Blowers
#1 Vice-Chairman	Philp C. Barnes
#2 Vice-Chairman	Michael L. Lausell
#3 Vice-Chairman	James W.D. Howell, Jr.
#4 Vice-Chairman	Mark F. Rondinaro
#5 Vice-Chairman	David M. Reed
#6 Vice-Chairman	Gary L. Gray
#7 Vice-Chairman	Laurence W. Jaynes

Vote 8-0.

RESOLUTION NO. 4 Motion by Barnes, Second by Rondinaro.

RE: CONFORM TO "RULES OF PROCEDURE" FOR 2023

BE IT RESOLVED, that the "Rules of Procedure", as adopted on January 13, 1992, to be effective January 13, 1992, as amended on October 12, 1999, and as amended by May 10, 2004, as amended on June 12, 2006, as amended on January 1, 2007, and as amended on May 12, 2014, be conformed to.

Vote 8-0.

RESOLUTION NO. 5 Motion by Barnes, second by Rondinaro.

RE: 2023 DESIGNATION OF DEPOSITORIES FOR SCHUYLER COUNTY FUNDS

BE IT RESOLVED, that the 2023 Depositories for Schuyler County funds be the following banks and for the following amounts:

CHEMUNG CANAL TRUST COMPANY

PROCEEDINGS OF THE YEAR 2023

Montour Falls or Watkins Glen Office
303 W. Main Street
Montour Falls, NY 14865 \$20,000,000.00

CHASE
1 South Clinton Ave., Suite 700
Rochester, NY 14604 \$10,000,000.00

COMMUNITY BANK, N.A.
Watkins Glen Office
401 N. Franklin Street \$10,000,000.00
Watkins Glen, NY 14891

Vote 8-0.

RESOLUTION NO. 6 Motion by Barnes, Second by Rondinaro.

RE: A RESOLUTION DELEGATING TO THE COUNTY TREASURER OF THE COUNTY OF SCHUYLER, NEW YORK, THE POWER TO AUTHORIZE, ON AN "AS NEEDED" BASIS DURING FISCAL YEAR 2023, THE ISSUANCE AND SALE OF NOT TO EXCEED \$2,500,000.00 OF TAX ANTICIPATION NOTES AND/OR REVENUE ANTICIPATION NOTES OF SAID COUNTY IN ANTICIPATION OF THE COLLECTION OF REAL ESTATE TAXES LEVIED, OR TO BE LEVIED, IN FISCAL YEAR 2023

BE IT RESOLVED by the affirmative vote of the County Legislature of the County of Schuyler, New York, as follows:

Section 1. The power to authorize, on an as needed basis during fiscal year 2023, the issuance and sale of not exceeding \$2,500,000.00 of tax anticipation notes and/or revenue anticipation notes of the County of Schuyler, New York, including renewals thereof, and any associated necessary costs, in anticipation of the collection of real estate taxes levied, or to be levied, for such fiscal year of said County, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said County Treasurer, pursuant to the Local Finance Law.

Section 2. This resolution shall take effect immediately.

Vote 8-0.

RESOLUTION NO. 7 Motion by Barnes, Second by Rondinaro.

RE: DELEGATE TO THE REAL PROPERTY TAX DIRECTOR THE AUTHORITY TO AUTHORIZE CORRECTION OF ERRORS AND PAYMENT OF TAX REFUNDS IN AN AMOUNT NOT TO EXCEED \$2,500.00 FOR THE YEAR 2023

WHEREAS, the State of New York has, pursuant to Sections 554 and 556 of the Real Property Tax Law (RPTL), authorized correction of errors and payment of tax refunds without prior audit for corrections for refunds not exceeding \$2,500.00, and

WHEREAS, Schuyler County desires to delegate to the Real Property Tax Services Director (Director) the authority as stated under said law.

NOW, THEREFORE, BE IT RESOLVED, that there is hereby delegated to the Director the power to authorize the Schuyler County Treasurer to make payment of any refund or credit of taxes not exceeding the sum of \$2,500.00 without prior audit, as provided in Sections 554(9) and 556(8) of the RPTL for the calendar year of 2023, with the following provisions:

1. That the Director shall comply with all provisions under RPTL Sections 554 and 556 relative to corrections of errors and the refund or credit of taxes.
2. That on or before the 15th day of each month the Director shall submit to the Legislature a report of the corrections, refunds and credits processed by such official during the month, embodying in that report the information as required under aforesaid statute.
3. That in no case shall the total amount of such refund or credit exceed the amount appropriated by the County Legislature.

PROCEEDINGS OF THE YEAR 2023

Vote 8-0.

RESOLUTION NO. 8 Motion by Barnes, Second by Rondinaro.

RE: DESIGNATION OF OFFICIAL COUNTY NEWSPAPER FOR 2023

BE IT RESOLVED, that the *Review & Express* weekly newspaper within Schuyler County, be designated as the Official County newspaper to publish resolutions, election notices, official canvass and other notices for 2023.

Vote 8-0.

RESOLUTION NO. 9 Motion by Barnes, Second by Rondinaro.

RE: APPROVE AND ADOPT UPDATED PURCHASING POLICIES AND PROCEDURES FOR 2023 – PURCHASING DEPARTMENT

WHEREAS, Schuyler County Purchasing Policies and Procedures have been updated to reflect procedural changes and recent additions to General Municipal Law (GML) Section 103, and/or other applicable authority.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature approves and adopts the revised Purchasing Policies and Procedures for 2023, on file in the Legislative Office and the Purchasing Department, effective January 1, 2023.

Vote 8-0.

RESOLUTION NO. 10 Motion by Barnes, Second by Rondinaro.

RE: APPOINTMENT – COUNTY HISTORIAN FOR 2023

BE IT RESOLVED, that Gary M. Emerson be appointed as County Historian for the year 2023, with a salary of \$4,000.00.

Vote 8-0.

RESOLUTION NO. 11 Motion by Barnes, Second by Rondinaro.

RE: APPOINTMENT – COUNTY ADMINISTRATOR - 2023-2026

BE IT RESOLVED, that Xenophon K. Chronis be appointed County Administrator for a four-year term commencing January 1, 2023 and ending December 31, 2026 at an annual salary of \$130,000.00.

Vote 7-0. Abstain: Lausell.

RESOLUTION NO. 12 Motion by Barnes, Second by Rondinaro.

RE: ADOPT SCHEDULE OF SALARIES FOR 2023

BE IT RESOLVED, that the Schedule of Salaries for 2023, be adopted, effective January 1, 2023, and

BE IT FURTHER RESOLVED, that the County Treasurer be authorized and directed to pay the County employees according to the 2023 Salary Schedule.

Vote 8-0.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 9:08 a.m.

Stacy B. Husted, Clerk

Jamee L. Mack, Deputy Clerk

**REGULAR MEETING
JANUARY 9, 2023**

The January 9, 2023 Regular Meeting of the Schuyler County Legislature was called to order at 6:30 p.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Barnes and followed by a Moment of Silence. All Legislators were present except Legislator Lausell who was excused. County Administrator Fonda Chronis, and County Attorney Steven Getman were also present.

PUBLIC PARTICIPATION: None.

RESOLUTION NO. 13 Motion by Howell, Second by Gray.

RE: APPROVE MINUTES OF THE DECEMBER 7, 2022 SPECIAL MEETING, DECEMBER 12, 2022 REGULAR MEETING AND THE DECEMBER 28, 2022 YEAR END MEETING OF THE SCHUYLER COUNTY LEGISLATURE

PROCEEDINGS OF THE YEAR 2023

BE IT RESOLVED, that the minutes of the December 7, 2022 Special Meeting, December 12, 2022 Regular Meeting and the December 28, 2022 Year End Meeting of the Schuyler County Legislature be approved.

Vote 7-0.

RESOLUTION NO. 14 Motion by Barnes, Second by Howell.

RE: INTRODUCE LOCAL LAW INTRO. A OF THE YEAR 2023 “A LOCAL LAW REGULATING PHOTOGRAPHY, ELECTRONIC RECORDING AND/OR AUDIO-VISUAL RECORDING IN SCHUYLER COUNTY FACILITIES” — SHERIFF’S DEPARTMENT

WHEREAS, the Schuyler County Legislature has identified the need to formally adopt a written policy, in the form of a duly enforceable local law, to prevent unregulated photography, electronic recording and/or audio-visual recording in County-owned or County-operated facilities which may interrupt, impair or obstruct facility security, government operations and/or matters of a personal, private or even intimate nature.

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. A of the year 2023 be, and hereby is, introduced in the form hereto annexed pursuant to the Municipal Home Rule Law, and

BE IT FURTHER RESOLVED, that a public hearing shall be held upon said proposed Local Law on February 13, 2023 at 6:30 p.m. in the County Office Building, 105 Ninth Street, Watkins Glen, New York.

LOCAL LAW INTRO. A OF THE YEAR 2023

A Local Law Regulating Photography, Electronic Recording and/or Audio-visual Recording in Schuyler County Facilities.

Section 1. Authority to Enact.

This local law is enacted in conformance with and pursuant to New York State Municipal Home Rule Law § 10; New York State County Law § 215; New York State Civil Rights Law § 52; New York State Public Officers Law § 102; 22 NYCRR § 29.1(a); *Minn. Voters All. v. Mansky*, 138 S.Ct. 1876 [2018]; *Adderly v. Florida*, 385 U.S. 39 [1966]; *Cornelius v. NAACP Legal Def. & Educ. Fund, Inc.*, 473 U.S. 788 [1985]; *Greer v. Spock*, 424 U.S. 838 [1976]; *Lehman v. Shaker Heights*, 418 U.S. 298 [1974]; *Smith v. City of Cumming*, 212 F. 3d 1332 [2000]; *Sheets v. City of Punta Gorda*, 415 F. Supp. 3d 1115 [2019]; New York State Executive Order No. 18 of the Year 2022, *Preventing and Responding to Domestic Terrorism*; and other applicable statutes, regulations and case law.

Section 2. Statement of Intent.

- a. Under longstanding statutory and common law, a municipal landowner may legally preserve the property under its ownership and control for the use to which it is lawfully dedicated. Likewise, a government workplace, like any place of employment, exists to accomplish the business of the employer. Therefore, the County has the right to exercise control over access to its workplace in order to avoid interruptions to the performance of the duties of its employees.
- b. The Schuyler County Legislature has determined that unregulated photography, electronic recording and/or audio-visual recording in County-owned or County-operated facilities may interrupt, obstruct or impair the performance of the duties of its employees, in the administration of law or other official county functions.
- c. The Schuyler County Legislature has further determined unregulated photography, electronic recording and/or audio-visual recording in County-owned or County-operated facilities could create interference with law enforcement investigations, social service investigations, probation investigations, public health functions, mental health treatment and/or judicial proceedings, may provide critical security information to persons contemplating acts of mass violence or terror and/or otherwise endanger the privacy, life or safety of County employees and those members of the public using such facilities, as well as jeopardize the County’s capacity to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures.
- d. Further, the County’s agencies maintain and process multiple categories of private, sensitive and/or confidential information, including, but not limited to: employment, medical or credit

histories or personal references of applicants for employment; medical records; educational records; social security numbers; dates of birth; social services records; protected tax information; non-public court documents and/or records subject to New York State Public Officers Law, Article 6-A, the Personal Privacy Protection Law.

- e. Finally, the Schuyler County Legislature takes notice of the potential discomfort and unease that other members of the public would experience having a stranger record them while they conduct business with the County, which business may include matters of a personal, private or even intimate nature.
- f. The above demonstrates to the Schuyler County Legislature a compelling governmental interest in preventing unregulated photography, electronic recording and/or audio-visual recording in County-owned or County-operated facilities.

Section 3. Regulation of the taking of photographs, films, audio or video recordings in any County owned or County-operated facilities prohibited.

- a. Taking photographs, films, audio or video recordings in any County-owned or County-operated facility, office or hallway thereof, at any time or on any occasion, whether or not the facility is open, is forbidden, unless written application is made to and permission of the Schuyler County Administrator or a designee of the County Administrator is first obtained. Such permission may be granted only if:
 - i. there will be no detraction from the dignity or decorum of the facility;
 - ii. there will be no compromise of the safety of persons having business in the facility;
 - iii. there will be no disruption of County activities;
 - iv. there will be no undue burden upon the resources of the County; and
 - v. granting of permission will be and is otherwise consistent with the provisions of each of the following as applicable to such facility:
 - 1. New York State Rules of the Chief Judge, Part 29, *Electronic Recording and Audio-visual Coverage in Court Facilities and of Court Proceedings*;
 - 2. New York State Rules of the Chief Administrative Judge, Part 131, *Audio-Visual Coverage of Judicial Proceedings*;
 - 3. New York State Civil Rights Law § 52.

Permission may be conditioned upon compliance with any special requirements that may be necessary to ensure that the above conditions are met. Such requirements may, if deemed necessary by the County Administrator, include coordination with Building Security personnel (including New York State Office of Court Administration and/or Schuyler County Sheriff employees) and/or accompaniment by the County Administrator or his designee.

The County Administrator is authorized and directed to promulgate and make publicly available, including via the County's official website, a written application form for permission to be granted in accordance with the above. As appropriate, the County Administrator and/or Buildings and Grounds supervisor are also authorized to promulgate and/or revise any existing Buildings & Grounds/Conference Room/Seneca Harbor Park permission documents to incorporate this purpose.

- b. This section shall not apply to:
 - i. taking of photographs, films, audio or video recording(s) by or on behalf of the County's officers, employees and/or agents and not for public dissemination;
 - ii. taking of photographs, films, audio or video recording(s) by or on behalf of the County's officers, employees and/or agents in the performance of, or in connection with, their official duties;
 - iii. the granting by the County's officers, employees and/or agents of interviews to persons employed by news media, as defined by New York State Civil Rights Law § 79-h, where such interviews are given in the performance of, or in connection with, their official

- duties;
- iv. use of videoconferencing by public bodies to conduct open meetings, under extraordinary circumstances, pursuant to Chapter 56 of the Laws of 2022;
 - v. the public portion of any meeting of a public body in accordance with New York State Public Officers Law, Article 7, *the Open Meetings Law*, provided that the location of equipment and personnel used to photograph, record or broadcast the public portion of such meeting does not detract from or interfere with the deliberative process;
 - vi. county-owned or operated outdoor right-of-ways, easements, public parks or other outdoor public lands including, but not limited to, the Seneca Harbor Park facility(ies).

Section 4. Penalties for Violations.

Any unauthorized taking of photographs, films, audio or video recordings in contravention of the provisions of this local law shall be a misdemeanor.

Section 5. Separate Validity.

If any part or provision of this Law or the application thereof to any person or circumstance is adjudged invalid or unconstitutional by any court of competent jurisdiction, such judgment shall be confined in its effect to the part, provision, or application directly involved in the controversy in which each judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Law or the application thereof to other persons or circumstances. The Schuyler County Legislature hereby declares that it would have enacted this Law and each article, section, and subsection thereof even without any such part, provision, or application.

Section 6. Effective Date.

This Local Law shall become effective upon filing with the Secretary of State of the State of New York, in accordance with the New York State Municipal Home Rule Law.

Vote 6-1. No: Rondinaro.

RESOLUTION NO. 15 Motion by Barnes, Second by Howell.

RE: AUTHORIZE EXTENSION OF THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES (OILS) TRAININGS, OFFICE SUPPLIES AND TRIAL EQUIPMENT GRANT CONTRACT – PUBLIC DEFENDER’S DEPARTMENT

WHEREAS, the Public Defender’s Office has received the New York State Office of Indigent Legal Services Grant, Contract No. C100043, Distribution #10 for trainings, office supplies and trial equipment, and

WHEREAS, said grant was in the amount of \$55,776.00, for the period of January 1, 2020 through December 31, 2022, and

WHEREAS, said grant funds have not been fully utilized, and as such, said grant should be extended, and

WHEREAS, the New York State Office of Indigent Legal Services has provided an agreement to extend the contract period through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute said grant contract extension, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to extend the New York State Office of Indigent Legal Services Grant, Contract No. C100043 accordingly in cooperation with the Public Defender’s Office.

Vote 7-0.

RESOLUTION NO. 16 Motion by Barnes, Second by Howell.

RE: AUTHORIZE ONE-YEAR CONTRACT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES (OILS) FOR A QUALITY IMPROVEMENT GRANT - PUBLIC DEFENDER’S DEPARTMENT

WHEREAS, the Public Defender’s Office has received the New York State Office of Indigent Legal Services Grant, *Hurrell-Harring* Quality Improvement Grant C01YEARQ3 in the amount of \$55,960.00, and

WHEREAS, said grant will be for one year with a term of January 1, 2023 through December 31, 2023.

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute said grant contract in the amount of \$55,960.00, for a term of January 1, 2023 through December 31, 2023, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish said grant accordingly, and in cooperation with the Public Defender's Office.

Vote 7-0.

RESOLUTION NO. 17 Motion by Barnes, Second by Howell.

RE: AUTHORIZE CONTRACT WITH ARBOR HOUSING AND DEVELOPMENT FOR THE PURPOSE OF ESTABLISHING TEMPORARY EMERGENCY HOUSING FOR THE ADULT ADVOCACY CENTER - DISTRICT ATTORNEY'S DEPARTMENT

WHEREAS, the County, through its District Attorney's Office and Victims Assistance Program, seeks to establish an Adult Advocacy Center ("Center") within Schuyler County, and

WHEREAS, the Schuyler County District Attorney's Office has been awarded a grant through the New York State Office of Victims Services for a Victim Assistance Program for the establishment of said Center, and WHEREAS, Arbor Housing and Development, a not-for-profit agency, is desirous of engaging in a collaborative effort for the purpose of establishing the Center, to be located at 320 W. Main Street, Montour Falls, New York, whereby County funds received from the State of New York under the Victim and Witness Assistance Grant will be passed through Arbor Housing and Development for the purpose of leasing premises at the Justice Center for temporary emergency housing for victims of crime, at a cost of \$1,200.00 plus utilities per month, for the term effective upon execution of the contract through September 1, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Arbor Housing and Development for the District Attorney's Department for temporary emergency housing for the Adult Advocacy Center, for the term effective upon execution of the contract through September 30, 2023, funding available in the Victim and of Crime Act and Witness Assistance Grant, approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 18 Motion by Barnes, Second by Howell.

RE: AUTHORIZE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH FAMILY SERVICES OF CHEMUNG COUNTY, INC. – DISTRICT ATTORNEY'S DEPARTMENT

WHEREAS, the County's existing memorandum of understanding (MOU) with Family Services of Chemung County, Inc. for services to the Schuyler County District Attorney's office requires an amendment adding additional services, terms and conditions, including the hiring of staff, renting of office space and sharing utilities as follows:

Supplement No. 1 (Office Space) Additional office space (Sq. feet to be determined at a later date) at a cost of \$325.00 per month. Effective January 1, 2023 through June 30, 2023

Supplement No. 2 (Therapist Position) The County agrees to fund the Therapist position for 20 hours a week at a rate of \$32,412.43 per year (includes fringe benefits) Effective upon hiring through September 30, 2025.

Supplement No. 3 (Case Manager Position) The County agrees to fund the full-time Case Manager position at a rate of \$55,823.00 (includes fringe benefits) Effective upon hiring through September 30, 2025.

Supplement No. 4 (Internet/Phone Services) The County agrees to reimburse Family Services for the cost of telephone and internet services up to \$1,800.00 per year. Effective January 1, 2023 through September 30, 2025.

Supplement No. 5 (Term of MOU) The original term of the MOU was effective upon signing, which was December 28, 2022 through September 1, 2023. The term of the MOU will now be January 1, 2023 through September 30, 2025 and that this MOU shall serve as the formal contract between the parties.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute said amendment with Family Services of Chemung County, Inc. for the District Attorney's Department,

PROCEEDINGS OF THE YEAR 2023

effective January 1, 2023 through September 30, 2025, at the rates set forth above, including the original MOU rate of \$3,000.00 per month, at a total cost not to exceed \$429,031.89, funding available in the Victim and of Crime Act and Witness Assistance Grant, approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 19 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE AMENDMENT TO THE CONTRACT WITH TYLER TECHNOLOGIES, INC. TO REMOVE TYLER CASHIERING FROM SAAS SERVICES - TREASURER'S DEPARTMENT

WHEREAS, the Treasurer's Office currently has a contract with Tyler Technologies, Inc., to provide a new financial system and related maintenance to the County, and

WHEREAS, changing county needs and other factors warrant amending the existing contract to remove Tyler Cashiering from SaaS Services resulting in a reduction to the overall contract price by \$4,136.00.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract amendment with Tyler Technologies, Inc. to reduce the cost of the contract amount by a total of \$4,136.00, effective December 1, 2021 through the term of the existing contract expiring December 31, 2024, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 20 Motion by Rondinaro, Second by Jaynes.

RE: RESOLUTION UPDATING AND ADOPTING FREEDOM OF INFORMATION LAW RULES AND REGULATIONS FOR THE COUNTY OF SCHUYLER — COUNTY ADMINISTRATOR'S DEPARTMENT

WHEREAS, pursuant to amendments to Article 6 of the Public Officers Law of the State of New York, the County of Schuyler, State of New York, hereby sets forth the following Rules and Regulations concerning the methods and procedures governing the availability, location and nature of the records of the County of Schuyler in accordance with Chapter 933 of the 1977 Session Laws of the State of New York, as amended, and in compliance with the regulations promulgated by the Committee on Open Government, and hereby adopts same as follows:

**FREEDOM OF INFORMATION LAW
RULES AND REGULATIONS
FOR THE
COUNTY OF SCHUYLER**

(as revised by Resolution No. 20-2023)

I. Purpose and scope.

- A. The people's right to know the process of government decision-making and the documents and statistics leading to determinations is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy of confidentiality.
- B. These regulations provide information concerning the procedures by which records may be obtained.
- C. Personnel shall furnish to the public the information and records required by the Freedom of Information Law, as well as records otherwise available by law.
- D. Any conflicts among laws governing public access to records shall be construed in favor of the widest possible availability of public records.

II. Designation of records access officer.

- A. The Schuyler County Legislature is responsible for insuring compliance with the regulations herein, and designates the following person as records access officers:
There shall be one (1) Records Access Officer for the County of Schuyler. The County Administrator is designated to be such officer. The County Administrator or a person designated by the County Administrator shall be in charge of all of those records of the municipality, except for the records of the Schuyler County Department of Social Services. The County Administrator shall designate the Commissioner of the Schuyler County Department of Social

PROCEEDINGS OF THE YEAR 2023

Services as the officer in charge of all of the records of the Schuyler County Department of Social Services. The Fiscal Officer shall be the Treasurer of Schuyler County.

- B. The records access officer is responsible for insuring appropriate agency response to public requests for access to records.
 - a. To ensure a complete, timely and coordinated response, all public requests for access to records received shall, in the first instance, be forwarded, by the county agency receiving same, to the records access officer for review, response and/or referral as appropriate.
 - b. The designation of a records access officer shall not be construed to prohibit officials who have in the past been authorized to make records or information available to the public from continuing to do so where otherwise appropriate.
- C. The records access officer shall ensure that agency personnel:
 - i. Maintain an up-to-date subject matter list;
 - ii. Assist persons seeking records to identify the records sought, if necessary, and when appropriate, indicate the manner in which the records are filed, retrieved or generated to assist persons in reasonably describing records;
 - iii. Contact persons seeking records when a request is voluminous or when locating the records involves substantial effort, so that personnel may ascertain the nature of records of primary interest and attempt to reasonably reduce the volume of records requested;
 - iv. Upon locating the records, take one of the following actions:
 - a. Make records available for inspection; or,
 - b. Deny access to the records in whole or in part and explain in writing the reasons therefor;
 - v. Upon request for copies of records:
 - a. Make a copy available upon payment or offer to pay established fees, if any, in accordance with Section VIII; or,
 - b. Permit the requester to copy those records;
 - vi. Upon request, certify that:
 - a. Schuyler County is not the custodian of such records; or
 - b. The records of which Schuyler County is a custodian cannot be found after diligent search.

III. Location.

Requests to inspect or secure copies of records must be made in writing at the office of the County Administrator of Schuyler County, 105 Ninth Street, Unit 37, Watkins Glen, New York 14891, for all records under the County Administrator's charge or in writing at the office of the Commissioner of the Schuyler County Department of Social Services, 323 Owego Street, Units 3 & 4, Montour Falls, New York 14865, for all records under the Commissioner's charge. Requests may be made online here: <https://www.schuylercounty.us/FormCenter/Contact-Us-13/FOIL-Requests-95>

IV. Hours.

Requests for public access to records shall be accepted and records produced during all hours regularly open for business.

V. Requests for public access to records.

- A. A written request may be required, but oral requests may be accepted in the discretion of the records access officer when records are readily available.
- B. Requests may be submitted in any other format sufficient to describe the request and the records sought therein, or on the form prescribed by the County Administrator, copies of which shall be available in the office of the County Administrator or online here: <https://www.schuylercounty.us/FormCenter/Contact-Us-13/FOIL-Requests-95>
- C. A response shall be given within five (5) business days of receipt of a request by:
 - i. Informing a person requesting records that the request or portion of the request does not reasonably describe the records sought, including direction, to the extent possible, that would

PROCEEDINGS OF THE YEAR 2023

- enable that person to request records reasonably described;
- ii. Granting or denying access to records in whole or in part;
 - iii. Acknowledging the receipt of a request in writing, including an approximate date when the request will be granted or denied in whole or in part, which shall be reasonable under the circumstances of the request and shall not be more than twenty (20) business days after the date of the acknowledgment, or if it is known that circumstances prevent disclosure within twenty (20) business days from the date of such acknowledgment, providing a statement in writing indicating the reason for inability to grant the request within that time and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part; or
 - iv. If the receipt of request was acknowledged in writing and included an approximate date when the request would be granted in whole or in part within twenty (20) business days of such acknowledgment, but circumstances prevent disclosure within that time, providing a statement in writing within twenty (20) business days of such acknowledgment specifying the reason for the inability to do so and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part;
 - v. In determining a reasonable time for granting or denying a request under the circumstances of a request, personnel shall consider the volume of a request, the ease or difficulty in locating, retrieving or generating records, the complexity of the request, the need to review records to determine the extent to which they must be disclosed, the number of requests received by the agency, and similar factors that bear on the ability to grant access to records promptly and within a reasonable time;
 - vi. A failure to comply with the time limitations described herein shall constitute a denial of a request that may be appealed. Such failure shall include situations in which an officer or employee:
 - a. Fails to grant access to the records sought, deny access in writing or acknowledge the receipt of a request within five (5) business days of the receipt of a request;
 - b. Acknowledges the receipt of a request within five (5) business days but fails to furnish an approximate date when the request will be granted or denied in whole or in part;
 - c. Furnishes an acknowledgment of the receipt of a request within five (5) days with an approximate date for granting or denying access in whole or in part that is unreasonable under the circumstances of the request;
 - d. Fails to respond to a request within a reasonable time after the approximate date given or within twenty (20) business days after the date of the acknowledgment of the receipt of a request;
 - e. Determines to grant a request in whole or in part within twenty (20) business days of the acknowledgment of the receipt of a request, but fails to do so, unless the agency provides the reason for its inability to do so in writing and a date certain within which the request will be granted in whole or in part;
 - f. Does not grant a request in whole or in part within twenty (20) business days of the acknowledgment of the receipt of a request and fails to provide the reason in writing explaining the inability to do so and a date certain by which the request will be granted in whole or in part; or
 - g. Responds to a request, stating that more than twenty (20) business days is needed to grant or deny the request in whole or in part and provides a date certain within which that will be accomplished, but such date is unreasonable under the circumstances of the request.

VI. Subject matter list.

- A. The records access officer shall maintain a reasonably detailed current list by subject matter of all records in its possession, whether or not records are available pursuant to subdivision two of Section eighty-seven of the Public Officers Law.

- B. The Records Retention and Disposition Schedule CO-2, as prepared by the New York State Education Department, shall be the official Subject Matter List of the County of Schuyler and all departments and agencies thereof.
- C. The subject matter list shall be updated annually. The most recent update shall appear on the first page of the subject matter list.

VII. General provisions relating to access to records; exemptions in certain cases.

- A. Each county agency shall, in accordance with these published rules, make available for public inspection and copying all records, except that such agency may deny access to records or portions thereof that:
 - i. are specifically exempted from disclosure by state or federal statute;
 - ii. if disclosed would constitute an unwarranted invasion of personal privacy under the provisions of subdivision two of section eighty-nine of Public Officers Law Art. 6;
 - iii. if disclosed would impair present or imminent contract awards or collective bargaining negotiations;
 - iv. are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise;
 - v. are compiled for law enforcement purposes only to the extent that disclosure would:
 - a. interfere with law enforcement investigations or judicial proceedings, provided however, that any agency, which is not conducting the investigation that the requested records relate to, that is considering denying access pursuant to this subparagraph shall receive confirmation from the law enforcement or investigating agency conducting the investigation that disclosure of such records will interfere with an ongoing investigation;
 - b. deprive a person of a right to a fair trial or impartial adjudication;
 - c. identify a confidential source or disclose confidential information relating to a criminal investigation; or
 - d. reveal criminal investigative techniques or procedures, except routine techniques and procedures;
 - vi. if disclosed could endanger the life or safety of any person;
 - vii. are inter-agency or intra-agency materials which are not:
 - a. statistical or factual tabulations or data;
 - b. instructions to staff that affect the public;
 - c. final agency policy or determinations;
 - d. external audits, including but not limited to audits performed by the comptroller and the federal government; or
 - viii. are examination questions or answers which are requested prior to the final administration of such questions;
 - ix. if disclosed, would jeopardize the capacity of an agency or an entity that has shared information with an agency to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures; or
 - x. [Deemed repealed Dec. 1, 2024, pursuant to L.1988, c. 746, § 17.] are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred eleven-a of the vehicle and traffic law;
 - xi. [Expires and deemed repealed Dec. 1, 2024, pursuant to L.2009, c. 19, § 10; L.2009, c. 20, § 24; L.2009, c. 22, § 22; L.2009, c. 23, § 9; L.2009, c. 383, § 24.] are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred eleven-b of the vehicle and traffic law;
 - xii. [Expires and deemed repealed Sept. 20, 2025, pursuant to L.2010, c. 59, pt. II, § 14.] are photographs, microphotographs, videotape or other recorded images produced by a bus

PROCEEDINGS OF THE YEAR 2023

- lane photo device prepared under authority of section eleven hundred eleven-c of the vehicle and traffic law;
- xiii. [Expires and deemed repealed July 1, 2025, pursuant to L.2013, c. 189, § 15.] are photographs, microphotographs, videotape or other recorded images prepared under the authority of section eleven hundred eighty-b of the vehicle and traffic law;
- xiv. Expired and deemed repealed July 25, 2018, pursuant to L.2014, c. 43, § 12. See, also, par. (n) below;
- xv. [Expires and deemed repealed Dec. 1, 2024, pursuant to L.2014, c. 99, § 15; L.2014, c. 101, § 15; L.2014, c. 123, § 15. See, also, par. (n) above.] are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred eleven-d of the vehicle and traffic law;
- xvi. [Expires and deemed repealed Sept. 12, 2024, pursuant to L.2015, c. 222, § 15.] are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred eleven-e of the vehicle and traffic law;
- xvii. [As added by L.2019, c. 59, pt. ZZZ, subpt. A, § 7. See, also, par. (p) below.] are data or images produced by an electronic toll collection system under authority of article forty-four-C of the vehicle and traffic law and in title three of article three of the public authorities law;
- xviii. [Expires and deemed repealed Sept. 6, 2024, pursuant to L.2019, c. 148, § 14. As added by L.2019, c. 148, § 12. See, also, par. (p) above.] are photographs, microphotographs, videotape or other recorded images prepared under the authority of section eleven hundred eighty-d of the vehicle and traffic law.
- xix. [Expires and deemed repealed Dec. 1, 2024, pursuant to L.2019, c. 145, § 15.] are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred seventy-four-a of the vehicle and traffic law;
- xx. [Expires and deemed repealed Oct. 6, 2026, pursuant to L.2021, c. 421, § 16. As added by L.2021, c. 421, § 14. See, also, pars. (r) below.] are photographs, microphotographs, videotape or other recorded images prepared under the authority of section eleven hundred eighty-e of the vehicle and traffic law;
- xxi. [Expires and deemed repealed Dec. 1, 2026, pursuant to L.2021, c. 460, § 14. As added by L.2021, c. 460, § 12. See, also, pars. (r) above and below.] are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred eleven-f of the vehicle and traffic law;
- xxii. [Expires and deemed repealed Dec. 1, 2025, pursuant to L.2021, c. 773, § 16. As added by L.2021, c. 773, § 13. See, also, pars. (r) above.] are photographs, microphotographs, videotape or other recorded images or information and data prepared under authority of section three hundred eighty-five-a of the vehicle and traffic law.
- B. Denial of access to records shall be in writing stating the reason therefor and advising the requester of the right to appeal to the individual or body established to determine appeals, which shall be identified by name, title, business address and business phone number.
- C. If requested records are not provided promptly, as required in Section V of these regulations, such failure shall also be deemed a denial of access.
- D. The following person or persons or body shall determine appeals regarding denial of access to records under the Freedom of Information Law:
Chair, Schuyler County Legislature
105 Ninth Street, Unit 6
Watkins Glen, New York 14891
Phone: (607) 535-8100
Email address/contact form: <https://www.schuylercounty.us/FormCenter/Contact-Us-13/Legislature-90>

PROCEEDINGS OF THE YEAR 2023

- E. Any person denied access to records may appeal within thirty (30) days of a denial.
- F. The time for deciding an appeal by the individual or body designated to determine appeals shall commence upon receipt of a written appeal identifying:
 - i. The date and location of requests for records;
 - ii. A description, to the extent possible, of the records that were denied; and
 - iii. The name and return address of the person denied.
- G. A failure to determine an appeal within ten (10) business days of its receipt by granting access to the records sought or fully explaining the reasons for further denial in writing shall constitute a denial of the appeal.
- H. The person or body designated to determine appeals shall transmit to the Committee on Open Government copies of all appeals upon receipt of appeals. Such copies shall be addressed to:
 - Committee on Open Government
 - Department of State
 - One Commerce Plaza
 - 99 Washington Avenue, Suite 650
 - Albany, NY 12231
- I. The person or body designated to determine appeals shall inform the appellant and the Committee on Open Government of its determination in writing within ten (10) business days of receipt of an appeal. The determination shall be transmitted to the Committee on Open Government in the same manner as set forth in subdivision H of this section.

VIII. Fees.

- A. There shall be no fee charged for:
 - i. Inspection of records;
 - ii. Search for records; or
 - iii. Any certification pursuant to this part.
- B. Copies may be provided without charging a fee.
- C. Fees for copies may be charged, provided that:
 - i. The fee for copying records shall not exceed 25 cents per page for photocopies not exceeding 9 x 14 inches. This section shall not be construed to mandate the raising of fees where agencies or municipalities in the past have charged less than 25 cents for such copies;
 - ii. The fee for photocopies of records in excess of 9 x 14 inches shall not exceed the actual cost of reproduction; or
 - iii. An agency has the authority to redact portions of a paper record and does so prior to disclosure of the record by making a photocopy from which the proper redactions are made.
- D. The fee an agency may charge for a copy of any other record is based on the actual cost of reproduction and may include only the following:
 - i. An amount equal to the hourly salary attributed to the lowest paid employee who has the necessary skill required to prepare a copy of the requested record, but only when more than two hours of the employee's time is necessary to do so;
 - ii. The actual cost of the storage devices or media provided to the person making the request in complying with such request; or
 - iii. The actual cost to the agency of engaging an outside professional service to prepare a copy of a record, but only when an agency's information technology equipment is inadequate to prepare a copy, and if such service is used to prepare the copy.
- E. When an agency has the ability to retrieve or extract a record or data maintained in a computer storage system with reasonable effort, or when doing so requires less employee time than engaging in manual retrieval or redactions from non-electronic records, the agency shall be required to retrieve or extract such record or data electronically. In such case, the agency may charge a fee in accordance with paragraph D above.
- F. An agency shall inform a person requesting a record of the estimated cost of preparing a copy of the

PROCEEDINGS OF THE YEAR 2023

record if more than two hours of an agency employee' time is needed, or it is necessary to retain an outside professional service to prepare a copy of the record.

G. An agency may require that the fee for copying or reproducing a record be paid in advance of the preparation of such copy.

H. An agency may waive a fee in whole or in part when making copies of records available.

IX. Public Notice.

A notice containing the title or name and business address of the records access officers and appeals person or body and the location where records can be seen or copies shall be posted in a conspicuous location wherever records are kept and/or published in a local newspaper of general circulation. Such notice shall also be posted in a conspicuous location upon the county's official website.

The Clerk of the Legislature shall cause copies of this regulation to be posted on the bulletin boards of each County Courthouse in the County and release the same to the official newspaper of the County so that the public is informed how to request access to public records. County Department Heads shall also cause this regulation to be posted in a conspicuous spot within each department.

X. Severability.

If any provision of these regulations or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of these regulations or the application thereof to other persons and circumstances.

XI. Effective date.

These regulations shall take effect immediately.

Vote 7-0.

RESOLUTION NO. 21 Motion by Rondinaro, Second by Jaynes.

RE: SET SPECIAL MEETING OF THE SCHUYLER COUNTY LEGISLATURE AND PUBLIC HEARING FOR A RESTORE NY – ROUND 7 GRANT APPLICATION – PLANNING DEPARTMENT

WHEREAS, a Special Meeting of the Legislature has been called for Tuesday, January 24, 2023, to hold a Public Hearing for Restore NY – Round 7 Application, for the redevelopment of the property located at 127 East 4th Street, Watkins Glen, NY 14891.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Legislature be directed to advertise the required notice of public hearing to obtain citizens' views and comments relative to the submission of an application to Empire State Development for financial assistance under the Restore NY Communities, for the above-described project, said public hearing to be held at said Special Meeting of the Legislature on Tuesday, January 24, 2023, immediately following the Schuyler County Community Development and Natural Resources Committee meeting scheduled for 10:00 a.m.

Vote 7-0.

RESOLUTION NO. 22 Motion by Rondinaro, Second by Jaynes.

RE: ONE-YEAR APPOINTMENTS

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, for the term January 1, 2023 through December 31, 2023, to wit:

EMERGENCY MEDICAL AND HIGHWAY SAFETY COMMITTEE

Carl H. Blowers, Chairman of the Legislature

FIRE SAFETY ADVISORY BOARD

Gary L. Gray, Legislator

Ray Towner, Beaver Dams Fire Department

Cory Glover, Burdett Fire Department

Don Beckley, Mecklenburg Fire Department

Andrew Vogel, Monterey Fire Department

Bill Thomas, Montour Falls Fire Department

PROCEEDINGS OF THE YEAR 2023

Adam Mahnke, Odessa Fire Department
Bill Kennedy, Tyrone Fire Department
Mike Hicks, Valois, Logan Hector Fire Department
Brian Hudson, Watkins Glen Fire Department
Kirk Smith, County Fire Coordinator

INTER-COUNTY ASSOCIATION OF WESTERN NEW YORK

James W.D. Howell, Jr.
Mark F. Rondinaro
Gary L. Gray

LOCAL EMERGENCY PLANNING COMMITTEE

Carl H. Blowers, Elected Official

OFFICE FOR THE AGING ADVISORY COUNCIL

Carl H. Blowers, Chairman of the Legislature

PEOPLE WITH DEVELOPMENTAL DISABILITIES SUBCOMMITTEE

Glenn Larison, Community Representative

PUBLIC HEALTH PROFESSIONAL ADVISORY COMMITTEE

Kristin VanHorn, Planning
Wendy Drake, Office for the Aging
Chris Brink, Schuyler Hospital
Cynthia Terry, MD, Community
Judy Perry, Community
Shannon Schamel, D.O., Medical
Tina Winchell, Head Start

Tamre Waite, Director of Office for the Aging

SCHUYLER COUNTY INDUSTRIAL DEVELOPMENT AGENCY (SCIDA)

Carl H. Blowers, Chairman of the Legislature

SCHUYLER COUNTY PARTNERSHIP FOR ECONOMIC DEVELOPMENT (SCOPED)

Carl H. Blowers, Chairman of the Legislature

Mark F. Rondinaro, Legislator

SCHUYLER COUNTY PLANNING COMMISSION

Alec Moore, Town of Dix

SOIL AND WATER CONSERVATION BOARD

James W.D. Howell, Jr.
Gary L. Gray

SOUTHERN TIER CENTRAL REGIONAL PLANNING AND DEVELOPMENT BOARD

Carl H. Blowers, Chairman of the Legislature

Philip C. Barnes, Legislator

WATKINS GLEN AREA CHAMBER OF COMMERCE

Carl H. Blowers, Chairman of the Legislature

YOUTH BOARD

Maise Robertson, Youth Representative

Vote 7-0.

RESOLUTION NO. 23 Motion by Rondinaro, Second by Jaynes.

RE: TWO-YEAR APPOINTMENTS

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, for the term January 1, 2023 through December 31, 2024, to wit:

COMMUNITY SERVICES BOARD

Glenn Larison, Family Member
JoAnn Fratarcangelo, Social Service/Youth Bureau

PROCEEDINGS OF THE YEAR 2023

Cheryl Pruett, PhD, Psychologist
Judy Phillips, Community Representative
Steven Rogers, Consumer Representative
FISH & WILDLIFE MANAGEMENT BOARD
Barlow Rhodes, Landowner
MENTAL HEALTH SUBCOMMITTEE
Edward Lovell, Vice Chairman
Steven Rogers, Consumer Representative
OFFICE FOR THE AGING ADVISORY COUNCIL
Undersheriff Andrew Zeigler, Sheriff Department
SCHUYLER COUNTY PLANNING COMMISSION
Roxanne Leyes, Town of Catharine
Justin Boyette, Town of Hector
Sarah Agan, Town of Montour
Norma Burris, Town of Orange
Kirk Sorensen, Village of Watkins Glen
Peggy Tomassi, Village of Odessa
Jan Arcangeli, Village of Burdett
Mike Bergen, Agricultural Representative
Paul Bartow, Business Representative
Jeremy Edmister, Industrial Representative
Nikki Fitch, Medical Representative
SOIL AND WATER CONSERVATION BOARD
Rick Reisinger, Farm Bureau Representative
Anthony Specchio, Member at Large

Vote 7-0.

RESOLUTION NO. 24 Motion by Rondinaro, Second by Jaynes.

RE: THREE-YEAR APPOINTMENTS

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, for the term January 1, 2023 through December 31, 2025, to wit:

ALCOHOLISM AND SUBSTANCE ABUSE
Elizabeth Watson, Public Health Representative
James Perry, Sheriff's Department Representative
Traci Fulmer, Community Representative
Tin VanDam, Community Representative
COMMUNITY SERVICES BOARD
Tamre Waite, Office for the Aging
Stacey Hills, Health Representative
ENVIRONMENTAL MANAGEMENT COUNCIL
Martha Hawksworth, Town of Tyrone
Kate Bartholemew, Town of Montour
Gita Devi, Town of Reading
MENTAL HEALTH SUBCOMMITTEE
JoAnn Fratacangelo, Community Representative
Tamre Waite, Community Representative
Judy Phillips, Community Representative
Angela McFall, Consumer Representative
PEOPLE WITH DEVELOPMENTAL DISABILITIES SUBCOMMITTEE
Charlene DeLallo, Community Representative

PROCEEDINGS OF THE YEAR 2023

Gretchen Silliman, Community Representative
Ann Gerould, Community Representative
YOUTH BOARD

Michael L. Lausell, Legislator
Donna Tilden, District V
Chris Rosno, District VIII
Danielle Tilden, Member at Large
Kelly McGowan, Member at Large
Ashley Kerrick, Member at Large

Vote 7-0.

RESOLUTION NO. 25 Motion by Rondinaro, Second by Jaynes.

RE: APPOINTMENT TO BOARDS/COMMITTEES WITH NO TERM

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, with no term.

AGRICULTURAL & FARMLAND PROTECTION BOARD

Kelly Anderson, Ex-Officio, Real Property

Vote 7-0.

NEW BUSINESS:

Chairman Blowers informed the Legislators that he had a meeting with Legislator Rondinaro, the County Administrator, the Planning Director and Judy McKinney-Cherry, Executive Director of Schuyler County Partnership for Economic Development to discuss and give the Legislature a vision. Once this is put together, he said it will be presented to the Legislators at a later date for thoughts and implementation.

The Clerk announced that she needed to know would not be present at the Special Meeting of the Legislature Tuesday, January 24, 2023 following the Community Development and Natural Resources Committee Meeting. All Legislators said they would be available.

COUNTY ADMINISTRATOR REPORT:

The County Administrator reported that the sales tax final numbers for the year 2022 will be approximately \$14.8 million, which is a five percent increase over the year 2021. He also reported that the Cayuga Health Transport, LLC has been very successful so far this year with completing fifty-three calls and one non-emergency. Some calls were for Advance Life Support (ALS). If you remove mutual aid calls, the average travel time was 6.55 minutes. Of those call seventy-one percent of them were under an eight-minute travel time. He explained that they are at February's performance level so far. Legislator Rondinaro asked for an update relative to the Medicare number. Legislator Barnes stated that he has been working with the outgoing Congressman for some assistance and he then turned it over to the new Congressman Nick Langworthy. Administrator Chronis reported that progress has been made and there were just two documents needed yet to be supplemented and they have already provided one of those and the second they hope to have tomorrow. At that point the Federal Government will have everything they've asked for. He also reported that Cayuga Health Transport, LLC Ambulance Service will be hosting an open house on January 30, 2023, at the Human Services Complex in Room 120 from 4:00 – 6:00 p.m. This will be to introduce the service and be able to see the ambulances.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 6:48 p.m.

Stacy B. Husted, Clerk

**SPECIAL MEETING
JANUARY 23, 2023**

The January 23, 2023 Special Meeting of the Schuyler County Legislature was called to order at 11:12 a.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Lausell and followed by a Moment of Silence. All Legislators were present except Legislators Rondinaro and Jaynes who were excused. County

PROCEEDINGS OF THE YEAR 2023

Administrator Fonda Chronis, and County Attorney Steven Getman were also present.

PUBLIC PARTICIPATION: None.

RESOLUTION NO. 26 Motion by Barnes, Second by Rondinaro.

RE: RATIFICATION OF SPECIAL MEETING

BE IT RESOLVED, that this Special Meeting, pursuant to the call of the Clerk of the Legislature upon the direction of the Chairman, be and hereby is, ratified and approved for discussion and action upon the following item of business:

1. AUTHORIZING AND APPROVING SETTLEMENT AGREEMENT UNDER A LAWSUIT RELATED TO THE OPIOID CRISIS—COUNTY ATTORNEY’S DEPARTMENT

Vote 6-0.

RESOLUTION NO. 27 Motion by Barnes, Second by Lausell.

RE: AUTHORIZING AND APPROVING SETTLEMENT AGREEMENT UNDER A LAWSUIT RELATED TO THE OPIOID CRISIS - COUNTY ATTORNEY’S DEPARTMENT

WHEREAS, by Resolution No. 246 of 2017 the County of Schuyler authorized the Schuyler County Attorney to work with Napoli Shkolnik PLLC, as special counsel, related to bringing an action against the manufacturers and distributors of prescription opiates for damages to the County, at no cost to the County, and

WHEREAS, by Resolution No. 72 of 2018, the County enacted Local Law Intro. B/Local Law No. 7 of the Year 2018 entitled “A Local Law Declaring the Opioid Epidemic and its Effect on the County a Public Nuisance and Establishing a Cost Recovery Procedure,” and

WHEREAS, pursuant to the above, the County Attorney filed a nearly 250-page Summons and Complaint on May 11, 2018 against multiple manufacturers and distributors of prescription opiates for damages to the County, and such matter remains pending (the “Action”), and

WHEREAS, the Action alleges several causes of action against defendant Teva Pharmaceutical Industries Inc. a/k/a Teva Pharmaceutical Industries Ltd. and its respective past and present direct or indirect parents, subsidiaries, divisions, affiliates, joint ventures, predecessors, successors, assigns, including but not limited to Teva Pharmaceuticals USA, Inc., the Actavis Generic Entities, and Anda, Inc., (collectively hereinafter “Teva”) regarding the defendant’s alleged misfeasance, nonfeasance and/or malfeasance related to the manufacture and/or distribution of opioids, all of which allegedly contributed to a public health crisis in the County, and

WHEREAS, the State of New York and certain other New York subdivisions are also engaged in litigation seeking to hold defendants accountable for the damage caused by their alleged misfeasance, nonfeasance and/or malfeasance, and

WHEREAS, the State of New York and the New York subdivisions share a common desire to abate and alleviate the impacts of the alleged misfeasance, nonfeasance and/or malfeasance of the named defendants throughout the state, and

WHEREAS, there is now pending a Teva/New York Statewide Opioid Settlement Agreement (“Teva NY Agreement”), whereunder Teva will be required to pay as much as \$550 million to the state and its subdivisions, depending on the level of participation statewide, and such monies paid under the Teva NY Agreement will be distributed among the various participating political subdivisions according to the Agreement itself or under two distinct Sharing Agreements, and

WHEREAS, assuming all incentives are met, and under the parameters of the agreements, the Schuyler County will receive annual payments, between 2023 and 2040, totaling \$116,457.33,

WHEREAS, in addition to the financial payments discussed above, the agreements include an injunction restraining Teva from engaging in the promotion of opioids or opioid products, and

WHEREAS, the County Attorney and Napoli Shkolnik LLC attorneys have approved as to form the above-described agreements, and

WHEREAS, settlement funds may be used for a variety of restricted and unrestricted purposes, including supporting law enforcement and first responders, treating opioid use disorder, addressing the needs of pregnant women and their families, preventing misuse of opioids, preventing overdose deaths and other harms, and related efforts, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, it is in the best interest of the County to resolve this matter with respect to Teva without further litigation and enter into the proposed agreements as it shall settle all allegations against Teva and avoid protracted litigation and provide county revenue as noted above, and

WHEREAS, this settlement is without prejudice to litigation against other defendants in the Action, which litigation remains pending,

NOW, THEREFORE BE IT RESOLVED, that the execution and delivery on behalf of and in the name of the County of Schuyler by the Schuyler County Attorney, or his designee, of the above agreements is hereby authorized, and the Schuyler County Attorney or his designee, is hereby authorized and directed to execute the above agreements and execute such other documents as may be necessary and appropriate to effectuate the settlement with Teva as set forth above.

Vote 6-0.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 11:13 a.m.

Stacy B. Husted, Clerk

**SPECIAL MEETING
JANUARY 24, 2023**

The January 24, 2023 Special Meeting of the Schuyler County Legislature was called to order at 11:06 a.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Howell and followed by a Moment of Silence. All Legislators were present except Legislators Barnes and Reed who were excused. The County Administrator Fonda Chronis, and County Attorney Steven Getman were also present.

PUBLIC PARTICIPATION:

Nigar Hale, Executive Director of the Schuyler County Area Chamber of Commerce was present and expressed a need for housing in our area, she said this is very important.

PUBLIC HEARING FOR RESTORE NY – ROUND 7 APPLICATION, FOR THE REDEVELOPMENT OF THE PROPERTY LOCATED AT 127 EAST 4TH STREET, WATKINS GLEN, NY 14891:

Keri Green from the Schuyler County Partnership for Economic Development (SCOPED) explained what the project plans are for the redevelopment of the property on 127 East 4th Street is. She said that the general idea would be to have a ground floor tavern/bar, an event center as well as housing on the third floor. There was no other public in attendance that commented.

RESOLUTION NO. 28 Motion by Lausell, Second by Rondinaro

RE: RATIFICATION OF SPECIAL MEETING

BE IT RESOLVED, that this Special Meeting, pursuant to the call of the Clerk of the Legislature upon the direction of the Chairman, be and hereby is, ratified and approved for discussion and action upon the following item of business:

1. AUTHORIZE THE RESTORE NY PROJECT 2023 – ROUND 7 GRANT APPLICATION – PLANNING DEPARTMENT

Vote 6-0.

RESOLUTION NO. 29 Motion by Rondinaro, Second by Lausell.

RE: AUTHORIZE THE RESTORE NY PROJECT 2023 – ROUND 7 GRANT APPLICATION – PLANNING DEPARTMENT

WHEREAS, the County of Schuyler is eligible for grant funding under Round 7 of the Restore NY Communities Initiative Municipal Grant Program, and

WHEREAS, the Schuyler County Legislature has considered proposals that qualify for funding under the program and selected one project to be included in an application that will be submitted to Empire State Development Corporation (ESDC) as follows:

- Redevelopment of property located at 127 East 4th Street, Watkins Glen, NY 14891. The developer has proposed a project that will take this abandoned 7,800 sf property and convert it into a mixed-use

PROCEEDINGS OF THE YEAR 2023

facility. Plans for the building include a first-floor restaurant/bar, second-floor event space, third-floor housing, and plans for an elevator for upper-floor access. This former church, built in the 1800s has been vacant since 2018 and is located in downtown Watkins Glen, just two blocks from the bustling “downtown” strip that is in the final months of investment from the NYS Downtown Revitalization Initiative Program. Watkins Glen has already yielded a 508:1 investment of private funds from the initial \$10M received through this program. Renovations to the building will include work to stabilize the foundation, electricity and heating upgrades, and a complete remodel of the interior (3 floors) while preserving the historic features, woodwork, brickwork, etc. The historical integrity of this space will be maintained and enhanced through this project, and

WHEREAS, this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in Schuyler County, New York.

WHEREAS, there is a required \$500.00 application fee along with a proof of publication of the public hearing affidavit fee of \$30.00 that the County is responsible for paying, and

WHEREAS, said payment will be made from Planning account no. 001.8020.0401 and will be reimbursed to Schuyler County by the developer prior to submission of the application, and

WHEREAS, a public hearing was duly noticed and held on Tuesday, January 24, 2023 immediately following the Schuyler County Community Development and Natural Resources committee scheduled for 10:00 a.m. and all interested persons having opportunity to be heard.

NOW THEREFORE BE IT RESOLVED, that the Schuyler County Legislature hereby supports and will sponsor, on behalf of the County of Schuyler, an application for Restore NY funding for property at 127 East 4th Street, Watkins Glen NY 14891, and will administer the grant in accordance with all applicable rules and regulations established by ESDC, and

BE IT FURTHER RESOLVED, that the Chairman of the Schuyler County Legislature is authorized to sign the applications and any agreements required by ESDC for grant funding that result from the application. Vote 6-0.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 11:08 a.m.
Stacy B. Husted, Clerk
Jamee L. Mack, Deputy Clerk

REGULAR MEETING FEBRUARY 13, 2023

The February 13, 2023 Regular Meeting of the Schuyler County Legislature was called to order at 6:30 p.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Rondinaro and followed by a Moment of Silence. All Legislators were present except Legislator Reed who was excused. The County Administrator Fonda Chronis, and County Attorney Steven Getman were also present.

PUBLIC PARTICIPATION:

Ms. Celest Plow from the Town of Hector was present and wanted to express her dissatisfaction with the state of New York State. She wanted to know what the Legislators planned to do with all of the ridiculous legislation that Governor Hochul is attempting to implement. She provided a list of the bills to everyone present that she was really concerned about. Chairman Blowers explained to her that during the Legislators do not answer questions or debate during Public Participation period. It is time for us to just listen to the public.

PUBLIC HEARING FOR LOCAL LAW INTRO A. OF THE YEAR 2023 “A LOCAL LAW REGULATING PHOTOGRAPHY, ELECTRONIC RECORDING AND/OR AUDION-VISUAL RECORDING IN SCHUYLER COUNTY FACILITIES.”: None.

RESOLUTION NO. 30 Motion by Barnes, Second by Howell.

PROCEEDINGS OF THE YEAR 2023

RE: APPROVE MINUTES OF THE JANUARY 9, 2023 REGULAR MEETING, THE JANUARY 23, 2023 SPECIAL MEETING AND THE JANUARY 24, 2023 SPECIAL MEETING MINUTES OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the January 9, 2023 Regular Meeting, the January 23, 2023 Special Meeting, and the January 24, 2023 Special Meeting Minutes of the Schuyler County Legislature be approved.

Vote 7-0.

RESOLUTION NO. 31 Motion by Barnes, Second by Jaynes.

RE: AUTHORIZE THE CREATION AND FILLING OF TWO FULL-TIME CORRECTION SERGEANT POSITIONS ASSIGNED TO THE JAIL – SHERIFF’S DEPARTMENT

WHEREAS, pursuant to New York State Law, the County, by and through its Sheriff, is required to maintain a County Correctional Facility as prescribed by law, and

WHEREAS, the Sheriff believes that the addition two full-time Correction Sergeant positions is needed to maintain the good order of the correctional facility as well as the safety and security of staff, volunteers, visitors and the incarcerated population, and

WHEREAS, the Sheriff’s Office is requesting to create these two positions, upon the approval of the County Administrator, and

WHEREAS, funding for these positions is available in the 2023 budget, account no. 001.3150.0100.

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff’s Office is hereby authorized to create and fill two full-time Correction Sergeant positions at an hourly stipend of \$2.60, as set forth in “Appendix A” of the Collective Bargaining Agreement of the Schuyler County Correction Officer’s Benevolent Association, Inc., effective immediately, and

BE IT FURTHER RESOLVED, that two Correction Officer positions will be abolished upon the creation and filling of said two Correction Sergeant positions.

Vote 7-0.

RESOLUTION NO. 32 Motion by Barnes, Second by Jaynes.

RE: ADOPTING LOCAL LAW INTRO. A/LOCAL LAW NO. 4 OF THE YEAR 2023 “A LOCAL LAW REGULATING PHOTOGRAPHY, ELECTRONIC RECORDING AND/OR AUDIO-VISUAL RECORDING IN SCHUYLER COUNTY FACILITIES” — SHERIFF’S DEPARTMENT

WHEREAS, Local Law Intro. A of the Year 2023 A Local Law Regulating Photography, Electronic Recording and/or Audio-Visual Recording in Schuyler County Facilities was heretofore introduced, and appropriate notice published in the official newspaper regarding a public hearing to be held February 13, 2023 at 6:30 p.m., and

WHEREAS, said public hearing was duly held, at which time all interested persons were given opportunity to be heard, and this Legislature has duly considered the adoption and passage of said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. A of the Year 2023, in the form hereto annexed be, and hereby is, passed, adopted and enacted, and

BE IT FURTHER RESOLVED, that the Clerk of this Legislature duly cause the publication of the passage, enactment and adoption of said local law, together with the required text thereof in the official county newspaper.

LOCAL LAW NO. 4 OF THE YEAR 2023

A Local Law Regulating Photography, Electronic Recording and/or Audio-visual Recording in Schuyler County Facilities.

Section 1. Authority to Enact.

This local law is enacted in conformance with and pursuant to New York State Municipal Home Rule Law § 10; New York State County Law § 215; New York State Civil Rights Law § 52; New York State Public Officers Law § 102; 22 NYCRR § 29.1(a); *Minn. Voters All. v. Mansky*, 138 S.Ct. 1876 [2018]; *Adderly v. Florida*, 385 U.S. 39 [1966]; *Cornelius v. NAACP Legal Def. & Educ. Fund, Inc.*, 473 U.S. 788 [1985]; *Greer v. Spock*, 424 U.S. 838 [1976]; *Lehman v. Shaker Heights*, 418 U.S. 298 [1974]; *Smith v. City of Cumming*, 212 F. 3d 1332 [2000]; *Sheets*

v. *City of Punta Gorda*, 415 F. Supp. 3d 1115 [2019]; New York State Executive Order No. 18 of the Year 2022, *Preventing and Responding to Domestic Terrorism*; and other applicable statutes, regulations and case law.

Section 2. Statement of Intent.

- a. Under longstanding statutory and common law, a municipal landowner may legally preserve the property under its ownership and control for the use to which it is lawfully dedicated. Likewise, a government workplace, like any place of employment, exists to accomplish the business of the employer. Therefore, the County has the right to exercise control over access to its workplace in order to avoid interruptions to the performance of the duties of its employees.
- b. The Schuyler County Legislature has determined that unregulated photography, electronic recording and/or audio-visual recording in County-owned or County-operated facilities may interrupt, obstruct or impair the performance of the duties of its employees, in the administration of law or other official county functions.
- c. The Schuyler County Legislature has further determined unregulated photography, electronic recording and/or audio-visual recording in County-owned or County-operated facilities could create interference with law enforcement investigations, social service investigations, probation investigations, public health functions, mental health treatment and/or judicial proceedings, may provide critical security information to persons contemplating acts of mass violence or terror and/or otherwise endanger the privacy, life or safety of County employees and those members of the public using such facilities, as well as jeopardize the County's capacity to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures.
- d. Further, the County's agencies maintain and process multiple categories of private, sensitive and/or confidential information, including, but not limited to: employment, medical or credit histories or personal references of applicants for employment; medical records; educational records; social security numbers; dates of birth; social services records; protected tax information; non-public court documents and/or records subject to New York State Public Officers Law, Article 6-A, the Personal Privacy Protection Law.
- e. Finally, the Schuyler County Legislature takes notice of the potential discomfort and unease that other members of the public would experience having a stranger record them while they conduct business with the County, which business may include matters of a personal, private or even intimate nature.
- f. The above demonstrates to the Schuyler County Legislature a compelling governmental interest in preventing unregulated photography, electronic recording and/or audio-visual recording in County-owned or County-operated facilities.

Section 3. Regulation of the taking of photographs, films, audio or video recordings in any County owned or County-operated facilities prohibited.

- a. Taking photographs, films, audio or video recordings in any County-owned or County-operated facility, office or hallway thereof, at any time or on any occasion, whether or not the facility is open, is forbidden, unless written application is made to and permission of the Schuyler County Administrator or a designee of the County Administrator is first obtained. Such permission may be granted only if:
 - i. there will be no detraction from the dignity or decorum of the facility;
 - ii. there will be no compromise of the safety of persons having business in the facility;
 - iii. there will be no disruption of County activities;
 - iv. there will be no undue burden upon the resources of the County; and
 - v. granting of permission will be and is otherwise consistent with the provisions of each of the following as applicable to such facility:
 1. New York State Rules of the Chief Judge, Part 29, *Electronic Recording and Audio-visual Coverage in Court Facilities and of Court Proceedings*;

2. New York State Rules of the Chief Administrative Judge, Part 131, *Audio-Visual Coverage of Judicial Proceedings*;
3. New York State Civil Rights Law § 52.

Permission may be conditioned upon compliance with any special requirements that may be necessary to ensure that the above conditions are met. Such requirements may, if deemed necessary by the County Administrator, include coordination with Building Security personnel (including New York State Office of Court Administration and/or Schuylar County Sheriff employees) and/or accompaniment by the County Administrator or his designee.

The County Administrator is authorized and directed to promulgate and make publicly available, including via the County's official website, a written application form for permission to be granted in accordance with the above. As appropriate, the County Administrator and/or Buildings and Grounds supervisor are also authorized to promulgate and/or revise any existing Buildings & Grounds/Conference Room/Seneca Harbor Park permission documents to incorporate this purpose.

- b. This section shall not apply to:
 - i. taking of photographs, films, audio or video recording(s) by or on behalf of the County's officers, employees and/or agents and not for public dissemination;
 - ii. taking of photographs, films, audio or video recording(s) by or on behalf of the County's officers, employees and/or agents in the performance of, or in connection with, their official duties;
 - iii. the granting by the County's officers, employees and/or agents of interviews to persons employed by news media, as defined by New York State Civil Rights Law § 79-h, where such interviews are given in the performance of, or in connection with, their official duties;
 - iv. use of videoconferencing by public bodies to conduct open meetings, under extraordinary circumstances, pursuant to Chapter 56 of the Laws of 2022;
 - v. the public portion of any meeting of a public body in accordance with New York State Public Officers Law, Article 7, *the Open Meetings Law*, provided that the location of equipment and personnel used to photograph, record or broadcast the public portion of such meeting does not detract from or interfere with the deliberative process;
 - vi. county-owned or operated outdoor right-of-ways, easements, public parks or other outdoor public lands including, but not limited to, the Seneca Harbor Park facility(ies).

Section 4. Penalties for Violations.

Any unauthorized taking of photographs, films, audio or video recordings in contravention of the provisions of this local law shall be a misdemeanor.

Section 5. Separate Validity.

If any part or provision of this Law or the application thereof to any person or circumstance is adjudged invalid or unconstitutional by any court of competent jurisdiction, such judgment shall be confined in its effect to the part, provision, or application directly involved in the controversy in which each judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Law or the application thereof to other persons or circumstances. The Schuylar County Legislature hereby declares that it would have enacted this Law and each article, section, and subsection thereof even without any such part, provision, or application.

Section 6. Effective Date.

This Local Law shall become effective upon filing with the Secretary of State of the State of New York, in accordance with the New York State Municipal Home Rule Law.

DISCUSSION: Legislator Rondinaro said he would be voting no on this Resolution as he feels this is a sledgehammer approach when only a scalpel is needed, and we need to be very careful with this.

Vote 5-2. Noes: Rondinaro, Lausell

PROCEEDINGS OF THE YEAR 2023

RESOLUTION NO. 33 Motion by Jaynes, Second by Rondinaro.

RE: AUTHORIZE LEASE AGREEMENT WITH LAKESIDE TROLLEY, LLC FOR STORAGE OF TOUR/TROLLEY BUSES AT SENECA HARBOR PARK – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, Lakeside Trolley, LLC has approached the County regarding the parking/storing of their tour/trolley buses at Seneca Harbor Park, and

WHEREAS, the Buildings and Grounds Department has negotiated a fee for said storage of fifty dollars per vehicle per year and a lease agreement is required, and

WHEREAS, the particular County space to be leased for this purpose is not currently required for public use.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a lease agreement with Lakeside Trolley, LLC for the Buildings and Grounds Department for storage of tour/trolley buses at Seneca Harbor Park for the term October 1, 2022 through September 30, 2027, at a cost to Lakeside Trolley, LLC of \$50.00 per vehicle per year, approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 34A Motion by Gray, Second by Barnes.

RE: MOTION TO TABLE RESOLUTION NO. 34 FOR FURTHER DISCUSSION

BE IT RESOLVED, that Resolution No. 34 be tabled for further discussion.

Vote 7-0.

RESOLUTION NO. 34 Motion by Jaynes, Second by Rondinaro.

RE: AUTHORIZE ADVERTISEMENT FOR SEALED BIDS FOR THE CONSTRUCTION OF BATH FACILITIES AT SENECA HARBOR PARK - BUILDINGS AND GROUNDS DEPARTMENT – **TABLED – ADOPTED APRIL 10, 2023**

WHEREAS, in accordance with Section 103 of General Municipal Law, all purchase contracts involving an expenditure of more than \$20,000.00 and all contracts for public works involving an expenditure of more than \$35,000.00 shall be awarded to the lowest responsible bidder after advertising for sealed bids in the manner provided by this section, and

WHEREAS, there is a need for new bath facilities at Seneca Harbor Park for the marina dock tenants.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Legislature be authorized to advertise for sealed bids for the construction of Bath Facilities at Seneca Harbor Park for the Buildings and Grounds Department, and

BE IT FURTHER RESOLVED, said bids will be received by the Clerk of the Legislature and opened publicly with an award made at a future Meeting of the Legislature, and

BE IT FURTHER RESOLVED, that the County of Schuyler reserves the right to accept or reject any and all bids, and to re-advertise if desired.

RESOLUTION NO. 35 Motion by Jaynes, Second by Rondinaro.

RE: AUTHORIZE ADVERTISEMENT FOR SEALED BIDS FOR THE REPAIR OF THE SEAWALL AT SENECA HARBOR PARK - BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, in accordance with Section 103 of General Municipal Law, all purchase contracts involving an expenditure of more than \$20,000.00 and all contracts for public works involving an expenditure of more than \$35,000.00 shall be awarded to the lowest responsible bidder after advertising for sealed bids in the manner provided by this section, and

WHEREAS, there is a need to repair the Seawall at Seneca Harbor Park.

NOW, THEREFORE, BE IT RESOLVED, that the Buildings and Grounds Department under leadership of the County Highway Superintendent be authorized to advertise for sealed bids for the repair of the Seawall at Seneca Harbor Park for the Buildings and Grounds Department, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature will receive sealed bids to be opened publicly with an award made at a future Meeting of the Legislature, and

BE IT FURTHER RESOLVED, that the County of Schuyler reserves the right to accept or reject any and all bids, and to re-advertise if desired.

PROCEEDINGS OF THE YEAR 2023

Vote 7-0.

RESOLUTION NO. 36 Motion by Jaynes, Second by Rondinaro.

RE: AUTHORIZE ADVERTISEMENT FOR MATERIAL BIDS AND SUPPLIES FOR 2023 - HIGHWAY DEPARTMENT

WHEREAS, in accordance with Section 103 of General Municipal Law, all purchase contracts involving an expenditure of more than \$20,000.00 and all contracts for public works involving an expenditure of more than \$35,000.00 shall be awarded to the lowest responsible bidder after advertising for sealed bids in the manner provided by this section.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Legislature be authorized to advertise for bids for materials and supplies for 2023 and/or participate with other Counties and the State of New York in its bids, and

BE IT FURTHER RESOLVED, said bids will be received by the Clerk of the Legislature and opened publicly with an award made at a future Meeting of the Legislature, and

BE IT FURTHER RESOLVED, that the County of Schuyler reserves the right to accept or reject any and all bids, and to re-advertise if desired, and

BE IT FURTHER RESOLVED, that as in the past, the Towns and Villages of Schuyler County so authorized by County Resolution be allowed to participate in said bids.

Vote 7-0.

RESOLUTION NO. 37 Motion by Jaynes, Second by Rondinaro.

RE: AUTHORIZE AMENDING POLICIES AND PROCEDURES MANUAL TO INCREASE MEAL ALLOWANCE LIMITS IN THE TRAINING AND EXPENSES POLICY – HUMAN RESOURCES DEPARTMENT

WHEREAS, Schuyler County currently has an “Expenses” policy in place addressing travel request/central garage/ and expense reimbursement, and

WHEREAS, due to inflation and increasing costs of food, an amendment to the policy needs to be made to adjust the meal allowance limits and clarify the policy guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes amending the Policies and Procedures Manual to aforesaid Policy Statement and Plan, as set for the below, to be made available to all employees, effective immediately.

8 EXPENSES

8.1 Travel Requests / Central Garage /Expense Reimbursement (Resolution Nos. 344-03; 68-07; 163-15; 21-21)

All Schuyler County employees must submit a travel request form for permission for all travel on county business, including out of state travel, whether reimbursement is requested or not. Employees participating in remote training that has a cost associated with it must submit a travel request form for permission even though no travel is involved. **Any Client and/or Citizen related travel that has a cost, other than mileage, associated with the travel must submit a travel request for approval.** A copy of the documentation describing the travel, as well as any costs involved, shall be attached to the request form. Travel requests forms are provided and approved by the County Administrator’s Office.

Mileage

Schuyler County has established a Central Garage Division in the County Highway Department which provides county-owned vehicles to be used by employees for county business. Employees using Central Garage vehicles are responsible to comply with the Central Garage Policies and Procedures, manual available in the **All County folder**, Highway or Human Resources Department.

The first option for travel reimbursement must include a request to use any available Central Garage vehicle before any personal vehicle will be eligible for reimbursement. In the event a Central Garage vehicle is not available, an employee shall be reimbursed mileage for use of their own personal vehicle as set forth in the

PROCEEDINGS OF THE YEAR 2023

applicable bargaining agreement (Resolution No. 68-07 set mileage reimbursement for all county employees at the established IRS prevailing rate effective February 19, 2007), upon presentation of a properly executed voucher including odometer readings. Mileage will not be reimbursed for in-county travel, unless client related services such as client transportation, client visitation, inspection services, meal deliveries, etc.

No mileage reimbursement shall be paid to any employee for travel from his or her home to their normal place of business. Additionally, no mileage reimbursement shall be paid for any travel between various county offices **unless required other than provided** by law, or specifically client related services such as client transportation, visitation, inspection services or meal deliveries.

Meals and Other Expenses

County employees may be reimbursed for expenses, such as meals, parking, tolls, registration, lodging, etc. upon presentation of properly documented vouchers with original receipts and approved travel requests.

Meal expenditures shall be reimbursed with the following limits:

Breakfast:	\$8.00	\$10.00
Lunch:	\$13.00	\$15.00
Dinner:	\$20.00	\$25.00

The aforementioned amounts are the maximum amounts that will be paid for any one given meal **and includes tax and gratuity**, except under one of the following circumstances:

1. You are required to purchase all three of your meals for a given day and have been authorized the maximum amount of ~~\$41.00~~ **\$50.00**, you may divide the cost any way you wish so long as the total meal allowance for the day does not exceed ~~\$41.00~~ **\$50.00**, however, you must have original receipts and approved travel request attached to your reimbursement voucher or reimbursement will be denied.

Additionally, it should be noted that when outside reimbursement is available and occurs, said reimbursement to any employee will be deducted from the meal allowance. The above daily allowances or daily maximum amount will not be increased to reflect outside reimbursement.

2. You are attending a conference, breakfast, lunch, dinner meeting or banquet outside the County for which **there is a pre-established price and/or meal that you must attend and for which you have no control over the cost of the meal or what can be ordered, but or** must purchase a ticket at the price offered and eat whatever is served. Under the aforementioned circumstances there will be no set limit for meal reimbursement, however, you must still attach to your reimbursement voucher either your original conference receipt or meal receipt and approved travel request or reimbursement will be denied.
3. You are traveling to a large city (as defined by a population of 500,000 or more) or its surrounding area where the cost has the potential to be significantly higher than the established reimbursement limits. Under the aforementioned circumstances, if actual expenses incurred are in excess of the allowance, a full justification for the additional expenses will be required by the County Administrator and an amendment to the travel request will be required prior to approval of payment or reimbursement.

Anything not addressed above should be coordinated with and approved by the County Administrator.

The following are the time frames for allowable meal reimbursement while traveling outside the County to and from a conference.

Breakfast:	Departure from home or office prior to 7:00 a.m.
Lunch:	Departure from home or office prior to 11:00 a.m.

PROCEEDINGS OF THE YEAR 2023

Dinner: Departure from home or office prior to 5:00 p.m. or out of the County after 5:00 p.m.

The cost of meals should be appropriate to the time and place of the meal as follows:

Breakfast: Between 6:00 a.m. – 10:00 a.m.

Lunch: Between 11:00 a.m. - 2:00 p.m.

Dinner: Between 4:00 p.m. – 8:00 p.m.

The following will not be paid or reimbursed:

- Alcoholic beverages
- Maid, Laundry, or Valet services or tips
- Theft, loss, or damage to personal property
- Personal Entertainment
- Personal Car services (unless flying and a County or personal vehicle was not used)
- Fines for parking or traffic violations

Employees will be required to reimburse the County for any unauthorized or unapproved expenses.

Other expenses such as parking, tolls, registration, lodging, etc. shall be reimbursed upon presentation of a properly documented voucher with original receipts and approved travel requests.

County-Owned Vehicles

Certain County employees are provided a county owned vehicle to perform these services. Such vehicle being used by an employee shall not be used for personal business. All County vehicles are to have the County seal prominently displayed on the vehicle.

Additionally, anyone driving a County vehicle will abide by the following safe driving standards:

- Safe, defensive driving at all times.
- Maintenance of a valid driver's license.
- Always use a seat belt and advise passengers accordingly.
- Never drive under the influence of drugs or alcohol or use tobacco in the vehicle.
- Never drive while using a cellular phone in accordance with the County Cell Phone Policy in 4.5 above.
- Inspect vehicle prior to driving and report any mechanical problems or body damage immediately.
- Report any on-the-job accidents or moving violations, regardless of when they occur, to the supervisor immediately and cooperate fully with insurance claim investigation.
- Report any medical conditions and/or doctor prescribed medications that may impact ability to operate a vehicle.

It is understood that the County's administration may check anyone's driving record, if using a county-owned vehicle, at any time they deem appropriate. Failure to comply with the above-described standards may result in loss of use of a county-owned vehicle and disciplinary action up to and including termination.

It should be noted that many travel and reimbursement expenses are paid for through tax dollars, and as such, County employees must be fiscally prudent when provided with the opportunity to travel for training, conferences, etc. and when spending taxpayers' monies.

Vote 7-0.

RESOLUTION NO. 38 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE SALARY CORRECTION FOR THE DIRECTOR OF VETERANS SERVICES – HUMAN RESOURCES DEPARTMENT

WHEREAS, Resolution No. 282-22 authorized an increase in hours for both the Director of Veterans Services Agency and the Veterans Service Officer positions from 20 hours a week to 25 hours a week, and

WHEREAS, the Director of Veterans Services is a salaried position and works less than full time hours so the increase in hours requires a salary adjustment that did not occur.

NOW, THEREFORE, BE IT RESOLVED, that the salary for the Director of Veterans Services should have been increased to an annual salary of \$36,721.00 effective September 13, 2022, with the cost for the

PROCEEDINGS OF THE YEAR 2023

increase in salary to be paid for through funds obtained from the PFC Joseph P. Dwyer Program, and

BE IT FURTHER RESOLVED, that the 2023 annual salary after a cost of living adjustment of 3.9% will be \$38,153.00, an amount already reflected within the 2023 adopted budget.

Vote 7-0.

RESOLUTION NO. 39 Motion by Barnes, second by Rondinaro.

RE: RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE TO RENEW THE ADDITIONAL 1% SALES TAX FOR SCHUYLER COUNTY PURSUANT TO SECTION 40 OF THE MUNICIPAL HOME RULE LAW

WHEREAS, Schuyler County was authorized, by State legislation, to increase sales tax by 1% effective March 1, 2000, and

WHEREAS, this authorization needs to be renewed, and the current authorization will expire at the end of 2023, and

WHEREAS, the New York State Legislature could authorize the Schuyler County Legislature to continue to impose an additional 1% sales tax for another three-year period.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby requests that Senator Thomas F. O'Mara and Assemblyman Philip A. Palmesano introduce and to adopt special legislation to amend such laws, including the New York State Tax Law, to authorize the Schuyler County Legislature to continue to impose an additional 1% sales tax for the period December 1, 2023 through November 30, 2026, and

BE IT FURTHER RESOLVED, that certified copies of this resolution shall be forwarded to New York State Senator Thomas F. O'Mara, New York State Assemblyman Philip A. Palmesano and to the Majority and Minority Leaders of the New York State Senate and Assembly.

Vote 7-0.

RESOLUTION NO. 40 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE RE-APPOINTMENT OF THE COMMISSIONER OF SOCIAL SERVICES

WHEREAS, the current appointment term for the Commissioner of Social Services will expire on March 17, 2023, and

WHEREAS, it is the recommendation of the Human Services Committee that the Legislature re-appoint JoAnn Fratarcangelo to that position.

NOW, THEREFORE, BE IT RESOLVED, that JoAnn Fratarcangelo be re-appointed as the Commissioner of Social Services for a five-year term, pursuant to Social Services Law § 65(4), commencing on March 18, 2023, and terminating on March 17, 2028.

Vote 7-0.

RESOLUTION NO. 41 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE CONTRACT WITH LIBERTY RESOURCES POST, PLLC FOR RELATED PRESCHOOL SERVICES – PUBLIC HEALTH DEPARTMENT

WHEREAS, Per Section 4410 of the New York State Education Law and in compliance with Part 200 of the Regulations of the New York State Education Commissioner, Schuyler County Public Health Department is required to provide related preschool services to meet the needs of preschool children with disabilities, and

WHEREAS, Liberty Resources POST, PLLC will provide said services at the rate \$69.00 per half hour individual session, \$45.00 per group session per child for occupational, physical and speech therapy and counseling services.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Liberty Resources POST, PLLC for the Schuyler County Public Health Department for related preschool services, for the term of February 1, 2023 through June 30, 2024, at a cost of \$69.00 per half hour individual session and \$45.00 per group session per child, funding available in account no. 001.2960.0401, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 42 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE CONTRACT WITH DENISE RAE PRICE FOR RELATED PRESCHOOL SERVICES

PROCEEDINGS OF THE YEAR 2023

– PUBLIC HEALTH DEPARTMENT

WHEREAS, per Section 4410 of the New York State Education Law and in compliance with Part 200 of the Regulations of the New York State Education Commissioner, Schuyler County Public Health Department is required to provide related preschool services to meet the needs of preschool children with disabilities, and

WHEREAS, Denise Rae Price will provide said services at the rate \$67.00 per half hour individual session, \$45.00 per group session per child for related preschool services (physical therapy).

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Denise Rae Price for the Schuyler County Public Health Department for related preschool services (physical therapy), for the term of January 1, 2023 through June 30, 2026, at a cost of \$67.00 per half hour individual session and \$45.00 per group session per child, funding available in account no. 001.2960.0401, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 43 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE AMENDING THE CONTRACT WITH THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) TO EXTEND THE TERM OF THE CONTRACT - PUBLIC HEALTH DEPARTMENT

WHEREAS, Resolution No. 276-22 authorized a contract with the National Association of County and City Health Officials (NACCHO) through the Department of Health and Human Services' Office of the Assistant Secretary of Preparedness and Response to build the capacity of local Medical Reserve Corps. (MRC) Programs, in the amount of \$25,000.00, contract # MOD RISE 22-1187, effective upon signature through December 31, 2022, and

WHEREAS, the contract has been extended to allow organizations to complete requirements for project deliverables and meet program objectives with contract # MOD to MRC RISE 22-1187 through June 30, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the contract extension with National Association of County and City Health Officials (NACCHO), to extend the term through June 30, 2023, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 44 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE AMENDING GRANT CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH THROUGH HEALTH RESEARCH, INC. (HRI) FOR PUBLIC HEALTH CORPS FELLOWSHIP PROGRAM TO EXTEND THE TERM – PUBLIC HEALTH DEPARTMENT

WHEREAS, Resolution No. 121-22 authorized a contract with the New York State Department of Health (NYSDOH) through Health Research Inc. for the Public Health Corps Fellowship Program in the total amount of \$418,122.00 that is federally funded from the Centers for Disease Control and Prevention, contract number 6NU50CK0005160209/6NU90TP9221400101, HRI Contract # 7052-01, with a term September 1, 2021 through July 31, 2023, and

WHEREAS, Amendment No. 1 has extended the term from July 31, 2023 to June 30, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the grant amendment contract with Health Research, Inc., extending the term of said contract from July 31, 2023 to June 30, 2024, approved as to form by the Schuyler County Attorney.

Vote 4-0.

RESOLUTION NO. 45 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE AMENDING THE INTERMUNICIPAL AGREEMENT WITH THE TOWNS OF ORANGE AND TYRONE FOR WASTEWATER MANAGEMENT SERVICES THROUGH THE WATERSHED PROTECTION AGENCY- PUBLIC HEALTH DEPARTMENT

WHEREAS, Schuyler County's Public Health Watershed Protection Agency has a current intermunicipal agreement with the Towns of Orange and Tyrone effective January 1, 2021 through December 31, 2025, in the amount of \$15,000.00 annually, funded by the Lamoka-Waneta Lakes Protection and Rehabilitation District, and

WHEREAS, the portion for the Town of Wayne in Steuben County, with a separate contract was not

PROCEEDINGS OF THE YEAR 2023

renewed for the Year 2022 therefore causing the annual amount paid to the Watershed Agency to be reduced by \$4,000.00, and

WHEREAS, as of January 1, 2022 the costs associated with administration and execution of this agreement shall be allocated by the Lamoka-Waneta Lakes Protection and Rehabilitation District, and the District’s annual appropriation in the amounts as listed below to be paid to the Agency by the Schuyler County Treasurer from the Districts account as follows:

<u>YEAR</u>	<u>AMOUNT</u>
2022	\$11,000.00
2023	\$ 7,000.00
2024	\$ 9,000.00
2025	\$ 9,000.00

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute an amendment to the intermunicipal agreement with the Towns of Orange and Tyrone for the Public Health’s Watershed Protection Agency for the administration of the Wastewater Management program costs as above, intermunicipal agreement approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 46 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR PERSONNEL SERVICES – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Public Health Department has received the Healthcare Workforce Bonus for Vesting Period Two, and

WHEREAS, in order to issue the bonuses through payroll, the 2023 budget needs to be amended.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$16,147.50	001.4010.0100	Personnel Services Expense
+\$16,147.50	001.4010.3489	Public Health Other Revenue

Vote 7-0.

RESOLUTION NO. 47 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE CONTRACT WITH HARRIETT E. VICKIO FOR TEMPORARY FISCAL COORDINATOR SERVICES – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Fiscal Coordinator in the Schuyler County Public Health Department is out on medical leave for an undetermined amount of time, and

WHEREAS, the Public Health Department is in need of someone to temporarily provide fiscal services required by the department, and

WHEREAS, the services to be provided are in the nature of professional services, and

WHEREAS, Harriett E. Vickio is willing and available to provide said services at the rate of \$39.00 an hour, for ten hours a week, and up to fifteen hours per week if needed.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Harriett E. Vickio for temporary Fiscal Coordinator Services, with a term of February 13, 2023 through February 13, 2024, at the rate of \$39.00 an hour, for ten hours a week, and up to fifteen hours a week if needed, funding available in account no. 001.4010.401, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 48 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE AMENDING RESOLUTION NO. 280-22 TITLED “AUTHORIZE AMENDING THE 2022 COMMUNITY SERVICES BUDGET FOR THE PFC JOSEPH P. DWYER PEER SUPPORT FUNDING – MENTAL HEALTH DEPARTMENT”

WHEREAS, Resolution No. 280-22 authorized amending the 2022 budget as Schuyler County Community Services had received \$100,000.00 from the PFC Joseph P. Dwyer Peer Support Fund, a State

PROCEEDINGS OF THE YEAR 2023

funded program, and

WHEREAS, the budget was amended to increase revenues and expenses by only \$20,000.00 when it needed to be the entire \$100,000.00, with the remaining unexpended to be deferred revenue used in the 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 280-22 be amended to change the amounts from \$20,000.00 to \$100,000.00.

Vote 7-0.

RESOLUTION NO. 49 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE APPOINTMENT AND SET SALARY FOR NURSE PRACTITIONER – MENTAL HEALTH DEPARTMENT

WHEREAS, the Nurse Practitioner position became vacant July 8, 2022.

NOW, THEREFORE, BE IT RESOLVED, that this Legislature acknowledge the appointment by M. Shawn Rosno, Director of Community Services for the Mental Health Department, of Patricia G. Ayala as Nurse Practitioner, effective February 21, 2023 at an annual salary of \$104,733.00, and

BE IT FURTHER RESOLVED, that a hiring bonus of \$1,000.00 be paid as set forth in the parameters of the Workforce Retention Grant that is available to the Community Services Department.

Vote 7-0.

RESOLUTION NO. 50 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE AMENDMENT TO THE INTERDEPARTMENTAL COOPERATIVE AGREEMENT AND MEMORANDUM OF UNDERSTANDING (MOU) WITH SCHUYLER COUNTY COMMUNITY SERVICES FOR THE ADMINISTRATION OF THE PFC JOSEPH P. DWYER PEER SUPPORT PROGRAM – VETERANS SERVICES DEPARTMENT

WHEREAS, Resolution No. 281-22 authorized an interdepartmental cooperative agreement and Memorandum of Understanding (MOU) with Schuyler County Community Services in the Mental Health Department for administration of the Dwyer Program for the term September 12, 2022 through December 31, 2023 in the amount of \$100,000.00, and

WHEREAS, the Dwyer Program funding was allocated for the entire calendar year of 2022, and

WHEREAS, Schuyler County Community Services has been awarded an additional \$100,000.00 for the calendar year 2023, and

WHEREAS, an amendment is in order to change the effective date of the MOU and the amount.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute an amendment to the interdepartmental cooperative agreement and MOU with Schuyler County Community Services in the Mental Health Department for administration of the Dwyer Program, to change the effective date of the term from September 12, 2022 to January 1, 2022 and increase the amount of funding from \$100,000.00 to \$200,000.00, approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 51 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE THREE-YEAR APPOINTMENT TO THE ECONOMIC OPPORTUNITY PROGRAM BOARD OF DIRECTORS

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of Michael L. Lausell, as the Elected Official to serve on the Economic Opportunity Program (EOP) Board of Directors for the term January 1, 2023 through December 31, 2025.

Vote 7-0.

RESOLUTION NO. 52 Motion by Rondinaro, Second by Lausell.

RE: AUTHORIZE CONTRACT AMENDMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO EXTEND THE CONTRACT TERM FOR THE MASS TRANSPORTATION CAPITAL PROJECT - COUNTY ADMINISTRATOR'S DEPARTMENT

WHEREAS, Resolution No. 80-2019 authorized as six-year contract with New York State Department of Transportation (NYSDOT) for the Mass Transportation Capital Project Contract # C004140 with a term of January 1, 2017 through December 31, 2022, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, NYSDOT has agreed to extend the term through December 31, 2023 to fulfill the contract requirements.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract extension with New York State Department for the Mass Transportation Capital Project Contract # C004140 to extend the term through December 31, 2023, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 53 Motion by Rondinaro Second by Lausell.

RE: AUTHORIZE CONTRACT AMENDMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO EXTEND THE CONTRACT TERM FOR THE FEDERAL TRANSIT ADMINISTRATION (FTA) FORMULA GRANT - COUNTY ADMINISTRATOR'S DEPARTMENT
WHEREAS, Resolution No. 240-20 authorized as five-year contract with New York State Department of Transportation (NYSDOT) for the Federal Transit Administration (FTA) Formula Grant Contract # C004096 with a term of January 1, 2018 through December 31, 2022, and

WHEREAS, NYSDOT has agreed to extend the term through December 31, 2023 to fulfill the contract requirements.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract extension with New York State Department for the FTA Grant Contract # C004096 to extend the term through December 31, 2023, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 54 Motion by Rondinaro, Second by Lausell.

RE: AUTHORIZE CONTRACT AMENDMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO EXTEND THE CONTRACT TERM FOR THE SUPPLEMENTAL CORONAVIRUS AID, AND ECONOMIC SECURITY (CARES) ACT FUNDING - COUNTY ADMINISTRATOR'S DEPARTMENT

WHEREAS, Resolution No. 148-20 authorized as three-year contract with New York State Department of Transportation (NYSDOT) for the Supplemental Coronavirus Aid, Relief, and Economic Security (CARES) Act funding Contract # C004182 with a term of January 1, 2020 through December 31, 2022, and

WHEREAS, NYSDOT has agreed to extend the term through December 31, 2024 to fulfill the contract requirements.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract extension with New York State Department for the CARES Act funding Contract # C004182 to extend the term through December 31, 2024, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 55A Motion by Lausell, Second by Howell.

RE: MOTION TO AMEND RESOLUTION NO. 55 TO APPOINT JAMES P. RYAN AS THE VILLAGE OF MONTOUR FALLS MUNICIPAL OFFICIAL

BE IT RESOLVED, that Resolution No. 55 be amended to include the appointment of James P. Ryan as the Village of Montour Falls Municipal Official.

Vote 7-0.

RESOLUTION NO. 55 Motion by Rondinaro, Second by Lausell.

RE: AUTHORIZE TWO-YEAR APPOINTMENTS TO THE SOUTHERN TIER CENTRAL REGIONAL PLANNING AND DEVELOPMENT BOARD – **AS AMENDED**

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the Southern Tier Central Regional Planning and Development Board for the term January 1, 2023 through December 31, 2024, to wit:

Judy McKinney-Cherry, Member at Large
Fonda Chronis, Municipal Office

PROCEEDINGS OF THE YEAR 2023

James P. Ryan, Village of Montour Falls Municipal Official

Vote 7-0.

UNFINISHED BUSINESS:

Legislator Gray asked if there was a third-party vendor for the Wifi and fiber connection yet for Bradford and Monterey. County Administrator Chronis replied and said that the loop should be finished by Spring. Southern Tier Network has some feelers out, but because there is some tension between them and Empire, it is taking longer. Legislator Rondinaro said that it would be nice if Southern Tier Network would appear here and give us all an update as they have in the past. The Clerk suggested a Legislative Resolution Review Committee Meeting.

Legislator Lausell said that he has been contacted with some complaints regarding the Cayuga Health Transport (CHT) Ambulance Services. He asked where the complaints should be directed. Administrator Chronis said they should be directed to him and he would take it from there.

REPORT ON STANDING COMMITTEES:

Legislator Rondinaro asked the Legislators to save the date of Friday, April 21, 2023 as Schuyler County will be hosting the Inter County Association of Western New York Meeting at Watkins Glen International.

Legislator Lausell reported that he is participating in a walk ability federal grant program for our community. There are only five counties in the country that are participating. He has been to eight meetings so far as they meet weekly, and they are not just focusing on individual projects but as a community.

COUNTY ADMINISTRATOR'S REPORT:

Administrator Chronis reported that he has met with the Treasurer to discuss maximizing cash balance to take advantage of the higher interest rates. A Resolution may be forthcoming to the Management and Finance Committee Meeting. He also reported that the Governor's Executive Budget update is not at all County friendly. The three big areas of concern are Medicaid, an Assigned Counsel increase in their hourly rate from \$60.00 per hour to \$190.00 per hour, and tax foreclosures. He then reported that the January sales tax figures are up by 16.6%, which is \$110,000.00. Room tax has also been finalized and is up by 9.9%, which is \$105,000.00. Based on the agreement with the Watkins Glen Area Chamber of Commerce as our Tourism Promotion Agency, they will receive \$764,000.00 for 2022 with \$332,000.00 going into the Economic Development Reserve and \$68,000.00 is the administrative cost that is retained by the County.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 7:00 pm

Stacy B. Husted, Clerk

Jamee L. Mack, Deputy Clerk

REGULAR MEETING

MARCH 13, 2023

The March 13, 2023 Regular Meeting of the Schuyler County Legislature was called to order at 6:30 p.m. by Acting Chairman Barnes. The Pledge of Allegiance was led by Legislator Reed and followed by a Moment of silence. All Legislators were present except Chairman Blowers and Legislator Lausell who were excused. The County Administrator Fonda Chronis, and County Attorney Steven Getman were also present.

PUBLIC PARTICIPATION: None.

RESOLUTION NO. 56 Motion by Howell, Second by Jaynes.

RE: APPROVE MINUTES OF THE FEBRUARY 13, 2023 REGULAR MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the February 13, 2023 Regular Meeting of the Schuyler County Legislature be approved.

Vote 6-0.

RESOLUTION NO. 57 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE CONTRACT WITH TOSHIBA BUSINESS SOLUTIONS FOR MAINTENANCE OF

PROCEEDINGS OF THE YEAR 2023

COPIERS PURCHASED – PURCHASING DEPARTMENT

WHEREAS, a number of copiers for multiple departments were purchased through the 2017-2022 copier bid, and

WHEREAS, a maintenance contract is required for these copiers, and

WHEREAS, there is a monthly excess charge per image to be paid quarterly per Exhibit 1 and 2 contained in the contract, with a term of April 1, 2023 through March 31, 2024, to renew annually with a 3% increase, unless terminated earlier on 30 days' written notice.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Toshiba Business Solutions for the Purchasing Department for maintenance of Toshiba copiers purchased, per Exhibit 1 and 2 contained in the contract, for the term April 1, 2023 through March 31, 2024, to renew annually, funding available in various departmental budget accounts, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 58 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZATION TO DECLARE ITEMS JUNK OR SURPLUS FOR VARIOUS DEPARTMENTS – PURCHASING DEPARTMENT

WHEREAS, various departments have items to be declared junk or surplus.

NOW, THEREFORE, BE IT RESOLVED, pursuant to County Law Section 215, the Schuyler County Legislature hereby declares the following assets junk or surplus, and

BE IT FURTHER RESOLVED that the following items are to be placed in storage for an auction or disposed of.

JUNK

<u>Asset #</u>	<u>Description</u>	<u>Serial/VIN #</u>	<u>Department</u>
7346	Dell Latitude	E7450 6XW9F72	Office for the Aging
7407	Dell OptiPlex 7040	DLL0Q52	Buildings and Grounds
7437	Dell OptiPlex 7040	70RKZC2	Emergency Management
7483	Dell Latitude E5470	3Q11PF2	Mental Health
7493	Dell Latitude E5470	DP11PF2	Information Technology
7581	Dell Latitude 3580	15GZ6F2	Information Technology
7582	Dell Latitude 3580	35GZ6F2	Information Technology
7618	Dell OptiPlex 3050	8X8HBM2	Highway

SURPLUS FOR AUCTION

<u>Asset #</u>	<u>Description</u>	<u>Serial/VIN #</u>	<u>Department</u>
6461	2008 Dodge Stakebody 3500	3D6WG46D08G226600	Highway
6463	2008 Ford 250 Pickup ¾ Ton	1FTNF20538EE05585	Highway
6929	2012 Chevy Silverado	1GC2KVCGXZ275416	Highway

Vote 6-0.

RESOLUTION NO. 59 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE ADVERTISEMENT FOR SEALED BIDS FOR KITCHEN AND CUSTODIAL SUPPLIES FOR JUNE 1, 2023 THROUGH MAY 31, 2024 – PURCHASING DEPARTMENT

WHEREAS, the current Schuyler County paper, plastic and custodial supply bid expires on May 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Legislature is hereby authorized to advertise for sealed bids for kitchen and custodial supplies for the County, for the term of June 1, 2023 through May 31, 2024, and

BE IT FURTHER RESOLVED, said bids will be received by the Clerk of the Legislature and opened publicly with an award made at a future Meeting of the Legislature, and

BE IT FURTHER RESOLVED, that the County of Schuyler, reserves the right to accept or reject any and all bids, and to re-advertise if desired.

Vote 6-0.

PROCEEDINGS OF THE YEAR 2023

RESOLUTION NO. 60 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE AMENDMENT TO THE 2023 SALARY SCHEDULE TO CORRECT SALARY INACCURACIES – HUMAN RESOURCES DEPARTMENT

WHEREAS, Local Law 4 of the Year 2022 adopted a salary schedule developed by the Burke Group, and

WHEREAS, section 3(a)(i) and (ii) of Local Law #4 both state “Salary adjustments to this group of employees will be divided in half and paid on a pro-rated basis for 2022 (effective date June 6, 2022) and fully beginning January 1, 2023”, and

WHEREAS, there was a miscommunication in how the second half adjustment should be calculated in conjunction with the annual salary increases for 2023 resulting in certain employees not receiving the correct annual rate of pay, and

WHEREAS, the Personnel Officer, in conjunction with the County Administrator, requests amending the 2023 salary schedule to correct the salary inaccuracies.

NOW THEREFORE BE IT RESOLVED, that the Schuyler County Legislature approves amending the 2023 salary schedule to correct the salary inaccuracies and provide a salary that should have been paid out effective January 1, 2023 to current, effective upon the next payroll date for the following individuals:

<u>EMPLOYEE</u>	<u>TITLE</u>	<u>SALARY</u>
Elizabeth Guild	Purchasing Director	\$79,482.00
Jennifer Cole	Secretary to the District Attorney	\$44,417.00
Karen Spaccio	HR Administrator-Benefits Manager	\$72,257.00
Kirk Smith	Director of Emergency Services	\$79,482.00
Kristin VanHorn	Planning Director	\$96,174.00
Kristina Vondracek	Deputy Commissioner Board of Elections	\$44,417.00
Michele Wasicki	Deputy Commissioner of Social Services	\$87,431.00
Nicole Pence	Assistant Public Defender	\$86,557.00
Ramona Cunningham	Conf. Secretary to the County Attorney	\$48,859.00
Shannonlee Crane	Conf. Secretary to the Sheriff	\$48,859.00
Stacy Hills	Deputy Public Health Director	\$78,688.00
Tarra Rea	Assistant Deputy County Clerk	\$44,417.00
Teri Baccile	Coord. Fiscal Ops. and Computer Services	\$87,431.00

Vote 6-0.

RESOLUTION NO. 61 Motion by Rondinaro, Second by Jaynes.

RE: INTRODUCE LOCAL LAW INTRO. B OF THE YEAR 2023 CORRECTING SALARIES FOR CERTAIN PUBLIC OFFICERS AND ONE ELECTED OFFICIAL FOR THE YEAR 2023

WHEREAS, Local Law 4 of the Year 2022 adopted a salary schedule developed by the Burke Group, and

WHEREAS, section 3(a)(i) and (ii) of Local Law #4 both state “Salary adjustments to this group of employees will be divided in half and paid on a pro-rated basis for 2022 (effective date June 6, 2022) and fully beginning January 1, 2023”, and

WHEREAS, there was a miscommunication in how the second half adjustment should be calculated in conjunction with the annual salary increases for 2023 resulting in certain public officers and one elected official not receiving the correct annual rate of pay, and

WHEREAS, the Personnel Officer, in conjunction with the County Administrator, requests amending the 2023 salary schedule to correct certain salary inaccuracies, and

WHEREAS, County Law § 201 states that any change in compensation of such officer elected or appointed for a fixed term during his/her term be made only by Local Law subject to the provisions of Section 24 of the Municipal Home Rule Law.

NOW THEREFORE BE IT RESOLVED, that the Schuyler County Legislature approves amending the 2023 salary schedule to correct the salary inaccuracies and provide a salary that should have been paid out

PROCEEDINGS OF THE YEAR 2023

effective January 1, 2023 to current, effective upon the next payroll date after said Local Law takes effect for the public officers and one elected official listed below, and

BE IT FURTHER RESOLVED, that Local Law Intro. B of the year 2023 be, and hereby is, introduced in the form hereto annexed pursuant to the Municipal Home Rule Law, and

BE IT FURTHER RESOLVED, that a public hearing shall be held upon said proposed Local Law on Monday, April 10, 2023 at 6:30 p.m., in the County Office Building, 105 Ninth Street, Watkins Glen, New York.

LOCAL LAW INTRO. B OF THE YEAR 2023

A Local Law Correcting Salaries for Certain Public Officers and one Elected Official for the Year 2023.

Be it enacted by the Legislature of the County of Schuyler as follows:

1. Effective 45 days following adoption, the following adjustments of salaries for the public officers and elected official listed below shall be in the amounts herein stated, salaries effective January 1, 2023.
2. The following public officers are subject to the provisions hereof:

<u>TITLE</u>	<u>SALARY</u>	<u>TITLE</u>	<u>SALARY</u>
Commissioner of Social Services	\$116,371.00	Personnel Officer	\$96,174.00
County Attorney	\$128,008.00	County Clerk	\$79,482.00

3. This Local Law shall not take effect until at least 45 days after its adoption in accordance with County Law Section 201 and Municipal Home Rule Law Section 24.

Vote 6-0.

RESOLUTION NO. 62 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE AMENDMENT TO THE MANAGEMENT/CONFIDENTIAL HANDBOOK REGARDING DELEGATING TO THE COUNTY ADMINISTRATOR ACKNOWLEDGEMENT AUTHORITY FOR SUBORDINATE OFFICER (NON-DEPARTMENT HEAD) MANAGEMENT/CONFIDENTIAL APPOINTMENTS – HUMAN RESOURCES DEPARTMENT

WHEREAS, pursuant to Public Officers Law § 9, every deputy, assistant, or other subordinate officer, whose appointment or election is not otherwise provided for, shall be appointed by his or her principal officer, and

WHEREAS, under existing county practice the Legislature acknowledges the appointment and sets salary of all Management/Confidential employees whether the appointment is for a department head or a subordinate officer, and

WHEREAS, the Legislature finds that the existing practice may unduly delay filling critical positions, thereby adversely affecting operations and state and/or federal reimbursements; and

WHEREAS, pursuant to Local Law No. 3 of the year 1999, the Legislature has created the position of County Administrator and provided for authority of the legislature to delegate certain duties to said position, where not otherwise impermissible under law, and

WHEREAS, pursuant to Local Law No. 4 of 2022, the Legislature has adopted a salary schedule for management/confidential positions within county government, under which such local law, management, with approval of the County Administrator, may negotiate salaries pre-approved by the Legislature pursuant said local law.

NOW, THEREFORE, BE IT RESOLVED, pursuant to the above, the Schuyler County Legislature hereby eliminates the need for a Resolution of the Legislature and delegates acknowledgement of subordinate officer (non-department head), management/confidential positions to the County Administrator, subject to the appointee’s salary falling within the parameters of Local Law No. 4 of 2022, and

BE IT FURTHER RESOLVED, the Schuyler County Legislature retains appointment authority over all principal officer (department head) vacancies, and nothing herein shall be deemed to divest the Legislature of such authority, and

BE IT FURTHER RESOLVED, the County Administrator, in conjunction with the Personnel Officer, is directed to develop an acknowledgement form to be used to codify and memorialize each subordinate officer management/confidential appointment and salary, and

PROCEEDINGS OF THE YEAR 2023

BE IT FURTHER RESOLVED, that the Personnel Officer is hereby directed to amend the Management/Confidential Handbook to include the above changes.

Vote 6-0.

RESOLUTION NO. 63 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE THREE-YEAR CONTRACT WITH GILA LLC, D/B/A MUNICIPAL SERVICES BUREAU (MSB) FOR CREDIT/DEBIT CARD AND E*CHECK PAYMENT PROCESSING SERVICES – COUNTY CLERK’S DEPARTMENT

WHEREAS, the goal of the Schuyler County Clerk’s Office is to efficiently and effectively perform its duties and provide its services to members of the public, and

WHEREAS, enabling the County Clerk to accept credit and debit cards for payment for services will provide a convenience to members of the public, and

WHEREAS, Gila LLC, d/b/a Municipal Services Bureau (MSB) will provide said Credit/Debit Card and E*Check Payment Processing Services to the County Clerk’s Office at no cost to the County.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes the Chairman of the Legislature to execute a three-year contract with MSB for the County Clerk’s Department, with a term of March 24, 2023 through March 24, 2026, at no cost to the County, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 64 Motion by Rondinaro, Second by Jaynes.

RE: OPPOSE GOVERNOR’S BUDGET PROPOSAL TO SHIFT HUNDREDS OF MILLIONS OF NEW MEDICAID COSTS ONTO LOCAL TAXPAYERS

WHEREAS, Governor Hochul’s recently released 2024 Executive Budget proposes to end the longstanding practice of sharing federal Medicaid funding with counties, and

WHEREAS, this unprecedented state policy shift would require the state’s local taxpayers to pay up to \$1 billion in new Medicaid costs due to the state diverting Enhanced Federal Medical Assistance Program (eFMAP) funds that were earmarked to go directly to local governments to help hold down property taxes, and

WHEREAS, this is projected to cost the taxpayers of Schuyler County at least \$500,000 annually in lost reimbursements, an amount that would grow the property tax levy by 5%, and

WHEREAS, the Medicaid costs to counties and New York City are scheduled to grow by 30 percent by state fiscal year 2027, and

WHEREAS, nine state-mandated programs consume a significant portion of county property tax receipts, and when the state shifts new or more costs to counties, that burden becomes even more challenging to the homeowners, renters, and businesses who shoulder the local property tax burden, and

WHEREAS, New York State is required under federal law to share these savings with its 57 counties and New York City since 2015-2016, and it continues to be the strong position of both Schuyler County and the New York State Association of Counties (NYSAC) that Congress intended for these federal savings to be shared with the counties proportional to the amount they contributed toward the non-federal Medicaid match, and

WHEREAS, this proposed additional unfunded mandate to counties is unnecessary given estimates from Division of Budget that the state’s operating surplus will be \$8.7 billion this year.

NOW, THEREFORE, BE IT RESOLVED, the Schuyler County Legislature urges the Governor to reconsider this misguided proposal, adhere to Congress’ intent, and continue to share this federal funding so that we can do our part to make our state more affordable, and

BE IT FURTHER RESOLVED, should the Governor decide to continue in this manner, the Schuyler County Legislature calls on the New York State Assembly and Senate to support counties by rejecting this proposal in full during the budget process, and further calls upon our federal representatives to ensure that these funds are shared in the manner required by federal law, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature forward copies of this resolution to the Governor of the State of New York, the leadership of the New York State Legislature, New York State Senator Thomas F. O’Mara, New York State Assemblyman Philip A. Palmesano, Senators Charles Schumer and Kristin

PROCEEDINGS OF THE YEAR 2023

Gillibrand, Congressman Nick Langworthy, U.S. Department of Health and Human Services Office of Inspector General, the New York State Association of Counties, Inter County Association of Western New York and all others deemed necessary.

Vote 6-0.

RESOLUTION NO. 65 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE CONTRACT WITH CATHOLIC CHARITIES OF THE DIOCESE OF ROCHESTER, D/B/A CATHOLIC CHARITIES OF CHEMUNG/SCHUYLER FOR THE RUNAWAY AND HOMELESS PROGRAM – YOUTH BUREAU DEPARTMENT

WHEREAS, the contract with Catholic Charities of Chemung/Schuyler to provide Runaway and Homeless services is up for renewal, and

WHEREAS, the new term will only be for ninth months rather than a calendar year.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Catholic Charities of the Diocese of Rochester, d/b/a Catholic Charities of Chemung/Schuyler for the Runaway and Homeless Program for the Youth Bureau Department, for the new term of January 1, 2023 through September 30, 2023, at a cost of \$13,384.00, funding available in account no. 001.7310.0562, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 66 Motion by Rondinaro, Second by Gray.

RE: RECOGNIZE MARCH 2023 AS NATIONAL NUTRITION MONTH AND MARCH FOR MEALS MONTH – OFFICE FOR THE AGING DEPARTMENT

WHEREAS, on March 22, 1972, President Nixon signed into law a measure that amended the Older Americans Act of 1965 to include a national nutrition program for individuals aged 60 years and older, and

WHEREAS, for more than five decades, this landmark law has helped to fund Home Delivered Meal and Congregate Meal programs, and

WHEREAS, this year, older adult nutrition programs from across the country are joining together for the March for Meals awareness campaign through Meals on Wheels America® to celebrate its success and garner the support needed to ensure these critical programs can continue to address food insecurity and malnutrition, combat social isolation, enable independence and improve health for years to come, and

WHEREAS, the Office for the Aging (OFA) nutrition programs– both congregate and home-delivered, in Schuyler County (a member of Meals on Wheels America®) have served our local communities admirably for more than 45 years, and

WHEREAS, volunteers for the nutrition program in Schuyler County are the backbone of the program and they not only deliver or serve nutritious meals to older adults who are at risk of hunger, malnutrition and isolation, but also caring concern and attention to their welfare, and

WHEREAS, the OFA nutrition program in Schuyler County provides nutritious meals to older adults to assist them in maintaining their health and independence, thus preventing unnecessary falls, hospitalizations and/or premature institutionalization, and

WHEREAS, the OFA nutrition program in Schuyler County provides nutrition counseling to provide information and tools to older adults at nutritional risk due to their health or nutrition history, dietary intake, chronic illnesses and /or medication use, and

WHEREAS, the OFA nutrition program in Schuyler County provides nutrition education to promote better health through accurate and culturally sensitive nutrition, physical fitness or health information consistent with the current Dietary Guidelines for Americans, and

WHEREAS, the OFA nutrition program in Schuyler County provides a powerful opportunity for social connections for older adults to help combat the negative health effects and economic consequences of loneliness and isolation, and

WHEREAS, the staff and volunteers within the OFA nutrition program in Schuyler County deserve recognition for their heroic contributions and essential services provided during the COVID-19 pandemic, inclement weather and emergency situations faced during meal deliveries, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, the aging population has been increasing substantially, and action is needed to support local nutrition programs through elevated awareness, donations and volunteer recruitment to ensure these vital services can continue to be delivered for years to come.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature does hereby recognize the work of the Office for the Aging nutrition program and March 2023 as National Nutrition Month and urges every community member to take this time to honor our Office for the Aging nutrition programs, the individuals they serve and the staff and volunteers who provide for them.

Vote 6-0.

RESOLUTION NO. 67 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE GRANT APPLICATION AND AGREEMENT WITH THE NEW YORK STATE OFFICE FOR THE AGING FOR THE SENIORS' HEALTH IMPROVEMENT AND NUTRITION EDUCATION (SHINE) PROGRAM - OFFICE FOR THE AGING DEPARTMENT

WHEREAS, the Schuyler County Office for the Aging has been providing SNAP-Education and related activities since 2020 with the initial receipt of the Seniors' Health Improvement and Nutrition Education (SHINE) Program grant, and

WHEREAS, this initiative is funded through the New York State (NYS) Office of Temporary and Disability Assistance (OTDA) under the Supplemental Nutrition Assistance Program of the US Department of Agriculture, Food and Nutrition Service, and

WHEREAS, OTDA partnered with the NYS Office for the Aging to direct the program, and

WHEREAS, the goal of the program is to increase the number of low-income older adults who receive nutrition education to promote healthier lifestyles and behaviors which in turn will reduce the amount of Medicaid and Medicare spending, and

WHEREAS, the NYS Office for the Aging solicited Schuyler County to administer the program for a three-county region including Chemung, Schuyler and Steuben Counties, and

WHEREAS, there is no required local match for this grant.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to sign the grant application and agreement with the NYS Office for the Aging for the SHINE program, for the term October 1, 2022 through September 30, 2023, in the amount of \$108,184, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish the SHINE grant accordingly in cooperation with the Office for the Aging Department.

Vote 6-0.

RESOLUTION NO. 68 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE ADVERTISEMENT FOR SEALED BIDS FOR LABORATORY TESTING SERVICES FOR THE WATERSHED PROTECTION AGENCY - PUBLIC HEALTH DEPARTMENT

WHEREAS, the Schuyler County Watershed Protection Agency provides a menu of water laboratory testing services to the community, and

WHEREAS, the current contract to provide laboratory testing services is due to expire June 30, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Legislature is hereby authorized to advertise for sealed bids for Laboratory Testing Services for the County, and

BE IT FURTHER RESOLVED, said bids will be received by the Clerk of the Legislature and opened publicly with an award made at a future Meeting of the Legislature, and

BE IT FURTHER RESOLVED, that the County of Schuyler, reserves the right to accept or reject any and all bids, and to re-advertise if desired.

Vote 6-0.

RESOLUTION NO. 69 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE A CONTRACT EXTENSION WITH HEALTH RESEARCH, INC. (HRI) TO EXTEND THE TERM OF THE CONTRACT FOR COVID-19 ENHANCED DETECTION GRANT FUNDING - PUBLIC HEALTH DEPARTMENT

WHEREAS, Resolution No. 182-20 authorized a grant contract with New York State Department of Health through Health Research, Inc. for COVID-19 Enhanced Detection Funding in the total amount of

PROCEEDINGS OF THE YEAR 2023

\$200,540.00, with possible allocations from restricted funding up to an additional \$1,000,000.00, with a term of July 1, 2020 through June 30, 2022, HRI Contract 6NU50CK0005160107 (#6419-01), and

WHEREAS, Resolution No. 55-22 amended the funding and extended the term of the contract to March 31, 2023, and

WHEREAS, New York State Department of Health has again extended only the term of the contract through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute said contract extension for the Schuyler County Public Health Department, extending the term of the contract from March 31, 2023 through December 31, 2023, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 70 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE GRANT CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH THROUGH HEALTH RESEARCH, INC. FOR EMERGENCY PREPAREDNESS AND RESPONSE FUNDING – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Public Health Department has received a grant from the New York State Department of Health (NYSDOH) through Health Research Inc. for emergency preparedness and response in the total amount of \$52,099.00, with possible allocations from restricted funding up to an additional \$1,052,099.00, that is federally funded from the Centers for Disease Control and Prevention, contract number 5NU90TP9220090400, and

WHEREAS, these grant funds will be used for emergency preparedness and response.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the grant contract with Health Research, Inc., for the term July 1, 2022 through June 30, 2023, in the amount of \$52,099.00, with possible allocations from restricted funding up to an additional \$1,052,099.00, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer be hereby directed to establish said grant accordingly, in cooperation with the Public Health Department.

Vote 6-0.

RESOLUTION NO. 71 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE THREE-YEAR CONTRACT WITH MICHELLE D. MILLS FOR RELATED PRESCHOOL SPEECH THERAPY SERVICES – PUBLIC HEALTH DEPARTMENT

WHEREAS, per Section 4410 of the New York State Education Law and in compliance with Part 200 of the Regulations of the New York State Education Commissioner, Schuyler County Public Health Department provides related preschool services for children with disabilities, and

WHEREAS, Michelle D. Mills has agreed to provide the related preschools services at a cost of \$67.00 per half hour per individual session, and \$45.00 per group session per child for Speech Therapy, with a term of February 1, 2023 through June 30, 2026.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Michelle D. Mills for the Schuyler County Public Health Department for related preschool Speech Therapy services for the term of February 1, 2023 through June 30, 2026, at a cost of \$67.00 per half hour individual session, and \$45.00 per group session per child, funding available in account no. 001.2960.0401 – Contractual Expense, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 72 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE CONTRACT WITH PARK OUTDOOR ADVERTISING OF NEW YORK, INC. FOR ADVERTISING FOR PROMOTING MEDICAL RESERVE CORPS (MRC) VOLUNTEERS – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Schuyler County Public Health Department received a grant from the National Association of County and City Health Officials (NACCHO) to build the capacity of local Medical Reserve Corps. (MRC), and

WHEREAS, Park Outdoor Advertising of New York, Inc. will advertise the MRC Respond, Innovate, Sustain and Equip (RISE) award to promote MRC volunteers for four panels and additional poster costs, for a

PROCEEDINGS OF THE YEAR 2023

not to exceed amount of \$3,400.00, for the term February 1, 2023 through June 30, 2023, and

WHEREAS, funding from the MRC RISE award grant will be used to pay for advertising services to promote the MRC volunteers.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute a contract with Park Outdoor Advertising of New York, Inc. to provide the advertising for the Public Health Department, for the term February 1, 2023 through June 30, 2023, at a cost of not to exceed \$3,400.00, funding available in grant account no. 001.4010.0401.4433, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 73 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE CONTRACT WITH ODESSA-MONTOUR CENTRAL SCHOOL DISTRICT FOR RELATED PRESCHOOL SERVICES – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Schuyler County Public Health Department is required to provide Related Preschool Services for children under Section 4410 of the New York State Education Law, and in compliance with Part 200 of the Regulations of New York State Education Commissioner, and

WHEREAS, Odessa-Montour Central School District has qualified staff to provide said services, at a rate of \$67.00 per half hour individual session, per child, and \$45.00 per group session, per child for occupational, physical, speech and counseling services, and

WHEREAS, negotiated rates will be set at per half hour for an Aid at \$7.00, Assistive Technology Services at \$29.00, and School Health Services/Nursing at \$29.00, for the term March 1, 2023 through June 30, 2028.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Odessa-Montour Central School District for related preschool services, per the rates set forth above, with a term of March 1, 2023 through June 30, 2028, funding available in the Public Health budget account no. 001.2960.0401 – Contractual Expense, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 74 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE THE CREATION AND FILLING OF ONE LESS THAN FULL-TIME PLANNER POSITION, AND ACKNOWLEDGE APPOINTMENT AND SET SALARY FOR POSITION – PLANNING DEPARTMENT

WHEREAS, the Planning Department has yet to fill the full-time planner position successfully, and the current demand for county planning services by municipal partners already outpaces the capacity of the current Planning staff to satisfy the need, and

WHEREAS, the Planning Department is requesting to create a less than full-time position, upon approval of the County Administrator, and

WHEREAS, funding for this position is included in the 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Department is hereby authorized to create and fill one less than full-time, 20 hours per week, Planner position, effective immediately, and

BE IT FURTHER RESOLVED, that this Legislature acknowledge the appointment by Kristin VanHorn, Planning Director, of Marian Saks as a less than full-time Planner, effective March 20, 2023, at an annual salary of \$36,000.00.

Vote 6-0.

RESOLUTION NO. 75 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE APPOINTMENT TO THE SCHUYLER COUNTY PLANNING COMMISSION – PLANNING DEPARTMENT

WHEREAS, the Town of Tyrone representative on the Schuyler County Planning Commission is vacant, and

WHEREAS, Jenna Tormey has agreed to represent the Town of Tyrone on the Schuyler County Planning Commission.

PROCEEDINGS OF THE YEAR 2023

NOW THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes the appointment of Jenna Tormey as the Town of Tyrone representative on the Schuyler County Planning Commission for the term of March 1, 2023 through December 31, 2023.

Vote 6-0.

NEW BUSINESS:

The Clerk explained that there is a need for an executive session before bringing the additional Resolution to the floor.

MOTION by Legislator Rondinaro to go into executive session, pursuant to Public Officers Law Section 105 (1)(f), to discuss the medical, financial, credit or employment history of a particular person or matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person, **SECOND** by Legislator Gray. Motion carried six ayes to zero noes.

MOTION by Legislator Rondinaro to come out of executive session, **SECOND** by Legislator Gray, Motion carried six ayes to zero noes.

RESOLUTION NO. 76 Motion by Rondinaro, Second by Barnes.

RE: MOTION TO BRING ONE (1) ADDITIONAL RESOLUTION TO THE FLOOR

BE IT RESOLVED, that one (1) additional Resolution be brought to the floor.

Vote 6-0.

RESOLUTION NO. 77 Motion by Rondinaro, Second by Howell.

RE: AUTHORIZE STIPULATION AND RELEASE OF CLAIMS AGREEMENT WITH ADMINISTRATIVE UNIT, CSEA, O.B.O. A PARTICULAR CSEA MEMBER/COUNTY EMPLOYEE – HUMAN RESOURCES DEPARTMENT

BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a Stipulation and Release of Claims Agreement related to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular county employee/CSEA member, as approved by Counsel.

Vote 6-0.

UNFINISHED BUSINESS:

Resolution No. 34 titled “Authorize advertisement for sealed bids for the Construction of Bath facilities at Seneca Harbor Park – Buildings and Grounds Department -Tabled” from the February 13, 2023 Regular Meeting.

The Clerk explained that this Resolution will remain on the table unless a motion is made to remove it from the table. She also informed the Legislators that it will be listed again on the April Regular Meeting Agenda, per their Rules and if no action is taken, the Resolution will die on the table.

REPORT ON STANDING COMMITTEES:

Legislator Howell recognized the Clerk and her Deputy Clerk for their efforts and diligence in the operation of the Legislative Office as it is National Women’s Month.

Legislator Reed acknowledged the response times for the ambulance services.

Legislator Rondinaro asked that the Legislators mark their calendars for the April 21, 2023 Inter-County Association of Western New York meeting that is being held here in Schuyler County at Watkins Glen International. He also stated that Kristin VanHorn and/or Judy McKinney-Cherry would be contacting each Legislator to set up an appointment to discuss their vision for Schuyler County.

COUNTY ADMINISTRATOR’S REPORT:

Administrator Chronis reported that the sales tax for February is strong. The figures are up \$164,000.00, which is a 125.8% increase. The combined total for January and February is up \$274,000.00 which is \$17.5 %. He also reported on the statistics for the ambulance service, having 298 total calls with an average response time of 7.56 minutes. He said this is all very good. He also reported that all transports from Schuyler Hospital are being performed by what he called Schuyler Emergency Medical Services (SEMS) and are no longer performed by the Schuyler County Volunteer Ambulance Association (SCVAA). Legislator Rondinaro asked for an update on the insurance. Administrator Chronis stated that the Medicaid final approval is close but yet there are no private contracts signed yet. Legislator Howell asked how the new service has impacted SCVAA.

PROCEEDINGS OF THE YEAR 2023

Administrator Chronis said that they are staffed during the day, they have contractual obligations and are still mutual aid for SEMS if the need arises. Legislator Jaynes asked of the staff at Cayuga Medical is training yet, Administrator Chronis replied that they are not. Administrator Chronis also informed the Legislators that Mel Schroder has been named the new Executive Director of Cornell Cooperative Extension of Schuyler County.

PUBLIC PARTICIPATION: None.

The meeting adjourned at 7:03 p.m.
Stacy B. Husted, Clerk
Jamee L. Mack, Deputy Clerk

**REGULAR MEETING
APRIL 10, 2023**

The April 10, 2023 Regular Meeting of the Schuyler County Legislature was called to order at 6:30 p.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Jaynes and followed by a Moment of silence. All Legislators were present except Legislator Gray who was absent. The County Administrator Fonda Chronis, and County Attorney Steven Getman were also present.

PUBLIC PARTICIPATION: None.

PUBLIC HEARING ON LOCAL LAW INTRO B. OF THE YEAR 2023 CORRECTING THE SALARIES FOR CERTAIN PUBLIC OFFICERS AND ONE ELECTED OFFICIALS FOR THE YEAR 2023. None.

RESOLUTION NO. 78 Motion by Howell, Second by Lausell.

RE: APPROVE MINUTES OF THE MARCH 13, 2023 REGULAR MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the March 13, 2023 Regular Meeting of the Schuyler County Legislature be approved.

Vote 7-0.

RESOLUTION NO. 79 Motion by Barnes, Second by Jaynes.

RE: AUTHORIZE CONTRACT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES (NYS DCJS) FOR THE BYRNE JAG GRANT – DISTRICT ATTORNEY’S DEPARTMENT

WHEREAS, the District Attorney’s Office is in the process of creating and developing an Adult Advocacy Center and is in need of additional consultant services for implementation, and

WHEREAS, the District Attorney’s Office has been awarded an Edward Byrne Memorial Justice Assistance Grant (JAG) Program Contract #BJ18637534, Project #BJ22-1006-D00, in the amount up to \$6,000.00, with no local match, to be used towards retention of a consultant for the implementation of the Adult Advocacy Center.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute said grant contract with the New York State Division of Criminal Justice Services (NYS DCJS), in the amount of \$6,000.00, for the term January 1, 2023 through December 31, 2023, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish said grant, accordingly in cooperation with the District Attorney’s Department.

Vote 7-0.

RESOLUTION NO. 80 Motion by Barnes, Second by Jaynes.

RE: AUTHORIZE INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF WATKINS GLEN FOR DOG CONTROL SERVICES – SHERIFF’S DEPARTMENT

WHEREAS, the Village of Watkins Glen has requested that the Schuyler County Sheriff’s Department provide the Village with Dog Control Services under Article 7 of the New York State Agriculture and Markets Law, and

WHEREAS, the Sheriff’s Department provides this service to other municipalities within the County.

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute an intermunicipal agreement with the Village of Watkins Glen for the Sheriff's Department for Dog Control Services, at no cost to the Village of Watkins Glen, for the term March 1, 2023 through December 31, 2027, approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 81 Motion by Barnes, Second by Jaynes.

RE: AUTHORIZE STOP-DWI PLAN FOR THE YEAR 2023 – SHERIFF'S DEPARTMENT

WHEREAS, the County of Schuyler is participating in the New York State Special Traffic Options Program for Driving While Intoxicated (STOP-DWI), which provides for coordination of county, town and village efforts to reduce alcohol-related traffic injuries and fatalities, and

WHEREAS, the STOP-DWI Coordinator has submitted the required plan to the legislature for approval, pursuant to 15 NYCRR 172.3, and

WHEREAS, the STOP-DWI plan is to be funded by fines and forfeitures resulting from violations of Sections 1192 and 511-2 of the Vehicle and Traffic Law.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby adopts and approves the Year 2023 STOP-DWI Program Plan in the amount of \$61,389.00, with a term of January 1, 2023 through December 31, 2023, and

BE IT FURTHER RESOLVED, that the Chairman of the Legislature be hereby authorized to sign said Plan, approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 82 Motion by Barnes, Second by Jaynes.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR BODY WORN CAMERAS – SHERIFF'S DEPARTMENT

WHEREAS, the Sheriff's Office was awarded a total of \$20,000.00 from the New York State Division of Criminal Justice Services for the purchase of Body Worn Cameras, and

WHEREAS, the Sheriff's Office budget requires an amendment to reflect this increase in revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$10,000.00	001.3110.3389	Other Public Safety Revenue
+\$10,000.00	001.3150.3389	Other Public Safety Revenue
+\$10,000.00	001.3110.0202	Equipment – Sheriff
+\$10,000.00	001.3150.0202	Equipment – Jail

Vote 7-0.

RESOLUTION NO. 83 Motion by Barnes, Second by Jaynes.

RE: AUTHORIZE CONTRACT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES (NYS DCJS) FOR THE RAISE THE AGE PLAN GRANT – PROBATION DEPARTMENT

WHEREAS, implementation of New York State's "Raise the Age" law has mandated the deployment of additional resources in County Probation Departments, and

WHEREAS, the Probation Department has been awarded the Raise the Age Plan Grant Contract #C524188, Project #RT23-1026-D00, in the amount up to \$30,032.00, with no local match, for the implementation of the Raise the Age Initiative.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute said grant contract with the New York State Division of Criminal Justice Services (NYS DCJS), in the amount of \$30,032.00, for the term April 1, 2022 through March 31, 2023, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish said grant, accordingly in cooperation with the Probation Department.

Vote 7-0.

RESOLUTION NO. 84 Motion by Barnes, Second by Jaynes.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR SALARIES AND TRAINING – PROBATION

PROCEEDINGS OF THE YEAR 2023

DEPARTMENT

WHEREAS, the Schuyler County Probation Department has increased its Pre-Trial Release Probation Officers' weekly work hours from 35 hours to 40 hours per week to enhance the services of this program, and

WHEREAS, \$37,700.00 was recognized as 2022 revenue and \$22,300.00 was deferred for use in the 2023 budget, and

WHEREAS, Schuyler County Probation requests to appropriate \$7,300.00 from this funding to support the salary increase associated with the positions' increase in working hours in 2023, and

WHEREAS, Schuyler County Probation also requests to appropriate \$15,000.00 from this funding to support departmental training requirements in the year 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$22,300.00	001.3140.3310	State Aid Probation Services Revenue
+\$ 7,300.00	001.3140.0100	Personnel Services
+\$15,000.00	001.3140.0409	Conference Expense & Training

Vote 7-0.

RESOLUTION NO. 85 Motion by Barnes, Second by Jaynes.

RE: AUTHORIZE CONTRACT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES (NYSDCJS) FOR THE ALTERNATIVES TO INCARCERATION PROGRAM GRANT – PROBATION DEPARTMENT

WHEREAS, the Probation Department has been awarded the Alternatives to Incarceration (ATI) Program Grant Contract #T523954, Project #CL17-1042-D08, in the amount up to \$3,487.00, with no local match, for operating the ATI Community Service and Pre-Trial Release Program.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute said grant contract with the New York State Division of Criminal Justice Services (NYSDCJS), in the amount of \$3,487.00, for the term July 1, 2023 through June 30, 2024, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish said grant, accordingly in cooperation with the Probation Department.

Vote 7-0.

RESOLUTION NO. 86 Motion by Barnes, Second by Jaynes.

RE: AUTHORIZE CONTRACT EXTENSION WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE FISCAL YEAR 2019 HAZARDOUS MATERIALS (HAZMAT) TARGETED GRANT – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Emergency Management Office received a Fiscal Year 2019 Hazardous Materials (HazMat) Targeted Grant HM19-1013-D00 in the amount of \$106,000.00 in 2019, and

WHEREAS, said grant was extended through February 28, 2023, and

WHEREAS, said funds have not been fully utilized to date, and the New York State Department of Homeland Security and Emergency Services has authorized a contract extension through May 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute said grant contract extension through May 31, 2023, for contract HM19-1013-D04, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to extend the Hazardous Materials (HazMat) Targeted Grant Program grant funds accordingly, in cooperation with the Emergency Management Department.

Vote 7-0.

RESOLUTION NO. 87 Motion by Barnes, Second by Jaynes.

RE: ADOPT SCHUYLER COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN - EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Multi-Jurisdictional Hazard Mitigation Plan for Schuyler County has been revised by the Emergency Management Office, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, the Emergency Management Office, with the assistance from the Schuyler County Planning Director, has gathered information and prepared the Schuyler County Multi-Jurisdictional Hazard Mitigation Plan, and

WHEREAS, the Multi-Jurisdictional Hazard Mitigation Plan has also been prepared in accordance with the Disaster Mitigation Act of 2000, and

WHEREAS, Schuyler County has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan, and

WHEREAS, Schuyler County has reviewed the Plan and affirms that the Plan will be updated no less than every five years.

NOW, THEREFORE BE IT RESOLVED, that the Schuyler County Legislature does hereby adopt the Multi-Jurisdictional Hazard Mitigation Plan, as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan, and

BE IT FURTHER RESOLVED, said plan shall be on file in the Emergency Management Office.

Vote 7-0.

RESOLUTION NO. 88 Motion by Howell, Second by Barnes.

RE: AUTHORIZE USE OF THE FEDERAL AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR ENGINEERING SERVICES FOR THE REPLACEMENT AND UPGRADE OF THE STANDBY GENERATOR AT THE COUNTY COURTHOUSE COMPLEX – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, the standby generator at the County Courthouse Complex needs to be replaced and upgraded, and

WHEREAS, the Schuyler County Highway Superintendent, who oversees the Buildings and Grounds Department, has received a proposal from Hunt Engineers, Architects, Land Surveyors & Landscape Architect DPC in the amount of \$25,750.00, for the engineering services to replace and upgrade the standby generator at the Courthouse Complex, and

WHEREAS, the current contract with Hunt Engineers, Architects, Land Surveyors & Landscape Architect DPC being utilized includes professional engineering services for both the Schuyler County Highway and Buildings and Grounds Departments, and

WHEREAS, the Schuyler County Highway Superintendent is hereby requesting the use of Federal American Rescue Plan Act (ARPA) funding the County received to cover this cost.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer \$25,750.00 from the ARPA Fund 001.0001.0688.0000, into the Buildings and Grounds Capital Funds account no. 004.1620.0226.

Vote 7-0.

RESOLUTION NO. 89 Motion by Howell, Second by Barnes.

RE: AUTHORIZE ADVERTISEMENT FOR SEALED BIDS FOR THE REPLACEMENT AND UPGRADE OF THE STANDBY GENERATOR AT THE COUNTY COURTHOUSE COMPLEX, DISTRICT ATTORNEY'S OFFICE AND SHERIFF'S OFFICE - BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, in accordance with Section 103 of General Municipal Law, all purchase contracts involving an expenditure of more than \$20,000.00 and all contracts for public works involving an expenditure of more than \$35,000.00 shall be awarded to the lowest responsible bidder after advertising for sealed bids in the manner provided by this section, and

WHEREAS, there is a need to replace and upgrade the standby generator at the County Courthouse Complex, District Attorney's Office and Sheriff's Office.

NOW, THEREFORE, BE IT RESOLVED, that the Buildings and Grounds Department under leadership of the County Highway Superintendent be authorized to advertise for sealed bids for the replacement and upgrade of the standby generator for the Buildings and Grounds Department, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature will receive sealed bids to be opened publicly with an award made at a future Meeting of the Legislature, and

PROCEEDINGS OF THE YEAR 2023

BE IT FURTHER RESOLVED, that the County of Schuyler reserves the right to accept or reject any and all bids, and to re-advertise if desired.

Vote 7-0.

RESOLUTION NO. 90 Motion by Howell, Second by Barnes.

RE: SET PUBLIC HEARING AND AUTHORIZE CLERK TO ADVERTISE: AUTHORIZE USE OF FACILITIES AND GROUNDS RESERVE FUND FOR SENECA HARBOR PARK SEAWALL REPAIR – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, the Seneca Harbor Park Seawall requires repair, and

WHEREAS, the Schuyler County Highway Superintendent, who oversees the Buildings and Grounds Department, has received a Bid from Economy Paving Co. Inc.; the base bid amount is \$837,448.00 for the repair of the Seneca Harbor Park Seawall, and

WHEREAS, the County Highway Superintendent is hereby requesting the use of Facilities and Grounds Reserve Funds for this contract, which requires Legislature approval, and

WHEREAS, pursuant to General Municipal Law § 6-d(2), prior to the adoption of any non-emergency, resolution, act, ordinance or local law by the governing board of the county, appropriating money for repairs from such fund, the governing board shall cause to be published in the official newspaper or newspapers, a notice stating in substance that it is proposed to appropriate a specified amount from the reserve fund for a particular purpose, and that a public hearing on such proposed appropriation will be held at a time and place stated therein, on at least five days-notice.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby sets a public hearing on May 8, 2023, at 6:30 p.m., to be held in the Legislative Chambers, 105 Ninth Street, Watkins Glen, New York, to receive comments on the following: authorizing the Buildings and Grounds Department to use funding available in the Facilities and Grounds Reserve Fund 1.1.877 to be transferred into the Buildings Capital Fund 004.7110.0213, for the Seneca Harbor Park Seawall Repair in the amount of \$837,448.00, and

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to publish notice of said hearing pursuant to General Municipal Law.

Vote 7-0.

RESOLUTION NO. 91 Motion by Howell, Second by Barnes.

RE: AUTHORIZE 2023 SEASONAL RATES FOR VILLAGE MARINA, LLC – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, New York State Alienation and Conversion of Municipal Parkland regulations requires that any park fee should not be in excess of those charged for comparable facilities in the area, and

WHEREAS, Section 5 (C) of the County’s existing lease with the Village Marina, LLC requires the fees charged by the lessee to be approved by the Schuyler County Legislature.

NOW, THEREFORE, BE IT RESOLVED, that this Legislature hereby approves the following as The Village Marina's 2023 Seasonal Rate Schedule for its 145 available slips:

2023 SUMMER RATES

<u>SLIP WIDTH</u>	<u>SLIP FEE</u>	<u>WATER & ELECTRIC</u>
8’	\$1,945.00	\$100.00
10’	\$2,115.00	\$100.00
12’	\$2,220.00	\$100.00
14’	\$2,320.00	\$100.00
16’	\$2,330.00	\$100.00

SEASONAL RATES: The Village Marina, LLC Seasonal Rates for Summer 2023 apply to the period beginning April 15, 2023 (weather permitting) and continue through October 30, 2023.

Any seasonal tenants who do not plan to haul out or store with us and are still in the water after these dates will be assessed a service charge of **\$15.00 per day**, for each day until the boat is removed.

2023 TRANSIENT DOCK (UP TO 30 FT) June 1st – Sept 15th

WITH 30 AMP ELECTRIC

Per Hour: \$5.00

PROCEEDINGS OF THE YEAR 2023

Per Day: \$50.00

Per Week: \$185.00

Per Month: \$650.00

50 AMP Electric add an additional \$10.00/day

LAUNCH RAMP FEES

\$5.00 Per Launch (Tenants: No Charge)

\$50.00 Unlimited Off Season Usage (October 31st through March 1st)

WINTER STORAGE RATES

At the dock: \$20.00 per foot. Use of bubbler system is allowed with electrical charges billed additionally.

On land: Slip Tenant \$15.00/foot ; NON Slip Tenant \$25.00/foot

Haul In/Out Charges: \$5.00 per foot EACH WAY.

SUMMER STORAGE RATES

On land: \$25.00 per foot

MISCELLANEOUS RATES AND CHARGES

TRUCK CRANE:

Tenants: \$125.00 per Usage (plus tax)

Non-Tenant: \$150.00 per Usage (plus tax)

TRAILER / CRADLE FEE: Minimum \$45.00 Charge includes handling and storage of cradles and trailers.

Fee is billed annually with winter storage.

PUMP OUT: \$5.00 Per Pump Out (Tokens available from Dock Master)

POWER WASHING: \$2.00 per boat foot

Power washing and pump outs not available after Oct. 20th.

Vote 7-0.

RESOLUTION NO. 92 Motion by Howell, Second by Barnes.

RE: AUTHORIZE CONTRACT AMENDMENT WITH HALE CONTRACTING, INC. FOR ROOF REPAIRS TO THE SHARED FUEL FACILITY TO EXTEND THE TERM OF THE CONTRACT – HIGHWAY DEPARTMENT

WHEREAS, Resolution No. 342-22 authorized a contract with Hale Contracting, Inc. for Roof Repairs to the Shared Fuel Facility with a term of October 24, 2022 through December 31, 2022, and

WHEREAS, said work has not been completed therefore requiring the term of the contract to be extended, with no additional costs.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract amendment with Hale Contracting, Inc., for the Highway Department to extend the term of the contract from December 31, 2022 to October 31, 2023, at no additional cost to the County, amendment approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 93 Motion by Howell, Second by Barnes.

RE: AUTHORIZE CONTRACT WITH SUIT-KOTE CORPORATION FOR PAVEMENT IN-PLACE RECYCLING – HIGHWAY DEPARTMENT

WHEREAS, the Highway Department requires pavement in-place recycling services, and

WHEREAS, General Municipal Law (GML) § 103(16) authorizes political subdivisions and districts therein to purchase apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of those items, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein, and

WHEREAS, the Highway Department is utilizing the Chemung County-City of Elmira Purchasing Department RFB-2385 Bid to hire Suit-Kote to provide these services, and

WHEREAS, costs are set forth in Exhibit 2 of the contract.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Suit-Kote Corporation, for the Highway Department for pavement in-place recycling

PROCEEDINGS OF THE YEAR 2023

services, for the term April 1, 2023 through December 31, 2023, at a cost per Exhibit 2 of the contract, funding available in account no. 002.5112.0545, contract approved as to form by the Schuyler County Attorney.
Vote 7-0.

RESOLUTION NO. 94 Motion by Howell, Second by Barnes.

RE: ACCEPT MATERIAL AND SUPPLIES BIDS FOR 2023 – HIGHWAY DEPARTMENT

WHEREAS, Resolution No. 36-23 authorized advertising for furnishing Material and Supplies for the Schuyler County Highway Department, and

WHEREAS, said advertisement was made, bids were received and opened on March 9, 2023.

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the County Highway Superintendent and the Public Works Committee, the Schuyler County Legislature accepts the following bids based on Best Value Competitive Offer/Award (Per Local Law No. 1 of the Year 2014): Section 103 of the General Municipal Law (and as defined in State Finance Law Section 163) authorizes the use of a Best Value Award methodology for purchase contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the labor law). The County of Schuyler has reserved in the bid specifications the right herein to award this contract on the basis of best value, as determined by the County, rather than low bid:

CRUSHED LIMESTONE

Seneca Stone Corp.

Heidelberg Materials Northeast

Dolomite Products Co., Inc. dba A.L. Blades (Bath & Manchester locations)

ICE CONTROL SAND AND GRAVEL

It's Greener Now Sand & Gravel dba IGN Sand & Gravel

Dalrymple Gravel & Contracting Co., Inc

Machuga Pit

Angelo's Sand & Gravel

Odessa Sand & Gravel

ST Coots, LLC

Morgan Logging

University Gravel Products

HL Robinson Sand and Gravel

ASPHALT EMULSIONS

Vestal Asphalt, Inc.

Suit-Kote Corp.

HOT MIX ASPHALT AND ASPHALT SPECIFIED IN-PLACE PROJECTS

PART A: Hot Mix Asphalt Concrete (FOB Plant) & equipment rental

Seneca Stone Corp.

Dalrymple Gravel & Contracting Co. Inc.

Dolomite Products Co., Inc. dba A.L. Blades

Heidelberg Materials Northeast

Elmira Road Materials, LLC

PART B: Unspecified and Specified in-place projects

(1) Specified projects:

Project #1: Elmira Road Materials, LLC

Project #3, #4, #5 & #6: Seneca Stone Corp.

Project #2, #7 - #12: Reject

(2) Unspecified projects:

Seneca Stone Corp.

Dalrymple Gravel & Contracting Co. Inc.

Elmira Road Materials, LLC

Spencer Paving, and

PROCEEDINGS OF THE YEAR 2023

BE IT FURTHER RESOLVED, that the funds are available in the 2023 budgeted line items.

Vote 7-0.

RESOLUTION NO. 95 Motion by Howell, Second by Barnes.

RE: ACCEPT BID EXTENSION FOR GUIDERAIL AND TREE AND STUMP REMOVAL – HIGHWAY DEPARTMENT

WHEREAS, the County Highway Superintendent agreed to exercise the first of a two-year contract renewal option for Guiderail and Tree and Stump Removal, and

WHEREAS, the following bidders have agreed in writing to extend the original agreement under the same terms and conditions. The contract period shall be April 1, 2023 through March 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature accept the following bid extensions:

GUIDERAIL

Chemung Supply Corp.

TREE AND STUMP REMOVAL

Beers Tree Service Inc.

Vote 7-0.

RESOLUTION NO. 96 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE AMENDMENT TO THE TWO-YEAR CONTRACT WITH APPLIED BUSINESS SYSTEMS, INC. FOR TAX BILL PROCESSING, PRINTING AND MAILING SERVICES – REAL PROPERTY TAX DEPARTMENT

WHEREAS, Resolution No. 377-22 authorized a two-year contract with Applied Business Systems, Inc. for tax bill processing, printing and mailing, and

WHEREAS, on December 23, 2022 Governor Hochul signed into law Chapter 738 of the Laws of 2022, requiring counties to send a second notice related to the exemption provided for low income property owners over the age of 65, at least thirty days prior to the filing deadline, pursuant to Real Property Tax Law Section 467(4), and

WHEREAS, this action required the County to print and mail an additional 7,373 notices to potentially eligible property owners no later than January 30, 2023, and

WHEREAS, Applied Business Systems, Inc. provided this service at a total cost of \$2,986.07 which included the cost of the postcards, set up fees and postage.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute an amendment to the existing two-year contract with Applied Business Systems, Inc. for the Real Property Tax Department for additional services provided pursuant to Real Property Tax Law Section 467(4), at the total cost of \$2,986.07, funding available in account no. 001.1355.0401, contract amendment approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 97 Motion by Barnes, Second by Rondinaro.

RE: RESOLUTION RECOGNIZING THE MONTH OF APRIL 2023 AS DONATE LIFE MONTH IN SCHUYLER COUNTY – COUNTY CLERK'S DEPARTMENT

WHEREAS, through their membership in the New York State Association of Counties (NYSAC), New York's Counties have come together to collectively support several important causes, and

WHEREAS, in New York State there are approximately 8,100 people waiting for an organ transplant which represents the third highest need in the nation; and there are an estimated 400 New Yorkers that die every year while waiting for an organ transplant, and

WHEREAS, a single individual's donation of the heart, lungs, liver, kidneys, pancreas and small intestine can save up to eight lives; donation of tissue can save and heal the lives of up to 75 others, and

WHEREAS, organ, eye and tissue donation are life-giving and healing acts recognized worldwide as expressions of compassion to those in need, and

WHEREAS, New York State's County governments play a key role in raising awareness of the need for organ, eye and tissue donation through the interactions County officials have with the public with regard to this

PROCEEDINGS OF THE YEAR 2023

subject through local DMV offices, local boards of elections, departments of health, naturalization ceremonies and veterans' programs, and

WHEREAS, such interactions by Schuyler County officials with the public provide opportunities for the provision of information on how individuals can help their fellow New Yorkers by signing up as organ and tissue donors, and

WHEREAS, counties across New York State are recognizing the month of April 2023 as "Donate Life Month," and engaging in various awareness activities designed to promote an increase in the number of registered organ, eye and tissue donations, and

WHEREAS, Schuyler County is dedicated to promoting organ, eye, and tissue donation and calls on residents to join the New York State Donate Life Registry, and

WHEREAS, the Schuyler County Clerk's Office, through its Department of Motor Vehicles, wish to promote the month of April 2023 as "Donate Life Month" in Schuyler County.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby recognizes the month of April 2023 as "Donate Life Month" in Schuyler County, and encourages those Schuyler County departments and agencies involved in providing information on organ and tissue donations and enrolling in the New York State Donate Life Registry to engage in activities throughout the month to increase the number of organ and tissue donors and promote awareness of the need for organ and tissue donations in Schuyler County, and

BE IT FURTHER RESOLVED, that the Schuyler County Legislature shall forward copies of this Resolution to Governor Hochul, New York State Senator O'Mara, New York State Assemblyman Palmesano and the New York State Association of Counties and all others deemed necessary and proper.

Vote 7-0.

RESOLUTION NO. 98 Motion by Barnes, Second by Rondinaro.

RE: RECOGNIZING AND COMMEMORATING MAY 1, 2023 AS "LAW DAY" IN SCHUYLER COUNTY – COUNTY ATTORNEY'S DEPARTMENT

WHEREAS, in 1958 President Dwight D. Eisenhower proclaimed "Law Day" to honor the role of law in the creation of the United States of America, and

WHEREAS, May 1, 2023 is the 65th annual Law Day, and

WHEREAS, Law Day is an occasion of public acknowledgement of our Nation's heritage of justice, liberty, and equality under the law, and

WHEREAS, the American Bar Association has designated the 2023 Law Day theme to be "Cornerstones of Democracy: Civics, Civility and Collaboration," and

WHEREAS, as stated by Supreme Court Justice Neil Gorsuch, civility is a cornerstone of our republic, self-governance "turns on our treating each other as equals—as persons, with the courtesy and respect each person deserves—even when we vigorously disagree" and that, without civility and collaboration, "the bonds of friendship in our communities, dissolve, tolerance dissipates, and the pressure to impose order and uniformity through public and private coercion mounts," and

WHEREAS, overly-entrenched political beliefs, unwarranted personal attacks, efforts to silence those with whom one disagrees, and a national news media often prone to sensationalism and partisanship may erode civility, collaboration and the blessings of liberty, and

WHEREAS, promoting collaboration and civility is an important component in the civic education of the citizens of the United States, the State of New York and the County of Schuyler, so that we might respectfully resolve our disputes, strengthen the bonds between us, and protect the promise of freedom.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature recognizes and commemorates May 1, 2023, as Law Day in Schuyler County, New York, and encourages all Schuyler County residents to observe this day by renewing their commitment to civic engagement, civility, and collaboration, to promote justice, liberty, and equality under the law.

Vote 7-0.

RESOLUTION NO. 99 Motion by Barnes, second by Rondinaro.

PROCEEDINGS OF THE YEAR 2023

RE: AUTHORIZING AND APPROVING SETTLEMENT AGREEMENTS UNDER A LAWSUIT RELATED TO THE OPIOID CRISIS - COUNTY ATTORNEY'S DEPARTMENT

WHEREAS, by Resolution No. 246 of 2017 the County of Schuyler authorized the Schuyler County Attorney to work with Napoli Shkolnik PLLC, as special counsel, related to bringing an action against the manufacturers and distributors of prescription opiates for damages to the County, at no cost to the County, and

WHEREAS, by Resolution No. 72 of 2018, the County enacted Local Law Intro. B/Local Law No. 7 of the Year 2018 entitled "A Local Law Declaring the Opioid Epidemic and its Effect on the County a Public Nuisance and Establishing a Cost Recovery Procedure," and

WHEREAS, pursuant to the above, the County Attorney filed a nearly 250-page Summons and Complaint on May 11, 2018 against manufacturers and distributors of prescription opiates for damages to the County, and such matter remains pending (the "Action"), and

WHEREAS, the Action is against multiple defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies, and

WHEREAS, Schuyler County and the State of New York share a common desire to abate and alleviate the impacts of the alleged misfeasance, nonfeasance, and malfeasance of the opioid supply chain participants throughout the State of New York, and

WHEREAS, the State of New York is engaged in an investigation of CVS Health Corporation, CVS Pharmacy, Inc. (collectively, "CVS"), Walgreen Co. ("Walgreens") and Walmart Inc. ("Walmart"), and certain New York subdivisions are engaged in litigation, seeking to hold these pharmacy chains accountable for the damage caused by their alleged misfeasance, nonfeasance, and malfeasance related to the distribution and/or marketing of opioids, and

WHEREAS, there are now pending certain proposed multistate settlements totaling \$10.7 billion with CVS and Walgreens and \$3.1 billion with Walmart, for these entities' alleged role in the opioid crisis in the United States, and

WHEREAS, pursuant to the settlement agreements, Schuyler County is estimated to receive settlement payments from these entities as follows, \$125,031.00 from CVS (paid over ten years), \$158,486.00 from Walgreens (paid over fifteen years) and \$79,038.00 from Walmart (paid over six years), with payments expected to commence in the second half of 2023, and

WHEREAS, settlement funds may be used for a variety of purposes related to abatement of the opioid epidemic, and

WHEREAS, under this settlement Walmart, CVS and Walgreens are required to implement changes in how they distribute opioids, including requirements addressing their compliance structures, pharmacist judgment, diversion prevention, suspicious order monitoring, and reporting on blocked and potentially problematic prescribers, and

WHEREAS, the County Attorney and Napoli Shkolnik LLC have approved as to form the settlement agreements ("Agreements"), and

WHEREAS, it is in the best interest of the County to resolve this matter with respect to these entities without litigation and enter into the proposed Agreements as this shall settle all allegations against these entities and avoid protracted litigation and provide County revenue as noted above, and

WHEREAS, this settlement is without prejudice to litigation against any other defendants in the Action, to the extent such litigation remains pending.

NOW, THEREFORE, BE IT RESOLVED, that the execution and delivery on behalf of and in the name of the County of Schuyler by the Schuyler County Attorney, or his designee, of the proposed Agreements is hereby authorized, and the Schuyler County Attorney or his designee, is hereby authorized and directed to execute the proposed Agreements and execute such other documents as may be necessary and appropriate to effectuate the settlement with CVS Health Corporation, CVS Pharmacy, Inc. (collectively, "CVS"), Walgreen Co. ("Walgreens") and Walmart Inc. ("Walmart"), as set forth above.

Vote 7-0.

RESOLUTION NO. 100 Motion by Barnes, Second by Rondinaro.

PROCEEDINGS OF THE YEAR 2023

RE: ADOPT UPDATED AND AMENDED SCHUYLER COUNTY POLICIES AND PROCEDURES MANUAL – HUMAN RESOURCES DEPARTMENT

WHEREAS, various Schuyler County Policies and Procedures have been revised/created and amended over the past several years however the actual complete manual has not been reviewed and updated since June 12, 2006, and

WHEREAS, it is the recommendation of the Personnel Officer and County Administrator that the manual be reviewed, updated and amended at this time.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby adopts the updated and amended Schuyler County Policies and Procedures Manual, to be made available to all employees, effective immediately.

Vote 7-0.

RESOLUTION NO. 101 Motion by Barnes, Second by Rondinaro.

RE: ADOPTING LOCAL LAW INTRO. B/LOCAL LAW NO. 5 OF THE YEAR 2023 CORRECTING SALARIES FOR CERTAIN PUBLIC OFFICERS AND ONE ELECTED OFFICIAL FOR THE YEAR 2023

WHEREAS, Local Law Intro. B of the Year 2023 Correction Salaries for Certain Public Officers and one Elected Official for the Year 2023 was heretofore introduced, and appropriate notice published in the official newspaper regarding a public hearing to be held April 10, 2023 at 6:30 p.m., and

WHEREAS, said public hearing was duly held, at which time all interested persons were given opportunity to be heard, and this Legislature has duly considered the adoption and passage of said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. B of the Year 2023, in the form hereto annexed be, and hereby is, passed, adopted and enacted, and

BE IT FURTHER RESOLVED, that the Clerk of this Legislature duly cause the publication of the passage, enactment and adoption of said local law, together with the required text thereof in the official county newspaper, and

BE IT FURTHER RESOLVED, that the final number of said local law shall be made by the Clerk of the Legislature in her records, based on the date of final filing with the Secretary of State.

LOCAL LAW NO. 5 OF THE YEAR 2023

A Local Law Correcting Salaries for Certain Public Officers and one Elected Official for the Year 2023.

Be it enacted by the Legislature of the County of Schuyler as follows:

1. Effective 45 days following adoption, the following adjustments of salaries for the public officers and elected official listed below shall be in the amounts herein stated, salaries effective January 1, 2023.

2. The following public officers are subject to the provisions hereof:

<u>TITLE</u>	<u>SALARY</u>	<u>TITLE</u>	<u>SALARY</u>
Commissioner of Social Services	\$116,371.00	Personnel Officer	\$96,174.00
County Attorney	\$128,008.00	County Clerk	\$79,482.00

3. This Local Law shall not take effect until at least 45 days after its adoption in accordance with County Law Section 201 and Municipal Home Rule Law Section 24.

Vote 7-0.

RESOLUTION NO. 102 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE (OTDA) RENTAL SUPPLEMENT PROGRAM ALLOCATION – SOCIAL SERVICES DEPARTMENT

WHEREAS, the New York State Office of Temporary and Disability Assistance (OTDA) allocated \$100,000.00 to the Department of Social Services for the Rental Supplement Program from April 1, 2022 through March 31, 2023, and

WHEREAS, OTDA will allocate an additional \$100,000.00 of funding as of April 1, 2023, and

WHEREAS, a budget amendment to increase the expense and revenue is required.

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$100,000.00	001.6010.0552	OTDA and OCFS Programs Expense
+\$100,000.00	001.6010.3610	State Aid – Administration Revenue

Vote 7-0.

RESOLUTION NO. 103 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS) SAFE HARBOUR ALLOCATION – SOCIAL SERVICES DEPARTMENT

WHEREAS, the Department of Social Services budgeted \$25,000.00 for its Safe Harbour program in 2023, and

WHEREAS, the Office of Children and Family Services (OCFS) has allocated \$43,350.00 for this program, and

WHEREAS, a budget amendment to increase the expense and revenue is required.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$18,350.00	001.6010.0552	OTDA and OCFS Programs Expense
+\$18,350.00	001.6010.3610	State Aid – Administration Revenue

Vote 7-0.

RESOLUTION NO. 104 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE SCHUYLER COUNTY YOUTH BUREAU RESOURCE ALLOCATION PLAN FOR JANUARY 1, 2023 THROUGH SEPTEMBER 30, 2023 - YOUTH BUREAU DEPARTMENT

WHEREAS, the Schuyler County Youth Bureau has prepared, and the Schuyler County Youth Board has approved, a Resource Allocation Plan for the year 2023 and recommends approval thereof.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to sign the Resource Allocation Plan for the operation of the Schuyler County Youth Bureau for the year 2023 within budgeted allocations.

Vote 7-0.

RESOLUTION NO. 105 Motion by Lausell, Second by Rondinaro.

RE: DELEGATE AUTHORITY TO SIGN AMENDMENTS – YOUTH BUREAU DEPARTMENT

WHEREAS, the New York Office of Children and Family Services (OCFS) allows the County Chief Executive to delegate authority to their County's Youth Bureau Directors to sign all amendments to their County's approved allocation plan, and

WHEREAS, Schuyler County has already given authority to their Youth Bureau Director to sign amendments to the fullest extent of his/her authority by OCFS standards.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature does hereby authorize its Chairman to delegate authority to the Schuyler County Youth Bureau Director to sign OCFS amendments to the Schuler County approved Resource Allocation Plan after approval from the Schuyler County Youth Board and with appropriate reporting to the Human Service Committee of the Legislature for the term of January 1, 2023 through September 30, 2023.

Vote 7-0.

RESOLUTION NO. 106 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH CORNELL COOPERATIVE EXTENSION OF SCHUYLER COUNTY FOR A PARENT EDUCATOR FOR THE FAMILY PLAY AND RESOURCE CENTER - YOUTH BUREAU DEPARTMENT

WHEREAS, the Schuyler County Youth Bureau through the Family Play and Resource Center, has been providing a safe and developmentally appropriate, resource-rich setting where children and their parents can play and learn together, focusing on education for children birth through kindergarten by providing a parent

PROCEEDINGS OF THE YEAR 2023

educator, on a contractual basis, and

WHEREAS, Cornell Cooperative Extension has been contracted on a yearly basis to provide the Parent Educator for the Family Play and Resource Center, and

WHEREAS, the New York State Office of Children and Family Services has changed the funding term for said program, and the new contract for 2023 will run from January 1, 2023 through September 30, 2023, for the Parent Educator, for a not to exceed amount of \$4,153.00. to coincide with the funding term.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Cornell Cooperative Extension of Schuyler County for the Youth Bureau for a Parent Educator for the Family Play and Resource Center for the term of January 1, 2023 through September 30, 2023, at a not to exceed amount of \$4,153.00, funding available in account no.001.7310.0495, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 107 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH SCHUYLER COUNTY YOUTH BASEBALL AND SOFTBALL FOR YOUTH SPORTS - YOUTH BUREAU DEPARTMENT

WHEREAS, the Schuyler County Youth Bureau supports programs for Schuyler County youth between the ages of 6 - 17 years, and

WHEREAS, sports opportunity funding awards are guided by principles that sports are effective tools in positive youth development and family engagement, and improve the lives of young people socially, emotionally, and in health and educational outcomes.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Schuyler County Youth Baseball and Softball for Youth Sports Opportunities for the Youth Bureau, term of January 1, 2022 through December 31, 2022, in the amount of \$2,777.00, funding available in account No. 001.7310.0495, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 108 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH THE VILLAGE OF ODESSA FOR THE SUMMER RECREATION PROGRAM – YOUTH BUREAU DEPARTMENT

WHEREAS, the Schuyler County Youth Bureau has traditionally entered into a calendar year contract with the Village of Odessa for the coordination and operation of the Summer Recreation Program for the youth in the Odessa Montour Central School, and

WHEREAS, the New York State Office of Children and Family Services (OCFS) funding stream runs from October through September, and

WHEREAS, the contract for the 2023 summer recreation program will be renewed for a term of January 1, 2023 through September 30, 2023 for the same cost of \$2,200.00 and will be renewed for the 2024 program to coincide with the OCFS funding stream.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with the Village of Odessa for the Schuyler County Youth Bureau for the summer recreation program for the term January 1, 2023 through September 30, 2023, in the amount of \$2,200.00, funding available in account no. 001.7310.0495 – Youth Programs, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 109 Motion by Lausell, Second by Rondinaro.

RE: RECOGNIZE APRIL 2023 AS “NATIONAL VOLUNTEER APPRECIATION MONTH” – OFFICE FOR THE AGING DEPARTMENT

WHEREAS, our community’s greatest strength has always been our residents’ unique commitment to improving the lives of others, and

WHEREAS, our community’s engagement continues to thrive through the service provision of meal delivery, health & wellness programs, transportation, shopping assistance and many other supports that help people to continue to live in their homes, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, the role of volunteerism plays a part in shaping the social and economic landscape of our community, and

WHEREAS, ninety (90) volunteers through Office for the Aging have provided nearly 4,000 hours of service over the past year, and

WHEREAS, the time contributed by the Office for the Aging volunteers is valued at over \$119,000.00, and

WHEREAS, the County wishes to give due recognition to those who have selflessly devoted time and effort to serving others, and

WHEREAS, volunteers do not ask to be recognized or paid for all their selfless work but are most deserving of our utmost respect and appreciation.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature does hereby recognize and celebrate the work of the Office for the Aging volunteers and thanks them for their dedication and loyalty, and furthermore acknowledges April 2023 as “National Volunteer Month”.

Vote 7-0.

RESOLUTION NO. 110 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE AMENDMENT TO THE CONTRACT WITH STEPHEN J.A. MAYBEE, P.E. TO ADD AN ADDITIONAL ENGINEERING SERVICES FEE FOR THE WATERSHED PROTECTION AGENCY – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Schuyler County Watershed Protection Agency of the Public Health Department has a contract with Stephen J.A. Maybee. P.E. for engineering services for the individual design approval for wastewater treatment systems, and

WHEREAS, the Watershed Protection Agency has historically been issued a local waiver to allow for local review and approval of certain types of alternative onsite wastewater treatment systems, and

WHEREAS, local waivers are issued by the New York State Department of Health, Hornell District Office under Title 10 of the New York Codes, Rules and Regulations (10NYCRR), Part 75, Subdivision 75.6 (c), and waive the requirement of 10 NYCRR, Part 75, Subdivision 75.5 (c), and

WHEREAS, Schuyler County’s previous local waiver was issued on December 20, 2017 with an expiration date of December 20, 2022 therefore requiring renewal, and

WHEREAS, to apply for this waiver to be renewed, Schuyler County will need to submit updated design documents for the types of alternative systems that will be approved locally, and these design documents must be submitted by a New York State licensed Professional Engineer, and

WHEREAS, Stephen J. A. Maybee, P.E. will provide this additional service for a one-time cost of \$300.00.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract amendment with Stephen J.A. Maybee, P.E., for additional engineering services at a one-time cost of \$300.00 for completion of a design for the Schuyler Wastewater Treatment System Waivers, Aerobic Treatment System, Raised Fill and Sand Filter designs as set forth in Exhibit 1 and 2 of the existing contract, with a term of January 1, 2023 through December 31, 2023, funding available in account no. 001.4050.0458 – Professional Fee and Services, contract amendment approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 111 Motion by Lausell, Second by Rondinaro.

RE: RECOGNIZING AND COMMEMORATING MAY 12, 2023 AS “PROVIDER APPRECIATION DAY” IN SCHUYLER COUNTY

WHEREAS, Provider Appreciation Day, on May 12, 2023, is the official date that nationally, registered and licensed childcare providers are acknowledged and recognized, as we appreciate the services they provide for our children and the support they give to our families, and

WHEREAS, ProAction Child Care Council of Steuben and Schuyler is the Resource and Referral Agency that offers childcare resources and services for our community and families, and

WHEREAS, ProAction Child Care Council of Steuben and Schuyler oversees the eight registered childcare providers in Schuyler County that serve children ranging from ages 6 weeks to 12 years of age, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, our registered and licensed childcare providers are dedicated, committed, and care, nurture and are invested in early education for our young children, offering stimulating and quality learning environments for the children they serve in our community.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature recognizes and commemorates May 12, 2023 as “Provider Appreciation Day” in Schuyler County, New York.

Vote 7-0.

RESOLUTION NO. 112 Motion by Rondinaro, Second by Barnes.

RE: RESOLUTION SETTING PUBLIC HEARING FOR REVIEW AND MODIFICATION OF SCHUYLER COUNTY AGRICULTURAL DISTRICT #2 – PLANNING DEPARTMENT

WHEREAS, pursuant to New York State Agriculture and Markets Law Article 25-AA, Section 303, Schuyler County must review each of its Agricultural Districts every eight years, and

WHEREAS, Agricultural District #2 was last reviewed in 2015, and

WHEREAS, the Agricultural and Farmland Protection Board has been reviewing District #2, and

WHEREAS, a review of the current district boundaries, inquiry to landowners, and public feedback resulted in a proposed modification of District #2 through the addition of 787.76 acres and removal of 313.48 acres, and

WHEREAS, the Schuyler County Agriculture and Farmland Protection Board did find on March 27, 2023, that all of the proposed changes meet the definition of viable agricultural land as defined by Agriculture and Markets Law Article 25-AA, and

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature shall hold a public hearing for consideration of the recommendations by the Farmland Protection Board on the proposed changes on May 8, 2023, at 6:30 p.m. at its Regular Meeting of the Legislature, and the Clerk is directed to provide proper publication and posting of such notice, as provided for in Section 303-a(2)(a) of the Agriculture and Markets Law.

Vote 7-0.

RESOLUTION NO. 113 Motion by Rondinaro, Second by Barnes.

RE: ACCEPT BID FOR APPLICATION AND MONITORING EXPENSES FOR THE LAMOKA/WANETA LAKES PROTECTION AND REHABILITATION DISTRICT FOR WANETA LAKE

WHEREAS, Resolution No. 420-22 authorized advertisement for sealed bids for the application and monitoring expenses for Waneta Lake, and

WHEREAS, bids were opened February 24, 2023 and reviewed, with the recommendation being made by the Lamoka/Waneta Lakes District Commission to accept the bid from SOLitude Lake Management, LLC, said contractor being the lowest responsible bidder in conformance with General Municipal Law § 103.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby accepts the bid from SOLitude Lake Management, LLC for the ProcellaCOR application and monitoring expenses on Waneta Lake at the price of \$19,710.00 for treatment on Waneta Lake, with a unit monitoring cost of \$462.00 for two samples, and a monitoring cost of \$1,386.00 for three sample rounds, with a possible additional monitoring sites will be added to two locations with a cost of \$193.00 per sample.

BE IT FURTHER RESOLVED, the total estimated cost to treat Waneta Lakes including three rounds of monitoring (2 samples each round) is \$21,096.00 and if additional monitoring is required, the cost will increase by \$193.00 per each additional sample, and

BE IT FURTHER RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the contract with SOLitude Lake Management, LLC, with a term effective on or after May 1, 2023 through December 31, 2023, funding available in account no. 001.8740.0401 - Lamoka/Waneta Lakes Protection and Rehabilitation District, said contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 114 Motion by Rondinaro, Second by Barnes.

RE: AUTHORIZE CONTRACT WITH ADIRONDACK RESEARCH, LLC FOR AN AQUATIC INVASIVE SPECIES (AIS) SURVEY FOR THE LAMOKA/WANETA LAKES PROTECTION AND

PROCEEDINGS OF THE YEAR 2023

REHABILITATION DISTRICT FOR WANETA LAKE

WHEREAS, the Lamoka/Waneta Lakes Protection and Rehabilitation District requires an Aquatic Invasive Species (AIS) Survey prior to any treatment, such survey being in the nature of professional services, and

WHEREAS, Adirondack Research, LLC will provide this service for Waneta Lake at a cost of \$12,250.00.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the contract with Adirondack Research, LLC to provide an AIS Survey, with a term effective March 20, 2023 through December 31, 2023, at a cost of \$12,250.00, funding available in account no. 001.8740.0401 - Lamoka/Waneta Lakes Protection and Rehabilitation District, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 115 Motion by Rondinaro, Second by Barnes.

RE: RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE TO PASS SENATE BILL S.05611-A AND ASSEMBLY BILL A.05333-A AUTHORIZING AN ADDITIONAL 1% SALES TAX FOR SCHUYLER COUNTY PURSUANT TO SECTION 40 OF THE MUNICIPAL HOME RULE LAW

BE IT RESOLVED, that the Schuyler County Legislature hereby requests the New York State Legislature pass Senate Bill S05611-A and Assembly Bill A05333-A to adopt special legislation, an act to amend the tax law, in relation to the tax law on sales and the compensating use tax to be imposed in the County of Schuyler, and

BE IT FURTHER RESOLVED, that certified copies of this resolution shall be forwarded to New York State Senator Thomas F. O'Mara, New York State Assemblyman Philip A. Palmesano, and to the Majority and Minority Leaders of the New York State Assembly and Senate.

Vote 7-0.

NEW BUSINESS: None.

UNFINISHED BUSINESS:

RESOLUTION NO. 34 Motion by Rondinaro, Second by Howell.

RE: AUTHORIZE ADVERTISEMENT FOR SEALED BIDS FOR THE CONSTRUCTION OF BATH FACILITIES AT SENECA HARBOR PARK - BUILDINGS AND GROUNDS DEPARTMENT-
ADOPTED APRIL 10, 2023

WHEREAS, in accordance with Section 103 of General Municipal Law, all purchase contracts involving an expenditure of more than \$20,000.00 and all contracts for public works involving an expenditure of more than \$35,000.00 shall be awarded to the lowest responsible bidder after advertising for sealed bids in the manner provided by this section, and

WHEREAS, there is a need for new bath facilities at Seneca Harbor Park for the marina dock tenants.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Legislature be authorized to advertise for sealed bids for the construction of Bath Facilities at Seneca Harbor Park for the Buildings and Grounds Department, and

BE IT FURTHER RESOLVED, said bids will be received by the Clerk of the Legislature and opened publicly with an award made at a future Meeting of the Legislature, and

BE IT FURTHER RESOLVED, that the County of Schuyler reserves the right to accept or reject any and all bids, and to re-advertise if desired.

DISCUSSION: The Chairman explained that by making a motion to bring this off the floor it can then be adopted. This action only allows for advertising for bids to be received. We will then have the ability to reject any or all of the bids that are received based on the prices. Without this, we really have no idea of the costs involved.

Vote 7-0.

REPORT ON STANDING COMMITTEES:

Legislator Rondinaro reminded all of the Legislators that Schuyler County will be hosting the Inter-

PROCEEDINGS OF THE YEAR 2023

County Association of Western New York April Meeting at Watkins Glen International. He said that the date will be Friday, April 21, 2023, and the Clerk will need your RSVP no later than Wednesday, April 12, 2023.

COUNTY ADMINISTRATOR'S REPORT:

Administrator Chronis reported on the sales tax figures for the first quarter. He said that the first quarter is usually the slowest but at this point we are at \$342,000.00 which is a 13% increase over last year at this time. He also reported that the County was not able to match the funding and the tasks for the Federal earmarked projects, one being for the Seawall repairs and the other for the Ambulance Services. Next year they will be more aggressive. The good news is that he has made some contacts in Washington DC. He reported that next month will be another opportunity for assisting with grants through the Consolidated Funding Application (CFA) process. With the added Planner position in the Planning Department, this will give us the ability to assist more municipalities in the future. He will pass this information along at the next Council of Governments Meeting. He then reported that the CSEA Unions have come forward and are asking for Juneteenth off with no concessions. None of the Legislators were in favor of this. Chairman Blowers said that this is a negotiated item and will be discussed when the contracts are re-negotiated. He ended his report by explaining a mishap with a contract for training. He explained that he had instructed our new Training and Professional Development Coordinator to arrange for a training program through Corning Community College for six employees to start this week unfortunately it involves a contract. He asked the Legislators with their permission to allow the employees to proceed and have the contract approved after the services had been rendered. He explained the savings the Corning Community College had offered, and he did not want to jeopardize that because of a contract. Legislator Rondinaro asked for the opinion of the County Attorney. Attorney Getman replied that this would not be precedent setting as we have done this in the past. He said that he has no legal objection because of the nature of the services provided and the contract is a legal formality. Legislator Rondinaro also wanted to know if we could make the employees agree to stay for six months after completion of the training. Attorney Getman said that would have to be a stipulation of their employment and that would have to be something to consider for the future. Legislator Rondinaro wants this topic added to the negotiations of any future union contracts.

PUBLIC PARTICIPATION: None.

The Meeting Adjourned at 6:56 p.m.
Stacy B. Husted, Clerk
Jamee L. Mack, Deputy Clerk

**REGULAR MEETING
MAY 8, 2023**

The May 8, 2023 Regular Meeting of the Schuyler County Legislature was called to order at 6:30 p.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Rondinaro and followed by a Moment of silence. All Legislators were present except Legislator Barnes and Legislator Lausell who were excused. The County Administrator Fonda Chronis, and County Attorney Steven Getman were also present.

PUBLIC PARTICIPATION: None.

PUBLIC HEARING TO AUTHORIZE USE OF FACILITIES AND GROUNDS RESERVE FUND FOR SENECA HARBOR PARK SEAWALL REPAIR None.

PUBLIC HEARING FOR REVIEW AND MODIFICATION OF SCHUYLER COUNTY AGRICULTURAL DISTRICT # 2. None.

RESOLUTION NO. 116 Motion by Howell, Second by Jaynes.

RE: APPROVE MINUTES OF THE APRIL 10, 2023 REGULAR MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the April 10, 2023 Regular Meeting of the Schuyler County Legislature be approved.

Vote 6-0.

RESOLUTION NO. 117 Motion by Jaynes, Second by Gray.

RE: AUTHORIZE CONTRACT WITH CHEMUNG-SCHUYLER-STEUBEN WORKFORCE NEW

PROCEEDINGS OF THE YEAR 2023

YORK TO RECEIVE PARTIAL REIMBURSEMENT FUNDING FOR CUSTOMIZED TRAINING FOR THE ANIMAL CONTROL OFFICER POSITION – SHERIFF’S DEPARTMENT

WHEREAS, Chemung-Schuylers-Steuben (CSS) Workforce New York offers job training reimbursement up to 50% of the total cost, and

WHEREAS, the Sheriff’s Department employs an Animal Control Officer (ACO), and has been awarded a Customized Training Contract # 22-41-5081 to fund 50% of the participation in the Alfred State Peace Officer Academy to provide additional training for the ACO, and

WHEREAS, the total cost of the training program is \$2,500.00 and CSS Workforce will provide partial funding in the amount of \$1,250.00 through the Customized Training Contract.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to accept and execute the Customized Training Contract # 22-41-5081 with CSS Workforce New York for the Sheriff’s Department to receive \$1,250.00 in job training reimbursement, with a term of May 15, 2023 through June 16, 2023, the remaining funding available in account no. 001.3110.0459 – Training, contract approved as to form by the Schuylers County Attorney.

Vote 6-0.

RESOLUTION NO. 118 Motion by Jaynes, Second by Gray.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR THE 2023 STOP DWI PROGRAM – SHERIFF’S DEPARTMENT

WHEREAS, the 2023 Stop DWI State Plan has been approved, and

WHEREAS, funding is available in the Stop DWI Reserve Account to offset these increased expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the Schuylers County Treasurer is hereby authorized to amend the 2023 Budget for the STOP DWI Fund Accounts as follows, and

BE IT FURTHER RESOLVED that the Schuylers County Treasurer is hereby authorized to transfer \$18,782.00 from the Stop DWI Reserve Account no. 001.0001.0881.

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$18,782.00	001.3315.1289	Other General Gov Dept Income
+\$5,000.00	001.3315.0113	Personal Services Enforcement
+\$6,260.00	001.3315.0540	Enforcement
+\$3,500.00	001.3315.0541	Public Information
+\$6,500.00	001.3315.0571	Rehabilitation
-\$5,478.00	001.3315.0117	Program Admin & Eval (payroll)
+\$3,000.00	001.3315.0542	Program Admin & Eval (equipment)

Vote 6-0.

RESOLUTION NO. 119 Motion by Jaynes, Second by Gray.

RE: AUTHORIZE TRANSFER FROM CONTINGENCY FOR MEDICAL EXPENSES – SHERIFF’S DEPARTMENT

WHEREAS, due to the unanticipated increase for inmate medical expenses and prescription drug costs for inmates, the Jail’s Medical Supplies & Expense line is almost depleted, and

WHEREAS, a transfer within the department expense lines has already been processed to try to offset this increase, and

WHEREAS, this expense is unavoidable.

NOW, THEREFORE, BE IT RESOLVED, that the Schuylers County Treasurer is hereby authorized to transfer the amount of \$15,000.00 from Contingency account no. 001.1990.0500 into the Jail account no. 001.3150.0429-Medical Supplies and Expenses.

Vote 6-0.

RESOLUTION NO. 120 Motion by Jaynes, Second by Gray.

RE: RESOLUTION OPPOSING NEW YORK STATE SENATE BILL S06282 WHICH WOULD REPEAL SECTION 257-C OF THE EXECUTIVE LAW, EFFECTIVELY ELIMINATING ALL PROBATION

PROCEEDINGS OF THE YEAR 2023

ADMINISTRATIVE SUPERVISION FEES IN NEW YORK STATE – PROBATION DEPARTMENT

WHEREAS, County Probation Departments are an integral part of the Criminal Justice System and operate within the legal framework of the Criminal Procedure Law, the Penal Law and the Family Court Act, and

WHEREAS, it is the mission of probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change, and

WHEREAS, state funding for probation was drastically reduced between 1990 and 2015 from a 46.5 percent State share in 1990 to less than 10 percent in 2022, putting a huge strain on counties and increasing costs to county property taxpayers, and

WHEREAS, during the same time there have been increases in the number of mandated programs, services, drug screening demands and increased training requirements that county probation departments are required to provide, and

WHEREAS, to offset some of those increased services and program costs, and to help reduce the burden on local taxpayers to support those state required mandates, Schuyler County Probation relies on Probation Administrative Supervision Fees, and

WHEREAS, Luis R. Sepúlveda, (D) 32nd Senate District, has introduced Bill Number S6282, “An act to repeal section 257-c of the executive law, relating to probation administrative fees; to amend the executive law, in relation to prohibiting certain fees associated with probation; and to amend the correction law and the executive law, in relation to termination and discharge of certain sentences,” to eliminate the fees that individuals on parole and probation are required to pay once a month.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature opposes the passage of New York State Senate Bill S06282 which would repeal section 257-C of the Executive Law that allows such fees to be levied and collected, and therefore effectively eliminate all probation administrative supervision fees within New York State; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Kathy Hochul, the County’s representatives in the State Legislature, the Inter-County Association
Vote 6-0.

RESOLUTION NO. 121 Motion by Jaynes, Second by Gray.

RE: AUTHORIZE CONTRACT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES (OILS) FOR THE THIRD CONTINUE PROVISION OF COUNSEL AT FIRST APPEARANCE IN HURRELL-HARRING SETTLEMENT COUNTIES GRANT – PUBLIC DEFENDER’S DEPARTMENT

WHEREAS, the New York State Office of Indigent Legal Services (OILS) has made funds available in the form of a non-competitive grant, Contract #C0HCFA3C, in the amount of \$93,849.34 annually to improve Public Defender services, and

WHEREAS, said grant will be for the period of three years, and

WHEREAS, said funds will be used to meet the County’s obligations under Hurrell-Harring v State of New York Stipulation and Order of Settlement.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the grant contract with OILS for the Public Defender’s Office for the Third Continue Provision of Counsel at First Appearance in Hurrell-Harring Settlement Counties Grant for the term of January 1, 2023 through December 31, 2025, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish said grant accordingly, and in cooperation with the Public Defender’s Office.

Vote 6-0.

RESOLUTION NO. 122 Motion by Jaynes, Second by Gray.

PROCEEDINGS OF THE YEAR 2023

RE: AUTHORIZE CONTRACT WITH LANGUAGE LINE SERVICES, INC. FOR INTERPRETER SERVICES – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, in an emergency it is imperative that the 911 center be able to communicate with callers that may speak a different language, and

WHEREAS, Language Line Services, Inc. has been providing this service to the Emergency Management Department through a New York State Office of General Services Contract that expired October 24, 2022, and

WHEREAS, said contract has been renewed for another five years with contract #PS69777 with a cost to the County at a per minute rate of \$.075 per minute.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Language Line Services, Inc. for Interpreter services for the Emergency Management Department for 911 Center for a term January 1, 2023 through October 26, 2027; funding available in account no. 001.3020.0401, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 123 Motion by Jaynes, Second by Gray.

RE: AUTHORIZE CONTRACT EXTENSION WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE FISCAL YEAR 2019 HAZARDOUS MATERIALS (HAZMAT) TARGETED GRANT – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Emergency Management Office received a Fiscal Year 2019 Hazardous Materials (HazMat) Targeted Grant HM19-1013-D00 in the amount of \$106,000.00 in 2019, and

WHEREAS, said grant was extended through February 28, 2023, and

WHEREAS, said funds have not been fully utilized to date, and the New York State Department of Homeland Security and Emergency Services has authorized a contract extension through August 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute said grant contract extension through August 31, 2023, for contract HM19-1013-D05, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to extend the Hazardous Materials (HazMat) Targeted Grant Program grant funds accordingly, in cooperation with the Emergency Management Department.

Vote 6-0.

RESOLUTION NO. 124 Motion by Jaynes, Second by Gray.

RE: AUTHORIZE FOUR-YEAR CONTRACT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR A FISCAL YEAR 2022 STATEWIDE INTEROPERABLE COMMUNICATIONS TARGETED GRANT PROGRAM – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Schuyler County Emergency Management Department was invited to apply for and was awarded a New York State Division of Homeland Security and Emergency Services Statewide Interoperable Communications Grant, project number ST22-1031-E00 in the amount of \$4,888,663.00 with no local share cost, and

WHEREAS, these grant funds will focus on further minimizing gaps in interoperable communications by aligning technology acquisitions with operational use by first responders, which provides the foundation necessary to accomplish a high level of interoperability.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to accept and execute the Statewide Interoperable Communications Grant four-year contract with the New York State Division of Homeland Security and Emergency Services, for a term of March 31, 2023 through February 28, 2027, in the amount of \$4,888,663.00 and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish said Grant accordingly in cooperation with the Emergency Management Department.

Vote 6-0.

RESOLUTION NO. 125 Motion by Jaynes. Second by Gray.

PROCEEDINGS OF THE YEAR 2023

RE: AUTHORIZE AMENDING THE ADOPTED SCHEDULE OF MUNICIPAL FEES OR CHARGES TO BE PAID BY PERSONS REQUESTING THE USE OF COUNTY AMBULANCE SERVICE(S) — EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, Resolution No. 326-22 authorized entering into an ambulance management services agreement (“contract”) with Cayuga Health Transport, LLC (CHT) under which CHT would provide the County certain management services including, but not limited to, facilities, equipment, personnel, supplies, and support services related to the operation of an ambulance service, and

WHEREAS, New York State General Municipal Law, §122-b authorizes a county, which provides an emergency medical service, a general ambulance service or a combination thereof on a county-wide basis or in an ambulance district to fix a schedule of municipal fees or charges to be paid by persons requesting the use of those services, and

WHEREAS, the Legislature, by Resolution No. 327-22 approved a schedule of municipal fees or charges to be paid by persons requesting use of the aforementioned ambulance service, and

WHEREAS, CHT has requested that the Legislature approve an additional pay code and price of service for “Lift Assist,” where an ambulance is dispatched to help a patient recover from a fall and who is unable to get themselves out of such situation without professional help, and

WHEREAS, protocols require the ambulance staff to perform certain tests and services during such a call to determine that the patient is healthy and safe to remain at that location, and

WHEREAS, this ambulance call results in patient sign-off to not go to the hospital.

NOW, THEREFORE, BE IT RESOLVED, the Schuyler County Legislature hereby amends the existing adopted schedule of municipal fees or charges to be paid by persons requesting the use of those services to add the following:

	<u>Billing Code</u>	<u>Rate</u>
Lift Assist	AO999	\$150.00

Vote 6-0.

RESOLUTION NO. 126 Motion by Jaynes, Second by Gray.

RE: CONFIRMING LEGISLATIVE INTENT OF FUNDING FOR EXISTING CAYUGA HEALTH TRANSPORT, LLC (CHT) CONTRACT, AUTHORIZING PAYMENTS THEREUNDER AND AUTHORIZING COUNTY ADMINISTRATOR TO APPROVE CERTAIN CONTINGENCY FUNDS FOR CHT CONTRACT— EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, Resolution No. 326-22 authorized an Ambulance Management Services Agreement (“Contract”) with Cayuga Health Transport, LLC (CHT) under which CHT would provide the County certain management services including, but not limited to, facilities, equipment, personnel, supplies, and support services related to the operation of an ambulance service, and

WHEREAS, said resolution authorized the Schuyler County Treasurer to create a new account and appropriated \$1.2 million over the course of fiscal years 2022 and 2023 in reimbursement funding per said Ambulance Management Services Agreement, and

WHEREAS, upon the recommendation and intent of the County Administrator in negotiating the existing agreement, certain startup and organizational costs paid or incurred by CHT for creating an active trade or business may be considered capital costs (*see, e.g., Morah, Investopedia, November 13, 2022*), and

WHEREAS, the Legislature wishes to clarify the term “capital purchases” as delineated in the contract to better encompass the legislative intent thereunder and, further, authorize the County Administrator to approve up to \$5,000.00 total in “contingency” for certain other start-up costs.

NOW, THEREFORE BE IT RESOLVED, that the Schuyler County Legislature hereby clarifies and adopts as its intent the recommendations and intent of the County Administrator, detailed above, and

BE IT FURTHER RESOLVED, the Schuyler County Legislature ratifies, confirms and approves payment(s) of \$122,364.26 for startup and organizational costs paid or incurred by CHT from October to December 2022 from already appropriated funds, with no additional contract cost to the county, and

PROCEEDINGS OF THE YEAR 2023

BE IT FURTHER RESOLVED, the Schuyler County Legislature authorizes the County Administrator to approve the reimbursement of up to \$5,000.00 total during the life of the contract from previously appropriated funds for contingency expenses related to the aforesaid ambulance service agreement, and

BE IT FURTHER RESOLVED, that the balance of account no. 001.4540.0458 is and shall remain earmarked for annual budget subsidy amount(s) as set forth in the existing agreement.

Vote 6-0.

RESOLUTION NO. 127 Motion by Howell, Second by Reed.

RE: AUTHORIZE CONTRACT WITH WIARCOM, INC. FOR GPS TRACKING SERVICES – HIGHWAY DEPARTMENT

WHEREAS, the County Highway Department is in need of GPS tracking services for certain highway equipment and/or vehicles, and

WHEREAS, WiarCom, Inc. can provide said services for an activation fee per unit and a monthly cost.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with WiarCom, Inc. for the Highway Department for GPS Tracking Services commencing on shipment and receipt of the units, terminating sixty (60) months thereafter, with an activation fee of \$29.95 per unit and \$13.95 per month per unit, funding available in account no. 003.5130.0453, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 128 Motion by Howell, Second by Reed.

RE: AUTHORIZE TRANSFER FROM COUNTY ROAD FUND BALANCE FOR CARMAN ROAD BRIDGE (BIN 3332470) REPAIR – HIGHWAY DEPARTMENT

WHEREAS, On March 22, 2023 Carman Road Bridge (BIN 3332470) was closed for emergency repairs due to unsafe condition, and

WHEREAS, Schuyler County Highway has a Structural Maintenance and Reconstruction contract with Silverline Construction, Inc. to perform repairs, and

WHEREAS, Silverline Construction, Inc. has given an estimate of \$150,000.00 for repairs, and

WHEREAS, there are funds available in the County Road Fund Balance for said repairs.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer the amount of \$150,000.00 from County Road Fund Balance into account no. 002.5120.0401.

Vote 6-0.

RESOLUTION NO. 129 Motion by Rondinaro, Second by Gray.

RE: ACCEPT KITCHEN AND CUSTODIAL SUPPLY BIDS FOR 2023 – 2024 – PURCHASING DEPARTMENT

WHEREAS, Resolution No. 59-23 authorized advertising for the kitchen and custodial supply bids for the County, and

WHEREAS, said advertisement was made and, bids were received and opened on April 13, 2023.

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Purchasing Director and the Management and Finance Committee, the Schuyler County Legislature accepts the following bids based on the lowest price on an item-by-item basis and pricing on a minimum of 50% of the items.

KITCHEN AND CUSTODIAL SUPPLY BIDS

W.B. Mason Co. Inc.

SANICO Inc.

Hill ‘N Markes LLC

Sam Tell and Son, Inc.

Vote 6-0.

RESOLUTION NO. 130 Motion by Rondinaro, Second by Gray.

kRE: AUTHORIZATION TO DECLARE ITEMS JUNK OR SURPLUS FOR VARIOUS DEPARTMENTS – PURCHASING DEPARTMENT

WHEREAS, various departments have items to be declared junk or surplus

NOW, THEREFORE, BE IT RESOLVED, pursuant to County Law Section 215, the Schuyler County

PROCEEDINGS OF THE YEAR 2023

Legislature hereby declares the following assets junk or surplus, and

BE IT FURTHER RESOLVED that the following items are to be placed in storage for an auction or disposed of.

<u>Asset #</u>	<u>Description</u>	<u>JUNK Serial/VIN #</u>	<u>Department</u>
5848	Pitney Bowes Folding Machine	N/A	Real Property
6888	Konica Minolta Bizhub	2WV011000058	Social Services
7239	HP ProBook 640	5CG5271JQD	Sheriff
7240	HP ProBook 640	5CG5271JQN	Sheriff
7242	HP ProBook 640	5CG5271JP1	Sheriff
7337	Dell OptiPlex 9020	8Z4H182	Sheriff
7595	Fingerprinting Workstation	AEV207103487	Sheriff

SURPLUS FOR AUCTION

<u>Asset #</u>	<u>Description</u>	<u>Serial/VIN #</u>	<u>Department</u>
7124	2014 Ford E-350	1FBNE3BL2EDB20483	Highway

Vote 6-0.

RESOLUTION NO. 131 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE CONTRACT WITH AUCTIONS INTERNATIONAL, INC. FOR AUCTIONEER SERVICES – TREASURER’S DEPARTMENT

WHEREAS, the Schuyler County Treasurer is in need of auctioneer services for County Real Property Tax Foreclosures, and

WHEREAS, Auctions International, Inc. can provide said services with fees paid for by the buyers in form of a 6% buyer’s premium at the County auction, and

WHEREAS, the nature of the services provided herein are in the nature of professional services.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Schuyler County Legislature is authorized to execute a contract with Auctions International, Inc. for auctioneer services for the tax foreclosure auction in the amount of a 6% buyer’s premium to the buyer, with a term effective upon execution through December 31, 2023, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 132 Motion by Rondinaro, Second by Gray.

RE: STANDARD WORKDAY AND REPORTING RESOLUTION FOR THE YEAR 2023

BE IT RESOLVED, that the Schuyler County Legislature, Location Code 10044, hereby establishes the following standard workdays for the following title(s) and will report the official(s) to the New York State and Local Retirement System based on the record of activities.

TITLE	NAME	STANDARD WORKDAY (HRS/DAY)	TERM BEGINS/ENDS	PARTICIPATES IN EMPLOYER’S TIME KEEPING SYSTEM (Y/N)	DAYS/MONTH (BASED ON RECORD OF ACTIVITIES)
Elected Officials					
Treasurer	Holley A. Sokolowski	7	01/01/2023-12/31/2026	N	23.74

Vote 6-0.

RESOLUTION NO. 133 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE CONTRACT WITH SUNY CORNING COMMUNITY COLLEGE OFFICE OF WORKFORCE EDUCATION AND ACADEMIC PATHWAYS FOR NON-PROFIT MANAGEMENT TRAINING - HUMAN RESOURCES DEPARTMENT

WHEREAS, the Training and Professional Development Coordinator in conjunction with the Human Resources Department have identified a training program available through SUNY Corning Community College to assist with non-profit management training, to increase productivity and skill set for future leaders, and

WHEREAS, six County employees have enrolled in the 30 hour training program that began on April 14, 2023 and runs through June 30, 2023, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, the total cost of the training program is \$4,050.00 of which \$3,777.48 will be funded through a SUNY Workforce Development Grant leaving a balance due of \$272.52 (\$45.42 per attendee).

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with SUNY Corning Community College Office of Workforce Education and Academic Pathways for the Human Resources Department for 30 hours of Non-Profit Management Training, for the term April 14, 2023 through June 30, 2023, at a total cost to the County of \$272.52 (\$45.42 per individual attendee), funding available in account no. 001.1430.0458 -Professional Fees and Services, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 134 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE CONTRACT WITH KELLY A. DAMM FOR ADDITIONAL ATTORNEY SERVICES – COUNTY ATTORNEY’S DEPARTMENT

WHEREAS, the Schuyler County Attorney’s Office is currently understaffed due to an Assistant County Attorney resignation, and

WHEREAS, the County Attorney’s Office is required to represent the Commissioner of Social Services before the New York State Family Court Support Magistrate on an approximately weekly basis each Thursday, prosecuting cases for the collection and enforcement of child support, to offset and recoup public assistance provided such children, and

WHEREAS, Kelly A. Damm is highly qualified and ready, willing, and able to accept assignments on an as-needed basis, and

WHEREAS, the services to be provide hereunder are in the nature of professional services, and thereby exempt from competitive bidding pursuant to General Municipal Law § 103, and

WHEREAS, the hourly rate for such services will be \$125.00, and the total amount of the contract is not to exceed \$43,750.00.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Kelly A. Damm for additional Attorney Services, on an as-needed basis, for the County Attorney’s Office, rates and maximum amounts as set forth above for a term of May 1, 2023 through December 31, 2023 (unless terminated earlier upon filling the vacant assistant county attorney position or otherwise), funding available in the 2023 County Attorney budget account no. 1420.0401, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 135 Motion by Rondinaro, Second by Gray.

RE: RESOLUTION IN OPPOSITION TO NEW YORK STATE’S LEGISLATIVE PROPOSAL TO MANDATE ALL LOCAL BOARDS OF ELECTIONS TO HIRE ADDITIONAL FULL-TIME ELECTION STAFF – BOARD OF ELECTIONS DEPARTMENT

WHEREAS, pursuant to existing New York State Election Law Section 3-300, every Board of Elections has the power to appoint Clerks, Voting Machine Technicians, and other employees and, in doing so, must ensure equal representation of the major political parties in the locality. Every commissioner in each County, with the exception of commissioners in New York City, must also hire a deputy, and

WHEREAS, the New York State Senate recently passed a bill (S.644) amending Election Law Section 3-300 to mandate all local Boards of Elections to employ, at a minimum, four (4) full time employees in addition to the appointed Commissioners and also requires an additional two (2) employees for every full allotment of 20,000 active registered voters beyond 40,000 active registered voters, and

WHEREAS, the bill is now pending in the New York State Assembly (A.1258), and

WHEREAS, the intent of the legislation is to ensure uniformity among all County Boards of Elections safeguarding their ability to adequately handle the ever-changing Election Law and any resulting increases in voter volume. However, the legislation completely dismisses the uniqueness of each local Board of Elections. A one-size-fits-all approach to staffing will only result in an inefficient mandate that, in many instances, wastes taxpayer dollars. Each County with the assistance of its Commissioners should be able to independently decide the needs and corresponding employee structure of its Board of Elections, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, not all local Boards of Elections hold the same level of responsibility or operate in the same manner. Some Boards of Elections choose to assist local libraries and schools with their budget vote/board elections and some boards opt to administer Village elections. Others may limit their responsibilities to just primaries, special elections, and general elections. Yet other boards elect to absorb all these responsibilities plus additional duties like printing ballots. The number of full-time employees needed for a Board of Elections to fulfill its obligations is clearly dependent upon the nature and scope of responsibilities said board chooses to take on, and

WHEREAS, in 2022, the Schuyler County Board of Elections administered more elections than ever before and did so utilizing its current staffing level of two (2) Part-Time Commissioners and two (2) Full-Time Deputies. The office did also use Election Inspectors and Machine Technicians on an as needed basis to assist when the work demand increased throughout the year, most typically during actual elections. Despite the heavy lift and all the changes in the law that came with it, the local board utilized its existing full-time staff and supplemented with Inspectors and Technicians as was needed, and the office was able to execute its responsibilities with efficiency and a high level of integrity, and

WHEREAS, this legislation takes on a one-size fits all approach to determining the number of employees needed based on an illogical formula. As of the latest report from the New York State Board of Elections published on February 21, 2023, Schuyler County has 12,493 active, registered voters. This legislation calls for four (4) full-time employees in counties having up to 40,000 registered voters but fails to account for counties that have significantly fewer registered voters than that. Schuyler has 68.8% fewer registered voters than the benchmark figure, but this legislation would require that taxpayers fund the same number of full-time staff as Counties with more than triple that number of registered voters, and

WHEREAS, according to current voter registrations, there are 18 Counties that fall below the 40,000 registered voters “benchmark.” Those Counties average 28,660 registered voters, a figure more than double that of Schuyler County. This legislation would require all of these Counties to have the same workforce, even though workload in Schuyler County will be significantly less than many of these counties.

NOW THEREFORE BE IT RESOLVED, that the Schuyler County Legislature strongly oppose Senate Bill S.644 and Assembly Bill A.1258. The legislation improperly assumes all local Boards of Elections have the same full-time staffing needs, it fails to adequately consider the variation in each Board of Election’s assumed and required responsibilities, refuses to address the significant variation in the number of registered voters in each County, and creates another unfunded mandate that, in Schuyler County’s case, is unnecessary and would waste taxpayer dollars, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward a certified copy this resolution to Governor Kathy Hochul, Senator Thomas O’Mara, Assemblyman Phil Palmesano, the New York State Association of Counties and all others deemed necessary and appropriate.

Vote 6-0.

RESOLUTION NO. 136 Motion by Jaynes, Second by Reed.

RE: AUTHORIZE FIVE-YEAR CONTRACT WITH LANGUAGE LINE SERVICES, INC. FOR INTERPRETER SERVICES – SOCIAL SERVICES DEPARTMENT

WHEREAS, Language Line Services, Inc. has been providing interpreting services to the Social Services Department through a New York State Office of General Services Contract that expired October 10, 2022, and

WHEREAS, said contract has been renewed for another five years with Award #23253 with a cost to the County at a per minute rate of \$0.75 per minute.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a five-year contract with Language Line Services, Inc. for interpreter services for the Social Services Department, at the rate of \$0.75 per minute, with a term of October 11, 2022 through October 10, 2027, funding available in account no. 001.6010.0435, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 137 Motion by Jaynes, Second by Reed.

RE: AUTHORIZE CONTRACT WITH MSS ELECTRONICS, INC. DBA LIFEONE FOR PERSONAL

PROCEEDINGS OF THE YEAR 2023

EMERGENCY RESPONSE SYSTEM (PERS) SERVICES – SOCIAL SERVICES DEPARTMENT

WHEREAS, the Social Services Department pursuant to Section 367-g of the Social Services Law and New York State Department of Social Services' Regulations Section 505.33 of Title 18 NYCRR, may authorize personal emergency response services (PERS) to be provided to medical assistance clients, and"

WHEREAS, MSS Electronics, Inc. dba Lifefone will provide the PERS services at a cost of \$40.00 for installation, and a \$37.00 monthly service charge, reimbursed by Medicaid.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with MSS Electronics, Inc. dba Lifefone for the Social Services Department for PERS Services, at a cost of \$40.00 for installation, and a \$37.00 monthly service charge, for the term of January 1, 2023 through December 31, 2023, cost reimbursed by Medicaid, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 138 Motion by Jaynes, Second by Reed.

RE: DECLARE JUNE 15, 2023 AS WORLD ELDER ABUSE AWARENESS DAY (WEAAD) – SOCIAL SERVICES DEPARTMENT

WHEREAS, World Elder Abuse Awareness Day (WEAAD) is held annually on June 15, and

WHEREAS, WEAAD was launched by the International Network for the Prevention of Elder Abuse and the World Heal Organization at the United Nations, and was officially recognized by the United Nations General Assembly in December 2012, elder abuse is a global, social, and health and human rights issue that affects millions of older persons around the world and deserves the attention of the international community, and

WHEREAS, it is important to know the signs of elder abuse, which include physical trauma, withdrawal, depression, anxiety and/or fear of family members, friends, caregivers or strangers, and

WHEREAS, elder abuse is a significant public health problem, survivors suffer higher levels of psychological distress, are twice as likely to be hospitalized and face greater risk of an early death than other seniors, and

WHEREAS, it is our collective responsibility to provide for safe and secure communities and living environments for our seniors, and to encourage reporting of any suspected abuse, neglect, and financial exploitation to the Schuyler County Adult Protective Services, as well as law enforcement agencies, for investigation, and intervention, and

WHEREAS, Schuyler County Department of Social Services wants to recognize the need to protect our older population from abuse.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature does hereby declare June 15, 2023 as "World Elder Abuse Awareness Day" in Schuyler County.

Vote 6-0.

RESOLUTION NO. 139 Motion by Jaynes, Second by Reed.

RE: RECOGNIZE THE MONTH OF MAY AS "NATIONAL FOSTER CARE MONTH" – SOCIAL SERVICES DEPARTMENT

WHEREAS, each May is designated at National Foster Care Month, and

WHEREAS, Schuyler County Department of Social Services (DSS) has a need for foster care homes and wants to encourage families to consider opening their homes to children in need of a home, and

WHEREAS, Schuyler County DSS wants to recognize the families who have opened their homes to children.

NOW, THEREFORE, BE IT RESOLVED, the Schuyler County Legislature does hereby recognize the month of May as "National Foster Care Month" in Schuyler County, and

BE IT FURTHER RESOLVED, that the Schuyler County Legislature further hopes that these dedicated Foster Parents continue to open their homes to children providing them with a safe place and through their example inspire others to open their homes. To each Foster Care Parent, we express our thanks and gratitude.

Vote 6-0.

RESOLUTION NO. 140 Motion by Jaynes, Second by Reed.

PROCEEDINGS OF THE YEAR 2023

RE: AUTHORIZE AMENDING THE 2023 BUDGET TO ACCEPT A GRANT AWARD FOR THE HIICAP VOLUNTEER STIPEND PROGRAM - OFFICE FOR THE AGING DEPARTMENT

WHEREAS, the Health Insurance Information, Counseling and Assistance Program (HIICAP) is driven by dedicated, knowledgeable, trained volunteers who are committed to assisting Medicare beneficiaries with basic Medicare, Medicare Advantage, Medigap, Part D drug coverage and low-income assistance programs, and

WHEREAS, the Schuyler County HIICAP volunteers devoted nearly 400 hours of service in 2022 and HIICAP volunteers statewide devoted over 13,000 hours, and

WHEREAS, HIICAP volunteers are required to participate in ongoing training and annual certification which requires time, effort and commitment and devotion, and

WHEREAS, to incentivize volunteers to spend this time and effort, the New York State Office for the Aging (NYSOFA) has awarded and authorized a one-time volunteer training and certification stipend to aid in local retention efforts.”

NOW, THEREFORE, BE IT RESOLVED, that the HIICAP Budget be amended to incorporate the award of \$900.00, and

BE IT FURTHER RESOLVED, that the \$300.00 stipend shall be and is authorized to each of the three (3) certified HIICAP volunteers, Alice Conklin, Diane Edwards and Nancy Dawson, and that Schuyler County Treasurer is hereby directed to incorporate the HIICAP Volunteer Stipend Program funds into the already established HIICAP budget accordingly in cooperation with the Office for the Aging Department.

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$585.00	001.6772.4772	Fed Aid – Programs for Aging
+\$315.00	001.6772.3772	State Aid – Programs for Aging
+\$900.00	001.6772.0401	Contractual Expense Miscellaneous

Vote 6-0.

RESOLUTION NO. 141 Motion by Jaynes, Second by Reed.

RE: RECOGNIZING OLDER AMERICANS MONTH 2023 – OFFICE FOR THE AGING DEPARTMENT

WHEREAS, Schuyler County includes a growing number of older Americans who contribute their time, wisdom and experience to our community, and

WHEREAS, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently, and

WHEREAS, the Schuyler County Legislature recognizes the need to create a community that offers the services and supports older adults that may need to make choices about how they age, and

WHEREAS, Schuyler County can work to build an even better community for our older residents by:

- Not limiting our thinking about aging,
- Exploring and combating stereotypes,
- Emphasizing the many positive aspects of aging,
- Inspiring older adults to push past traditional boundaries, and
- Embracing our community’s diversity regarding how people age, and

WHEREAS, in doing so, the Schuyler County Legislature supports this year’s theme, *Aging Unbound*.

NOW, THEREFORE, BE IT RESOLVED, that this Legislature hereby endorses the United States Department of Health and Human Services’ Administration for Community Living in leading the nation’s observance of May 2023 as Older Americans Month, and

BE IT FURTHER RESOLVED, that this Legislature urges every resident to celebrate our older citizens, help to create an inclusive society, and accept the challenge of flexible thinking around aging.

Vote 6-0.

RESOLUTION NO. 142 Motion by Jaynes, Second by Reed.

RE: RECOGNIZING AND COMMENDING THE WATKINS GLEN-MONTOUR FALLS LIONS CLUB UPON THE OCCASION OF CELEBRATING ITS 35th CHARTER ANNIVERSARY – OFFICE FOR THE AGING DEPARTMENT

PROCEEDINGS OF THE YEAR 2023

WHEREAS, it is the sense of the Schuyler County Legislature to pay tribute to those renowned organizations which devote their energy, resources and thoughtful care to improving the quality of life in the County, and

WHEREAS, the Watkins Glen-Montour Falls Lions Club is part of the largest service organization in the world, Lions Clubs International, an organization deeply committed to meeting the challenges of public service, and

WHEREAS, attendant to such concern, and in full accord with its long-standing traditions, this Legislature is justly proud to recognize and commend the Watkins Glen-Montour Falls Lions Club upon the occasion of celebrating its 35th Charter Anniversary, to be celebrated on Monday, June 12, 2023, and

WHEREAS, the Watkins Glen-Montour Falls Lions Club supports various local groups and programs, including the Sight/Speech and Hearing Committee; Recycle for Sight; Schuyler Outreach; Schuyler Hospital Pasta Dinner; the United Way Spaghetti Dinner; Adopt-a-Highway and many more, and

WHEREAS, the success of the Watkins Glen-Montour Falls Lions Club is in direct correlation to the efforts of its members, whose involvement is, and always has been, characterized by an impressive commitment, an unbridled enthusiasm, and an uncompromising standard of excellence in all endeavors on behalf of the Club and the population it serves, and

WHEREAS, the Watkins Glen-Montour Falls Lions Club is destined to continue its noble mission of service to the community, and the world, exemplifying the ideals of Lions Clubs International for many years to come.

NOW, THEREFORE, BE IT RESOLVED, that this Legislature hereby recognizes and commends the Watkins Glen-Montour Falls Lions Club upon the occasion of celebrating its 35th Charter Anniversary, honoring its members, past and present, who have labored so conscientiously to secure and improve the quality of life in the community, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Watkins Glen-Montour Falls Lions Club.

Vote 6-0.

RESOLUTION NO. 143 Motion by Jaynes, Second by Reed.

RE: AUTHORIZE CONTRACT AMENDMENT WITH LIBERTY RESOURCES POST, PLLC TO ADD SPECIAL EDUCATION AND PRESCHOOL EVALUATION SERVICES TO THE EXISTING CONTRACT – PUBLIC HEALTH DEPARTMENT

WHEREAS, Resolution No. 41-23 authorized a contract with Liberty Resources Post, PLLC for related preschool services, for occupational, physical, speech therapy and counseling services, and

WHEREAS, the Public Health Department wants to add special education itinerate services and preschool evaluation services to the existing contract, and

WHEREAS, Liberty Resources Post, PLLC can provide the additional services per the rates set by New York State Education Commissioner, for the term of February 1, 2023 through June 30, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract amendment with Liberty Resources Post, PLLC for the Schuyler County Public Health Department for the additional services, at the rates set by the New York State Education Commissioner as above, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 144 Motion by Jaynes, Second by Reed.

RE: AUTHORIZE FIVE-YEAR CONTRACT WITH SCHUYLER HOSPITAL, INC. FOR MEDICAL CONSULTANT SERVICES - PUBLIC HEALTH DEPARTMENT

WHEREAS, Schuyler County is governed by the provisions of New York Public Health Law Article 3, with a Public Health Director who is required to have access to a medical consultant, and

WHEREAS, Schuyler Hospital, Inc. upon review, meets the qualifications for such consultant, and is willing to act in this capacity upon request from the Public Health Director.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a five-year contract with Schuyler Hospital, Inc. for an annual fee of \$350.00 for profession fees and

PROCEEDINGS OF THE YEAR 2023

further reimbursement for Medical Consulting Services, at the rate of \$60.00 an hour, not to exceed \$1,600.00, funding available in account no. 001.4010.0458-Professional Fees and Services, for the term of January 1, 2023 through December 31, 2027, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 145 Motion by Jaynes, Second by Reed.

RE: AUTHORIZE THE OPTION OF UTILIZING THE TITLE OF LICENSED CLINICIAN OR LICENSED CLINICIAN TRAINEE FOR COMMUNITY SERVICES – MENTAL HEALTH DEPARTMENT

WHEREAS, Community Services in the Mental Health Department has a current total combined Licensed Clinician or Licensed Clinician Trainee staff of 8 positions, and

WHEREAS, in order to maximize Department efficiency and cost savings, the Director of Community Services has determined there is a need for discretion in filling and leaving vacant certain Licensed Clinician and Licensed Clinician Trainee positions as might be needed from time to time, and

WHEREAS, Community Services will consider these positions to be Licensed Clinician/Trainee when filling a position and for yearly budgeting purposes on the Salary Schedule, and

WHEREAS, the title of Licensed Clinician/Trainee is for record keeping purposes and does not change the official Civil Service titles and separate distinction of Licensed Clinician and Licensed Clinician Trainee, and

WHEREAS at no time will any combination of the Licensed Clinician/Trainee total more than 8 staff, and

WHEREAS funding for these positions is included in the 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Director of the Community Services is hereby authorized to use the term Licensed Clinician/Trainee, and fill said title effective immediately.

Vote 6-0.

RESOLUTION NO. 146 Motion by Jaynes, Second by Reed.

RE: AUTHORIZE INCREASE IN HOURS FOR THE DIRECTOR OF VETERANS SERVICES AGENCY AND APPOINT AND SET SALARY FOR THE POSITION OF DIRECTOR OF VETERANS SERVICES – VETERANS SERVICES DEPARTMENT

WHEREAS, the Schuyler County Veterans Service Agency has a 25 hours per week Director of Veterans Services position, and

WHEREAS, the workload has increased requiring additional hours, and

WHEREAS, the cost for the increase in hours will be paid for through funds obtained from the PFC Joseph P. Dwyer Program, as available, and increase in state aid dollars to the Veterans Service Agency if necessary, and

WHEREAS, the position of Director of Veteran Services is anticipated to be vacant effective May 14, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Director of Veterans Services Agency position be increased from 25 hours per week to full time 35 hours per week effective May 15, 2023; and that this Legislature hereby appoints Kristine C. Gardner as Director of Veterans Services, effective May 15, 2023, at an annual salary of \$50,000.00.

Vote 6-0.

RESOLUTION NO. 147 Motion by Jaynes, second by Reed.

RE: AUTHORIZE THE CREATION AND FILLING OF ONE LESS THAN FULL-TIME VETERANS SERVICE OFFICER POSITION – VETERANS SERVICES DEPARTMENT

WHEREAS, the Schuyler County Veterans Services Department requires a second full-time Veterans Service Officer position for succession/training purposes, as well as to meet increase in workload, up to December 31, 2023, prior to the retirement of current Veterans Services Department employee, and

WHEREAS, the Veterans Services Director is requesting to create this position, upon the approval of the County Administrator, with a start date no sooner than May 30, 2023, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, the Veterans Services Department will not fill the first Veterans Service Officer position following separation from employment, ultimately leaving the Department with only one less than full-time Veterans Service Officer, and

WHEREAS, the second full-time Veterans Services Officer position will be paid for through funds obtained from the PFC Joseph P. Dwyer Program, as available, and increase in state aid dollars to the Veterans Service Agency if necessary.

NOW, THEREFORE, BE IT RESOLVED, that the Director of Veterans Services is hereby authorized to create and fill a 25 hour less than full-time Veterans Service Officer position at an hourly rate of \$21.61, to be placed in Grade Level 6, as set forth in the CSEA Administrative Unit Contract, effective immediately.
Vote 6-0.

RESOLUTION NO. 148 Motion by Rondinaro, Second by Jaynes.

RE: NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT, REVIEW AND MODIFICATION OF SCHUYLER COUNTY AGRICULTURAL DISTRICT #2 – PLANNING DEPARTMENT

WHEREAS, in keeping with New York State Agriculture and Markets Law Art, 25-AA, Section 303(b), Schuyler County reviews each of its agricultural districts every eight years, and

WHEREAS, Agricultural District #2 was last reviewed in 2015, and

WHEREAS, a review of the current district boundaries, inquiry to landowners, and public feedback resulted in a proposed modification of District #2 through the addition of 787.76 acres and removal of 313.48 acres, and

WHEREAS, the Schuyler County Agriculture and Farmland Protection Board did find on March 27, 2023, that all of the proposed changes meet the definition of viable agricultural land as defined by Agriculture and Markets Law Art 25AA, and

WHEREAS, the Schuyler County Legislature has declared itself Lead Agency for the environmental review; and the Legislature has determined that proposed changes to Schuyler County Agriculture District #2, constitute an unlisted action under New York State Environmental Quality Review Act (SEQR) and has elected to use the Short Form EAF as recommended by NYS Department of Agriculture and Markets to assess any environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature has reviewed the potential impacts of the proposed modification of Schuyler County Agriculture District #2 and found that there will be no significant negative environmental impacts associated with this action.

Vote 6-0.

RESOLUTION NO. 149 Motion by Rondinaro, Second by Jaynes.

RE: A RESOLUTION FOR MODIFICATION OF SCHUYLER COUNTY AGRICULTURAL DISTRICT #2 – PLANNING DEPARTMENT

WHEREAS, in keeping with New York State Agriculture and Markets Law Art. 25-AA, Section 303(b), Schuyler County holds an eight year review of each of the three Agricultural Districts within the County, and

WHEREAS, Schuyler County Agricultural District #2 was certified in March of 1999, and is under review for the third time in 2023 by the Schuyler County Agriculture and Farmland Protection Board, and

WHEREAS, a review of the current district boundaries, inquiry to landowners, and public feedback resulted in a proposed modification of District #2 through the addition of 787.76 acres and removal of 313.48 acres, and

WHEREAS, in compliance with New York State Environmental Quality Review laws, Schuyler County must review the potential environmental impacts of the modification of District #2 and upon doing so the Legislature found that there were no significant negative environmental impacts on May 8, 2023, and

WHEREAS, the Legislature has duly advertised for and held on May 8, 2023, at 6:30 p.m., a public hearing for consideration of the recommendations by the Farmland Protection Board on the proposed changes as provided for in Section 303-a(2)(a) of the Agriculture and Markets Law.

NOW, THEREFORE, BE IT RESOLVED, that Agricultural District #2 be approved for recertification as modified, a copy of such modification being on file in the Planning Department, and

PROCEEDINGS OF THE YEAR 2023

BE IT FURTHER RESOLVED, that the County Planning Director, upon consultation with and assistance of the Clerk of the Legislature as necessary, shall submit the district review plan to the Commissioner of Agriculture and Markets, together with all necessary documents as required by law.

Vote 6-0.

RESOLUTION NO. 150 Motion by Rondinaro, Second by Jaynes.

RE: ESTABLISH LEAD AGENCY STATUS FOR 2023 MASS GATHERING PERMIT (PUBLIC ENTERTAINMENT (OUTDOOR)) – PLANNING DEPARTMENT

WHEREAS, Local Law No. 4 of the Year 2010 (as amended) established a process for applications and permits pertaining to Public Entertainment (Outdoor) – Regulation/Licensing, and

WHEREAS, in compliance with NYCRR Part 617 State Environmental Quality Review (SEQR), Schuyler County must review the potential environmental impacts associated with the issuance of a mass gathering permit for Watkins Glen International under Local Law No. 4 of the Year 2010 (as amended), Public Entertainment (Outdoor) – Regulating/Licensing, and

WHEREAS, the Schuyler County Legislature has determined that the proposed action is Unlisted Action and would be best served by a coordinated review including potential involved agencies, and has received a completed Environmental Assessment Form (EAF) from the applicant, Watkins Glen International, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature accepts the EAF and intends to establish lead agency status of the purposes of the environmental review of this action and will notify involved agencies of this intent. If, after 30 days' time no involved agency challenges this status, then the Schuyler County Legislature will consider and declare itself to hold lead agency status and will proceed with the review, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall, in consultation with the Planning Department, circulate such Notice of Intent and the EAF to all involved and interested agencies as required under SEQR, 6 N.Y.C.R.R. § 617.6(b)(3)(i).

Vote 6-0.

RESOLUTION NO. 151 Motion by Rondinaro, Second by Jaynes.

RE: RESOLUTION OPPOSING ANY AND ALL NEW YORK STATE BANS ON GAS STOVES AND OTHER NEW FOSSIL FUEL HEATING EQUIPMENT – PLANNING DEPARTMENT

WHEREAS, 2019's Climate Leadership and Community Protection Act (CLCPA)'s overarching goal is to reduce the state's total greenhouse-gas emissions by 85% by 2050, and

WHEREAS, the independent Empire Center think tank predicts net costs of up to \$300 billion for New Yorkers when the state's Climate Leadership and Community Protection Act is fully implemented, and

WHEREAS, Governor Kathy Hochul's 2023 State of the State address stated that she wants to "prohibit the sale of any new fossil fuel heating equipment by no later than 2030 for smaller buildings, and no later than 2035 for larger buildings," as well as a further prohibition on fossil fuel equipment in new construction statewide that would include gas stoves with new dates of 2025 for small buildings, including single-family homes, and 2028 for larger ones, and

WHEREAS, the New York State Climate Action Council's Scoping Plan explicitly recommends banning sales of fossil-fuel-fired hot water heaters in 2030 and fossil-fuel-fired clothes dryers and stoves in 2035, and

WHEREAS, according to the 2021 American Community Survey 83.3% of the occupied housing units within Schuyler County are currently heated by an energy source other than electricity, and

WHEREAS, an analysis published by the Energy Information Administration found that an average household in the northeastern U.S. is "expected to pay \$1,538.00 to heat their home with electricity compared with gas at about \$865.00," while a February 1 MSN report found, in some places, it would cost up to four times as much to operate electric stoves, water heaters, or electric baseboard heat, compared to gas appliances, and

WHEREAS, according to a 2022 Consumer Energy Alliance analysis, a fossil fuel ban could cost New York consumers more than \$27,900.00 per household; in a county with a \$56,473.00 median income, this is unattainable for most of our residents, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, Schuyler County has an aging housing stock; according to the 2021 American Community Survey, 41.3% of the homes within Schuyler County were built before 1959, and the conversion of these homes to accommodate all-electric infrastructure will put a significant financial burden on our residents, 15.8% of which are already below the poverty level, and

WHEREAS, propane gas is a flexible, dependable fuel with a low carbon footprint that is an Environmental Protection Agency-designated certified clean fuel, and natural gas is one of the safest, most reliable, and affordable energy sources, and

WHEREAS, banning these common fuels forces consumers to use more-expensive electricity to heat their homes, cook their food, and heat the water needed to wash their clothes and dishes, and

WHEREAS, Schuyler County's economy is dependent on our small business and tourism, including restaurants that rely on fossil fuels, many of which risk going out of business if this ban is enacted, and

WHEREAS, these bans reduce our energy security and societal resilience; the electric grid has repeatedly demonstrated, including in the recent Buffalo blizzard, just how fragile it can be; within Schuyler County, all of the public electric transmission lines are above ground, making them extremely susceptible to extreme weather events that could lead to catastrophic impacts to our residents, particularly within the winter months, and

WHEREAS, the 2022 scoping plan for implementing CLCPA admits there will be days, or even weeks, when there is insufficient solar and wind energy to meet state needs, and according to the New York Independent System Operator, this means that by 2040 the state will be missing 10% of the power supply it requires to get through winter, and

WHEREAS, the Climate Action Council's Scoping Plan, which was published even before the Governor announced her proposals, conceded that, "new and upgraded transmission and distribution systems will be needed statewide, including specific transmission and distribution investments that will be necessary to deliver energy from where the generation is located to where the load demand exists," as of February 17, 2023, NYSEG reported the following locations within Schuyler County currently had distributed generation queued in excess of the transmission systems capability to support, Montour Falls (52020), Burdett (43021), Valois (43020), Cayuta (52021) these transmission systems account for nearly all electric within the County outside of the Village of Watkins Glen, and

WHEREAS, as of February 6, 2023, Schuyler County solar capacity with projects in the pipeline is only 19.0 MW DC, which will not accommodate the increased demand for electricity within the county, and

WHEREAS, according to the Cato Institute, a non-partisan, public policy research organization, these bans also may increase carbon emissions if utilities continue to rely on natural gas and other fossil fuels in electricity generation, in that at least half of the energy embedded in fossil fuels is lost during the electrical generation, transmission, and distribution processes, and

WHEREAS, the largest analysis of any possible link between gas stoves and childhood asthma, a 2013 study by the International Study of Asthma and Allergies in Childhood that incorporated data from more than 500,000 children worldwide, found "no evidence of an association between the use of gas as a cooking fuel and either asthma symptoms or asthma diagnosis," and

WHEREAS, on April 17, 2023, a federal appeals court ruled (No. 21-16278 D.C. No. 4:19-cv-07668-YGR, United States Court of Appeals for the Ninth Circuit) that a local ban on natural gas hookups in new buildings is preempted by federal law, which ruling may implicate the legality and constitutionality of such proposals within the state.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby opposes any plan to ban gas heating equipment and appliances as neither feasible nor warranted for Schuyler County and upstate New York, and

BE IT FURTHER RESOLVED as policymakers consider appropriate feasible steps to reduce emissions, the Schuyler County Legislature urges policymakers to consider our existing infrastructure challenges and necessary resources that will be required to meet the goals as currently proposed, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded by the Clerk of the Legislature to Governor Kathy Hochul, DEC Commissioner Basil Segos, Senate Majority Leader Andrea

PROCEEDINGS OF THE YEAR 2023

Stewart-Cousins, Senator Thomas F. O'Mara, Assembly Speaker Carl E. Heastie, Assemblyman Philip Palmesano, the New York State Association of Counties (NYSAC), and any such other persons and organizations as deemed appropriate.

Vote 6-0.

RESOLUTION NO. 152 Motion by Rondinaro, Second by Jaynes.

RE: RECOGNIZE MAY 14-20, 2023 AS NATIONAL POLICE WEEK AND MAY 15, 2023 AS PEACE OFFICER'S MEMORIAL DAY – SHERIFF'S DEPARTMENT

WHEREAS, in 1962 President John F. Kennedy signed Proclamation 3537 which designated May 15 as Peace Officer's Memorial Day and the calendar week during which May 15 occurs as Police Week in recognition of the service given by the men and women who, night and day, protect us through enforcement of our laws, and

WHEREAS, congress, to pay tribute to the law enforcement officers who have made the ultimate sacrifice for our country and to voice our appreciation for all those who currently serve on the front lines of the battle against crime by a joint resolution approved October 1, 1962 (76 Stat.676), has authorized and designated May 15 of each year as "Peace Officers Memorial Day," and the week in which it falls as "National Police Week" and by Public Law 103-322 (36 U.S.C. 175) has requested that the flag be flown at half-staff on Peace Officers' Memorial Day, and

WHEREAS, the Office of Sheriff is unique in the community, and the duties of the Office go far beyond the traditional role of "Keeper of the Peace", and extend into many facets of public service, including maintaining the County jail, providing security in our facilities, dispatching emergency services, and serving and executing civil process for our courts, and

WHEREAS, it is fitting to celebrate the historical contributions and the significant role that Officers play in our modern criminal justice system, and

WHEREAS, the Sheriff's Office will host a memorial service for all local law enforcement in honor of Peace Officer's Memorial Day and National Police Week.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby recognizes, honors, and supports all past and present local law enforcement on Peace Officer's Memorial Day on May 15, 2023.

Vote 6-0.

RESOLUTION NO. 153 Motion by Rondinaro, Second by Howell.

RE: MOTION TO BRING ONE (1) RESOLUTION TO THE FLOOR

BE IT RESOLVED, that one (1) Resolution be brought to the floor.

Vote 6-0.

RESOLUTION NO. 154 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE MEMORANDUM OF UNDERSTANDING (MOU) WITH STEUBEN COUNTY FOR NYCONNECTS REGIONAL TRAINING COLLABORATIVE – OFFICE FOR THE AGING DEPARTMENT

WHEREAS, the NYCONNECTS "No Wrong Door" Team will conduct a regional training event by Corning Community College on May 22, 2023, to enhance daily operations within the NYCONNECTS, AIM and Office for the Aging (OFA) service delivery system, the cost of same (\$1566.00) to be shared equally by five member agencies (\$313.20 per member), including the Schuyler County Office for the Aging (OFA), and

WHEREAS, Steuben County shall be the lead agency, with reimbursement of each member's share to be made to Steuben County, and

WHEREAS, Steuben County will bill the Schuyler County OFA in the amount of \$313.20 for Schuyler County's share of the training cost.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a MOU with Steuben County for the Office for the Aging Department for the NYCONNECTS Regional Training Collaborative, in the amount of \$313.12, as set forth above, funding available in account no. 001.6772.0461, MOU approved as to form by the Schuyler County Attorney.

Vote 6-0.

PROCEEDINGS OF THE YEAR 2023

NEW BUSINESS: None.

UNFINISHED BUSINESS: None.

REPORT ON STANDING COMMITTEES:

Legislator Howell reported that he had toured the Arnot Forest, and he did not realize what he had been missing as it is an amazing operation there. He also reported that the old Stillman's Greenhouse building has been sold to a new owner and he hoped that the façade program could continue as the new owners would be very interested.

Legislator Reed said even though it is not related to Schuyler County he felt the Legislators should be aware that the True Temper handle company out on Smith Road in Chemung County will be closing its doors permanently. They will be closing all of their locations and have laid off eight hundred employees. The reason behind the closing is that Home Depot is now ordering their handles from China.

Legislator Rondinaro reported that he felt that the Inter-County Association of Western New York meeting held at Watkins Glen International (WGI) April 21, 2023 was a success. The Deputy Clerk, Jamee Mack, reported that WGI picked up the tab for that meeting and the Inter-County Association normally makes a donation to an organization within that host County when this occurs. It was agreed to suggest they donate to the Spirit of Schuyler Organization. The decision will be made at their next meeting May 12, 2023.

COUNTY ADMINISTRATOR'S REPORT:

The County Administrator said he has only one topic to report on and that is the sales tax. In early April compared to last year, the figures are flat and at this time our figures are down about \$4,600.00.

PUBLIC PARTICIPATION: None.

Before entering into Executive Session, Legislator Howell asked the status of the Federal American Recovery Plan Act (ARPA) funds compared to the wish list that was put together. He asked how much of the funds had been spent and wanted to know what was left. The County Administrator replied that two Department Heads have called about the funds, one has received them already, and the other is the Sheriff's Department. They were in the original wish list however have different ideas for the funds allocated and will be coming forward with that action soon. In essence he reported that they have spent about half of the funds received, and that these funds must be committed by the end of this year and spent by the year 2026.

MOTION by Legislator Rondinaro to go into executive session, pursuant to Public Officers Law Section 105 (1)(f), to discuss the medical, financial, credit or employment history of a particular person or Corporation or matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or Corporation. **SECOND** by Legislator Jaynes. Motion carried six ayes to zero noes.

MOTION by Legislator Rondinaro to come out of executive session, **SECOND** by Legislator Gray, Motion carried six ayes to zero noes.

The Meeting adjourned at 7:21 P.M.

Jamee L. Mack, Deputy Clerk

REGULAR MEETING JUNE 12, 2023

The June 12, 2023 Regular Meeting of the Schuyler County Legislature was called to order at 6:30 p.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Reed and followed by a Moment of silence. All Legislators were present. The County Administrator Fonda Chronis, and County Attorney Steven Getman were also present.

PUBLIC PARTICIPATIONS: None.

RESOLUTION NO. 155 Motion by Barnes, Second by Rondinaro.

RE: APPROVE MINUTES OF THE MAY 8, 2023 REGULAR MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the May 8, 2023 Regular Meeting of the Schuyler County Legislature be approved.

PROCEEDINGS OF THE YEAR 2023

Vote 8-0.

RESOLUTION NO. 156 Motion by Howell, Second by Jaynes.

RE: AUTHORIZE TRANSFER OF FUNDS FROM THE DISTRICT ATTORNEY'S SEIZED ASSETS RESERVE ACCOUNT TO HELP PURCHASE AXON BODY CAMERAS FOR THE SCHUYLER COUNTY SHERIFF'S DEPARTMENT – DISTRICT ATTORNEY'S DEPARTMENT

WHEREAS, the Schuyler County District Attorney's Office frequently receives funds known as forfeiture funds which are seized from defendants to recover property which constitutes the proceeds of a crime, the substituted proceeds of a crime, an instrumentality of a crime or the real property instrumentality of a crime, and

WHEREAS, the use of said forfeited funds is regulated by the New York State Criminal and Civil Procedure laws and may only be used for specified purposes. Said purposes include, but are not limited to, purchasing equipment to assist and enhance prosecution and law enforcement, and

WHEREAS, the Schuyler County District Attorney's Office finds the need to utilize these funds to assist the Schuyler County Sheriff's Department in purchasing Axon Body Cameras, and

WHEREAS, these expenses are a proper use of forfeited funds under the New York State and Federal Asset Forfeiture guidelines; and said funds are available in the District Attorney's Seized Assets Reserve Account.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer funds as follows below from the referenced accounts for the purpose of assisting the Schuyler County Sheriff's Department in purchasing Axon Body Cameras, in the amount of \$10,000.00; such transfer complies with the requirement of General Municipal Law § 6-v(5), effective October 9, 2019, that every claim for the payment of money in such account shall specify the purpose of the requested payment and must be accompanied by a written certification that the expenditure is in compliance with all applicable laws:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
-\$10,000.00	001.1165.2626.1165	Seized Assets Reserve Account
+\$10,000.00	001.3110.0202	Equipment – Sheriff

Vote 8-0.

RESOLUTION NO. 157 Motion by Howell, Second by Jaynes.

RE: AUTHORIZE CONTRACT WITH AXON ENTERPRISE, INC. FOR LAW ENFORCEMENT DEVICES, RELATED SOFTWARE AND CLOUD STORAGE/AUTHORIZE USE OF FEDERAL AMERICAN RESCUE PLAN ACT FUNDING – SHERIFF'S DEPARTMENT

WHEREAS, the Sheriff's Office has the opportunity to purchase body worn cameras and tasers in a package price from Axon Enterprises, Inc., and

WHEREAS, Axon Enterprise, Inc. is offering this package price for the cost of \$166,895.52, and

WHEREAS, this is a one-time purchase with funding available in the Sheriff's 2023 Budget, from a Body Worn Grant in the amount of \$20,000.00, the District Attorney's Reserve Fund in the amount of \$10,000.00, and from the Federal American Rescue Plan Act (ARPA) funding in the amount of \$136,895.52.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with Axon Enterprise, Inc. for the purchase of Law Enforcement devices, related software and cloud storage at the cost of \$166,895.52, with funding available as stated above, for the term June 30, 2023 through September 14, 2028, approved as to form by the Schuyler County Attorney, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer \$136,895.52 from the ARPA Fund 001.0001.0688.0000, into the Sheriff's account no. 001.3110.0202.

Vote 8-0.

RESOLUTION NO. 158 Motion by Howell, Second by Jaynes.

RE: AUTHORIZE THREE-YEAR POSTAGE METER LEASE AGREEMENT WITH QUADIENT, INC. – SHERIFF'S DEPARTMENT

WHEREAS, the Sheriff's Office is renewing its postage meter lease with Quadient, Inc. for a three-year term, and

WHEREAS, Quadient, Inc. will charge \$15.08 per month, plus any postage supplies.

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a three-year Poster Meter Lease agreement with Quadient, Inc. for the Sheriff’s Department for a postage meter, effective July 22, 2023 through July 21, 2026, at a cost of \$15.08 per month, plus any postage supplies, billed annually, funding available in account no. 001.3110.0450, approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 159 Motion by Howell, Second by Jaynes.

RE: ACCEPT SEALED BID FROM ECONOMY PAVING CO., INC. FOR REPAIR OF THE SENECA HARBOR PARK SEAWALL/AUTHORIZE USE OF FACILITIES AND GROUNDS RESERVE FUNDS – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, Resolution No. 35-23 authorized advertising for sealed bids for the Repair of the Seawall at Seneca Harbor Park, and

WHEREAS, one bid was received and opened on March 9, 2023, and

WHEREAS, the Highway Superintendent who oversees the Buildings and Grounds Department has determined that Economy Paving Co., Inc. should be awarded the bid at a cost of \$837,448.00, and

WHEREAS, Resolution No. 90-23 authorized a public hearing to be set for Monday, May 8, 2023 at 6:30 p.m. for use of the Facilities and Grounds Reserve Funds for said repair, and

WHEREAS, said public hearing was held.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby approves of use of the Facilities and Grounds Reserve Funds for this repair, and

BE IT FURTHER RESOLVED, that the Chairman of the Legislature be hereby authorized to execute the contract with Economy Paving Co., Inc. for repair of the Seneca Harbor Park Seawall, at a cost of \$837,448.00, for the term of May 1, 2023 through November 30, 2023, approved as to form by the Schuyler County Attorney, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is authorized to transfer the amount of \$837,448.00 from the Facilities and Grounds Reserve Fund 1.1.877 into the Buildings Capital Fund account no. 004.7110.0213.

Vote 8-0.

RESOLUTION NO. 160 Motion by Barnes, Second by Gray.

RE: AUTHORIZE DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261 OF THE NEW YORK STATE TAX LAW FOR THE PERIOD OF OCTOBER 1, 2022 THROUGH MARCH 31, 2023

WHEREAS, the County Clerk and Treasurer have presented their report concerning mortgage tax receipts for the period October 1, 2022 through March 31, 2023, pursuant to Section 261 of the New York State Tax Law, and the same has been apportioned to the various municipalities thereto.

NOW, THEREFORE, BE IT RESOLVED, that the County Treasurer be, and hereby is, authorized to pay the respective towns and villages of Schuyler County those amounts listed below.

MORTGAGE TAX DISTRIBUTION AMONG TOWNS AND VILLAGES

OCTOBER 1, 2022 THROUGH MARCH 31, 2023

TOWNS	Amount Due	VILLAGES	Amount Due
Catharine	\$8,470.11	Burdett	\$707.27
Cayuta	\$1,256.09	Montour Falls	\$3,910.29
Dix	\$15,897.49	Odessa	\$1,258.79
Hector	\$39,979.26	Watkins Glen	\$6,099.33
Montour	\$11,662.48		
Orange	\$36,050.71		
Reading	\$17,742.78		
Tyrone	\$30,263.89		
TOTALS	\$161,322.81		\$11,975.68

Vote 8-0.

PROCEEDINGS OF THE YEAR 2023

RESOLUTION NO. 161 Motion by Barnes, Second by Gray.

RE: AUTHORIZE AMENDING SCHUYLER COUNTY SEXUAL HARASSMENT POLICY TO MEET NEW MINIMUM STANDARDS SET BY NEW YORK STATE – HUMAN RESOURCES DEPARTMENT

WHEREAS, Schuyler County currently has a harassment policy in place addressing all forms of illegal harassment, and

WHEREAS, amendments to New York’s Labor Law require every employer in New York State, both public and private, to ensure that the policy they have adopted meets or exceeds minimum standards, and

WHEREAS, the Personnel Officer has updated the current Sexual Harassment policy in compliance with New York State standards.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes amending the Schuyler County Sexual Harassment policy and plan, effective immediately, and so place updated policy in the Schuyler County Policies and Procedure Manual.

Vote 8-0.

RESOLUTION NO. 162 Motion by Barnes, Second by Gray.

RE: RATIFY LEASE WITH PITNEY BOWES FOR AN ANNUAL MAINTENANCE AND SOFTWARE AGREEMENT FOR POSTAGE SERVICES – BOARD OF ELECTIONS DEPARTMENT

WHEREAS, on November 28, 2022, the Schuyler County Board of Elections accepted a one-year lease agreement quote from Pitney Bowes (lessor) for annual maintenance and software for postage services at a purchase price of \$1,368.26, with a monthly fee of \$37.00 on top of an annual cost of \$21.00 for a total of \$1,833.28, and

WHEREAS, the Board of Elections has taken delivery of the meter and the lessor has invoiced the lease payment, and

WHEREAS, the lease required legislative approval.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby ratifies the aforesaid lease agreement for the Board of Elections Department, for the term December 8, 2022 through December 7, 2023, at a cost of \$1,833.28, funding available in account no. 001.1450.0451, and

BE IT FURTHER RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the lease agreement, approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 163 Motion by Barnes, Second by Gray.

RE: ACCEPT/REJECT OFFER BY TOWN OF TYRONE TO PURCHASE REAL PROPERTY LOCATED AT 759 COUNTY ROAD 23, TOWN OF TYRONE, COUNTY OF SCHUYLER, STATE OF NEW YORK (TAX MAP NO. 50.05-1-5) — COUNTY ADMINISTRATOR’S DEPARTMENT

WHEREAS, pursuant to NYS County Law Sec. 215 (5 Op.State Compt. 518, 1949; 5 Op.State Compt. 293, 1949), a county may sell its rights in real property to which it obtained title through tax sale proceedings at private sale without competitive bidding, and

WHEREAS, the County is now holding title to a certain real property, 759 County Road 23, Town of Tyrone, County of Schuyler, State of New York (Tax Map No. 50.05-1-5), pursuant to a judgement of foreclosure in accordance with Article 11 of the Real Property Tax Law, which parcel failed to sell at auction, and

WHEREAS, the office of the Schuyler County Administrator has received from the Town of Tyrone an Offer to Purchase said property, dated May 18, 2023, for the sum of One Dollar and No/100 (\$1.00) together with fees totaling One Hundred Ninety Dollars and No/100 (\$190.00) broken down as follows:

Filing Fees:

a) Deed	\$ 50.00
b) Gains Affidavit	5.00
c) Transfer Tax	0.00
d) EA5217 Form	125.00
e) Residential Deed Notice	10.00

PROCEEDINGS OF THE YEAR 2023

TOTAL: \$190.00.

NOW, THEREFORE, BE IT RESOLVED, that the Schuylers County Legislature hereby accepts the Offer to Purchase by Town of Tyrone dated May 18, 2023, for the aforesaid real property, and

BE IT FURTHER RESOLVED, that the Chair of the Schuylers County Legislature is hereby duly authorized and directed to execute the acceptance of the aforesaid offer to purchase, upon the terms and conditions above and therein, and

BE IT FURTHER RESOLVED, that the Chair of the Schuylers County Legislature is hereby duly authorized and directed to execute such deed and attendant documents and the County Attorney or his designee is authorized to deliver and/or record such deed and attendant documents upon full payment of the purchase price and fees to the County of Schuylers.

Vote 8-0.

RESOLUTION NO. 164 Motion by Gray, Second by Rondinaro.

RE: AUTHORIZE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE SCHUYLER COUNTY HUMAN RESOURCES DEPARTMENT FOR PROFESSIONAL TRAINING SERVICES - SOCIAL SERVICES DEPARTMENT

WHEREAS, the Schuylers County Social Services Department has created and filled a Professional Development Coordinator position, and

WHEREAS, the Human Resources Department would like to utilize the expertise of the Professional Development Coordinator to aid in professional training for other County employees with Department Head approval, and

WHEREAS, the Human Resources Department has funds available in the 2023 budget to reimburse the Social Services Department from their Professional Fees, account no. 001.1430.0548 in the amount of \$32,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a memorandum of understanding for the Social Services Department with the Human Resources Department for professional training services, at the cost of \$32,000.00 for the term January 1, 2023 through December 31, 2023, contract approved as to form by the Schuylers County Attorney.

Vote 8-0.

RESOLUTION NO. 165 Motion by Gray, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH SCHUYLER COUNTY YOUTH BASEBALL AND SOFTBALL FOR YOUTH SPORTS - YOUTH BUREAU DEPARTMENT

WHEREAS, the Schuylers County Youth Bureau supports programs for Schuylers County youth between the ages of 6 - 17 years, and

WHEREAS, sports opportunity funding awards are guided by principles that sports are effective tools in positive youth development and family engagement, and improve the lives of young people socially, emotionally, and in health and educational outcomes.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Schuylers County Youth Baseball and Softball for Youth Sports Opportunities for the Youth Bureau, term of January 1, 2023 through September 30, 2023, in the amount of \$2,017.00, funding available in account No. 001.7310.0495, contract approved as to form by the Schuylers County Attorney.

Vote 8-0.

RESOLUTION NO. 166 Motion by Gray, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH THE VILLAGE OF WATKINS GLEN FOR THE SUMMER RECREATION PROGRAM – YOUTH BUREAU DEPARTMENT

WHEREAS, the Schuylers County Youth Bureau has funds available through the New York State Office of Children and Family Services (OCFS) to fund a Summer Recreation Program for the youth in the Watkins Glen Central School District, and

WHEREAS, the Summer Recreation Program promotes positive social, emotional, health and education for the Schuylers County Youth.

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with the Village of Watkins Glen for the Schuyler County Youth Bureau for the summer recreation program for the term January 1, 2023 through September 30, 2023, in the amount of \$2,018.00, funding available in account no. 001.7310.0495 – Youth Programs, contract approved as to form by the Schuyler County Attorney.

RESOLUTION NO. 167 Motion by Gray, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH THE TOWN OF ORANGE FOR THE SUMMER SWIM PROGRAM – YOUTH BUREAU DEPARTMENT

WHEREAS, the Schuyler County Youth Bureau has been contracting with the Town of Orange for the operation and supervision of the Summer Swim Youth Program on a yearly basis, and

WHEREAS, the Youth Bureau is renewing this contract and the term has changed from yearly to a nine-months to coincide with the funding from the New York Office of Children and Family Services.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with the Town of Orange for the Youth Bureau Department for the Summer Swim Program, for the term January 1, 2023 through September 30, 2023, at a cost of \$1,200.00, funding available in account no. 001.7310.0495, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 168 Motion by Gray, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH WATKINS GLEN INTERNATIONAL, LLC, D.B.A. WATKINS GLEN INTERNATIONAL (WGI) FOR THE SUMMER YOUTH EMPLOYMENT PROGRAM – YOUTH BUREAU DEPARTMENT

WHEREAS, the Schuyler County Youth Bureau has been contracting with Watkins Glen International (WGI) for the Summer Youth employment program, and

WHEREAS, the term of the contract has changed with the renewal's effective date now being upon execution through January 1, 2024, and

WHEREAS, WGI will reimburse the Youth Bureau at actual costs.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with WGI for the Youth Bureau Department for the Summer Youth Employment Program, for the term effective upon execution through January 1, 2024, to be reimbursed at actual costs, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 169 Motion by Gray, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH NATIONAL ASSOCIATION OF CHRONIC DISEASE DIRECTORS (NACDD) FOR THE WALKABILITY VIRTUAL ACADEMY PARTICIPANT TEAM GRANT – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Schuyler County Public Health Department has been awarded a Walkability Virtual Academy Participant Team Grant Federal Award # 5-NU38OT000286-05, in the total amount of \$10,000.00 with no local share, and

WHEREAS, these grant funds will be used to contribute to Public Health's overall interdisciplinary efforts of providing targeted training, assistance, and support to multi-sector teams to implement a macro level policy system, and environmental improvements to make communities, regions and /or states more walkable.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to accept and execute the Walkability Virtual Academy Participant Team Grant with National Association of Chronic Disease Directors (NACDD), for the term of February 8, 2023 through July 31, 2023, in the amount of \$10,000.00, approved as to form by the Schuyler County Attorney, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish said grant accordingly, and in cooperation with the Public Health Department.

Vote 8-0.

RESOLUTION NO. 170 Motion by Gray, Second by Rondinaro.

RE: AUTHORIZE THE CREATION AND FILLING OF ONE FULL-TIME SENIOR ACCOUNT CLERK

PROCEEDINGS OF THE YEAR 2023

- KEYBOARD SPECIALIST POSITION FOR COMMUNITY SERVICES – MENTAL HEALTH DEPARTMENT

WHEREAS, the Community Services' Schuyler County Mental Health Clinic promoted a Senior Data Entry Operator to Administrative Assistant in February of 2020, and

WHEREAS, the Health Emergency, COVID 19, started March 2020, resulting in patients being seen remotely, and

WHEREAS, the Clinic did not fill the vacant Senior Data Entry Operator at that time due to less patients being seen on site, and

WHEREAS, the Clinic has had an increase of in person appointments, and has continued to increase services to the community, resulting in more appointments, billing, and associated paperwork, and

WHEREAS, it has been identified that such responsibilities can be fulfilled by a Senior Account Clerk – Keyboard Specialist position, and

WHEREAS, the Director of Community Services is requesting to create and fill said position, upon the approval of the County Administrator, and

WHEREAS, funding for said position is available in the Community Services 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Community Services Department is hereby authorized to create and fill one full-time Senior Account Clerk - Keyboard Specialist position, at the hourly rate of \$20.69, to be placed in Grade 5, as set forth in the CSEA Local 849 Administrative Unit union contract, effective immediately.

Vote 8-0.

RESOLUTION NO. 171 Motion by Gray, Second by Rondinaro.

RE: AUTHORIZE CONTRACT AMENDMENT WITH FLIGHT SUIT MEDICAL, P.C. D.B.A. IMAGINE MEDICAL GROUP TO ADD LICENSED CLINICAL SOCIAL WORK SERVICES – MENTAL HEALTH DEPARTMENT

WHEREAS, Resolution No. 287-22 authorized a contract with Flight Suit Medical, P.C. d.b.a. Imagine Medical Group to provide Psychiatric Nurse Practitioner and Medical Director services, and

WHEREAS, there is a need to add Licensed Clinical Social Work services to the existing contract commencing upon execution through September 13, 2024, at the rate of \$85.00 per hour.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract amendment with Flight Suit Medical, P.C. d.b.a. Image Medical Group for the Mental Health Department for Licensed Clinical Social Work Services, commencing upon execution through September 13, 2024, at the rate of \$85.00 per hour, funding available in account no. 001.4310.0458, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 172 Motion by Rondinaro, Second by Barnes.

RE: DECLARE NEGATIVE DECLARATION STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) FOR ISSUANCE FOR PUBLIC ENTERTAINMENT PERMIT, WATKINS GLEN INTERNATIONAL, INC. 2023 EVENTS – PLANNING DEPARTMENT

WHEREAS, in accordance with Local Law No. 4 of the Year 2010, as amended, Watkins Glen International, Inc., of Watkins Glen, NY has applied for a Public Entertainment (Outdoor) Permit for the 2023 season of events, and

WHEREAS, the proposed events are:

- **SCAA Majors Super Tour – June 2, 2023 – June 4, 2023**
- **Six Hour Race, June 22, 2023 -June 25, 2023**
- **Finger Lakes Wine Festival, July 7, 2023- July 09, 2023**
- **NASCAR Cup Series, August 18, 2023 – August 20,2023**
- **US Vintage Grand Prix, September 7, 2023 – September 10, 2023**

WHEREAS, all events will take place at the Watkins Glen International facility located in the Town of Dix, Schuyler County, NY, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, in compliance with NYCRR Part 617 State Environmental Quality Review (SEQR), Schuyler County must review the potential environmental impacts associated with the issuance of a permit under Local Law No. 4 of the Year 2010, Public Entertainment (Outdoor) – Regulating/Licensing, and

WHEREAS, on May 8, 2023, by Resolution No. 150-23 the Legislature declared its intent to serve as lead agency for the environmental review and accepted the Environmental Assessment Form (EAF) and notified involved agencies of this intent to serve as lead agency, and

WHEREAS, no involved agencies challenged Schuyler County’s assertion of lead agency status within the required 30-day waiting period, and

WHEREAS, the above-described action is a “Unlisted” action under SEQR.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Article 8 of the New York State Environmental Conservation Law, upon review of the submitted EAF and the permit materials provided by Watkins Glen International, Inc., and in consultation with the County Planning Director, County Administrator, and the Schuyler County Legislature finds that the issuance of the Public Entertainment (Outdoor) Permit for the proposed events listed in this resolution will not result in any significant negative environmental impacts, and accordingly

issues a negative declaration of environmental impact, and

BE IT FURTHER RESOLVED that the Chairman of the Legislature is hereby authorized and directed to complete, and sign as required the determination of significance, confirming the foregoing Negative Declaration.

Vote 8-0.

RESOLUTION NO. 173 Motion by Rondinaro, Second by Barnes.

RE: ISSUE PUBLIC ENTERTAINMENT PERMITS TO WATKINS GLEN INTERNATIONAL, INC. FOR THEIR GENERAL MASS GATHERING EVENTS FOR 2023 – PLANNING DEPARTMENT

WHEREAS, in accordance with Local Law No. 4 of the Year 2010, as amended, Watkins Glen International, Inc., of Watkins Glen, NY has applied for a Public Entertainment (Outdoor) Permit for the 2023 season of events, and

WHEREAS, the proposed events are:

- **SCAA Majors Super Tour – June 2, 2023 – June 4, 2023**
- **Six Hour Race, June 22, 2023 -June 25, 2023**
- **Finger Lakes Wine Festival, July 7, 2023- July 09, 2023**
- **NASCAR Cup Series, August 18, 2023 – August 20,2023**
- **US Vintage Grand Prix, September 7, 2023 – September 10, 2023**

WHEREAS, all events will take place at the Watkins Glen International facility located in the Town of Dix, Schuyler County, NY, and

WHEREAS, in compliance with the issuance of a permit under Local Law No. 4 of the Year 2010, Public Entertainment (Outdoor) – Regulating/Licensing, all requirements have been met.

NOW, THEREFORE, BE IT RESOLVED, that upon recommendation of the County Planning Director and County Administrator, the Schuyler County Legislature authorizes the issuance of the Public Entertainment (Outdoor) Permits for the proposed events listed in this resolution to Watkins Glen International, Inc.

Vote 8-0.

RESOLUTION NO. 174 Motion by Rondinaro, Second by Barnes.

RE: AUTHORIZE SCHUYLER COUNTY PLANNING DEPARTMENT TO APPLY FOR A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ON BEHALF OF SCHUYLER COUNTY AND SET PUBLIC HEARING PURSUANT TO SECTION 570.486, SUBPART I OF THE CFR – PLANNING DEPARTMENT

WHEREAS, the New York State Community Development Block Grant (CDBG) program provides financial assistance to eligible cities, towns, and villages with populations under 50,000 and counties with an area population under 200,000, in order to develop viable communities by providing decent, affordable housing,

PROCEEDINGS OF THE YEAR 2023

and suitable living environments, as well as expanding economic opportunities, principally for persons of low and moderate income, and

WHEREAS, the CDBG Program is administered by the New York State Office of Community Renewal (OCR), which program will make approximately \$10 million available to eligible local governments, and

WHEREAS, if it is awarded the grant, Schuyler County Planning Department intends to work with Ithaca Neighborhood Housing Services (INHS), a qualified organization which seeks to foster communities that embrace diversity, equity, and sustainability in ways that produce lasting outcomes, dedicated to expanding housing opportunities for low and moderate-income residents of Cayuga, Chemung, Cortland, Schuyler, Seneca, Tioga, and Tompkins Counties, with past experience administering grant funds, and

WHEREAS, the Planning Department will apply for these funds in the amount of \$200,000.00, with no local match requirement, with INHS leveraging \$8,500.00 in program delivery, and

WHEREAS, a public hearing is required to be held in conjunction with the preparation of the CDBG application in order to provide further information about the program and allow for citizen participation in the development of any proposed grant applications and/or to provide technical assistance to develop alternate proposals, and

WHEREAS, notice of such public hearing shall contain the time and place of the hearing, offer accommodations for persons with disabilities, those with hearing impairments, or those in need of translation from English and include an invitation to submit written comments and where to direct such comments, and must be published at least once in a newspaper of general circulation in the community at least seven (7) days prior to the hearing, further, the hearing notice must be conspicuously posted in one or more public locations at least seventy-two (72) hours prior to the actual hearing, which may also be accomplished by posting to the county website, and

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature does hereby authorize Schuyler County Planning Department to apply for CDBG funds through the New York State Office of Community Renewal on behalf of Schuyler County, and

BE IT FURTHER RESOLVED, the Schuyler County Legislature authorizes the Chairman of the Legislature the authority to sign all documents and materials related to the submission of the grant, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to advertise the required public hearing pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended, which public hearing to be conducted before the Schuyler County Legislature on July 10, 2023, at 6:30 p.m., at its Regular Meeting thereof.

Vote 8-0.

PUBLIC PARTICIPATION: None.

NEW BUSINESS: None.

UNFINISHED BUSINESS: None.

REPORT ON STANDING COMMITTEES:

Legislator Barnes reported that since the State Legislature passed a law where all Off- Track Betting members were fired we will have to appoint a new member to be on the board and the sooner the better. Some Counties have re-appointed the same members. He was told that we have to follow the new law on who can be appointed and asked Attorney Getman to follow up on this. He also reported that it will now be a four-year term appointment.

Legislator Howell reported that he attended a public meeting in Odessa for the bridge replacement project on Cotton Hanlon Road. They will start the project in May of 2024 with a completion date in the fall. There are some right of way issues, but they are optimistic it will proceed. He also commented on how the statue of Philip Schuyler was removed from outside Albany City Hall last weekend. If the City of Schuylerville is unable to accept the statue, he feels we should consider requesting it.

Legislator Gray reported that he attended a Lakes Association meeting where there was a very information presentation on the Lamoka and Waneta creek and channel erosions.

Blowers, NYSAC email came out today with the damage from the NYS Budget. We have some ground to make up.

COUNTY ADMINISTRATOR'S REPORT:

Administrator Chronis reported that Sales Tax figures are down, and June is the settlement month. He said this is a trend all across New York State as we are seeing growth slow down. He also reported that he kicked off the 2024 budget season with a guidance document sent to all department heads last Friday. His report states that our growth in sales tax will probably go back to pre-pandemic increasing costs still at a 5% mark. Add that to salary increases, costs rising and all unfunded mandates this will be a tough budget to work on. He sees four big changes. One of them is the Medicaid shift, another is the Tax Foreclosure change that all counties can no longer keep excess funds, then there is pension contributions that are going up in 2024, and the increase in assigned counsel pay from \$75/hr to \$158/hr, which is about a 7% increase. He explained that he put together a new process for the budget requests this year for 2024 and is using local share actuals going back four years. He will look at average and make sure it makes sense and then add whatever costs are increased for salaries. He feels it's a good way to get us down in spending hopefully. We don't have a large budget and we have to come up with \$1.4 million. He will not bring in a budget above the tax cap to the Legislature and each Legislator will be given a binder with all of the information in them along with increases for each department above the norm. He hopes sales tax will start to pick up and that number decreases. He wants all Legislator to have good data and information to make your decisions. Legislator Howell asked if we know what the tax cap is yet. Administrator Chronis said he won't find out until next month. He'll report it as soon as he knows. He will also have five-year financial planning for capital expenses including this year.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 6:57 p.m.
Stacy B. Husted, Clerk

**REGULAR MEETING
JULY 10, 2023**

The July 10, 2023 Regular Meeting of the Schuyler County Legislature was called to order at 6:30 p.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Gray and followed by a Moment of silence. All Legislators were present, except Legislator Reed, who was excused. The County Attorney Steven Getman was present, and County Administrator Fonda Chronis was absent.

PUBLIC PARTICIPATIONS:

Ms. Lisa Duggan from the Opportunities, Alternatives and Resources (OAR) of Tompkins County office asked the status of the contract renewal that had been provided to the County Administrator. She said that she had not heard anything, and it expires in twenty-one days, and that her Director, David Sanders, had asked that she follow up on it. Attorney Getman asked that she explain the services she provides to the Legislature, which she did. She reported that she provides a number of services to help re-acclimate inmates that have been released, as well as inmates still incarcerated. Her services and establishment of her office are per the Hurrell-Harring lawsuit. She said that if the contract is not going to be renewed, then she needs to let her clients know. Attorney Getman told her that she could meet with him to discuss the agreement and that he would contact her Director.

**PUBLIC HEARING TO AUTHORIZE AN APPLICATION FOR A COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) ON BEHALF OF SCHUYLER COUNTY:** None.

RESOLUTION NO. 175 Motion by Howell, Second by Barnes.

RE: APPROVE MINUTES OF THE JUNE 12, 2023 REGULAR MEETING OF THE SCHUYLER
COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the June 12, 2023 Regular Meeting of the Schuyler County
Legislature be approved.

Vote 7-0.

RESOLUTION NO. 176 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE TRANSFER FROM CONTINGENCY FOR JAIL MEDICAL EXPENSES –
SHERIFF'S DEPARTMENT

PROCEEDINGS OF THE YEAR 2023

WHEREAS, due to the unanticipated increase for inmate medical expenses and prescription drug costs for inmates, the Jail's Medical line is almost depleted, and

WHEREAS, a transfer within the department expense lines has already been processed to try to offset this increase, and

WHEREAS, this expense is unavoidable.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer the amount of \$15,000.00 from Contingency account no. 001.1990.0500 into the Jail account no. 001.3150.0429 – Medical Supplies and Expense.

DISCUSSION: Legislator Barnes requested that the Clerk provide him a breakdown of the medical expenses for this year. He said he wants to know what we have spent.

Vote7-0.

RESOLUTION NO. 177 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE CONTRACT WITH CHEMUNG-SCHUYLER-STEUBEN WORKFORCE NEW YORK TO RECEIVE PARTIAL REIMBURSEMENT FUNDING FOR CUSTOMIZED TRAINING FOR NEWLY HIRED PROBATION OFFICERS – PROBATION DEPARTMENT

WHEREAS, Chemung-Schuyler-Steuben (CSS) Workforce New York offers job training reimbursement up to 50% of the total cost, and

WHEREAS, the Probation Department has newly hired Probation Officers, and has been awarded a Customized Training Contract # 23-41-1000 to fund 50% of the participation in the Southern Tier Law Enforcement Academy to provide a newly required basic peace officer course to them, and

WHEREAS, the total cost of the training program is \$1,330.00 and CSS Workforce will provide partial funding in the amount of \$665.00 through the Customized Training Contract.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to accept and execute the Customized Training Contract # 23-41-1000 with CSS Workforce New York for the Probation Department to receive \$665.00 job training reimbursement, with a term of August 7, 2023 through December 22, 2023, the remaining funding available in account no. 001.3140.0409 – Conference Expense/Training, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 178 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE CONTRACT WITH MOTOROLA SOLUTIONS, INC. TO ADD NATIONAL INTEROPERABLE P-25 COMPLIANT CHANNELS TO THE SUGAR HILL TOWER SITE – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, P-25 is a suite of standards and specifications which enable interoperability among digital two-way land mobile radio (LMR) communications products provided by multiple manufacturers to support mission critical public safety requirements, and

WHEREAS, the Emergency Management Office wishes to enter into a contract with Motorola Solutions, Inc. to add National Interoperable P-25 Compliant Channels to the Sugar Hill Tower Site, and

WHEREAS, the cost for these additional channels is \$405,000.00, and

WHEREAS, funding is available in the Statewide Interoperable Communications Grant to cover said cost.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with Motorola Solutions, Inc. for Emergency Management to add National Interoperable P-35 Channels to the Sugar Hill Tower Site, effective upon execution until project completion, in the amount of \$405,000.00, funding available in the Statewide Interoperable Communications Grant account no. 001.3689.0202.3802, contract approved as to form by the Schuyler County Attorney.

Vote7-0.

RESOLUTION NO. 179 Motion by Howell, Second by Gray.

RE: SET PUBLIC HEARING AND AUTHORIZE CLERK TO ADVERTISE: AUTHORIZE USE OF FACILITIES AND GROUNDS RESERVE FUNDS TO REIMBURSE HUNT ENGINEERS, ARCHITECTS, LAND SURVEYORS AND LANDSCAPE ARCHITECTS, D.P.C. FOR THE COST

PROCEEDINGS OF THE YEAR 2023

OF GEOTECHNICAL SERVICES FOR THE SENECA HARBOR PARK SEAWALL REPAIR – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, a Geotechnical Engineering Exploration was required prior to completion of the Seneca Harbor Park Seawall Repair, and

WHEREAS, Resolution No. 275-21 authorized a contract with Hunt Engineers, Architects, Land Surveyors and Landscape Architects, D.P.C. for the engineering services for the Seneca Harbor Park Seawall Repair, and

WHEREAS, Hunt Engineers, Architects, Land Surveyors and Landscape Architects, D.P.C. hired Professional Service Industries Engineering to do the sub-surface geotechnical investigation soil boring and testing, and

WHEREAS, the County Highway Superintendent is hereby requesting the use of Facilities and Grounds Reserve Funds to reimburse Hunt for the Geotechnical Engineering Exploration at a cost of \$8,053.00, and

WHEREAS, pursuant to General Municipal Law § 6-d(2), prior to the adoption of any non-emergency, resolution, act, ordinance or local law by the governing board of the county, appropriating money for repairs from such fund, the governing board shall cause to be published in the official newspaper or newspapers, a notice stating in substance that it is proposed to appropriate a specified amount from the reserve fund for a particular purpose, and that a public hearing on such proposed appropriation will be held at a time and place stated therein, on at least five days' notice.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby sets a public hearing on August 14, 2023, at 6:30 p.m., to be held in the Legislative Chambers, 105 Ninth Street, Watkins Glen, New York, to receive comments on the following: authorizing the Buildings and Grounds Department to use funding available in the Facilities and Grounds Reserve Fund 1.1.877 to be transferred into the Buildings Capital Fund account no. 004.7110.0213, for the Geotechnical Services in the amount of \$8,053.00, and

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to publish notice of said hearing pursuant to General Municipal Law.

Vote 7-0.

RESOLUTION NO. 180 Motion by Howell, Second by Gray.

RE: AUTHORIZE ADVERTISEMENT FOR SEALED BIDS FOR BRIDGE REPAIRS AND INFRASTRUCTURE CONSTRUCTION THROUGHOUT THE COUNTY – HIGHWAY DEPARTMENT

WHEREAS, the County's bridge, culvert and guiderail system is extensive, and

WHEREAS, the County's system receives structural damage from time to time, which requires repair on various structures throughout the county due to emergencies, State Flag reports, natural disasters, etc., and

WHEREAS, work on these structures may require services from private firms to assist County forces, and

WHEREAS, the County has term agreements in place for engineering services to develop plans and design any needed repairs.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk to the Legislature in coordination with the County Highway Superintendent be hereby authorized to advertise for sealed bids on an hourly basis from qualified contractors to assist county forces with bridge repairs and infrastructure construction throughout the County, and

BE IT FURTHER RESOLVED, said bid will be received by the Clerk of the Legislature and opened publicly with an award made at a future meeting of the Legislature, and

BE IT FURTHER RESOLVED, that the County of Schuyler, reserves the right to accept or reject any and all bids, and to re-advertise if desired.

Vote 7-0.

RESOLUTION NO. 181 Motion by Barnes, Second by Rondinaro.

RE: APPROVE APPOINTMENT TO THE CHEMUNG-SCHUYLER-STEUBEN WORKFORCE DEVELOPMENT BOARD (CSS WORKFORCE DEVELOPMENT)

PROCEEDINGS OF THE YEAR 2023

WHEREAS, Ashley Tusch who represents Schuyler Hospital on the Chemung-Schuyler-Steuben Workforce Development Board (CSS Workforce Development Board) has resigned her position, and

WHEREAS, Ellen Redder is interested in filling the unexpired term through December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the Ellen Redder, Human Resources Director at Schuyler Hospital to fill the unexpired term on the CSS Workforce Development Board effective July 10, 2023 through December 31, 2024.

Vote 7-0.

RESOLUTION NO. 182 Motion by Barnes, second by Rondinaro.

RE: RATIFY AND AUTHORIZE ENGAGEMENT LETTER AND AGREEMENT WITH HANCOCK ESTABROOK, LLP FOR INVESTIGATION OF A CONFIDENTIAL PERSONNEL MATTER— HUMAN RESOURCES DEPARTMENT

WHEREAS, the County required independent professional services to investigate a particular confidential personnel matter, and

WHEREAS, Hancock Estabrook, LLP has been identified as qualified and capable of conducting such investigation at the following discounted municipality rates which will be fixed for the duration of its representation under this agreement: (a) \$260.00/hr. for partners; (b) \$190.00/hr. for associates and (c) \$110.00/hr. for paralegals, together with certain incidental and necessary expenses.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature's execution of such agreement is hereby authorized and ratified for a term to commence upon execution and ending upon termination of services, at the rates identified above, funding available in account no. 001.1430.0458, agreement approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 183 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE MEMORANDUM OF UNDERSTANDING WITH THE CIVIL SERVICE EMPLOYEE'S ASSOCIATION, INC. (CSEA) REGARDING SICK LEAVE BANK ENROLLMENT – HUMAN RESOURCES DEPARTMENT

WHEREAS, the County and the Union are parties to a collective bargaining agreement for the term January 1, 2020 through December 31, 2025, and

WHEREAS, the current Union contract has language to address the Sick Leave Bank where membership requires employees contribute two (2) sick days from their accumulated total to the Sick Leave Bank to enroll at open enrollment, and

WHEREAS, a current CSEA Union member who has been employed by the County since June 13, 2022, would like to enroll in the Sick Leave Bank during the open enrollment period to assist in covering an FMLA approved medical condition, however does not have sufficient sick days to donate, and

WHEREAS, the Union would like to allow above mentioned member in this case to donate one sick day and one float holiday to cover her enrollment requirements, and

WHEREAS, the County and the Union now wish to document the terms of their agreement.

NOW, THEREFORE, BE IT RESOLVED, the Chair of the Schuyler County Legislature be hereby authorized to enter into a Memorandum of Agreement with the Schuyler County Civil Service Employee's Association, Inc. as set forth above, effective July 10, 2023, approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION No. 184 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE CONTRACT EXTENSION WITH NEW YORK STATE BOARD OF ELECTIONS FOR ADDITIONAL TECHNOLOGY INNOVATION AND ELECTION RESOURCES (TIER) GRANT FUNDING – BOARD OF ELECTIONS DEPARTMENT – **RESCINDED BY RESOLUTION NO. 73-24**

WHEREAS, the County Board of Elections was awarded a Technology Innovation and Election Resource (TIER) Grant from the New York State Board of Elections, Contract #BOE-01-T004386-1110000, in the amount of \$19,332.38, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, said contract expired on January 27, 2023 and has not been fully expended, and

WHEREAS, the New York State Board of Elections has re-appropriated the contract by adding additional funding in the amount of \$29,046.42 and extending it with a new term of January 28, 2023 through January 28, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to execute said contract extension for the above Contract #BOE-01-T004386-1110000 in the amount of \$29,046.42 additional funding, with the New York State Board of Elections, for the new term above, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to extend the TIER Grant accordingly in cooperation with the Board of Elections Department.

Vote 7-0.

RESOLUTION NO. 185 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE CONTRACT EXTENSION WITH NEW YORK STATE BOARD OF ELECTIONS FOR ADDITIONAL ABSENTEE BALLOT PRE-PAID POSTAGE GRANT FUNDING – BOARD OF ELECTIONS DEPARTMENT – **RESCINDED BY RESOLUTION NO. 74-24**

WHEREAS, the County Board of Elections was awarded an Absentee Ballot Pre-Paid Postage Grant from the New York State Board of Elections, Contract #BOE-01-T004612-1110000, in the amount of \$13,402.44, and

WHEREAS, said contract expired on December 31, 2022 and has not been fully expended, and

WHEREAS, the New York State Board of Elections has re-appropriated the contract by adding additional funding in the amount of \$13,402.44 and extending it with a new term of December 31, 2022 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to execute said contract extension for the above Contract #BOE-01-T004612-1110000 in the amount of \$13,402.44 additional funding, with the New York State Board of Elections, for the new term above, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to extend the Absentee Pre-Paid Postage Grant accordingly in cooperation with the Board of Elections Department.

Vote 7-0.

RESOLUTION NO. 186 Motion by Barnes, Second by Rondinaro.

RE: INTRODUCE LOCAL LAW C OF THE YEAR 2023 “A LOCAL LAW TO AMEND LOCAL LAW NO. 1 OF THE YEAR 2021, OF A LOCAL LAW AUTHORIZING 12 AND 13-YEAR-OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED” - COUNTY CLERK’S DEPARTMENT

WHEREAS, deer hunting is a valued tradition for many Schuyler County families, providing quality food to county residents and reducing the negative impacts of overabundant deer populations on our agriculture, forests, and communities, and

WHEREAS, Local Law No. 1 of the year 2021 authorized 12 and 13-Year-Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed as a pilot program to sunset December 31, 2023, and

WHEREAS, the recently enacted 2023-2024 New York State Budget renewed the ability for this authorization to young people for the year 2024 through December 31, 2025, and

WHEREAS, the state legislation requires each County to amend its existing law or adopt a new law and notify the New York State Department of Environmental Conservation (DEC) of its adoption, and

WHEREAS, the Schuyler County Clerk, as local agent of the DEC for retail sales of hunting and fishing licenses to the public, endorses this proposed amendment to Local Law No. 1 of the Year 2021, and

WHEREAS, the Schuyler County Sheriff, endorses this proposed amendment to Local Law No. 1 of the Year 2021, and

WHEREAS, the Schuyler County Attorney, as the prosecuting agency for juveniles accused of firearms violations under the Family Court Act, endorses this proposed local law.

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. C of the year 2023 be, and hereby is, introduced in the form hereto annexed pursuant to the Municipal Home Rule Law, and

BE IT FURTHER RESOLVED, that a public hearing shall be held upon said proposed Local Law on August 14, 2023 at 6:30 p.m. in the Legislative Chambers, 105 Ninth Street, Watkins Glen, NY 14891.

LOCAL LAW INTRO C/LOCAL LAW NO. _____ OF THE YEAR 2023

A Local Law to Amend Local Law No. 1 of the Year 2021, of a Local Law Authorizing 12 And 13-Year-Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed.

Section 1. Legislative Intent

In 2021 New York State adopted a law that allows hunters aged 12-13 to hunt deer with the firearm or crossbow under the supervision of an experienced adult hunter in upstate counties that passed a local law opting-in to this opportunity. The enacted 2023-2024 New York State Budget extends this pilot program, allowing the opportunity for young hunters, ages 12 and 13, to continue to hunt deer with firearms and crossbow through December 31, 2025. Schuyler County is passing this local law as hunting is a valued tradition for many families, and this opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices. This local law has been reviewed and endorsed by the Schuyler County Clerk, County Sheriff, and County Attorney in their official capacities.

Section 2. Local Law No. 1 of the Year 2021 Amended.

Local Law No. 1 of the Year 2021, “a Local Law Authorizing 12 and 13-Year-Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed,” Section 2, “Pilot Program Authorization.” is hereby amended to read as follows:

Pursuant to Environmental Conservation Law, ECL Sec. 11-0935, Schuyler County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2025 and in each and every subsequent calendar year in which such temporary program remains in effect.

Section 3. Local Law Filing Requirements

A copy of this local law shall be sent to the New York State Department of Conservation as well as the New York State Department of State

Section 4. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

Vote7-0.

WITHDRAWN

RE: APPOINTMENT TO THE WESTERN REGIONAL OFF-TRACK BETTING (OTB) CORPORATION BOARD -**WITHDRAWN**

BE IT RESOLVED, that pursuant to the Racing, Pari-Mutuel Wagering and Breeding Law § 502; 502-a[2] and 502-a[5], the Schuyler County Legislature hereby appoints _____ to the Western Regional Off-Track Betting (OTB) Corporation Board with a four-year term effective July 10, 2023

PROCEEDINGS OF THE YEAR 2023

through July 10, 2027, to serve without compensation from the regional corporation, pursuant to Racing, Pari-Mutuel Wagering and Breeding Law § 502(1).

DISCUSSION: The Legislature discussed waiting on this appointment at this time.

RESOLUTION NO. 187 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE FIVE-YEAR CONTRACT WITH CORNING DAY PROGRAMS, INC. DBA CORNING CHILDREN'S CENTER FOR DAY CARE SERVICES – SOCIAL SERVICES DEPARTMENT

WHEREAS, the Schuyler County Social Services Department is required to provide quality day care services to children 6 weeks of age through 12 years, in accordance with regulations defined in 18NYCRR §413 State and Federal Standards of Day Care, 18 NYCRR 418, entitled “Day Care Centers” and 18 NYCRR 414, entitled “School Age Child Care, and

WHEREAS, Corning Day Programs, Inc. dba Corning Children’s Center has agreed to provide the services per the State Child Care Market Rates established by the New York State Office of Children and Family Service, for the term of February 1, 2023 through January 1, 2028.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a five-year contract with Corning Day Programs, Inc. dba Corning Children’s Center for the Social Services Department for day care services, for the term of February 1, 2023 through January 31, 2028, at the rates established by the New York State Office of Children and Family Services, funding available in account no. 001.6055.0401, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 188 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE FIVE-YEAR CONTRACT WITH NEW DIRECTIONS YOUTH AND FAMILY SERVICES, INC FOR FOSTER CARE AND RELATED SERVICES - SOCIAL SERVICES DEPARTMENT

WHEREAS, Schuyler County Department of Social Services needs to utilize foster care facilities at times for children coming into the custody of the Commissioner, and

WHEREAS, New York State mandates contracts for foster care services in accordance with the standard prescribed by Federal and New York State laws and regulations, including but not limited to Article 6 of the Social Services Law; 18 NYCRR Parts 427, 428, 430, 431 and 441 - 451, and

WHEREAS, reimbursement rates are established annually by the State of New York through the Office of Children and Family Services (OCFS) per Maximum State Aid Rate (MSAR) for daily care, clothing allowance, medical care and education, and

WHEREAS, New Directions Youth and Family Services, Inc. will provide such foster care services for the Schuyler County Department of Social Services.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to execute a five-year contract with New Directions Youth and Family Services, Inc. for the Schuyler County Department of Social Services for foster care and related services for a term July 1, 2023 through June 30, 2028, per the rates established by the New York State Office of children and family Services, funding available in the Social Services Foster Care accounts, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 189 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE FIVE-YEAR CONTRACT WITH MONTEREY VOLUNTEER FIRE COMPANY, INC. FOR A CONGREGATE MEAL SITE – OFFICE FOR THE AGING DEPARTMENT

WHEREAS, Schuyler County Office for the Aging has contracted with the Monterey Volunteer Fire Company, Inc. to provide a weekly congregate meal site on a yearly basis, and

WHEREAS, Monterey Volunteer Fire Company, Inc. has agreed to renew the contract for a five-year term to provide the necessary amenities for a congregate meal site, at a cost of \$15.00 per week, not to exceed \$780.00 annually.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a five-year contract with Monterey Volunteer Fire Company, Inc. for the Schuyler County Office for

PROCEEDINGS OF THE YEAR 2023

the Aging Department for a weekly congregate meal site, at \$15.00 per week, not to exceed \$780.00 annually, funding available in account no. 001.6772.490, for a term of January 1, 2023 through December 31, 2027, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 190 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZATION TO CREDENTIAL HEATHER ZIMBA, MD AS THE PUBLIC HEALTH MEDICAL DIRECTOR – PUBLIC HEALTH DEPARTMENT

WHEREAS, Schuyler County Public Health is required to have access to a medical consultant and credential the Medical Director upon acceptance of the duties per Article 28 of the Public Health Clinic regulation, and

WHEREAS, Heather Zimba, MD has agreed to provide this service as a physician employed by Schuyler Hospital, Inc. who has contracted to provide this service, and

WHEREAS, Dr. Zimba has been vetted and approved by the New York State Department of Health (NYSDOH) to serve in this capacity.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes Heather Zimba, MD be credentialed to serve as Schuyler County Public Health Medical Consultant effective January 1, 2023.

Vote 7-0.

RESOLUTION NO. 191 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH SCHUYLER HOSPITAL FOR RELATED PRESCHOOL SERVICES – PUBLIC HEALTH DEPARTMENT

WHEREAS, Per Section 4410 of the New York State Education Law and in compliance with Part 200 of the Regulations of the New York State Education Commissioner, Schuyler County Public Health Department is required to provide related preschool services to meet the needs of preschool children with disabilities, and

WHEREAS, Schuyler Hospital through the Rehabilitation Department has agreed to provide the services at the rate of \$67.00 per half hour individual session and \$45.00 per group session per child for speech, physical and occupational therapy services.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with Schuyler Hospital for the Schuyler County Public Health Department for related preschool services, for the term of March 1, 2023 through June 30, 2026, at a rate of \$67.00 per half hour individual session and \$45.00 per group session per child, funding available in account no. 001.2960.401, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 192 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE FIVE-YEAR CONTRACT WITH VENESKY TRAINING AND SUPPORT SERVICES LLC, DBA VENESKY AND COMPANY FOR FINANCIAL SERVICES – PUBLIC HEALTH DEPARTMENT

WHEREAS, Schuyler County Public Health has been contracting with Venesky Training and Support Services LLC dba Venesky and Company for the State mandated Reporting and Financial Services per New York State Article 6 State Aid package, and

WHEREAS, the required tracking of the employee support claims per Article 6 State Aide and grant contracts was a separate contract, and

WHEREAS, Venesky and Company have agreed to a five-year contract and has included both required services into a new five year contract with a fixed fee which includes the professional services and includes a factor to reimburse for job related costs such as travel and subsistence at \$34,250.00 per fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a five-year contract with Venesky Training and Support Services LLC. dba Venesky and Company, for a term of January 1, 2024 through December 31, 2028, funding available in the Public Health budget account no. 001.4010.0468 – Cost Plan Preparation, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

PROCEEDINGS OF THE YEAR 2023

RESOLUTION NO. 193 Motion by Lausell, Second by Rondinaro.

RE: ACCEPT SEALED BID FROM MICROBAC LABORATORIES, INC. FOR LABORATORY SERVICES FOR THE SCHUYLER COUNTY WATERSHED PROTECTION AGENCY – PUBLIC HEALTH DEPARTMENT

WHEREAS, Resolution No. 68-23 authorized advertisement for sealed bids for the Laboratory Services for the Public Health Department’s Watershed Protection Agency, and

WHEREAS, bids were opened April 13, 2023 and reviewed, with the recommendation being made by the Public Health Director to accept the bid from Microbac Laboratories, Inc., said contractor being the only responsible bidder in conformance with General Municipal Law § 103.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby accepts the bid from Microbac Laboratories, Inc. for the Laboratory Services per the costs in Attachment A included in the contract, and

BE IT FURTHER RESOLVED, that the Chair of the Legislature is hereby authorized to execute the contract with Microbac Laboratories, Inc., with a term effective July 1, 2023 through June 30, 2025, funding available in account no. 001.4050.0476, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 194 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE FIVE-YEAR CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE IMMUNIZATION ACTION PLAN GRANT – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Schuyler County Public Health Department has been awarded an Immunization Action Plan Grant, contract number DOH01-C38470GG-3450000 in the total amount of \$155,250.00, for the period of April 1, 2023 through March 31, 2028, at \$31,050.00 yearly.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to sign said grant contract, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish said Grant accordingly in cooperation with the Public Health Department.

Vote 7-0.

RESOLUTION NO. 195 Motion by Lausell, Second by Lausell.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR THE 2022 PFC JOSEPH P. DWYER PEER SUPPORT FUNDING – COMMUNITY SERVICES DEPARTMENT

WHEREAS, the Community Services Department received \$100,000.00 New York State Aid specific from the PFC Joseph P. Dwyer Peer Support Fund for State Aid Year 2022, and

WHEREAS, the Community Services Department has an Inter-Departmental Agreement with the Schuyler County Veterans Services Agency to provide services per the PFC Joseph P. Dwyer Peer Support Funding requirements, and

WHEREAS, this specific State Aid allocation is not required to be spent until March 31, 2024, and

WHEREAS, the Schuyler County Veterans Services Agency vouchered and spent \$43,231.19 from the Community Services Department PFC Joseph P. Dwyer Peer Support Funding in 2022, and

WHEREAS, Community Services still has \$56,768.81 of the \$100,000.00 State Aid received in 2022 and deferred in account 001.0001.0691.000, and

WHEREAS, the 2023 budget needs to be amended to reflect these remaining funds from 2022 as a revenue and expense for the purpose of reimbursing the Veterans Services Agency per the agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$56,768.81	001.4322.3491	State Aid Mental Health
+\$56,768.81	001.4322.0458	Professional Fees and Services

Vote 7-0.

RESOLUTION NO. 196 Motion by Lausell, Second by Rondinaro.

PROCEEDINGS OF THE YEAR 2023

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR THE PFC JOSEPH P. DWYER PEER SUPPORT FUNDING – COMMUNITY SERVICES DEPARTMENT

WHEREAS, the Community Services Department has received \$100,000.00 in New York State Aid specific from the PFC Joseph P. Dwyer Peer Support Fund for 2023, and

WHEREAS, the Community Services Department has an Inter-Departmental Agreement with the Schuyler County Veterans Services Agency to provide services per the PFC Joseph P. Dwyer Peer Support Funding requirements, and

WHEREAS, the 2023 budget needs to be amended to reflect these funds as a revenue and expense for the purpose of reimbursing the Veterans Services Agency per the agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$100,000.00	001.4322.3491	State Aid Mental Health
+\$100,000.00	001.4322.0458	Professional Fees and Services

Vote 7-0.

RESOLUTION NO. 197 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR NEW YORK STATE OFFICE OF ADDICTION SERVICES AND SUPPORT (OASAS) COST OF LIVING ALLOCATION – COMMUNITY SERVICES DEPARTMENT

WHEREAS, the New York State Office of Addiction and Support (OASIS) has issued a cost of living allocation (COLA) for the 2023 -2024 fiscal year’s budget in the amount of 4%, and

WHEREAS, the Community Services Mental Health Department needs to amend their 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the Community Services Mental Health Budget 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$2,345.00	001.4322.0550	Council on Alcoholism
+\$1,298.00	001.4322.0336	FLACRA
+\$3,643.00	001.4322.3490	Community Service State Aid

Vote 7-0.

RESOLUTION NO. 198 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE THE CREATION AND FILLING OF ONE FULL-TIME CARE MANAGER POSITION – COMMUNITY SERVICES DEPARTMENT

WHEREAS, the Community Services’ Schuyler County Health Home Care Management program provides services to local school districts and the community as a whole, and

WHEREAS, Care Management services, specifically in the school districts, have seen an increase in cases, and

WHEREAS, school service Care Management needs will be increasing further in conjunction with the increase in clinical services at each district, and

WHEREAS, Care Management services are a billable, revenue generating position that will cover its own expenses, and

WHEREAS, one additional Care Management position will cover the additional needs of the community and school districts, and

WHEREAS, the Director of Community Services is requesting to create said position, upon the approval of the County Administrator, and

WHEREAS, funding for said position is available in the Community Services 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Community Services Department is hereby authorized to create and fill one full time Care Manager position, at an hourly rate of \$27.48, to be placed in Grade 10, as set forth in the CSEA Local 849 Administrative Unit Contract, effective immediately.

Vote 7-0.

RESOLUTION NO. 199 Motion by Rondinaro, Second by Lausell.

PROCEEDINGS OF THE YEAR 2023

RE: APPOINT THE SCHUYLER COUNTY PLANNING DIRECTOR AS THE FAIR HOUSING OFFICER – PLANNING DEPARTMENT

WHEREAS, Schuyler County (hereinafter “County”) will apply for and anticipates being awarded funds through the PY2023 Community Development Block Grant (CDBG) program from U.S. Department of Housing and Urban Development (HUD), as administered by the State of New York Office of Homes and Community Renewal (NYSHCR) for Homeownership Rehabilitation project, and

WHEREAS, one requirement of the United States Department of Housing and Urban Development is the establishment of a County Fair Housing Officer within one year of the receipt of grant monies, and

WHEREAS, the Planning Department is the lead agency for the Schuyler County Community Development Block Grant program, and

WHEREAS, the Director of Planning is responsible for the Schuyler County Community Development Block Grant program, and

WHEREAS, the Planning Department has the technical expertise necessary to affirmatively further fair housing in Schuyler County through the publication of materials, placement of legal advertisements and other actions deemed necessary to affirmatively further fair housing in Schuyler County.

NOW, THEREFORE, BE IT RESOLVED, that Schuyler County appoint the Director of Planning or their designee to the position of Schuyler County Fair Housing Officer, and

BE IT FURTHER RESOLVED, that Schuyler County use the Fair Housing Officer to affirmatively further fair housing in the County through the regular advertisement of the availability of the Fair Housing Officer and provide access to information and counseling related to fair housing in the County.

Vote 7-0.

RESOLUTION NO. 200 Motion by Rondinaro, Second by Lausell.

RE: AFFIRMATIVELY FURTHERING FAIR HOUSING IN SCHUYLER COUNTY – PLANNING DEPARTMENT

WHEREAS, under the Federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968, it is illegal to deny housing to any person because of race, color, religion, gender, physical or mental disabilities or national origin, and the Fair Housing Amendments Act of 1988 expands coverage to include disabled persons and families with children, and

WHEREAS, in July of 2015, the U.S. Department of Housing and Urban Development (“HUD”) released the Affirmatively Furthering Fair Housing (“AFFH”) rule, clarifying and simplifying existing fair housing obligations, and

WHEREAS, the AFFH rule requires certain HUD and New York State grantees to conduct an Assessment of Fair Housing planning process and analyze their fair housing landscape and set locally determined fair housing priorities and goals, and

WHEREAS, Schuyler County is committed to affirmatively furthering fair housing through numerous activities including making brochures regarding Fair Housing Laws available in the county offices, posting the USHUD Equal Opportunity/Fair Housing poster in the county offices, posting rights and obligations on the Schuyler website, and providing assistance to those with complaints, and support through New York State Division of Human Rights and/or Legal Assistance of Western New York, and

WHEREAS, Schuyler County desires to apply for Community Development Block Grant (CDBG) funds, which require a formal resolution stating its good faith and intention to continue complying with fair housing requirements, and

WHEREAS, Schuyler County desires that all persons be made aware that it is the policy of Schuyler County to support the Fair Housing Amendments Act of 1988 and to implement fair housing activities to ensure equal opportunity in housing for all persons.

NOW, THEREFORE, BE IT RESOLVED, that within the resources available to Schuyler County through County, State, federal, and community sources, will assist all persons who believe their fair housing rights have been violated, concerning their rights and responsibilities, so that they may seek equity under relevant laws, and

PROCEEDINGS OF THE YEAR 2023

BE IT FURTHER RESOLVED, that Schuyler County shall publicize this Resolution and through this publicity shall cause real estate brokers and sellers, private home sellers, rental owners, rental property managers, real estate and rental advertisers, lenders, builders, developers, home buyers and home or apartment renters to become aware of their respective responsibilities and rights under the Fair Housing Amendments Act of 1988 and any applicable state or local laws or ordinances, and

BE IT FURTHER RESOLVED, that Schuyler County will continue notifying community members of their respective responsibilities and rights concerning Fair Housing laws and complaint procedures, including, but not limited to: the printing, publicizing and distribution of this Resolution; the distribution of Fair Housing information provided by local, State and federal sources, through local community contacts; and the publicizing of the assistance available and means of accessing it to those seeking to file a discrimination complaint.

Vote 7-0.

RESOLUTION NO. 201 Motion by Rondinaro, Second by Lausell.

RE: DESIGNATE CERTIFYING OFFICER FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) – PLANNING DEPARTMENT

WHEREAS, Schuyler County (hereinafter “County”) will apply for and anticipates being awarded funds through the PY2023 Community Development Block Grant (CDBG) program from the U.S. Department of Housing and Urban Development (HUD), as administered by the State of New York Office of Homes and Community Renewal (NYSHCR) for a Homeownership Rehabilitation project, and

WHEREAS, the Schuyler County Legislature (hereinafter “Legislature”) as the anticipated recipient of the grant award, is required to designate a Certifying Officer for the purpose of signing required documents pertaining to the anticipated grant.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature does hereby designate the Chair of the Legislature as the County’s Certifying Officer for the purpose of signing required documents pertaining to CDBG Homeownership Rehabilitation application and any award and as manager for any online application system.

Vote 7-0.

WITHDRAWN

RE: TO DECLARE INTENT FOR LEAD AGENCY AND CLASSIFY PROJECT AS TYPE II ACTION FOR THE SCHUYLER COUNTY HOMEOWNERSHIP REHABILITATION GRANT – PLANNING DEPARTMENT - **WITHDRAWN**

WHEREAS, Schuyler County (hereinafter “County”) will apply for and anticipates being awarded funds through the PY2023 Community Development Block Grant (CDBG) program from U.S. Department of Housing and Urban Development (HUD), as administered by the State of New York Office of Homes and Community Renewal (NYSHCR) for Homeownership Rehabilitation project, and

WHEREAS, pursuant to 6 NYCRR 617.6 the Schuyler County Legislature seeks to be established as Lead Agency as part of undertaking a coordinated review of this action with any Involved and Interested Agencies, and

WHEREAS, the Schuyler County Legislature considers the proposed Project to be a Type II Action, pursuant to the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617.5, and

WHEREAS, the Schuyler County Legislature has prepared the draft SEQRA Classification in accordance with SEQRA, and seeks to circulate a Notice of Intent to be Lead Agency (Notice), by mail and email, to all Involved and Interested Agencies, who shall be given 30 days to deliver any comments in response to this Notice that such other Involved or Interested entity may have regarding the Schuyler County Legislature taking on the Lead Agency role.

NOW, THEREFORE, BE IT RESOLVED that the Legislature of Schuyler County classifies the project as a Type II Action pursuant to standards in the New York State Environmental Quality Review Act, and

BE IT FURTHER RESOLVED, that it is the intention of the Legislature of Schuyler County to declare itself as Lead Agency for SEQRA Coordinated Review of this Action, and

BE IT FURTHER RESOLVED, that the Legislature of Schuyler County hereby directs the coordination of intent for Lead Agency designation with all Involved Agencies for the Project through the service of a notice

PROCEEDINGS OF THE YEAR 2023

of intent, indicating that the Legislature of Schuyler County seeks to be designated as Lead Agency for this Action.

DISCUSSION: The Clerk explained that this Resolution is being withdrawn because the County has chosen not to apply for said grant at this time.

RESOLUTION NO. 202 Motion by Rondinaro, Second by Lausell.

RE: MOTION TO BRING TWO (2) ADDITIONAL RESOLUTIONS TO THE FLOOR

BE IT RESOLVED, that two (2) additional Resolutions be brought to the floor.

Vote 7-0.

MOTION by Legislator Howell to go into executive session, pursuant to Public Officers Law Section 105 (1)(f), to discuss the medical, financial, credit or employment history of a particular person or matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person, **SECOND** by Legislator Barnes. Motion carried seven ayes to zero noes.

MOTION by Legislator Rondinaro to come out of executive session, **SECOND** by Legislator Barnes, Motion carried seven ayes to zero noes.

RESOLUTION NO. 203 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE SEPARATION, STIPULATION AND RELEASE OF CLAIMS AGREEMENT WITH A COUNTY EMPLOYEE - HUMAN RESOURCES DEPARTMENT

BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to sign a Separation, Stipulation, and Release of Claims Agreement related to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular County employee/RPA member, as approved by Labor Counsel.

Vote 7-0.

RESOLUTION NO. 204 Motion by Rondinaro, Second by Jaynes.

RE: ADOPT UPDATED TRANSPORTATION SERVICES TITLE VI POLICY STATEMENT AND PLAN IN COMPLIANCE WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION OFFICE OF CIVIL RIGHTS – HUMAN RESOURCES DEPARTMENT

WHEREAS, Schuyler County has received grant funds from the Federal Highway Administration, and

WHEREAS, these grant funds are referred to as FHWA funding, and

WHEREAS, there are specific Title VI policies that are required to be in place per New York State Department of Transportation (NYSDOT) for all funding recipients, and

WHEREAS, the Schuyler County Legislature agreed to adopt the Title VI Policy Statement and Plan to be in compliance with the NYSDOT Office of Civil Rights per Resolution No. 114-21 on April 12, 2021, and

WHEREAS, the Title VI Policy Statement and Plan are to be reviewed and updated as needed every three years.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby adopts the aforesaid updated Transportation Services Title VI Policy Statement and Plan approved by NYSDOT Office of Diversity and Opportunity, to be on file in the Human Resources Office, effective immediately, and

BE IT FURTHER RESOLVED, that the Personnel Officer acting as the Title VI Coordinator will post and publish the notices as set forth by policy.

Vote 7-0.

NEW BUSINESS: None.

UNFINISHED BUSINESS: None.

REPORT ON STANDING COMMITTEES: None.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 6:55 p.m.

Stacy B. Husted, Clerk

Jamee L. Mack, Deputy Clerk

**SPECIAL MEETING
JULY 25, 2023**

PROCEEDINGS OF THE YEAR 2023

The July 25, 2023 Special Meeting of the Schuyler County Legislature was called to order at 10:30 a.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Jaynes and followed by a Moment of Silence. All Legislators were present, except Legislator Reed, who was excused. County Attorney, Steven Getman, was present.

PUBLIC PARTICIPATIONS: None.

RESOLUTION NO. 205 Motion by Rondinaro, Second by Barnes.

RE: RATIFICATION OF SPECIAL MEETING

BE IT RESOLVED, that this Special Meeting, pursuant to the call of the Clerk of the Legislature upon the direction of the Chair, be and hereby is, ratified and approved for discussion and action upon the following item of business:

2. AUTHORIZE CONTRACT WITH NEIGHBORHOOD DEFENDER SERVICE (NDS), INC. TO PROVIDE LEGAL REPRESENTATION FOR THE INDIGENT
3. AUTHORIZE CONTRACT WITH CHEMUNG-SCHUYLER-STEUBEN WORKFORCE NEW YORK TO RECEIVE PARTIAL REIMBURSEMENT FUNDING FOR CUSTOMIZED TRAINING FOR TWO NEW EMPLOYEES– SHERIFF’S DEPARTMENT
4. AUTHORIZE LEASE AGREEMENT WITH NEIGHBORHOOD DEFENDER SERVICE (NDS), INC. – BUILDINGS AND GROUNDS DEPARTMENT
5. ABOLISH ALL POSITIONS IN THE PUBLIC DEFENDER’S DEPARTMENT – HUMAN RESOURCES DEPARTMENT
6. AUTHORIZE STIPULATION AND RELEASE OF CLAIMS AGREEMENT WITH ADMINISTRATIVE UNIT, CSEA, O.B.O. A PARTICULAR CSEA MEMBER/COUNTY EMPLOYEE – HUMAN RESOURCES DEPARTMENT
7. AUTHORIZE SEPARATION, STIPULATION AND RELEASE OF CLAIMS AGREEMENT WITH A COUNTY EMPLOYEE - HUMAN RESOURCES DEPARTMENT
8. RESOLUTION RATIFYING INSURANCE CARRIER’S COMPROMISE AND SETTLEMENT OF NOTICE OF CLAIM BY FORMER PUBLIC DEFENDER OFFICE EMPLOYEE — COUNTY ATTORNEY’S DEPARTMENT

Vote 7-0.

RESOLUTION NO. 206A Motion by Gray, Second by Jaynes

RE: MOTION TO TABLE RESOLUTION NO. 206, 208 AND 209 FOR FURTHER DISCUSSION

BE IT RESOLVED, that Resolution No. 206, 208 and 209 be tabled for further discussion.

Vote: 7-0.

DISCUSSION: Chairman Blowers asked for a motion to direct the Personnel Officer to post and advertise for applications for the position of Public Defender for a two-week period, pursuant to New York State County Law Art.18-A and Admin Manual Section 1.2.2 (Filling Non-Competitive, Exempt Positions), costs for same to be charged to the Public Defender Budget account no. 001.1170.0450 – Office Supplies.

MOTION by Legislator Barnes to take the above listed action, **SECOND** by Legislator Gray. Motion carried seven ayes to zero noes. Legislator Rondinaro stated that this action does not in any way preclude us from going forward with the Neighborhood Defender Service, Inc. contract.

Chairman Blowers then said he would like to have Legislators Gray, Lausell and Jaynes on a search committee to review applications and do interviews. He will also be on the special committee as ex-officio. All Legislators agreed.

RESOLUTION NO. 206 Motion by Rondinaro, Second by Howell.

RE: AUTHORIZE CONTRACT WITH NEIGHBORHOOD DEFENDER SERVICE (NDS), INC. TO PROVIDE LEGAL REPRESENTATION FOR THE INDIGENT - **TABLED**

WHEREAS, the United States Constitution guarantees the right to Effective Assistance of Counsel, which may not be denied by reason of a defendant's inability to pay for a lawyer, and

WHEREAS, the Public Defender’s Office has been short staffed with the latest resignation of the Public Defender effective May 26, 2023, further exacerbating Schuyler County’s efforts to support the delivery of

PROCEEDINGS OF THE YEAR 2023

legal representation for the indigent to its constituents, and

WHEREAS, the settlement reached in *Hurrell-Harring v. State of New York*, 15 N.Y.3d 8 (2010) requires

the State of New York and the five defendant counties (which includes the County of Schuyler) to improve the delivery of public defense services, including (but not limited to) the improvement of the provision of legal counsel at first appearance (“Hurrell-Harring Settlement Reforms”), and

WHEREAS, Neighborhood Defender Service (NDS), Inc a nonprofit organization, is known nationally and internationally for its high-quality, innovative, community-based, holistic public defense practice, and

WHEREAS, NDS clients have an entire team fighting on their behalf, including criminal and civil attorneys, family defense attorneys, advocates, social workers, investigators, paralegals, law school and social work interns, and pro bono attorneys. NDS deploys all of these resources on behalf of its clients, addressing the underlying issues that bring them into contact with the legal system. Further, NDS is an active member of the communities it serves, establishing meaningful relationships with clients and their families, and

WHEREAS, NDS has submitted a proposal to provide said services with an estimated not to exceed cost of \$500,047.00 for the partial year of 2023, with an effective date of August 1, 2023 through December 31, 2023, with year 2024 in full at a cost not to exceed \$1,266,646.00, however if additional New York State Office of Indigent Legal Services funding is secured for additional representation enhancements, such sum shall not exceed \$1,399,725.00 for the period of January 1, 2024 through December 31, 2024, with subsequent years’ funding appropriations determined by the parties upon mutual negotiation, as set forth in the contract, and

WHEREAS, annually, by September 15 of each year during the term of this contract, the parties will agree upon an operating budget for the Contractor for the following calendar year.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with NDS to provide legal representation for the indigent for the term August 1, 2023 through December 31, 2028, funding available in the 2023 Public Defender budget from New York State Office of Indigent Legal Services Grants, contract approved as to form by the Schuyler County Attorney.

RESOLUTION NO. 207 Motion by Barnes, Second by Gray

RE: AUTHORIZE CONTRACT WITH CHEMUNG-SCHUYLER-STEUBEN WORKFORCE NEW YORK TO RECEIVE PARTIAL REIMBURSEMENT FUNDING FOR CUSTOMIZED TRAINING FOR TWO NEW EMPLOYEES – SHERIFF’S DEPARTMENT

WHEREAS, Chemung-Schuyler-Steuben (CSS) Workforce New York offers job training reimbursement up to 50% of the total cost, and

WHEREAS, the Sheriff’s Department has two new employees, and has been awarded a Customized Training Contract # 23-41-1010 to fund 50% of the participation in the Southern Tier Law Enforcement Academy/SUNY CCC to provide training and gain knowledge of policy basics, improve physical training and learning defensive tactics, and

WHEREAS, the total cost of the training program is \$4,000.00 and CSS Workforce will provide partial funding in the amount of \$2,000.00 through the Customized Training Contract.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to accept and execute the Customized Training Contract # 23-41-1010 with CSS Workforce New York for the Sheriff’s Department to receive \$2,000.00 in job training reimbursement, with a term of August 7, 2023 through December 22, 2023, the remaining funding available in account no. 001.3110.0459 – Training, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 208 Motion by Rondinaro, Second by Howell.

RE: AUTHORIZE LEASE AGREEMENT WITH NEIGHBORHOOD DEFENDER SERVICE (NDS), INC. – BUILDINGS AND GROUNDS DEPARTMENT - **TABLED**

WHEREAS, the Legislature has entered into a contract with Neighborhood Defender Service (NDS), Inc. to provide legal representation for the indigent, and

WHEREAS, NDS will be using the existing Public Defender’s Office space at the County Office

PROCEEDINGS OF THE YEAR 2023

Building, 105 Ninth Street, Watkins Glen, New York 14891; the suite includes Rooms 302, 303, and 304, and/or such other space as the parties may agree to in writing, and

WHEREAS, the rent for the term of the lease shall be One Dollar (\$1.00) and other good and valuable consideration, monetary rental amount to be paid on upon final execution and annually thereafter.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to execute a lease agreement with NDS, Inc. for One Dollar (\$1.00), for the term August 1, 2023 through December 31, 2024, approved as to form by the Schuyler County Attorney.

RESOLUTION NO. 209 Motion by Rondinaro, Second by Howell.

RE: ABOLISH ALL POSITIONS IN THE PUBLIC DEFENDER'S DEPARTMENT – HUMAN RESOURCES DEPARTMENT - **TABLED**

WHEREAS, the Legislature has authorized a contract with Neighborhood Defender Service (NDS), Inc. to provide legal representation for the indigent, pursuant to NY County Law § 722(2), and

WHEREAS, NDS will be providing full staff coverage for this service requiring the Legislature to abolish all of the existing positions within the department.

NOW, THEREFORE, BE IT RESOLVED, that upon execution of the NDS Contract the one full-time Public Defender position, the two full-time Assistant Public Defender positions, the less than full-time Public Defender position, and the part-time Legal Secretary position will be abolished, with the exception of the one full-time Confidential Secretary to the Public Defender position which will not be abolished until the time of retirement, effective September 12, 2023.

RESOLUTION NO. 210 Motion by Barnes, Second by Gray.

RE: AUTHORIZE STIPULATION AND RELEASE OF CLAIMS AGREEMENT WITH ADMINISTRATIVE UNIT, CSEA, O.B.O. A PARTICULAR CSEA MEMBER/COUNTY EMPLOYEE – HUMAN RESOURCES DEPARTMENT

BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a Stipulation and Release of Claims Agreement related to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular County employee/CSEA member, as approved by Labor Counsel.

Vote 7-0.

RESOLUTION NO. 211 Motion by Barnes, Second by Gray.

RE: AUTHORIZE SEPARATION, STIPULATION AND RELEASE OF CLAIMS AGREEMENT WITH A COUNTY EMPLOYEE - HUMAN RESOURCES DEPARTMENT

BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to sign a Separation, Stipulation, and Release of Claims Agreement related to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular county public officer, as approved by Labor Counsel.

Vote 7-0.

RESOLUTION NO. 212 Motion by Barnes, Second by Gray.

RE: RESOLUTION RATIFYING INSURANCE CARRIER'S COMPROMISE AND SETTLEMENT OF NOTICE OF CLAIM BY FORMER PUBLIC DEFENDER OFFICE EMPLOYEE — COUNTY ATTORNEY'S DEPARTMENT

WHEREAS, Zurich American Insurance Co., the County's insurance claims administrator, has authorized settlement of a certain notice of claim against the County (claim number 9410711250, DOL 05/25/2022) related to a former employee of the county public defender's office, with no findings of liability or wrongdoing, the terms of such settlement to remain confidential to the extent allowable by law.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby ratifies the settlement of the aforesaid claim in this matter, with the County's contribution of up to its deductible, and the Chair of the Legislature, the County's Attorneys and/or County Treasurer are hereby authorized to execute such.

Vote 7-0.

PUBLIC PARTICIAPTION:

PROCEEDINGS OF THE YEAR 2023

Mr. Paul Bartow spoke as he wanted to acknowledge Brett Chedzoy from our local Cornell Cooperative Extension of Schuyler County for an article written by him that can be found on the Department of Environmental Conservation (DEC) online newspaper related to farming.

Ms. Holley Sokolowski, County Treasurer, was present and said that if not to sway opinions regarding the contract for the Public Defender Services, she has financial information and if anyone wishes to have that information, they could come talk with her.

Ms. Nicole Hollenbeck asked if those numbers were available to the public. Attorney Getman told her that the Treasurer had just offered to talk with any person interested. Chairman Blowers stated that the contract was still under negotiations and once that had been finalized it would be available to the public.

The Meeting adjourned at 10:41 a.m.

Stacy B. Husted, Clerk

Jamee L. Mack, Deputy Clerk

**REGULAR MEETING
AUGUST 14, 2023**

The August 14, 2023 Regular Meeting of the Schuyler County Legislature was called to order at 6:30 p.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Lausell and followed by a Moment of Silence. All Legislators were present, except Legislator Reed and Barnes who were excused. County Attorney, Steven Getman, was present.

PUBLIC PARTICIPATION: None.

PUBLIC HEARING TO AUTHORIZE USE OF FACILITIES AND GROUNDS RESERVE FUND TO REIMBURSE HUNT ENGINEERS, ARCHITECTS, LAND SURVEYORS AND LANDSCAPE ARCHITECTS, D.P.C. FOR THE COST OF GEOTECHNICAL SERVICES FOR THE SENECA HARBOR PARK SEAWALL REPAIR: None.

PUBLIC HEARING ON LOCAL LAW INTRO C OF THE YEAR 2023 “A LOCAL LAW TO AMEND LOCAL LAW NO. 1 OF THE YEAR 2021, OF A LOCAL LAW AUTHORIZING 12 AND 13 – YEAR OLD LICENSED JUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED”: None.

RESOLUTION NO. 213 Motion by Rondinaro, Second by Howell.

RE: APPROVE MINUTES OF THE JULY 10, 2023 REGULAR MEETING AND JULY 25, 2023 SPECIAL MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the July 10, 2023 Regular Meeting and the July 25, 2023 Special Meeting of the Schuyler County Legislature be approved.

Vote 6-0.

RESOLUTION NO. 214 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE CONTRACT WITH BURR CONSULTING, LLC FOR PROJECT MANAGEMENT SUPPORT FOR COUNTY OPERATIONS AT THE SOUTHERN TIER JUSTICE CENTER - DISTRICT ATTORNEY’S DEPARTMENT

WHEREAS, the County entered into a contract with Family Services of Chemung County to establish an Adult Advocacy Center, referred to as the Southern Tier Justice Center, through the District Attorney’s Office, and

WHEREAS, the District Attorney’s Office wishes to engage in a professional services contract with Burr Consulting, LLC for project management support for the County operation of the center, and

WHEREAS, there is funding available in the New York State Office of Victim Services Victim of Crime Act, Victim and Witness Assistance Grant and the New York State Division of Criminal Justice Services Byrne Jag Grant to pay for said consulting.

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with Burr Consulting, LLC, for the District Attorney's Department for the services set forth above, for a term July 1, 2023 through December 31, 2023, at a cost of \$15,000.00, (\$2,500.00 per month) funding to pay for said services in the amount of \$9,000.00 available through the New York State Office of Victim Services Victim of Crime Act, Victim and Witness Assistance grant account no. 001.1165.0401.1188 and the amount of \$6,000.00 available through the New York State Division of Criminal Justice Services Byrne Jag grant account no. 001.1165.0401.1189, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 215 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE THE CREATION AND FILLING OF ONE FULL-TIME TEMPORARY DEPUTY SHERIFF POSITION – SHERIFF'S DEPARTMENT

WHEREAS, the Schuyler County Sheriff Department is in need of additional Deputies, and

WHEREAS, the Sheriff is requesting to create and fill one additional full-time temporary Deputy Sheriff position, upon the approval of the Chair of the Legislature, and

WHEREAS, this position is needed in the Schuyler County Sheriff's Department to meet staffing requirements and reduce overtime costs, and

WHEREAS, funding for said position is available in the 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Sheriff be hereby authorized to create and fill one full-time temporary Deputy Sheriff position for the Schuyler County Sheriff's Department, at an hourly rate of \$22.44, as set forth in the Schuyler County Road Patrol Association Contract.

Vote 6-0.

RESOLUTION NO. 216 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE TRANSFER OF FUNDS FROM CONTINGENCY FOR CAR OPERATION EXPENSES – SHERIFF'S DEPARTMENT

WHEREAS, due to the unanticipated increase of vehicle repair costs and the increased fuel costs for car operations the Sheriff's Car Operations expense budget is almost depleted.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer the amount of \$70,000.00 from Contingency account no. 001.1990.0500 into the Sheriff's account no. 001.3110.0444 – Car Operations.

Vote 6-0.

RESOLUTION NO. 217 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE CONTRACT EXTENSION WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Emergency Management Office received a Statewide Interoperable Communications Grant SI19-1026-E00 in the amount of \$422,876.00 in 2020, and

WHEREAS, said funds have not been fully utilized, and the New York State Department of Homeland Security and Emergency Services has authorized a contract extension through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to sign said grant contract extension through December 31, 2023, contract SI19-1026-E02, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to extend the Statewide Interoperable Communications Grant Program grant funds accordingly, in cooperation with the Emergency Management Office.

Vote 6-0.

RESOLUTION NO. 218 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE CONTRACT WITH WILMAC BUSINESS EQUIPMENT CO., INC. FOR UPGRADE SERVICES TO THE NICE INFORM (911 RECORDER) – EMERGENCY MANAGEMENT DEPARTMENT

PROCEEDINGS OF THE YEAR 2023

WHEREAS, the Nice Inform (911 Recorder) in the Sheriff's Dispatch Center is in need of an upgrade from the current R7.1 version to the R10.0 version, and

WHEREAS, Wilmac Business Equipment Co., Inc. can provide the upgrade services at a cost of \$30,520.99, and

WHEREAS, there is funding available in the Statewide Interoperable Communications grant to pay for this upgrade.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with Wilmac Business Equipment Co., Inc. for the Emergency Management Department for upgrade services to the Nice Inform (911 Recorder), effective March 16, 2023 until completion, at a cost of \$30,520.99, funding available in grant account no. 001.3689.0202.3803, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 219 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE A THREE - YEAR MEMORANDUM OF AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY INTEGRATED PUBLIC ALERT AND WARNING SYSTEM (IPAWS) PROGRAM MANAGEMENT OFFICE FOR IPAWS OPEN PLATFORM FOR EMERGENCY NETWORKS (IPAWS-OPEN) – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Schuyler County Emergency Management Department manages the Emergency Alert System for the County, and

WHEREAS, the Federal Emergency Management Agency (FEMA) has provided a memorandum of agreement (MOA) for the use and dissemination of the Emergency Alert System (EAS), the Wireless Emergency Alert (WEA) system and /or NOAA Weather Radio All Hazards via IPAWS -OPEN program, and

WHEREAS, there is no cost to the County for this program.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a three - year MOA with FEMA for the IPAWS-OPEN program, at no cost to the County, for the term effective on signature for three years, MOA approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 220 Motion by Howell, Second by Lausell.

RE: AUTHORIZE CONTRACT AMENDMENT WITH HUNT ENGINEERS, ARCHITECTS, LAND SURVEYORS AND LANDSCAPE ARCHITECTS, D. P. C. TO REIMBURSE THEM FOR GEOTECHNICAL SERVICES FOR THE SENECA HARBOR PARK SEAWALL REPAIR/AUTHORIZE USE OF FACILITIES AND GROUNDS RESERVE FUNDS – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, Resolution No. 275-21, following a Request for Proposal (“RFP”), authorized a contract with Hunt Engineers, Architects, Land Surveyors and Landscape Architects, D.P.C. (“Hunt”) for engineering services for Seneca Harbor Park Seawall Repairs in the amount of \$32,000.00, plus estimated disbursements in the amount of \$1,000.00, and

WHEREAS, the Schuyler County Highway Superintendent, who oversees the Buildings and Grounds Department, was advised that an additional service was required by Hunt to provide a Geotechnical Engineering Exploration, separate and distinct from the original RFP and contract with Hunt, and

WHEREAS, in lieu of issuing a new competitive RFP for these separate services, the Highway Superintendent recommended that an amendment to the existing contract with Hunt be executed, and

WHEREAS, much of the design work contemplated under the amendment has already been completed on the assumption that the contract amendment would be approved without the need for a competitive RFP process, and

WHEREAS, the additional fees due and owing Hunt under the amendment will be \$8,053.00, bringing the total amended contract fee at this time to be \$41,053.00, and

WHEREAS, Resolution No. 179-23 authorized a public hearing to be set for Monday, August 14, 2023 at 6:30 p.m. for use of the Facilities and Grounds Reserve Funds for said amendment, and

WHEREAS, said public hearing was held.

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes the Chair to execute a contract amendment with Hunt Engineers, Architects, Land Surveyors and Landscape Architects D.P.C. for the Buildings and Grounds Department, in the amount stated above, funding available in the Building and Grounds Facilities and Grounds Reserve Fund, amendment approved as to form by the Schuyler County Attorney, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer the amount of \$8,053.00 from the Facilities and Grounds Reserve Fund 1.1.877 into Capital account no. 004-7110.0213-Seawall Repairs.

Vote 6-0.

RESOLUTION NO. 221 Motion by Howell, Second by Lausell.

RE: AUTHORIZE ADVERTISEMENT TO RECEIVE SEALED BIDS FOR THE WET/DRY SPRINKLER SYSTEM INSPECTION – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, the Wet/Dry Sprinkler System Inspection contract expires December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Buildings and Grounds Department under the leadership of the Highway Superintendent be authorized to advertise for the Wet/Dry Sprinkler System Inspection Bids for a term of January 1, 2024 through December 31, 2028, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature will receive bids to be opened publicly with an award made at a future meeting of the Legislature.

Vote 6-0.

RESOLUTION NO. 222 Motion by Howell, Second by Lausell.

RE: AUTHORIZE LEASE AGREEMENT WITH CAYUGA HEALTH TRANSPORT, LLC FOR SPACE AT THE SHARED PUBLIC WORKS FACILITY – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, Cayuga Health Transport, LLC is in need of space for overnight staffing, and

WHEREAS, the Buildings and Grounds Department, under leadership of the Highway Superintendent, with assistance from the Director of Emergency Services, has negotiated a lease agreement for space to be provided in Rooms 123, 124 and 125, along with use of a truck bay for an ambulance when not in use by the County, and

WHEREAS, the annual rent shall be \$500.00 a month calculated by the of square feet for the Shared Public Works Facility, and

WHEREAS, square foot based on actual office space used and a percentage of common space utilized, is to be paid in full by February 1st each year, and

WHEREAS, the utilities, insurance and cleaning charges shall be included.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a lease agreement with Cayuga Health Transport, LLC for the Buildings and Grounds Department as above, effective August 15, 2023 through December 31, 2024, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 223 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZATION TO DECLARE ITEMS JUNK OR SURPLUS FOR VARIOUS DEPARTMENTS – PURCHASING DEPARTMENT

WHEREAS, various departments have items to be declared junk or surplus.

NOW, THEREFORE, BE IT RESOLVED, pursuant to County Law Section 215, the Schuyler County Legislature hereby declares the following assets junk or surplus, and

BE IT FURTHER RESOLVED that the following items are to be placed in storage for an auction or disposed of.

JUNK

<u>Asset #</u>	<u>Description</u>	<u>Serial/VIN #</u>	<u>Department</u>
694	ACCESSORY GROUPS/MITREK	N/A	Highway-Machinery
2430	MP2 SOFTWARE	N/A	Highway
3905	SCANNER, SYMBOL HANDHELD	L798510	Highway

PROCEEDINGS OF THE YEAR 2023

5074	SOFTWARE URW TRAFFIC & DESIGN	N/A	Highway-Machinery
6137	CUTTER PLOTTER	P7005-J	Highway-Machinery
6208	FLOOR SCRUBBER WALK BEHIND	SS5-10305999	Buildings and Grounds
6672	DELL E6400 INTEL CORE LAPTOP	8QM56L1	Youth Bureau
7101	DELL LATITUDE E6530	GF5ZXY1	Youth Bureau
7238	HP PROBOOK 640	5CG5271JQ1	Sheriff
7243	HP PROBOOK 640	5CG5271JPD	Sheriff
7473	DELL LATITUDE 3570	402H0C2	Emergency Management
7798	RHINO POST DRIVER	XA02860	Highway-Machinery

SURPLUS FOR AUCTION

<u>Asset #</u>	<u>Description</u>	<u>Serial/VIN #</u>	<u>Department</u>
6458	2008 DODGE 3500 PICKUP - DC3L63 RED	3D6WG46D28G226601	Machinery
6933	DETERMINATOR TOOL & TESTER KIT	RSE51180199	Central Garage
7120	2014 CHEVY IMPALA - WHITE	2G1WA5E34E1174021	Central Garage
7526	TRANSIT BUS #110	1FD4E4FS1HDC33476	Transportation

SURPLUS FOR DONATION

<u>Asset #</u>	<u>Description</u>	<u>Serial/VIN #</u>	<u>Department</u>
7080	LED DISPLAY SIGN (replaced with a new sign)	N/A	Public Health

Vote 6-0.

RESOLUTION NO. 224 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE ADVERTISEMENT FOR BIDS FOR SCHUYLER COUNTY DISPOSAL AND RECYCLING SERVICES FOR 2024-2026 – PURCHASING DEPARTMENT

WHEREAS, the current Schuyler County Disposal and Recycling Services bid expires on December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Legislature be authorized to advertise for sealed bids for the removal of non-hazardous solid waste and recycled material from three Schuyler County owned locations for the term of January 1, 2024, through December 31, 2026, and

BE IT FURTHER RESOLVED, said bids will be received by the Clerk of the Legislature and opened publicly with an award made at a future Meeting of the Legislature, and

BE IT FURTHER RESOLVED, that the County of Schuyler reserves the right to accept or reject any and all bids, and to re-advertise if desired.

Vote 6-0.

RESOLUTION NO. 225 Motion by Rondinaro, Second by Jaynes.

RE: SET TAX AUCTION SALE DATE(S) – TREASURER’S DEPARTMENT

WHEREAS, final Judgement of Foreclosure in the pending tax foreclosure proceeding Index No. 21-21 has been received from the Supreme Court, State of New York, County of Schuyler, pursuant to Article 11 of the Real Property Tax Law, and

WHEREAS, the Schuyler County Treasurer is the enforcing officer responsible for carrying out a foreclosure sale, and

WHEREAS, while not required by the provisions of Real Property Tax Law Art. 11, a true copy of the “Judgment of Foreclosure with Notice of Entry” was served upon each property owner of record, and

WHEREAS, it is necessary to set a tax auction sale date in advance thereof, and

WHEREAS, the County has entered into a contract with Auctions International, Inc. for auctioneer services for the tax foreclosure auction, to be conducted online.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer has set October 2-13, inclusive, as the tax auction sale date(s).

Vote 6-0.

RESOLUTION NO. 226 Motion by Rondinaro, Second by Jaynes.

RE: ACCEPT/REJECT OFFERS TO PURCHASE AND QUITCLAIM PROPERTY TAKEN BY TAX DEED – TREASURER’S DEPARTMENT

PROCEEDINGS OF THE YEAR 2023

WHEREAS, pursuant to RPTL Art. 11, the County Treasurer took tax title to certain real property located in Schuyler County, State of New York, and

WHEREAS, the former owner of record or the estate of the former owner of record may submit an Offer to Purchase in the full amount of taxes, penalties, interest and other County expenses involved with the property to the Schuyler County Treasurer up to two weeks prior to the initial 2023 tax sale auction date.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature authorizes its Chair to accept any and all Offers to Purchase, subject to the last-stated condition below, and execute the quitclaim deed and attending documents for the transfer of properties for which the County of Schuyler has taken a tax deed and listed said property in the tax sale auction, upon payment to the Schuyler County Treasurer of the full amount of the purchase offer. The full amount of the purchase offer must be made to the Schuyler County Treasurer prior to the tax sale auction, and

BE IT FURTHER RESOLVED, that upon acceptance of an offer, and payment in full of the purchase price, the Schuyler County Attorney shall prepare a quitclaim deed to the former owner of record which the Chair of this Legislature is hereby authorized to execute and deliver within thirty (30) days of the payment thereof, and

BE IT FURTHER RESOLVED, that the Schuyler County Legislature has the right to accept or reject any and all such purchase offers.

Vote 6-0.

RESOLUTION NO. 227 Motion by Rondinaro, Second by Jaynes.

RE: RECOGNIZE SEPTEMBER 17, 2023 AS CONSTITUTION AND CITIZENSHIP DAY — COUNTY ATTORNEY'S DEPARTMENT

WHEREAS, the American Revolution secured the independence of the United States and made possible the vibrant system of self-government of the United States, and

WHEREAS, the supporters of the American Revolution, through their vision and determination, enhanced the lives of countless individuals and made possible the system of equal justice, limited government, and rule of law as aspired to in these United States, and

WHEREAS, the Constitution of the United States, a revered document, provides important rights to every citizen of the United States, secures “the Blessings of Liberty to ourselves and our Posterity,” and sets the standard of democracy for the world, and

WHEREAS, the United States Constitution, and its amendments, outline the freedoms and the principles of representative government that are as strong today as they were on that momentous occasion in 1787, and

WHEREAS, September 17 marks the anniversary of the signing of the United States Constitution, which is the supreme law of the land and the document by which the people of this country self-govern, and

WHEREAS, in remembrance of the signing of the Constitution and in recognition of the Americans who strive to uphold the duties and responsibilities of citizenship, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 106), designated September 17 as “Constitution Day and Citizenship Day,” and

WHEREAS, this resolution urges civil and educational authorities of states, counties, cities and towns to make plans for the proper observance of the day and “for the complete instruction of citizens in their responsibilities and opportunities as citizens of the United States and of the State and locality in which they reside.”

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby commemorates Sunday, September 17, the anniversary of the signing of the United States Constitution as “Constitution and Citizenship Day” and recognizes the sacrifices made by the people who founded our great nation.

Vote 6-0.

RESOLUTION NO. 228 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE MEMORANDUM OF AGREEMENT WITH THE SCHUYLER COUNTY CORRECTION OFFICER'S BENEVOLENT ASSOCIATION, INC - HUMAN RESOURCES DEPARTMENT

WHEREAS, the County and the Association are parties to a collective bargaining agreement for the period of January 1, 2022 – December 31, 2026, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, Article 5 of the current agreement identifies the color of the uniforms for the Animal Control Officer, and

WHEREAS, the County and Association agree that a change from “TAN” to DARK/OD GREEN uniforms is acceptable, and

WHEREAS, the County and Association now wish to document the terms of their agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature agrees that Article 5 shall now read as follows:

ARTICLE 5

UNIFORMS, EQUIPMENT, UNIFORM AND CLEANING ALLOWANCES

Initial Issue of Uniforms and Equipment

The Employer shall provide all employees in the following titles with his/her initial uniforms and equipment, at no cost. The Employer shall replace all uniforms and equipment provided, on a normal wear and tear basis, at no cost. The Employer shall replace any uniforms and equipment provided which is destroyed or damaged in the performance of duty, at no cost.

Correction Officer and Correction Sergeant

Jail Division

Black

- 3 pair Pants
3 Short Sleeve Shirts
3 Long Sleeve Shirts
Black
1 pair Pants
1 Short Sleeve Shirt

Communication Center

Black

- 3 pair Pants
3 Short Sleeve Shirts
3 Long Sleeve Shirts
1 Sweater
1 Lightweight Jacket
1 Winter Coat

Part-Time

Black

- 3 pair Pants
3 Short Sleeve Shirts
3 Long Sleeve Shirts
1 Jacket
1 Coat
1 Sweater

Jail Division

- 1 Long Sleeve Shirt
1 Lightweight Jacket
1 Winter Coat
1 Sweater
1 Badge
2 Collar Devices
1 Tie
1 Tie Bar
1 pair Boots/Shoes

Communication Center

- 1 Badge
2 Collar Devices
1 Tie
1 Tie Bar
1 pair Boots/Shoes

Part-Time

- 1 Badge
2 Collar Devices

Special Patrol Officer

Black

- 3 Long Sleeve Shirts
3 Short Sleeve Shirts
3 pair Pants
1 Lightweight Jacket

Animal Control Officer

Tan Dark/OD Green

- 3 pair Pants
3 Short Sleeve Shirts
3 Long Sleeve Shirts
1 Coat
1 Sweater
1 Badge
1 pair Boots

Female Transport Aide

Black

- 1 Long Sleeve Shirt
1 Short Sleeve Shirt
1 pair Pants
1 Lightweight Jacket

Vote 6-0.

RESOLUTION NO. 229 Motion by Rondinaro, Second by Jaynes.

RE: ADOPT LOCAL LAW INTRO. C/LOCAL LAW NO. 6 OF THE YEAR 2023 TITLED “A LOCAL LAW TO AMEND LOCAL LAW NO. 1 OF THE YEAR 2021, OF A LOCAL LAW AUTHORIZING 12 AND 13-YEAR-OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR

PROCEEDINGS OF THE YEAR 2023

CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED” - COUNTY CLERK’S DEPARTMENT

WHEREAS, Local Law Intro. C of the Year 2023 “A Local Law to Amend Local Law No. 1 of the Year 2021, of a Local Law Authorizing 12 and 13-Year Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed” was heretofore introduced and appropriate notice established in the official newspaper regarding a public hearing to be held July 10, 2023 at 6:30 p.m., and

WHEREAS, said public hearing was duly held, at which time all interested persons were given the opportunity to be heard, and this Legislature has duly considered the adoption and passage of said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. C of the Year 2023, in the form hereto annexed be, and hereby is, passed, adopted and enacted, and

BE IT FURTHER RESOLVED, that the Clerk of this Legislature duly cause the publication of the passage, enactment and adoption of Local Law No. 6 of the Year 2023, together with the required text thereof in the official county newspaper, together with filing with the New York State Department of State.

LOCAL LAW INTRO C/LOCAL LAW NO. 6 OF THE YEAR 2023

A Local Law to Amend Local Law No. 1 of the Year 2021, of a Local Law Authorizing 12 And 13-Year-Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed

Section 1. Legislative Intent

In 2021 New York State adopted a law that allows hunters aged 12-13 to hunt deer with the firearm or crossbow under the supervision of an experienced adult hunter in upstate counties that passed a local law opting-in to this opportunity. The enacted 2023-2024 New York State Budget extends this pilot program, allowing the opportunity for young hunters, ages 12 and 13, to continue to hunt deer with firearms and crossbow through December 31, 2025. Schuyler County is passing this local law as hunting is a valued tradition for many families, and this opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices. This local law has been reviewed and endorsed by the Schuyler County Clerk, County Sheriff, and County Attorney in their official capacities.

Section 2. Local Law No. 1 of the Year 2021 Amended.

Local Law No. 1 of the Year 2021, “a Local Law Authorizing 12 and 13-Year-Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed,” Section 2, “Pilot Program Authorization.” is hereby amended to read as follows:

Pursuant to Environmental Conservation Law, ECL Sec. 11-0935, Schuyler County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2025 and in each and every subsequent calendar year in which such temporary program remains in effect.

Section 3. Local Law Filing Requirements

A copy of this local law shall be sent to the New York State Department of Conservation as well as the New York State Department of State

Section 4. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective Date

PROCEEDINGS OF THE YEAR 2023

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

Vote 6-0.

RESOLUTION NO. 230 Motion by Rondinaro, Second by Jaynes.

RE: RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF SCHUYLER, EXTENDING THE ADDITIONAL RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK AND EXEMPTING CERTAIN RESIDENTIAL ENERGY SOURCES AND SERVICES FROM SUCH ADDITIONAL RATE OF TAX

Be it enacted by the Legislature of the county of Schuyler, as follows:

SECTION 1. The first sentence of section two of Resolution No. 140 as enacted November 27, 1967, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after March 1, 1968, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing March 1, 2000, and ending November 30, 2025, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of Resolution No. 140 as enacted November 27, 1967, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing March 1, 2000, and ending November 30, 2025, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to March 1, 2000, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to November 1, 1999, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to February 29, 2000. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to March 1, 2000, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 140 as enacted November 27, 1967, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after March 1, 2000, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business, (G) of any prepaid telephone calling service, and (H) of any gas or electricity described in subdivision (b) of section two of this enactment.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing March 1, 2000, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1,

PROCEEDINGS OF THE YEAR 2023

2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 2000, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him; provided, however, that if the user uses such an item itself on its own premises (not including making a gift of such tangible personal property), solely in the conduct of the user's own business operations, and the item retains its characteristic as tangible personal property when so used, the tax shall be at the rate, and on the consideration, described in subdivision (d) of this section.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 2000, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing March 1, 2000, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing March 1, 2000, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

(h) For purposes of clause (G) of subdivision (a) of this section, for the period commencing March 1, 2000, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the service and also including any charges for shipping and delivery of the property so transferred as such charges are described in paragraph three of subdivision (b) of section one; provided that, if the user offers like services for sale in the regular course of business, the tax shall be at the rate of three percent of the price at which the user offers such like services for sale.

(i) For purposes of clause (H) of subdivision (a) of this section, for the period commencing June 1, 2000,

PROCEEDINGS OF THE YEAR 2023

and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for, or for the use of, the gas or electricity, including the consideration for any tangible personal property transferred in conjunction with the performance thereof, and including any charges described in paragraph three of subdivision (b) of section one of this enactment.

SECTION 4. Subdivision (k) of section six of Resolution No. 140 as enacted November 27, 1967, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed by sections 2 and 4, respectively, of this resolution for the period commencing March 1, 2000, and ending November 30, 2025.

SECTION 5. Paragraph (B) of subdivision (1) of section 11 of Resolution No. 140 as enacted November 27, 1967, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning March 1, 2000, and ending November 30, 2025, in respect to the use of property used by the purchaser in this County prior to March 1, 2000.

SECTION 6. Subdivision (d) of section fourteen of Resolution No. 140 as enacted in November 27, 1967, as amended, is added to read as follows:

(d) Net collections attributable to the additional one percent rate of sales and compensating use taxes imposed for the period beginning March 1, 2000, and ending November 30, 2025, are set aside for County purposes and shall be available for any County purpose.

SECTION 7. This enactment shall take effect December 1, 2023.

Vote 6-0.

RESOLUTION NO. 231 Motion by Rondinaro, Second by Jaynes.

RE: APPOINTMENT TO THE WESTERN REGIONAL OFF-TRACK BETTING (OTB) CORPORATION BOARD

BE IT RESOLVED, that pursuant to the Racing, Pari-Mutuel Wagering and Breeding Law § 502; 502-a[2] and 502-a[5], the Schuylar County Legislature hereby appoints Paul Bartow to the Western Regional Off-Track Betting (OTB) Corporation Board with a four-year term effective August 14, 2023 through August 14, 2027, to serve without compensation from the regional corporation, pursuant to Racing, Pari-Mutuel Wagering and Breeding Law § 502(1).

Vote 6-0.

RESOLUTION NO. 232 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE MEMORANDUM OF AGREEMENT WITH THE CIVIL SERVICE EMPLOYEE'S ASSOCIATION, INC. (CSEA) – HUMAN RESOURCES DEPARTMENT

WHEREAS, the County and the Union are parties to a collective bargaining agreement for the term January 1, 2020 through December 31, 2025, and

WHEREAS, the current Union contract has language in Article XXII to address Uniform Allowance for Buildings and Grounds employees only, and

WHEREAS, NY state regulation now requires Probation Officers who have not received Fundamentals of Probation Practice (FPP) training prior to January 1, 2022 to attend not only, FPP but the Basic Course for Police Officers (BCPO) academy as well, and

WHEREAS, there are clothing requirements for candidates in the BCPO academy, and

WHEREAS, the County and Union have agreed that such clothing, as is required for training, shall be provided by the County, and that only such clothing expense will be covered, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, the County will not be responsible for purchase of any other “department” specific clothing purchased by an employee at their discretion, and

WHEREAS, the County and Association now wish to document the terms of their agreement.

NOW, THEREFORE, the parties agree that Article XXII shall read as follows:

ARTICLE XXII

UNIFORM ALLOWANCE

1. Employees who are regularly assigned to perform duties outside (B&G Laborer and Maintenance Mechanic) will receive a \$350 clothing allowance. All other employees who are entitled
2. Any Buildings and Grounds employees working
3. Any and all uniform rental and upkeep expenses in excess of the annual allowance shall be defrayed by the employee
4. **Any Probation Officer required to attend the Basic Course for Police Officers (BCPO) academy will be provided to them, upon the start of the academy, two polo shirts and two pairs of cargo pants as is the required clothing of choice for the academy. Price not to exceed \$150 per person.**

Vote 6-0.

RESOLUTION NO. 233 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE FIVE-YEAR CONTRACT WITH SCHUYLER COUNTY CHILD CARE COORDINATING COUNCIL, INC. D.B.A. MY PLACE: A PLAY AND LEARNING CENTER FOR DAY CARE SERVICES - SOCIAL SERVICES DEPARTMENT

WHEREAS, Schuyler County Department of Social Services receives funding to provide Day Care subsidies to help low income families afford day care, and

WHEREAS, the eligibility is based on income guidelines, and

WHEREAS, Schuyler County Department of Social Services pays the day care providers directly resulting in the need to contract with the providers, and

WHEREAS, Social Services has been contracting with My Place for the services and My Place is now offering the services in a second location located at the Watkins Glen Elementary School.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a five-year contract with Schuyler County Child Care Coordinating Council, Inc. d.b.a. My Place: A Play and Learning Center for day care services, at rates established by the New York State Office of Children and Family Services, for a term of February 1, 2023 through January 31, 2028, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 234 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH WORLDWIDE TRAVEL STAFFING LIMITED FOR NURSING ASSESSMENT SERVICES – SOCIAL SERVICES DEPARTMENT

WHEREAS, the Schuyler County Social Services Department is required to provide nursing assessment services as defined in Title 18 of the Codes, Rules and Regulations of the State of New York §505.28 to recipients of medical assistance (Medicaid), as defined in Title 11 of Article 5 of the New York State Social Services Law and/or Title XIX of the Federal Security Act, if requested to provide said services, and

WHEREAS, Worldwide Travel Staffing Limited has agreed to provide said services and will be compensated for performing assessments for the Consumer Directed Personal Assistance Program at a rate of \$750.00 per assessment.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with Worldwide Travel Staffing Limited for the Social Services Department for nursing assessment services at the rate of \$750.00 per assessment, term of July 1, 2023 through June 30,2024, funding

PROCEEDINGS OF THE YEAR 2023

available in account no. 001.6010.0458 - Professional Fees & Services, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 235 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE COOPERATIVE MEMORANDUM OF UNDERSTANDING (MOU) WITH HEALTHY FAMILIES SCHUYLER/TOMPKINS AND CATHOLIC CHARITIES STEUBEN/LIVINGSTON FOR REFERRALS - SOCIAL SERVICES DEPARTMENT

WHEREAS, Schuyler County Department Social Services (DSS) makes referrals to Health Families New York per 23-ADM-03 to Local Department of Social Services (LDSS) eligible applicants and recipients of Public Assistance (PA) to receive voluntary parental, infant, and early childhood home visiting services if they meet the eligibility criteria, and

WHEREAS, Healthy Families Schuyler/Tompkins & Catholic Charities Steuben/Livingston both have specific responsibilities related to the referrals and intake, and

WHEREAS, the Memorandum of Understanding (MOU) defines the responsibilities of each organization.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute the cooperative Memorandum of Understanding (MOU) between DSS, Healthy Families Schuyler/Tompkins and Catholic Charities Steuben/Livingston for the referral services, for the term of August 14, 2023 until terminated, at a no cost to the County, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 236 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH BONADIO AND CO., LLP FOR FORENSIC ACCOUNTING SERVICES – SOCIAL SERVICES DEPARTMENT

WHEREAS, the Schuyler County Social Services Department has been contracting with Webber CPA, PLLC for Forensic Accounting Services, and

WHEREAS, Webber CPA, PLLC notified Schuyler County Social Services that Bonadio and Co., LLP had acquired Webber CPA., PLLC with a letter dated May 22, 2023, that terminated the existing contract that was due to expire on December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with Bonadio and Co, LLP for the Social Services Department, for forensic accounting services for the term June 1, 2023 through May 31, 2024, at a cost of not to exceed \$12,000.00, funding available in account no. 001.6010.0458- Professional Fees & Services, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 237 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH GLEN GATORS SWIM TEAM, INC. FOR SPORTS OPPORTUNITIES - YOUTH BUREAU DEPARTMENT

WHEREAS, the Schuyler County Youth Bureau supports programs for Schuyler County youth between the ages of 6 - 17 years, and

WHEREAS, sports opportunity funding awards are guided by principles that sports are effective tools in positive youth development and family engagement, and improve the lives of young people socially, emotionally, and in health and educational outcomes.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with Glen Gators Swim Team, Inc. for Sports Opportunities for the Youth Bureau, term of April 1, 2023 through September 30, 2023 in the amount of \$2,017.00, funding available in account No. 001.7310.0495- Youth Programs, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 238 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE GRANT CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH

PROCEEDINGS OF THE YEAR 2023

THROUGH HEALTH RESEARCH, INC. FOR STRENGTHENING INFRASTRUCTURE, WORKFORCE AND DATA SYSTEMS – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Public Health Department has received a grant from the New York State Department of Health (NYSDOH) through Health Research Inc. (HRI) for Strengthening Infrastructure, Workforce and Data Systems in the total amount of \$658,674.00, with possible allocations from restricted funding up to an additional \$5,000,000.00, that is federally funded from the Centers for Disease Control and Prevention, contract number 6NE11OE0000160102, and

WHEREAS, these grant funds will be used to address long-standing weaknesses due to chronic underinvestment in New York's public health system and strengthens preparedness to address new challenges and future public health emergencies.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to execute the grant contract with HRI, for the term December 1, 2022 through November 30, 2027, in the amount of \$658,674.00, approved as to form by the Schuyler County Attorney, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer be hereby directed to establish said grant accordingly, in cooperation with the Public Health Department.

Vote 6-0.

RESOLUTION NO. 239 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE THE CREATION AND FILLING OF ONE FULL-TIME COMPLIANCE OFFICER POSITION – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Public Health Department has received a grant from New York State Department of Health (NYSDOH) through Health Research, Inc. for Local Health Departments to strengthen the public health workforce through hiring of public health positions, supporting retention of current staff, and making upgrades to the workforce, and

WHEREAS, the amount awarded to the Schuyler County Public Health Department is \$658,674.00 for the period of December 1, 2022 through November 30, 2027, and

WHEREAS, the funding can be used to cover salary, benefits and equipment needed for this position, and

WHEREAS, the Public Health Director is requesting to create and fill one full-time Compliance Officer position, upon the approval of the Chair of the Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the Public Health Director is hereby authorized to create and fill one full-time Compliance Officer position at an annual salary of \$63,000.00 - \$68,000.00, to be placed in Grade 6, as set forth in the Management Confidential Handbook, effective upon execution of the above-mentioned HRI contract.

Vote 6-0.

RESOLUTION NO. 240 Motion by Rondinaro, Second by Howell.

RE: MOTION TO BRING TWO (2) RESOLUTIONS TO THE FLOOR.

BE IT RESOLVED, that two (2) Resolutions be brought to the floor.

Vote 6-0.

RESOLUTION NO. 241 Motion by Gray, Second by Lausell.

RE: AUTHORIZE STIPEND FOR MARK RANIEWICZ, ASSISTANT PUBLIC DEFENDER – HUMAN RESOURCES DEPARTMENT

WHEREAS, Assistant Public Defender Mark Raniewicz is currently performing additional duties due to multiple attorney vacancies in the Public Defender's Office, and

WHEREAS, the Public Safety/Criminal Justice Committee recommends additional compensation for the temporary additional work load and duties, which duties include weekday/night Centralized Arraignment Plan (CAP) Court.

NOW, THEREFORE, BE IT RESOLVED, that this Legislature authorizes a temporary monetary stipend for Mark Raniewicz, Assistant Public Defender, in the amount of \$1,000.00 a week, with no adjustment to retirement or other benefits, in addition to his current 2023 salary of \$96,174.00, for the additional duties, effective August 14 2023, until such time a Public Defender is hired, other arrangements have been made, or

PROCEEDINGS OF THE YEAR 2023

upon earlier termination at the discretion of the Legislature.

Vote 6-0.

RESOLUTION NO. 242 Motion by Gray, Second by Lausell.

RE: AUTHORIZE APPOINTMENT OF INTERIM COUNTY ADMINISTRATOR

WHEREAS, the position of County Administrator is currently vacant, and

WHEREAS, there is a need to fill that position on a temporary basis to help with overseeing the day to day operations of the County and to perform most of the duties of the County Administrator until such time the position can be filled.

NOW, THEREFORE, BE IT RESOLVED, that this Legislature appoints M. Shawn Rosno as Interim County Administrator, at his current rate of compensation, effective August 15, 2023 until such time the position of County Administrator is filled, other arrangements have been made, or upon earlier termination at the discretion of the Legislature.

DISCUSSION: Legislator Rondinaro said that he feels the Legislature is moving too quickly on this appointment. He feels the County would be better served to appoint an outside Interim and that the Interim Administrator could help evaluate all candidates on an even basis. Then once the Legislature changes the job description and advertises, we will receive a much broader range on candidates. He stated to Shawn Rosno, who was present, that this was nothing personal, and there is no doubt he can manage the day-to-day operations. He said it is the experience representing the County he lacks. The other Legislators did not agree.

Vote 5-1. No: Rondinaro.

NEW BUSINESS: None.

UNFINISHED BUSINESS:

Resolution No. 206 “AUTHORIZE CONTRACT WITH NEIGHBORHOOD DEFENDER SERVICE (NDS), INC. TO PROVIDE LEGAL REPRESENTATION FOR THE INDIGENT – **TABLED**”

Resolution No. 208 “AUTHORIZE LEASE AGREEMENT WITH NEIGHBORHOOD DEFENDER SERVICE (NDS), INC. – BUILDINGS AND GROUNDS DEPARTMENT – **TABLED**”

Resolution No. 209 “ABOLISH ALL POSITIONS IN THE PUBLIC DEFENDER’S DEPARTMENT – HUMAN RESOURCES DEPARTMENT - **TABLED**”

The Clerk explained that the three Resolutions, if not acted on at the September Regular Meeting, they would die on the table.

REPORT ON STANDING COMMITTEES:

Legislator Gray reported that the secretary for the Schuyler County Soil and Water Conservation has retired.

Legislator Howell reported that the New York Forward applications for the Village of Montour Falls are due on Wednesday, August 23rd.

PUBLIC PARTICIPATION: None.

MOTION made by Legislator Rondinaro to go into executive session pursuant to Public Officers Law Section 105 (1)(f), to discuss the medical, financial, credit or employment history of a particular person or Corporation or matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person, or Corporation, **SECOND** by Legislator Gray. Motion carried six ayes to zero noes.

MOTION by Legislature Jaynes to come out of executive session, **SECOND** by Legislator Rondinaro. Motion carried six ayes to zero noes.

The Meeting adjourned at 7:34 p.m.

Stacy B. Husted, Clerk

Jamee L. Mack, Deputy Clerk

**SPECIAL MEETING
SEPTEMBER 6, 2023**

The Special Meeting of the Schuyler County Legislature was called to order at 9:25 a.m. by Chairman

PROCEEDINGS OF THE YEAR 2023

Blowers. The Pledge of Allegiance was led by Legislator Howell and followed by a Moment of Silence. All Legislators were present, except Legislators Barnes and Reed who were excused. Interim County Administrator Shawn Rosno and County Attorney, Steven Getman, were present.

PUBLIC PARTICIPATION:

Mr. Paul Bartow reported that Yates County was just awarded \$3.2 Million dollars for broadband. He would like to see Schuyler County continue it's efforts for further broadband coverage especially in the Tyrone area by Sugar Hill.

RESOLUTION NO. 243 Motion by Lausell, Second by Rondinaro.

RE: RATIFICATION OF SPECIAL MEETING

BE IT RESOLVED, that this Special Meeting, pursuant to the call of the Clerk of the Legislature upon the direction of the Chair, be and hereby is, ratified and approved for discussion and action upon the following item of business:

1. DEMOCRATIC ELECTION COMMISSIONER APPOINTMENT

Vote: 6-0.

RESOLUTION NO. 244 Motion by Rondinaro, Second by Lausell.

RE: DEMOCRATIC ELECTION COMMISSIONER APPOINTMENT

WHEREAS, the position of Democratic Commissioner of the Board of Elections will become vacant on Wednesday, September 6, 2023, due to a resignation, and

WHEREAS, Commissioners of Election shall be appointed by the County Legislature, pursuant to NY Election Law § 3-204(4), and

WHEREAS, the chairman or secretary of the appropriate party county committee did file a certificate of party recommendation with the Clerk of the County Legislature on August 29, 2023 recommending the appointment of Brian Eslinger as Commissioner of Election for the Democratic party.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby appoints Brian Eslinger as Commissioner of Election for the Democratic party effective September 6, 2023 for the unexpired term ending December 31, 2024, at a salary of \$22,950.00.

Vote: 6-0.

PUBLIC PARTICIPATION:

Mr. Brian Eslinger stated that he is excited to take on this new role of Commissioner for the Board of Elections representing the voters in Schuyler County. He said he has a strong background in corporate America and thanked the Legislators for their vote.

The Meeting adjourned at 9:30 a.m.

Stacy B. Husted, Clerk

REGULAR MEETING SEPTEMBER 11, 2023

The Regular Meeting of the Schuyler County Legislature was called to order at 6:30 p.m. by Chairman Blowers. The Chairman asked at the start of the meeting that we take the time to remember the lives that have been lost as well as the lives we are still losing because of the September 11, 2001 attack twenty-two years ago. The Pledge of Allegiance was led by Legislator Rondinaro and followed by a Moment of Silence. All Legislators were present. Interim County Administrator Shawn Rosno and County Attorney, Steven Getman, were also present.

PUBLIC PARTICIPATION: None.

RESOLUTION NO. 245 Motion by Howell, Second by Jaynes.

RE: APPROVE MINUTES OF THE AUGUST 14, 2023 REGULAR MEETING AND THE SEPTEMBER 6, 2023 SPECIAL MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the August 14, 2023 Regular Meeting and the September 6, 2023 Special Meeting of the Schuyler County Legislature be approved.

Vote 8-0.

PROCEEDINGS OF THE YEAR 2023

RESOLUTION NO. 246 Motion by Barnes, Second by Lausell.

RE: APPOINTMENT TO THE LAW LIBRARY BOARD OF TRUSTEES

BE IT RESOLVED, that the Schuyler County Legislature hereby approves the appointment of Legislator Michael L. Lausell to the Law Library Board of Trustees for the term October 1, 2023 through September 30, 2025.

Vote 8-0.

RESOLUTION NO. 247 Motion by Barnes, Second by Lausell.

RE: APPOINT AND SET SALARY FOR THE POSITION OF PUBLIC DEFENDER

WHEREAS, the position of Public Defender is vacant.

NOW, THEREFORE, BE IT RESOLVED, that this Legislature hereby appoint Josette Colón, Esq. as Schuyler County Public Defender, effective September 18, 2023, through December 31, 2023 at an annual salary of \$118,000.00.

Vote 8-0.

RESOLUTION NO. 248 Motion by Howell, Second by Gray.

RE: AUTHORIZE THREE-YEAR CONTRACT RENEWAL WITH EV CONNECT, INC. FOR EVS NETWORK CLOUD SUBSCRIPTIONS – LEVEL TWO – OPTIMIZE – THREE YEAR SERVICE FOR EIGHT ELECTRIC VEHICLE CHARGING STATIONS – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, the Schuyler County Buildings and Grounds Department, under leadership of the Highway Superintendent, was authorized per Resolution No. 351-19 to contract with EV Connect, Inc. for the purchase of eight electronic vehicle Power Charge Level Two Single Plug CDMA Pedestal Charge Stations and related subscriptions and services, and

WHEREAS, it is time to renew the Network Cloud Subscription and three-year service for the eight electric vehicle charging stations, at a cost of \$12,896.00, and

WHEREAS, funding is available in the 2023 budget with the anticipation to receive an estimated revenue in the amount of \$4,500.00.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a three-year contract renewal with EV Connects, Inc. for EVS Network Cloud Subscriptions and Service for Schuyler County Buildings and Grounds Department, for a term of September 1, 2023 through August 31, 2026, at a total cost of \$12,896.00, funding available in account no. 001.1620.0401, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 249 Motion by Howell, Second by Gray.

RE: REJECT BIDS FOR THE CONSTRUCTION OF BATH FACILITIES AT SENECA HARBOR PARK – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, Resolution No. 34-23 authorized the Buildings and Grounds Department to advertise for sealed bids for the construction of Bath Facilities at Seneca Harbor Park, and

WHEREAS, the County reserved the right to reject any and all bids, and

WHEREAS, in cooperation with the County Highway Superintendent who oversees the Buildings and Grounds Department, and the Planning Director, the Public Works Committee recommends rejecting any and all bids received.

NOW, THEREFORE, BE IT RESOLVED, that upon recommendation of the Public Works Committee, the Schuyler County Legislature rejects any and all bids in accordance with the above.

Vote 8-0.

RESOLUTION NO. 250 Motion by Howell, Second by Gray.

RE: AUTHORIZATION TO CONDUCT A PUBLIC HEARING ON PROPOSED ACQUISITION FOR PUBLIC PURPOSE OF PROPERTY FOR COUNTY ROAD 16 BRIDGE REPLACEMENT OVER PINE CREEK (PIN 6755.48) IN THE TOWN OF ORANGE, COUNTY OF SCHUYLER - HIGHWAY DEPARTMENT

PROCEEDINGS OF THE YEAR 2023

WHEREAS, Resolution No. 176 of Year 2020 authorized an agreement between County of Schuyler and the State of New York Department of Transportation to fund design of the County Road 16 Bridge Replacement Over Pine Creek (PIN 6755.48), (the “Action”) in the Town of Orange, County of Schuyler, State of New York, and

WHEREAS, the Final Design Report for the project was approved on March 28, 2022, signifying that the project qualifies as categorical exclusions (CE) (Class II) under the National Environmental Policy Act (NEPA) and State Environmental Quality Review Act (SEQRA) , and

WHEREAS, on April 15, 2022, Design and Right of Way Plan approval of the referenced project was granted, in accordance with applicable federal regulations and guidelines finding that the individual and cumulative impacts of right-of-way acquisition are considered total de minimis in nature, and

WHEREAS, negotiations regarding the parcels and easements for the project have taken place without resolution, and

WHEREAS, the parcels and easements for the project are described as all that piece or parcel of property being a portion or portions of Tax Map No. 101.00-2-4 in the Town of Orange, County of Schuyler, State of New York, as more fully described as follows:

Parcel No. 1 Fee Acquisition

COMMENCING at a point on the centerline of County Road 16, said point being a distance of 3,095+/- feet, as measured along said centerline in a southwesterly direction, from its intersection with the centerline of Switzer Hill Road;

Thence N36°38'03”W, a distance of 24.58 feet to a point on the northwesterly boundary of County Road 16, said point being the POINT OF BEGINNING of the parcel herein described, said point being 1.93 feet distant northwesterly, measured at right angles from station 18+77.55 of the hereinafter described 2022 Survey Baseline; then S52°03'18”W, along the above-stated boundary of County Road 16, a distance of 76.85 feet to a point 7.34 feet distant northwesterly, measured at right angles from station 18+00.83 of said baseline; thence the following three (3) courses and distances through lands now or formerly owned by Earl Owens and Lorraine Owens (L.416, P.340):

1. N12°56'42”W, a distance of 38.98 feet to a point 41.44 feet distant northwesterly, measured at right angles from station 18+19.83 of said baseline;
2. N52°03'18”E, a distance of 60.16 feet to a point 37.18 feet distant, northwesterly, measured at right angles from station 18+79.83 of said baseline;
3. S38°18'00”E, a distance of 35.33 feet to the point of beginning.

The above described parcel contains 2,420+/- sq. ft. or 0.056+/- acre.

Parcel No. 2 Fee Acquisition

COMMENCING at a point on the centerline of County Road 16, said point being a distance of 3,116+/- feet, as measured along said centerline in a southwesterly direction, from its intersection with the centerline of Switzer Hill Road;

Thence S36°38'03”E, a distance of 25.40 feet to a point on the southeasterly boundary of County Road 16, said point being the POINT OF BEGINNING of the parcel herein described, said point being 45.90 feet distant southeasterly, measured at right angles from station 18+52.25 of the hereinafter described 2022 Survey Baseline; thence the following three (3) courses and distances through lands now or formerly owned by Earl Owens and Lorraine Owens (L.416, P.340):

1. S12°56'42”E, a distance of 37.24 feet to a point 78.45 feet distant southeasterly, measured at right angles from station 18+34.16 of said baseline;
2. S52°03'18”W, a distance of 67.26 feet to a point 74.01 feet distant southeasterly, measured at right angles from station 17+67.72 of said baseline;
3. N37°56'42”W, a distance of 33.75 feet to a point on the above-stated boundary of County Road 16, said point being 40.32 feet distant southeasterly, measured at right angles from station 17+69.81 of

PROCEEDINGS OF THE YEAR 2023

said baseline;

thence N52°03'18"E, along the boundary of County Road 16, a distance of 83.00 feet to the point of beginning.

The above described parcel contains 2,536+/- sq. ft. or 0.058+/- acre.

The above mentioned survey baseline is a portion of the 2022 Survey Baseline for CR16 over Pine Creek Bridge replacement Project and is described as follows:

Beginning at Station 10+00.00; thence N35°12'31"E to Station 15+02.04; thence N48°29'50"E to Station 18+03.85; thence N47°59'46"E to Station 19+48.35; thence N73°52'06"E to Station 20+39.70; thence N39°55'15"E to Station 26+82.76.

All bearings refer to True North at the 76°--35' Meridian of West Longitude.

Parcels 4 and 5 Temporary Easements

Temporary easements to be exercised in, on and over the property delineated above for the purpose of a work area and the reconstruction of a portion of County Road 16 in the Town of Orange, County of Schuyler, State of New York for use and exercisable during the construction or reconstruction of the highway and terminating upon the approval of the completed work, unless sooner terminated if deemed no longer necessary for highway purposes and released by the County of Schuyler Highway Superintendent or other authorized representative acting for The County of Schuyler or its assigns. Such easement shall be exercised in and to all those pieces or parcels of property designated as Parcel Nos. 4 and 5, more fully described below.

RESERVING, however, to the owner of any right, title or interest in and to the property above delineated as Parcel Nos. 4 and 5 above, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for the construction or reconstruction of the herein identified project.

The above mentioned survey baseline is a portion of the 2022 Survey Baseline for CR16 over Pine Creek Bridge replacement Project and is described as follows:

Beginning at Station 10+00.00; thence N35°12'31"E to Station 15+02.04; thence N48°29'50"E to Station 18+03.85; thence N47°59'46"E to Station 19+48.35; thence N73°52'06"E to Station 20+39.70; thence N39°55'15"E to Station 26+82.76.

All bearings refer to True North at the 76°--35' Meridian of West Longitude, and

WHEREAS, the county intends to pursue all means to complete these negotiations in a timely manner without necessitating legal measures, but must provide for the contingency that the properties in question may need to be acquired via eminent domain procedures as a last resort.

NOW, THEREFORE, BE IT RESOLVED, on recommendation of the Public Works Committee, that the Schuyler County Legislature conduct a public hearing pursuant to Section 201 of the Eminent Domain Procedure Law at Schuyler County Legislative Chambers, 105 Ninth Street, Watkins Glen, New York 14891, on the 10th day of October, 2023, at 6:30 p.m., and

BE IT FURTHER RESOLVED, that the purpose of said hearing is to inform the public and to review the public use to be served by the CR16 Bridge Replacement Over Pine Creek (PIN 6755.48) in the Town of Orange, and the impact on the environment and residents of the locality where said project will be constructed, and

BE IT FURTHER RESOLVED, that pursuant to Section 202 of the Eminent Domain Procedure Law, the Clerk of the Legislature shall cause to be published at least ten days and not more than thirty days prior to said hearing a notice of same in at least two successive issues of the Watkins Review and Express, together with at least five successive issues of a daily newspaper of general circulation in the County.

Vote 8-0.

RESOLUTION NO. 251 Motion Howell, Second by Gray.

PROCEEDINGS OF THE YEAR 2023

RE: AUTHORIZE AMENDMENT TO THE CONTRACT WITH CINTAS CORPORATION FOR UNIFORM RENTAL/CLEANING SERVICE - HIGHWAY DEPARTMENT

WHEREAS, the Highway Department currently has a contract with Cintas Corporation for rental/cleaning services for coveralls, coats and shop towels, with an expiration date of October 31, 2025, and

WHEREAS, there is a need to add a Carhartt Ripstop work shirt to the existing contract requiring it to be amended.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract amendment with Cintas Corporation for the Highway Department for the additional Carhartt Ripstop work shirt at the cost of \$.806 per item, effective August 14, 2023 through December 31, 2025, funding available in the Highway Machinery budget account no. 003.5130.0441; contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 252 Motion by Howell, Second by Gray.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR THE PURCHASE OF A WHEELED EXCAVATOR – HIGHWAY DEPARTMENT

WHEREAS, the Highway Department is in need of replacing a wheeled excavator, and

WHEREAS, there is anticipated Consolidated Highway Aid (CHIPS) funding to pay for said purchase.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$280,000.00	003.5130.0202	Equipment
+\$280,000.00	003.0003.3501	Consolidated Highway Aid

Vote 8-0.

RESOLUTION NO. 253 Motion by Rondinaro, Second by Howell

RE: INTRODUCE LOCAL LAW INTRO. D OF THE YEAR 2023 “A LOCAL LAW OF THE COUNTY OF SCHUYLER ENACTING A PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS PURSUANT TO SECTION 466-a OF THE REAL PROPERTY TAX LAW” – REAL PROPERTY TAX DEPARTMENT

WHEREAS, the New York State Legislature enacted a law to amend the Real Property Tax Law, in relation to providing all local governments with the option to provide a Property Tax Exemption to Volunteer Firefighters and Volunteer Ambulance Workers, and to repeal various provisions of the Real Property Tax Law Relating thereto, and

WHEREAS, it is the recommendation of the Management and Finance Committee that the Schuyler County Legislature provide said exemption.

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. D of the year 2023 be, and hereby is, introduced in the form hereto annexed pursuant to the Municipal Home Rule Law, and

BE IT FURTHER RESOLVED, that a public hearing shall be held upon said proposed Local Law on October 10, 2023 at 6:30 p.m. in the County Office Building, 105 Ninth Street, Watkins Glen, New York.

LOCAL LAW INTRO. D OF THE YEAR 2023

A Local Law of the County of Schuyler Enacting a Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers Pursuant to Section 466-a of the Real Property Tax Law.

Be it enacted, by the County Legislature of the County of Schuyler as follows:

Section 1. Legislative Intent and Purpose.

- a. The Schuyler County Legislature finds and determines that attracting and retaining quality volunteer firefighters and volunteer emergency medical personnel is one of the most critical problems facing a number of communities in Schuyler County and that maintaining effective emergency protection depends on the ability to train and retain volunteers.
- b. The Legislature finds and determines that it is essential for the County to provide real property tax exemptions as an incentive to attract new volunteers and help combat a persistent and alarming decline in the number of volunteers serving as active responders to fire and medical

emergencies and unless recruits are found to replace retiring volunteers and seasoned members are encouraged to continue their volunteer service, the health and safety of citizens served by the volunteer firefighter and emergency medical personnel corps may be jeopardized.

- c. The Legislature further finds and determines that real property tax exemptions are an appropriate way to recognize the personal sacrifices and dedication of these community-spirited men and women who unselfishly give their time and risk their safety to protect their neighbors without compensation.
- d. The purpose of this Local Law is to adopt the real property tax exemptions provided for volunteer firefighters and volunteer emergency medical personnel in accordance with Section 466-a of the Real Property Tax Law to read as follows.

Section 2. Grant of exemption.

- a. An exemption of 10 % (ten percent) of assessed value of property owned by an enrolled member as set forth below, or such enrolled member and their spouse, is hereby granted from taxation with respect to the real property taxes of the County of Schuyler as long as eligibility requirements are met.

Section 3. Eligibility requirements.

- a. Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service (hereinafter as "Volunteer Responder Organization) unless:
 - i. The applicant resides in the town or village which is served by such Volunteer Responder Organization;
 - ii. The property is the primary residence of the applicant;
 - iii. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion shall be entitled to the exemption provided by this local law;
 - iv. The applicant is certified by the authority having jurisdiction as an enrolled member of such Volunteer Responder Organization; and
 - v. The volunteer responder meets the minimum service requirement of 3 (three) years which is hereby as established by County of Schuyler.

Section 4. Application.

- a. Application for such exemption shall be filed with the assessor responsible for preparing the assessment roll for the County of Schuyler, on or before taxable status date on form RP-466-a-vol, or other form as prescribed the New York State Commissioner of Taxation and Finance.

Section 5. Certification and Continuity of Eligibility.

- a. The governing body of each such incorporated Volunteer Responder Organization must annually file with the assessor, prior to the applicable taxable status date, a list of the active volunteer members who are certified to meet the minimum service requirement. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member's address of residence.

Section 6. No diminution of benefits.

- a. An applicant who is receiving any benefit pursuant to Article 4 of the Real Property Tax Law as of the effective date of this article shall not have any of those benefits diminished because of this article.

Section 7. Grant of lifetime exemption.

- a. Any eligible enrolled member who accrues more than 20 (twenty) years of active volunteer service (as certified by the authority having jurisdiction of each Volunteer Responder Organization shall be granted the 10% (ten percent) exemption as authorized by this article for the remainder of his or her life as long as his or her primary residence is located within the County of Schuyler.

Section 8. Un-remarried spouse of enrolled member killed in the line of duty.

- a. The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the authority having jurisdiction of each such incorporated volunteer fire company, fire department, or incorporated voluntary ambulance, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 3 (three) years and had been receiving the exemption at the time of his or her death.

Section 9. Un-remarried spouse of deceased enrolled member.

- a. The un-remarried surviving spouse of a deceased enrolled member, as certified by the authority having jurisdiction of each such incorporated volunteer fire company, fire department, or incorporated voluntary ambulance, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 20 (twenty) years and the deceased volunteer and un-remarried spouse had been receiving the exemption at the time of his or her death.

Section 10. Savings Clause.

- a. If any clause, sentence, paragraph, section or part of this Local Law is declared by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law.

Section 11. Effective Date.

- a. This Local Law shall take effect immediately upon filing and shall apply to taxable status dates occurring on or after such date.

Vote 8-0.

RESOLUTION NO. 254 Motion by Rondinaro, Second by Howell.

RE: ADOPT AMENDED TRANSPORTATION SERVICES TITLE VI POLICY STATEMENT AND PLAN IN COMPLIANCE WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION OFFICE OF CIVIL RIGHTS – HUMAN RESOURCES DEPARTMENT

WHEREAS, Schuyler County has been directed and requested by New York State Department of Transportation Office of Diversity and Opportunity to amend Appendix C: Public Participation Plan as set forth in the attached Schuyler County Transportation Services Title VI Plan, and

WHEREAS, the proposed amendment Title VI Plan has been approved as to form and manner of execution by the Schuyler County Attorney, and referred to the appropriate jurisdictional committee, and the Legislature hereby finding that it is in the best interests of County Government and its residents to adopt the aforesaid amended plan.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby adopts the aforesaid amended Transportation Services Title VI Policy Statement and Plan approved by NYSDOT Office of Diversity and Opportunity, to be on file in the Human Resources Office, effective immediately.

Vote 8-0.

RESOLUTION NO. 255 Motion by Rondinaro, Second by Howell.

RE: RATIFY ONE-YEAR CONTRACT WITH T&M USA, LLC FOR EMPLOYMENT RELATED BACKGROUND INVESTIGATION SERVICES – HUMAN RESOURCES DEPARTMENT

WHEREAS, there is a need to perform employment related background investigations on certain Schuyler County positions, and

WHEREAS, T&M USA, LLC can perform these services in two phases, Phase I at a cost of \$3,000.00 per subject, plus additional expenses such as Criminal and Records Checks, and Phase II at a rate of \$275.00 per hour not to exceed \$5,000.00 per subject, plus additional expenses.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby ratifies the aforesaid one-year contract with T&M USA, LLC for employment related background investigation services for the Human Resources Department, for a term of August 21, 2023 through August 20, 2024, at the rates set forth above, funding available for the position of Public Defender in account no. 001.1170.0401-Contractual Expenses, and future investigations from account no. 001.1430.0458-Professional Fees and Services, contract

PROCEEDINGS OF THE YEAR 2023

signed and approved as to form by the Schuyler County Attorney.

DISCUSSION: Legislator Barnes asked if our procurement process had been followed for this contract, and if different entities had been contacted. Attorney Getman replied that one written quote had been received as well as a verbal one, and that the Legislature voted to go with this provider. Legislator Barnes said in his opinion it is three times the amount that it should be.

Vote 7-1. No: Barnes

RESOLUTION NO. 256 Motion by Rondinaro, Second by Howell.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR THE PURCHASE OF A BACKUP SYSTEM – INFORMATION TECHNOLOGY DEPARTMENT

WHEREAS, there is a need to purchase a new backup system; the current server is out of warranty and we are seeing hardware failures that require replacement of the equipment, and

WHEREAS, the Information Technology 2023 budget does not include all of the revenue from the 2023 Department of Social Services contract.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$50,000.00	001.1680.0202	Equipment
+\$50,000.00	001.1680.1289	Other Gen. Gover. Dept. Income

Vote 8-0.

RESOLUTION MO. 257 Motion by Lausell, Second by Jaynes.

RE: AUTHORIZE FIVE-YEAR CONTRACT WITH AMY’S SUNSHINE CENTER PAINTED POST, LLC FOR DAY CARE SERVICES – SOCIAL SERVICES DEPARTMENT

WHEREAS, the Schuyler County Social Services Department is required to provide day care services to children 6 weeks of age through 12 years, in accordance with State and Federal law, and

WHEREAS, Amy’s Sunshine Center Painted Post, LLC has agreed to provide the services per the Exhibit 6 Sample Business Contract included, for the term of February 1, 2023 through January 31, 2028.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a five-year contract with Amy’s Sunshine Center Painted Post, LLC for the Social Services Department for day care services, for the term of February 1, 2023 through January 31, 2028, at the rates per Exhibit 6 Sample Business Contract included, funding available in account no. 001.6055.0401, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 258 Motion by Lausell, Second by Jaynes.

RE: APPROVE APPOINTMENT TO THE SCHUYLER COUNTY YOUTH BOARD – YOUTH BUREAU DEPARTMENT

BE IT RESOLVED, that the Schuyler County Legislature hereby approves the appointment of Adam Lawton to the Schuyler County Youth Board effective September 1, 2023 through December 31, 2025.

Vote 8-0.

RESOLUTION NO. 259 Motion by Lausell, Second by Jaynes.

RE: AUTHORIZE TWO-YEAR CONTRACT WITH FIRST PRESBYTERIAN CHURCH FOR A CONGREGATE MEAL SITE – OFFICE FOR THE AGING DEPARTMENT

WHEREAS, Schuyler County Office for the Aging has contracted with the First Presbyterian Church to provide a congregate meal site on a yearly basis, and

WHEREAS, the First Presbyterian Church is willing to enter into a two-year contract to provide the necessary amenities for a congregate meal site, at a cost of \$15.00 per week, not to exceed \$780.00 annually, with a term of January 1, 2023 through December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a two-year contract with First Presbyterian Church for the Schuyler County Office for the Aging Department for a weekly congregate meal site, at a cost of \$15.00 per week, not to exceed \$780.00 annually,

PROCEEDINGS OF THE YEAR 2023

with a term of January 1, 2023 through December 31, 2024, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 260 Motion by Lausell, Second by Jaynes.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR PERSONNEL SERVICES – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Public Health Department has received the Healthcare Workforce Bonus for Vesting Period Three, and

WHEREAS, in order to issue the bonuses through payroll, the 2023 budget needs to be amended.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$4,929.09	001.4010.0100	Personnel Services Expense
+\$4,929.09	001.4010.3489	Public Health Other Revenue

Vote 8-0.

RESOLUTION NO. 261 Motion by Lausell, Second by Jaynes.

RE: AUTHORIZE CONTRACT WITH FAMILY SERVICE SOCIETY, INC. FOR RELATED PRESCHOOL SERVICES – PUBLIC HEALTH DEPARTMENT

WHEREAS, Per Section 4410 of the New York State Education Law and in compliance with Part 200 of the Regulations of the New York State Education Commissioner, Schuyler County Public Health Department is required to provide related preschool services to meet the needs of preschool children with disabilities, and

WHEREAS, Family Services Society, Inc. will provide said services at the rate \$67.00 per half hour individual session, \$45.00 per group session per child for counseling services.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with Family Service Society, Inc. for the Schuyler County Public Health Department for related preschool services, for the term of July 1, 2023 through June 30, 2025, at a cost of \$67.00 per half hour individual session and \$45.00 per group session per child for counseling services, funding available in account no. 001.2960.0401, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 262 Motion by Lausell, Second by Jaynes.

RE: AUTHORIZE CONTRACT AMENDMENT WITH S²AY RURAL HEALTH NETWORK, INC. FOR ADDITIONAL SERVICES FOR THE STRATEGIC PLAN FOR 2024 - 2027 – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Schuyler County Public Health Department is in need of additional planning, coordination and creation of a Strategic Plan for 2024 – 2027, and

WHEREAS, S²AY Rural Health Network, Inc. can provide these services at an additional cost to their existing contract in the amount of \$5,236.00, and

WHEREAS, the funding is available in the Public Health 2023 budget, in account no. 001.4010.0401.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract amendment with S²AY Rural Health Network, Inc. for the Public Health Department for additional services for the Strategic Plan for 2024 - 2027, for the existing term, for an additional cost of \$5,236.00, funding available in account no. 001.4010.0401 - Contractual Expense, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 263 Motion by Lausell, Second by Jaynes.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR ADDITIONAL STATE AID FOR COST-OF-LIVING ADJUSTMENTS - COMMUNITY SERVICES DEPARTMENT

WHEREAS, the Schuyler County Community Services Department has received additional funding as a Cost-of-Living Adjustment increase (COLA), and

WHEREAS, the Community Services Department needs to amend their 2023 budget.

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the Community Services 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$3,019.00	001.4322.0336	Finger Lakes Additions Counseling and Referral
+\$4,691.00	001.4322.0550	Council on Alcoholism
+\$ 494.00	001.4322.0504	The ARC Chemung-Schuyler
+\$8,204.00	001.4322.3490	State Aid Revenue

Vote 8-0.

RESOLUTION NO. 264 Motion by Lausell, Second by Jaynes.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR ADDITIONAL DWYER FUNDS – COMMUNITY SERVICES DEPARTMENT

WHEREAS, the Community Services Department has received additional funding through the PFC Joseph P. Dwyer Peer Support Funding as a Cost-of-Living Adjustment (COLA) increase, and

WHEREAS, the Community Services Department needs to amend their 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the Community Services 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$4,000.00	001.4322.0458	Professional Fees and Services
+\$4,000.00	001.4322.3491	State Aid Revenue

Vote 8-0.

RESOLUTION NO. 265 Motion by Rondinaro, Second by Jaynes.

RE: ACKNOWLEDGE APPOINTMENT TO THE SCHUYLER COUNTY PLANNING COMMISSION – PLANNING DEPARTMENT

WHEREAS, the Town of Cayuta representative position on the Schuyler County Planning Commission is vacant, and

WHEREAS, Terry Gardner has agreed to represent the Town of Cayuta on the Schuyler County Planning Commission.

NOW THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature acknowledges the appointment of Terry Gardner as the Town of Cayuta representative on the Schuyler County Planning Commission, for the term of September 1, 2023 through December 31, 2024.

Vote 8-0.

RESOLUTION NO. 266 Motion by Rondinaro, Second by Jaynes.

RE: DESIGNATING SCHUYLER COUNTY AS A REGISTERED CLIMATE SMART COMMUNITY – PLANNING DEPARTMENT - **FAILED**

WHEREAS, Climate Smart Communities is a New York State program that helps local governments take steps in their communities to reduce greenhouse gas emissions, and

WHEREAS, the benefits of participating in the Climate Smart Communities Certification program include: Better scores on grant applications for some state funding programs, like Climate Smart Communities Grants; State-level recognition for each community's leadership; a robust framework to organize local climate action and highlight priorities; streamlined access to resources, training, tools, and expert guidance; Networking and sharing best practices with peers.

NOW, THEREFORE, BE IT RESOLVED, that the County of Schuyler, in order to reduce greenhouse gas emissions and adapt to a changing climate, *adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:*

- 1) Build a climate-smart community.
- 2) Inventory emissions, set goals, and plan for climate action.
- 3) Decrease energy use.
- 4) Shift to clean, renewable energy.
- 5) Use climate-smart materials management.
- 6) Implement climate-smart land use.

PROCEEDINGS OF THE YEAR 2023

- 7) Enhance community resilience to climate change.
- 8) Support a green innovation economy.
- 9) Inform and inspire the public.
- 10) Engage in an evolving process of climate action.

DISCUSSION: Legislator Howell said that he will be voting against this Resolution. He knows he supported this at the Committee level, but that was to get this in front of all of the Legislators. He admits that climate change is an issue, however he does not like the way it will affect the agriculture and does not agree with having to buy all electric appliances in the future. He commented on what happened in Florida with that hurricane recently and the electric cars not being able to function however all gas-powered vehicles had no problem. Personally, he cannot support this Resolution and hopes that other Legislators will also vote no. Legislator Barnes said he will be voting no on this Resolution along with the Seneca Meadows Resolution. He feels the Seneca Meadow Resolution is not our business. We got upset when other counties adopted Resolutions in opposition of Crestwood during those times. Legislator Rondinaro wished to address both points. First of all, the Climate Smart Resolution does not commit the County to anything, all this Resolution does is express our goals. Regarding the Seneca Meadows Resolution, he said that this does absolutely have to do with us, and it will impact the truck traffic coming through the Villages with garbage coming from New York City, which leaves a stain on our community and gives a negative impact for our tourism with site and smell. There was much debate between Legislators Barnes and Rondinaro. Legislator Rondinaro said that he will be supporting all Resolutions and will challenge any of his conservative votes and feelings. He asked that the Clerk do a roll call vote on these Resolutions.

Vote 2-6. Noes: Reed, Gray, Jaynes, Barnes, Howell and Blowers.

RESOLUTION NO. 267 Motion by Rondinaro, Second by Jaynes.

RE: RESOLUTION OPPOSING THE INCREASE OF THE PERMITTED LANDFILL HEIGHT AND EXTENDED LIFE OF SENECA MEADOWS, INC. – PLANNING DEPARTMENT

WHEREAS, according to the Seneca Meadows Landfill Valley Infill Draft Environmental Impact Statement (DEIS) date December 2022, Seneca Meadows, Inc. (SMI) is seeking to increase the life of its existing landfill (“Landfill”) located at 1786 Salcman Road in the Towns of Seneca Falls and Waterloo, Seneca County, New York, and

WHEREAS, the project would add approximately 47 million cubic yards of air space used for the disposal of non-hazardous residential, commercial, institutional, and industrial wastes in the proposed SMI Valley Infill Area (Valley Infill”), and

WHEREAS, the Valley Infill will involve the construction of approximately 47 acres of newly lined landfill area, as well as overfilling above approximately 191 acres of currently permitted landfill area, and

WHEREAS, SMI is also seeking an increase in the existing maximum permitted Landfill height by approximately 70 feet, and

WHEREAS, the type of waste being received at the facility (Municipal Solid Waste) and the approved design capacity of the Landfill, which is 6,000 tons per day (TPD), would not change, however, Landfill operation would be extended approximately 15 years, depending on the waste volume received in a given year, and

WHEREAS, the impacts of SMI are felt by Schuyler County residents due to the garbage truck traffic, and impact on our agri-tourism based community character, and

WHEREAS, traffic to and from the existing Landfill site impacts the Finger Lakes community beyond the Towns of Seneca Falls and Waterloo, and

WHEREAS, the truck traffic utilizing local roads to avoid tolls and weigh stations on the Thruway negatively impact the downtown revitalization efforts of the Village of Montour Falls (Round 1 – NY Forward Community) and Village of Watkins Glen (Round 2- DRI Community), by adding unnecessary traffic congestion and odor issues, and

WHEREAS, the project sponsor must obtain the following project approvals from the New York State Department of Environmental Conservation (“NYSDEC”): modification of its existing Solid SMI Facility permit under NYCRR Parts 360 and 363 (“the Part 360/363 permit”); a Change-of-use approval for the Tantal

PROCEEDINGS OF THE YEAR 2023

Landfill Class 4 Superfund Site; and coverage under the SPDES MultiSector General Permit for Stormwater Discharges from Industrial Activities (GP-0-17-004). SMI must also obtain approval from the Town Boards of Seneca Falls and Waterloo (“Town Boards”) for the Site Plan for the Valley Infill project Landfill. In addition, the Site will require Site Plan Approval from each Town’s Planning Board, and the Project will also require Special Use Permit approvals from Seneca Falls Zoning Board of Appeals and the Town of Waterloo. In addition, the project sponsor must also undergo an obstruction review by the Federal Aviation Authority (“FAA”), and

WHEREAS, the County of Schuyler is not currently named as an interested party, however the residents of the County will be directly affected by the award of approval or by failure for SMI to receive approval.

NOW, THEREFORE, BE IT RESOLVED, that the County of Schuyler does hereby oppose any increase in the existing maximum permitted Landfill height as well as the extension of the life of the landfill, without due consideration of its impact on adjacent communities including Schuyler County, and

BE IT FURTHER RESOLVED, that the County of Schuyler seeks to be a proposed interested party due to the impacts on our community and therefore requests an enhanced public participation process for this proposed expansion, and

BE IT FURTHER RESOLVED that the Schuyler County Legislature directs the Clerk to forward a copy of this Resolution to the New York State Department of Environmental Conservation, the Town Boards of the Towns of Seneca Falls and Waterloo, the Planning Boards of the Towns of Seneca Falls and Waterloo and the Seneca County Board of Supervisors.

Vote 5-3. Noes: Reed, Jaynes and Barnes.

RESOLUTION NO. 268 Motion by Rondinaro Second by Jaynes.

RE: AUTHORIZE GRANT APPLICATION TO THE 2023 APPALACHIAN REGIONAL COMMISSION (ARC) TO CONDUCT A COUNTYWIDE HOUSING DEMAND ANALYSIS STUDY – PLANNING DEPARTMENT

WHEREAS, Schuyler County is requesting \$25,000.00 from the Appalachian Regional Commission (ARC) for the federal fiscal year 2024 funding cycle to conduct a countywide housing demand analysis study, and

WHEREAS, Schuyler County is committed to providing the required 50% cash match of \$25,000.00 for the \$50,000.00 project with funding available from the Economic Development Reserve Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to sign said ARC Grant Application documents and letter of commitment of matching funds for the projects.

Vote 7-1. No: Reed.

RESOLUTION NO. 269 Motion by Rondinaro, Second by Howell.

RE: MOTION TO BRING ONE (1) ADDITIONAL RESOLUTION TO THE FLOOR

BE IT RESOLVED, that one (1) additional Resolution be brought to the floor.

Vote 8-0.

RESOLUTION NO. 270 Motion by Barnes, Second by Lausell.

RE: AUTHORIZE AMENDMENT TO THE CONTRACT WITH ADP, INC. FOR ADDITION REPORTING FOR A MANDATORY NEW YORK STATE LOCAL RETIREMENT SYSTEM CUSTOM PAYROLL REPORT – HUMAN RESOURCES DEPARTMENT

WHEREAS, the Human Resources Department currently has a contract with ADP, Inc. to provide HR/Benefits tracking, time and attendance and payroll processing, and

WHEREAS, the New York State Local Retirement System (NYSLRS) is mandating counties provide a custom payroll report for monthly employee service credit reporting, and

WHEREAS, ADP, Inc. can provide this custom report at a cost of \$250.00 an hour up to eight hours, with a not to exceed amount of \$2,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract amendment with ADP, Inc. for additional custom reporting services for the Human Resources Department, at a cost of \$250.00 an hour, up to eight hours, not to exceed \$2,000.00, effective September 11, 2023 through the term of the existing contract expiring August 2, 2025, contract approved as to

PROCEEDINGS OF THE YEAR 2023

form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 206

RE: AUTHORIZE CONTRACT WITH NEIGHBORHOOD DEFENDER SERVICE (NDS), INC. TO PROVIDE LEGAL REPRESENTATION FOR THE INDIGENT - **TABLED**

WHEREAS, the United States Constitution guarantees the right to Effective Assistance of Counsel, which may not be denied by reason of a defendant's inability to pay for a lawyer, and

WHEREAS, the Public Defender's Office has been short staffed with the latest resignation of the Public Defender effective May 26, 2023, further exacerbating Schuyler County's efforts to support the delivery of legal representation for the indigent to its constituents, and

WHEREAS, the settlement reached in *Hurrell-Harring v. State of New York*, 15 N.Y.3d 8 (2010) requires

the State of New York and the five defendant counties (which includes the County of Schuyler) to improve the delivery of public defense services, including (but not limited to) the improvement of the provision of legal counsel at first appearance ("Hurrell-Harring Settlement Reforms"), and

WHEREAS, Neighborhood Defender Service (NDS), Inc a nonprofit organization, is known nationally and internationally for its high-quality, innovative, community-based, holistic public defense practice, and

WHEREAS, NDS clients have an entire team fighting on their behalf, including criminal and civil attorneys, family defense attorneys, advocates, social workers, investigators, paralegals, law school and social work interns, and pro bono attorneys. NDS deploys all of these resources on behalf of its clients, addressing the underlying issues that bring them into contact with the legal system. Further, NDS is an active member of the communities it serves, establishing meaningful relationships with clients and their families, and

WHEREAS, NDS has submitted a proposal to provide said services with an estimated not to exceed cost of \$500,047.00 for the partial year of 2023, with an effective date of August 1, 2023 through December 31, 2023, with year 2024 in full at a cost not to exceed \$1,266,646.00, however if additional New York State Office of Indigent Legal Services funding is secured for additional representation enhancements, such sum shall not exceed \$1,399,725.00 for the period of January 1, 2024 through December 31, 2024, with subsequent years' funding appropriations determined by the parties upon mutual negotiation, as set forth in the contract, and

WHEREAS, annually, by September 15 of each year during the term of this contract, the parties will agree upon an operating budget for the Contractor for the following calendar year.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with NDS to provide legal representation for the indigent for the term August 1, 2023 through December 31, 2028, funding available in the 2023 Public Defender budget from New York State Office of Indigent Legal Services Grants, contract approved as to form by the Schuyler County Attorney.

RESOLUTION NO. 208

RE: AUTHORIZE LEASE AGREEMENT WITH NEIGHBORHOOD DEFENDER SERVICE (NDS), INC. – BUILDINGS AND GROUNDS DEPARTMENT - **TABLED**

WHEREAS, the Legislature has entered into a contract with Neighborhood Defender Service (NDS), Inc. to provide legal representation for the indigent, and

WHEREAS, NDS will be using the existing Public Defender's Office space at the County Office Building, 105 Ninth Street, Watkins Glen, New York 14891; the suite includes Rooms 302, 303, and 304, and/or such other space as the parties may agree to in writing, and

WHEREAS, the rent for the term of the lease shall be One Dollar (\$1.00) and other good and valuable consideration, monetary rental amount to be paid on upon final execution and annually thereafter.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to execute a lease agreement with NDS, Inc. for One Dollar (\$1.00), for the term August 1, 2023 through December 31, 2024, approved as to form by the Schuyler County Attorney.

RESOLUTION NO. 209

PROCEEDINGS OF THE YEAR 2023

RE: ABOLISH ALL POSITIONS IN THE PUBLIC DEFENDER'S DEPARTMENT – HUMAN RESOURCES DEPARTMENT - **TABLED**

WHEREAS, the Legislature has authorized a contract with Neighborhood Defender Service (NDS), Inc. to provide legal representation for the indigent, pursuant to NY County Law § 722(2), and

WHEREAS, NDS will be providing full staff coverage for this service requiring the Legislature to abolish all of the existing positions within the department.

NOW, THEREFORE, BE IT RESOLVED, that upon execution of the NDS Contract the one full-time Public Defender position, the two full-time Assistant Public Defender positions, the less than full-time Public Defender position, and the part-time Legal Secretary position will be abolished, with the exception of the one full-time Confidential Secretary to the Public Defender position which will not be abolished until the time of retirement, effective September 12, 2023.

DISCUSSION: The Clerk explained that the three tabled Resolution will now die on the table.

NEW BUSINESS: None.

UNFINISHED BUSINESS: None.

REPORT ON STANDING COMMITTEES:

Legislator Lausell reminded the Legislators about the Public Health Survey that had been circulated to them to complete as Board of Health members. The Clerk announced that those that had been completed were submitted last Friday to meet a deadline. Chairman Blowers said that he found it very difficult to read.

Legislator Barnes stated that he has been a hermit for the last two weeks because he is sick and tired of not knowing what is going on in our community when asked questions and he does not have the answers. Some things he has been questioned about relates to what happened at a County Mill Creek building last week when six people were transported to the hospital, a huge housing project in the Town of Dix that the County is investing in, what are we doing about the immigration crisis, and resurfacing mask mandates. He said he does not have answers as he does not know anything or have details about these topics. He said he has never seen a more dis-functional board than we have in the last couple of weeks. Legislator Howell stated that the Planning Director brought the project in the Town of Dix up during the Community Development and Natural Resources Committee Meeting last month. He then tried to assure Legislator Barnes that this project is not going any place without public sewer and water utilities being in place and that could take years. Legislator Rondinaro said he was involved in one meeting. There was a great deal of discussion about how uninformed Legislator Barnes feels. Legislator Howell asked if Legislator Barnes is suggesting that the Clerk of the Legislature should send out an email to the Legislators with pertinent information regarding the County. Legislator Rondinaro requested that the Interim County Administrator come up with a mechanism to get pertinent information out to the Legislators. The Clerk stated that the County's Public Information Officer is the County Administrator, and any questions could and should be directed to him.

Legislator Barnes then asked the Personnel Officer, Lorry Johnson, who was present how difficult it would be to run a report back fifteen years on the number of positions we have had by each department. Lorry explained there was a difference between positions being created versus persons in positions and if they are filled. He replied that he wanted both. She said she would work on supplying him with some data.

COUNTY ADMINISTRATOR'S REPORT:

Interim County Administrator Rosno reported that the latest sales tax figures are very strong. At this point he said we are running about \$200,000.00 over last year. He then reported that the 2024 budget process is well underway. He will have spoken to every department by the end of this week. The 2024 budget looks surprisingly good, and he plans to present a preliminary budget to the Management and Finance Committee by September 25, 2023 on schedule. He also said he is not seeing all the dome and glume that had been portrayed. He could be missing something but feels pretty comfortable with the budget as it stands currently. Legislator Rondinaro asked about the contract agencies and expressed an interest in being involved with those meetings. Legislator Howell and Gray also complimented him on the work done with the budget so far. Legislator Howell asked if the grant position that the Treasurer has spoken about is in the budget for 2024. Administrator Rosno said that yes, there are funds currently in place for a position in 2024 budget projection. The last item reported by Administrator Rosno was on the Grand Prix Festival. He said it was a huge success and for those of you that

PROCEEDINGS OF THE YEAR 2023

may not have known, we had the 1951 General Motors Le Sabre Concept car on the courthouse lawn that was magnificent! He gave a little history of the car developed by Harley Earl.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 7:17 p.m.

Stacy B. Husted, Clerk

Jamee L. Mack, Deputy Clerk

**REGULAR MEETING
OCTOBER 10, 2023**

The Regular Meeting of the Schuyler County Legislature was called to order at 6:30 p.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Reed and followed by a Moment of Silence. All Legislators were present. Interim County Administrator Shawn Rosno and County Attorney, Steven Getman, were also present.

PUBLIC HEARING ON PROPOSED ACQUISITION FOR PUBLIC PURPOSE OF PROPERTY FOR COUNTY ROAD 16 BRIDGE REPLACEMENT OVER PINE CREEK, (PIN 6755.48) IN THE TOWN OF ORANGE, COUNTY OF SCHUYLER:

Chairman Blowers turned the public hearing over to the County Attorney. No minutes were taken as a stenographer was present for these minutes. A copy of the entire transcript is on file in the Legislative Office. Several witnesses were asked to speak. Once the testimony was completed the County Attorney requested the Chairman gavel the Public Hearing to a close at 7:41 p.m.

PUBLIC HEARING ON LOCAL LAW INTRO. D OF THE YEAR 2023 “A LOCAL LAW OF THE COUNTY OF SCHUYLER ENACTING A PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS PURSUANT TO SECTION 466-a OF THE REAL PROPERTY TAX LAW”: Legislator Howell asked if the law had been modified for the State to allow the volunteer to not have to reside in the district in which they serve. Chairman Blower and Attorney Getman said that they had not heard of this.

PUBLIC PARTICIPATION:

Mr. Paul Bartow was present and submitted a report from the Western Regional Off-Track-Betting Corporation (WROTB) and thanked the Legislature for appointing him to this board. The report is on file in the Legislative Office. He explained the makeup of the board and a bit of the history from the past. He said he is putting his best face forward and will try not to get involved in the politics. Off-Track-Betting in Schuyler County yielded higher amounts from the WROTB and at this time they are transitioning to mobile platforms. He said it is all very interesting to him and he is still learning. The Clerk explained that she will invite Mr. Bartow to our Legislative Resolution Review Committee Meeting on a quarterly basis for him to report on the WROTB starting in February, 2024, as it does not fall under a jurisdictional committee per our Rules of Procedure.

RESOLUTION NO. 271 Motion by Howell, Second by Jaynes.

RE: APPROVE MINUTES OF THE SEPTEMBER 11, 2023 REGULAR MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the September 11, 2023 Regular Meeting of the Schuyler County Legislature be approved.

DISCUSSION: Legislator Lausell expressed his dissatisfaction with Resolution No. 266 that failed at the September 11, 2023 Regular Meeting by being voted down with no discussion at the Legislative Resolution Review Committee Meeting held on September 6, 2023. He said that if any of the legislators had a problem with that Resolution it would have been useful to bring up the discussion prior to the vote at the Regular Meeting instead of sticking your head in the sand. He explained that there was nothing in the Resolution other than a means to received extra funding for the County. This could have allowed for higher scoring of grants, and it defined those steps and how the point system works. He also said that we need to work together to get money into our community and we adults need to discuss topics. Legislator Howell said he was opposed not

PROCEEDINGS OF THE YEAR 2023

specifically of each bullet listed in the Resolution but because it is a democratic move and coming from President Biden, who started all of this climate change movement. He does not agree with the foreign affairs and feels this is a democratic move, and he refuses to support the democratic policy and many more like this. In the year 2035 we will be forced to buy an electric vehicle, we are not drilling and selling our own oil, we are buying from our advisories, and all of this is just nonsense in his opinion. Legislator Rondinaro said this is probably not the best time to discuss this, but this Resolution explained a set of aspirations, no direct action, it was just about goals and where we would go. He disagrees but for Legislator Howell to say his reasoning was because it is a democratic move he feels is over the top. He said we are here to look at and do what is best for the County not a political party. Legislator Lausell commented that Democratic or Republican, it is good sound business practice.

Vote 8-0.

RESOLUTION NO. 272 Motion by Gray, Second by Barnes.

RE: AUTHORIZE THE CREATION AND FILLING OF ONE FULL-TIME SENIOR BOOKKEEPER POSITION - SHERIFF'S DEPARTMENT

WHEREAS, the current vacant position titled Senior Account Clerk-Keyboard Specialist within the Sheriff's Office has evolved over time and now has responsibilities that are above and beyond the job duty specifications of said title, and

WHEREAS, the Sheriff is seeking to hire candidates with the education, skills, and experience more befitting of this position as it now functions within the Sheriff's Office, and

WHEREAS, to prevent employees from working out of title a review was done and has resulted in a recommendation that the title of Senior Account Clerk-Keyboard Specialist be better titled Senior Bookkeeper by the Personnel Officer, and

WHEREAS, the title of Senior Account Clerk-Keyboard Specialist in the Sheriff's Office is currently covered by the Schuyler County Correction Officer's Benevolent Association (SCCOBA) bargaining unit, and

WHEREAS, the membership of the SCCOBA has agreed to relinquish the above referenced job title and transfer said job title over to the Civil Service Employees Association (CSEA) Administrative Unit, and

WHEREAS, the Sheriff is requesting to create this position, upon the approval of the Interim County Administrator, and

WHEREAS, funding for this position is included in the 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Sheriff's Department is hereby authorized to create and fill one full-time Senior Bookkeeper position, at an hourly rate of \$24.18, to be placed in Grade 8 as set forth in the CSEA Administrative Union Contract, effective immediately, upon approval by the CSEA Administrative Unit, and

BE IT FURTHER RESOLVED, that the title of Senior Account Clerk-Keyboard Specialist be abolished, effective immediately from SCCOBA Unit.

Vote 8-0.

RESOLUTION NO. 273A Motion by Rondinaro, Second by Gray.

RE: MOTION TO AMEND RESOLUTION NO. 273 TO CHANGE THE EFFECTIVE DATE TO SEPTEMBER 1, 2023

BE IT RESOLVED, that Resolution No. 273 effective date is hereby changed to September 1, 2023.

Vote 8-0.

RESOLUTION NO. 273 Motion by Gray, Second by Barnes.

RE: AUTHORIZE INTERMUNICIPAL CONTRACT WITH YATES COUNTY FOR HOUSING INCARCERATED PERSONS – SHERIFF'S DEPARTMENT – **AS AMENDED**

WHEREAS, the Sheriff's Department wishes to enter into an intermunicipal contract with Yates County pursuant to General Municipal Law §119-o for the housing from time to time of Schuyler County incarcerated persons in the Yates County Jail.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to

PROCEEDINGS OF THE YEAR 2023

execute an intermunicipal contract with Yates County for housing incarcerated persons for the term effective September 1, 2023 through December 31, 2024, at a cost of \$85.00 a day for male inmates and \$95.00 a day for female inmates, along with all costs and disbursements incurred such as medical and dental expenses, funding available in account no. 001.3150.0456, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 274 Motion by Gray, Second by Barnes.

RE: AUTHORIZE TRANSFER FROM CONTINGENCY FOR MEDICAL EXPENSES – SHERIFF’S DEPARTMENT

WHEREAS, due to an unanticipated hospital stay and other related expenses for inmate medical care, the Jail’s medical expenses account is almost depleted, and

WHEREAS, a transfer within the department expense lines have already been processed to try to offset this increase, and

WHEREAS, this expense is unavoidable.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer the amount of \$65,000.00 from Contingency account no. 001.1990.0500 into the Sheriff’s account no. 001.3150.0429 – Medical Supplies & Expense.

Vote 8-0.

RESOLUTION NO. 275 Motion by Gray, Second by Barnes.

RE: AUTHORIZE CONTRACT WITH FLX SURVEYING AND MAPPING, DPC FOR A BOUNDARY SURVEY SERVICES TO ESTABLISH A SITE FOR THE MONTEREY 911 COMMUNICATIONS TOWER – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Emergency Management Department is preparing to establish a site for the Monterey 911 Communications tower and is need of a boundary survey map, and

WHEREAS, FLX Surveying and Mapping, DPC can provide this service at a cost of \$750.00.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with FLX Surveying and Mapping, DPC for the Emergency Management Department for boundary survey services for the term July 26, 2023 through September 8, 2023, at a cost of \$750.00, funding available in account no. 001.3020.0401, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 276 Motion by Gray, Second by Barnes.

RE: AUTHORIZE CONTRACT EXTENSION WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE FISCAL YEAR 2020 HAZARDOUS MATERIAL (HAZMAT) TARGETED GRANT – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Schuyler County Emergency Management Department received a Fiscal Year 2020 Hazardous Materials (HazMat) Targeted Grant HM20-1001-D00, in the amount of \$114,900.00, with no local share cost, and

WHEREAS, said funds have not been fully utilized, and the New York State Department of Homeland Security and Emergency Services has authorized a contract extension through August 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute said grant extension through August 31, 2024, for contract HM20-1001-D01, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to extend Fiscal Year 2020 Hazardous Materials (HazMat) Targeted grant funds accordingly, in cooperation with the Emergency Management Department.

Vote 8-0.

RESOLUTION NO. 277 Motion by Gray, Second by Barnes.

RE: AUTHORIZE AMENDING THE MANAGEMENT/CONFIDENTIAL HANDBOOK TO CREATE AND FILL ONE FULL-TIME DEPUTY DIRECTOR OF EMERGENCY SERVICES POSITION – EMERGENCY MANAGEMENT DEPARTMENT

PROCEEDINGS OF THE YEAR 2023

WHEREAS, the full-time Emergency Medical Services Coordinator has resigned effective October 6, 2023, and

WHEREAS, that position will remain vacant, and

WHEREAS, the Director of Emergency Services, in conjunction with the Personnel Officer, have reviewed the duties and responsibilities of the current positions within the Department, and

WHEREAS, it has been determined that current duties, in addition to added duties in supervision of the soon to be civilian staff in the 911 Center, result in the need for a full-time Deputy Director of Emergency Services position, and

WHEREAS, the Emergency Management Department is requesting to create this position, upon approval of the Interim County Administrator, and

WHEREAS, funding is available in the 2023 Emergency Management budget to support the increase.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature authorizes amending the Management/Confidential Handbook to create and fill one Full-Time Deputy Director of Emergency Services position, to be placed in Grade 4 in the Management/ Confidential Position Grade Scale effective October 30, 2023, at a salary to be set by the County Administrator, per Resolution No. 62-23.

Vote 8-0.

RESOLUTION NO. 278 Motion by Gray, Second by Barnes.

RE: AUTHORIZE THE CREATION AND FILLING OF THREE FULL-TIME EMERGENCY SERVICES COMMUNICATIONS SPECIALIST POSITIONS – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, it is anticipated that the Emergency Management Department will be providing certain staffing for the County's 911 center, and

WHEREAS, at the present time the Emergency Management Department does not have the titles/staff to provide coverage to the 911 center, and

WHEREAS, the Emergency Management Department is requesting to create three full-time positions, upon the approval of the Interim County Administrator, and

WHEREAS, funding for these positions is included in the 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Emergency Management Department is hereby authorized to create and fill three full-time Emergency Services Communications Specialist positions at an hourly rate of \$20.69 to be placed in Grade 5 as set forth in the CSEA Administrative Union Contract, effective immediately, positions not to be filled until the County's final communications center staffing plan has been developed and is approved.

Vote: 8-0.

RESOLUTION NO. 279 Motion by Gray, Second by Barnes.

RE: AUTHORIZE INCREASING THE HOURS OF THE ASSISTANT PUBLIC DEFENDER POSITION FROM LESS THAN FULL-TIME TO FULL-TIME – PUBLIC DEFENDER'S DEPARTMENT

WHEREAS, the current less than full-time Assistant Public Defender position is currently vacant, and

WHEREAS, the position has been evaluated and there is a need to increase the hours to full-time in order to meet the needs of the Public Defender's Office, in fulfilling the county's Sixth Amendment and County Law Art. 18-A obligations, and

WHEREAS, this request is approved by the Interim County Administrator, and

WHEREAS, funding is available in the 2023 Public Defender's budget.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature approves of the increase of hours for the Assistant Public Defender position from 30 hours a week to full time, 35 hours a week, effective immediately, and

BE IT FURTHER RESOLVED, that the Public Defender is hereby authorized to advertise, and fill said full-time Assistant Public Defender position, effective immediately.

Vote 8-0.

RESOLUTION NO. 280 Motion by Howell, Second by Barnes.

RE: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE INSTANCE 100% OF THE

PROCEEDINGS OF THE YEAR 2023

FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE – HIGHWAY DEPARTMENT

WHEREAS, a Project for the Bridge Replacement (BIN 3332620) CR 16 over Tributary to Meads Creek, Town of Orange, Schuyler County P.I.N. 6755.57 (the Project") is eligible for funding under Title 23 U.S. Code, as amended by Supplemental Agreement #1, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Schuyler desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Bridge Replacement (BIN 3332620) CR 16 over Tributary to Meads Creek, Town of Orange, Schuyler County.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature, duly convened does hereby approves the above-subject project, and

BE IT FURTHER RESOLVED, the Schuyler County Legislative Board hereby authorizes the County of Schuyler to pay in the first instance 100% of the federal and non-federal share of the cost of Design, Right of Way Incidentals, and Right of Way Acquisition phase work for the Project or portions thereof, and

BE IT FURTHER RESOLVED, that the sum of \$277,270.00 is hereby appropriated from 2023 budget 002.5020.0401 and made available to cover the cost of participation in the above phase of the Project, and

BE IT FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Schuyler shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and

BE IT FURTHER RESOLVED, that the Chair of the Schuyler County Legislative Board be and is hereby authorized to execute all necessary Agreements on behalf of the County of Schuyler 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 municipality's 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

BE IT FURTHER RESOLVED, that the Highway Superintendent is authorized to sign the certification and reimbursements requests, and

BE IT 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

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

Vote 8-0.

RESOLUTION NO. 281 Motion by Howell, Second by Barnes.

RE: ACCEPT BID FOR BRIDGE REPAIR AND INFRASTRUCTURE CONSTRUCTION THROUGHOUT THE COUNTY – HIGHWAY DEPARTMENT

WHEREAS, the Highway Superintendent and the Public Works Committee have determined that there is a need for assistance when the county receives structural damage which requires repair on various bridges and infrastructure throughout the county due to emergencies, State Flag reports, natural disasters, etc., and

WHEREAS, Resolution No. 180-23 authorized the Highway Superintendent to advertise for bids for said projects, and

WHEREAS, bids were received and opened September 13, 2023 and reviewed with the recommendation being made by the Highway Superintendent to accept the lowest most responsible bid from Silverline Construction, Inc. in the following amounts per Exhibit 1 of the contract.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby accepts the bid from Silverline Construction, Inc., for the Bridge Repair and Infrastructure Construction Throughout the County, for the term of October 10, 2023 through September 30, 2024, funding available in the 2023 budget, and

BE IT FURTHER RESOLVED, that the Chair of the Legislature is hereby authorized to execute the contract, approved as to form by the Schuyler County Attorney.

PROCEEDINGS OF THE YEAR 2023

Vote 8-0.

RESOLUTION NO. 282 Motion by Howell, Second by Barnes.

RE: AUTHORIZE THE CREATION AND FILLING OF ONE FULL-TIME DIRECTOR OF WEIGHTS AND MEASURES A TRAINEE POSITION/AUTHORIZE TRANSFER FROM CONTINGENCY – WEIGHTS AND MEASURES

WHEREAS, the Director of Weights and Measures A will be retiring on or about March 2024, and

WHEREAS, due to the complexities of the job duties, it is imperative that the Director of Weights and Measures A has a training period with the individual who will be hired to replace the current Director, and

WHEREAS, the Director of Weights and Measures A is requesting to create this position, upon the approval of the Interim County Administrator, and

WHEREAS, funding for this position is not available in the 2023 budget, therefore Contingency funds will need to be used.

NOW, THEREFORE, BE IT RESOLVED, that the Weights and Measures Department is hereby authorized to create and fill a full-time Director of Weights and Measures A Trainee position, effective December 1, 2023 at a salary to be set by Interim County Administrator, per Resolution No. 62-33 and

BE IT FURTHER RESOLVED, that the position of Director of Weights and Measures A Trainee will be abolished upon the promotion of the Trainee to Director, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer \$5,000.00 from Contingency account no. 001.1990.0500 into the Weights and Measurers account no. 001.6510.0100-Personnel Services.

Vote 8-0.

RESOLUTION NO. 283 Motion by Barnes, Second by Jaynes.

RE: AUTHORIZATION TO DECLARE ITEMS JUNK OR SURPLUS FOR VARIOUS DEPARTMENTS – PURCHASING DEPARTMENT

WHEREAS, various departments have items to be declared junk or surplus.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to County Law Section 215, the Schuyler County Legislature hereby declares the following assets junk or surplus, and

BE IT FURTHER RESOLVED, that the following items are to be placed in storage for an auction or disposed of.

JUNK

<u>Asset #</u>	<u>Description</u>	<u>Serial/VIN#</u>	<u>Department</u>
7235	HP ProBook	5CG5271JNV	Sheriff
7247	HP ProBook	5CG5271JQW	Sheriff
7248	HP ProBook	5CG5271K85	Sheriff
7320	Dell OptiPlex 9020	8Z5B182	Community Services

SURPLUS FOR AUCTION

<u>Asset #</u>	<u>Description</u>	<u>Serial/VIN#</u>	<u>Department</u>
6790	2009 Dodge Durango	1D8HB38PX9F712687	Sheriff
6792	2010 Dodge Charger	2B3AA4CTXAH170976	Sheriff
6841	2010 Dodge Charger	2B3AA4CT2AH281246	Sheriff
6936	2021 Dodge Charger	2C3CDXAG0CH287978	Sheriff
7143	2008 Dodge Caravan	1D8HN44H88B184200	Sheriff

Vote 8-0.

RESOLUTION NO. 284 Motion by Barnes, Second by Jaynes.

RE: RESOLUTION TO ADOPT EQUALIZATION RATES FOR THE APPORTIONMENT OF THE YEAR 2024 COUNTY TAX LEVY – REAL PROPERTY TAX DEPARTMENT

WHEREAS, the State Board of Real Property Services has established the County equalization rates pursuant to Title 2 of Article 8 of the Real Property Tax Law, and a certificate of these rates has been received.

NOW, THEREFORE, BE IT RESOLVED, that the equalization rates for the 2023 Assessment Roll be adopted and the 2023 County equalization rates to be used for the general levy and apportionment of the 2024

PROCEEDINGS OF THE YEAR 2023

county tax levy from the State Board of Real Property Tax Services be entered in the minutes as follows:

TOWN OF CATHARINE	73.00	TOWN OF MONTOUR	73.00
TOWN OF CAYUTA	77.00	TOWN OF ORANGE	87.00
TOWN OF DIX	77.00	TOWN OF READING	77.00
TOWN OF HECTOR	87.00	TOWN OF TYRONE	87.00

Vote 8-0.

RESOLUTION NO. 285 Motion by Barnes, Second by Jaynes.

RE: ADOPT LOCAL LAW INTRO. D/LOCAL LAW NO. 7 OF THE YEAR 2023 TITLED “A LOCAL LAW OF THE COUNTY OF SCHUYLER ENACTING A PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS PURSUANT TO SECTION 466-a OF THE REAL PROPERTY TAX LAW” – REAL PROPERTY TAX DEPARTMENT

WHEREAS, Local Law Intro. D of the Year 2023 “A Local Law of the County of Schuyler Enacting a Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers Pursuant to Section 466-a of the Real Property Tax Law” was heretofore introduced and appropriate notice established in the official newspaper regarding a public hearing to be held October 10, 2023 at 6:30 p.m., and

WHEREAS, said public hearing was duly held, at which time all interested persons were given the opportunity to be heard, and this Legislature has duly considered the adoption and passage of said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. D of the Year 2023, in the form hereto annexed be, and hereby is, passed, adopted and enacted, and

BE IT FURTHER RESOLVED, that the Clerk of this Legislature duly cause the publication of the passage, enactment and adoption of Local Law No. 7 of the Year 2023, together with the required text thereof in the official county newspaper, together with filing with the New York State Department of State.

LOCAL LAW INTRO D/LOCAL LAW NO. 7 OF THE YEAR 2023

A Local Law of the County of Schuyler Enacting a Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers Pursuant to Section 466-a of the Real Property Tax Law.

Be it enacted, by the County Legislature of the County of Schuyler as follows:

Section 12. Legislative Intent and Purpose.

- a. The Schuyler County Legislature finds and determines that attracting and retaining quality volunteer firefighters and volunteer emergency medical personnel is one of the most critical problems facing a number of communities in Schuyler County and that maintaining effective emergency protection depends on the ability to train and retain volunteers.
- b. The Legislature finds and determines that it is essential for the County to provide real property tax exemptions as an incentive to attract new volunteers and help combat a persistent and alarming decline in the number of volunteers serving as active responders to fire and medical emergencies and unless recruits are found to replace retiring volunteers and seasoned members are encouraged to continue their volunteer service, the health and safety of citizens served by the volunteer firefighter and emergency medical personnel corps may be jeopardized.
- c. The Legislature further finds and determines that real property tax exemptions are an appropriate way to recognize the personal sacrifices and dedication of these community-spirited men and women who unselfishly give their time and risk their safety to protect their neighbors without compensation.
- d. The purpose of this Local Law is to adopt the real property tax exemptions provided for volunteer firefighters and volunteer emergency medical personnel in accordance with Section 466-a of the Real Property Tax Law to read as follows.

Section 13. Grant of exemption.

- a. An exemption of 10 % (ten percent) of assessed value of property owned by an enrolled member as set forth below, or such enrolled member and their spouse, is hereby granted from taxation with respect to the real property taxes of the County of Schuyler as long as eligibility requirements are met.

Section 14. Eligibility requirements.

- a. Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service (hereinafter as “Volunteer Responder Organization) unless:
 - i. The applicant resides in the town or village which is served by such Volunteer Responder Organization;
 - ii. The property is the primary residence of the applicant;
 - iii. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant’s residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion shall be entitled to the exemption provided by this local law;
 - iv. The applicant is certified by the authority having jurisdiction as an enrolled member of such Volunteer Responder Organization; and
 - v. The volunteer responder meets the minimum service requirement of 3 (three) years which is hereby as established by County of Schuyler.

Section 15. Application.

- a. Application for such exemption shall be filed with the assessor responsible for preparing the assessment roll for the County of Schuyler, on or before taxable status date on form RP-466-a-vol, or other form as prescribed the New York State Commissioner of Taxation and Finance.

Section 16. Certification and Continuity of Eligibility.

- a. The governing body of each such incorporated Volunteer Responder Organization must annually file with the assessor, prior to the applicable taxable status date, a list of the active volunteer members who are certified to meet the minimum service requirement. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member's address of residence.

Section 17. No diminution of benefits.

- a. An applicant who is receiving any benefit pursuant to Article 4 of the Real Property Tax Law as of the effective date of this article shall not have any of those benefits diminished because of this article.

Section 18. Grant of lifetime exemption.

- a. Any eligible enrolled member who accrues more than 20 (twenty) years of active volunteer service (as certified by the authority having jurisdiction of each Volunteer Responder Organization shall be granted the 10% (ten percent) exemption as authorized by this article for the remainder of his or her life as long as his or her primary residence is located within the County of Schuyler.

Section 19. Un-remarried spouse of enrolled member killed in the line of duty.

- a. The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the authority having jurisdiction of each such incorporated volunteer fire company, fire department, or incorporated voluntary ambulance, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 3 (three) years and had been receiving the exemption at the time of his or her death.

Section 20. Un-remarried spouse of deceased enrolled member.

- a. The un-remarried surviving spouse of a deceased enrolled member, as certified by the authority having jurisdiction of each such incorporated volunteer fire company, fire department, or incorporated voluntary ambulance, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 20 (twenty) years and the deceased volunteer and un-remarried spouse had been receiving the exemption at the time of his or her death.

Section 21. Savings Clause.

- a. If any clause, sentence, paragraph, section or part of this Local Law is declared by a Court of

PROCEEDINGS OF THE YEAR 2023

competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law.

Section 22. Effective Date.

- a. This Local Law shall take effect immediately upon filing and shall apply to taxable status dates occurring on or after such date.

Vote 8-0.

RESOLUTION NO. 286 Motion by Barnes, Second by Jaynes.

RE: INTRODUCE LOCAL LAW E OF THE YEAR 2023 “A LOCAL LAW TO AMEND ‘LOCAL LAW NO. 3 OF THE YEAR 1999, A LOCAL LAW TO ESTABLISH THE OFFICE OF COUNTY ADMINISTRATOR FOR THE COUNTY OF SCHUYLER”

WHEREAS, the Legislature wishes to modify the job description and qualifications for the position of County Administrator, and

WHEREAS, said job description and qualifications were created by Local Law No. 3 of the Year 1999 and require an amendment to said local law to do so.

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. E of the year 2023 be, and hereby is, introduced in the form hereto annexed pursuant to the Municipal Home Rule Law, and

BE IT FURTHER RESOLVED, that a public hearing shall be held upon said proposed Local Law on November 13, 2023 at 6:30 p.m. in Room 120 at the Human Services Complex, 323 Owego Street, Montour Falls, NY 14865.

LOCAL LAW INTRO E/LOCAL LAW NO. _____ OF THE YEAR 2023

A Local Law to Amend “Local Law No. 3 of the Year 1999, a Local Law to Establish the Office of County Administrator for the County of Schuyler.”

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SCHUYLER that following sections of Local Law No. 3 of the Year 1999, “a Local Law to Establish the Office of County Administrator for the County of Schuyler” are hereby amended as follows:

I. Amendments to Local Law No. 3 of the Year 1999.

Section 1, “Legislative Intent,” of Local Law No. 3 of the Year 1999, is hereby amended to read as follows:

The Schuyler County Administrator shall be appointed by the County Legislature. The office will function as the agent of the Legislature in supervising the daily operations of the County’s administrative matters with the primary goal of improving the general efficiency of administration as consistent with all laws, rules and regulations. To accomplish this responsibility, the County Administrator will as necessary study the current organizations of all County departments and recommend such changes in personnel, finances and structures as deemed necessary to meet this objective. Additionally, the County Administrator shall propose ongoing programs which will continue these initiatives into the future. This is a chief administrative position involving responsibility for the overall administration of County government under the direction of the County Legislature.

It is the intent of the legislature that the County Administrator shall demonstrate the following full performance knowledge, skills, abilities and personal characteristics: Thorough knowledge of the principles and procedures of county government; thorough knowledge of administration supervision; thorough knowledge of intergovernmental relations; Thorough knowledge of the principles and practices of governmental accounting and government budget; Thorough knowledge of methods of organization, planning and management; Good knowledge of report writing and statistical interpretation; Good knowledge of public relations practices and procedures; Good knowledge of purchasing process; Ability to communicate effectively, both orally and in writing; Ability to analyze problems and to make recommendations; Ability to prepare and maintain written reports and records; Ability to follow and issue complex oral and

written instructions; Ability to establish and maintain good relationships both within the County and with outside agencies; Ability to supervise the work of others; Ability to exercise good judgment in evaluating situations, establishing priorities, and making decisions.

The Schuylers County Legislature hereby declares that nothing herein shall be construed as electing an optional form of county government under the New York State Constitution, Alternative County Government Law, or any other law of this State. It is the intention of this Legislature to create and establish a position of employment in accordance with County Law Sections 204 and 400-4(a), which position shall be so regarded in every respect.

Section 3, “Qualifications,” of Local Law No. 3 of the Year 1999, is hereby amended to read as follows:

- A. At the time of appointment, the County Administrator shall have the qualifications set forth in Section 3 of the Public Officer’s Law, except that, at the time of his/her appointment the County Administrator need not be a resident of Schuylers County but shall become a resident of Schuylers County within ninety (90) days of his/her taking office, and thereafter shall remain a resident of Schuylers County during their tenure of office.

- B. In addition to the above qualifications, the County Administrator shall meet or exceed the following qualifications:
 - (a) Possess an Associate’s Degree from an accredited college or university and have ten years satisfactory paid full time responsible executive management experience in a private or public business or industrial enterprise, or
 - (b) Possess a Bachelor’s Degree from an accredited college or university and have eight years satisfactory paid full time responsible executive management experience in a private or public business or industrial enterprise, or
 - (c) Possess a Master’s Degree from an accredited college or university and have six years of satisfactory paid full time responsible executive management experience in a private or public business or industrial enterprise, or
 - (d) Possess a Master’s Degree in Public Administration or Business Administration from an accredited college or university and have four years of satisfactory paid full time responsible executive management experience in a private or public business or industrial enterprise.

Each such educational degree must have been awarded by a college or university accredited by a regional, national, or specialized agency recognized as an accrediting agency by the U.S. Department of Education/U.S. Secretary of Education, or in the case of an educational institution outside the United States and its territories, an independently verified equivalent degree.

Section 5, “Powers and Duties,” of Local Law No. 3 of the Year 1999, is hereby amended to read as follows:

Perform all the duties now and hereafter conferred or imposed upon the office by law or directed by the Legislature and shall have all the powers and perform all the duties necessarily implied or incidental thereto. The County Administrator will provide and coordinate staff services to the County Legislature and its various committees and shall coordinate the activities of the various County departments and agencies. Among such powers and duties, but not by way of limitation, are the following (each subject to Sections 6 and 7 of this Local Law):

- A. Execute and enforce, as authorized by the County Legislature, all applicable laws, legalizing acts, ordinances, and resolutions of the County Legislature and all other acts required by operation of law;
- B. Ensure efficient and effective operation of all County departments and offices, and recommend

PROCEEDINGS OF THE YEAR 2023

- such changes in personnel, finances and structures as deemed necessary to meet this objective;
- C. Supervise all Department Heads who are not elected officials, with the exception of the County Attorney and Clerk of the Legislature, in order to assure the implementation of legislative policies, procedures, and processes, with a particular emphasis on the provision of consistent and fair departmental goals, objectives, staffing practices and operations in accordance with established policies;
 - D. Attend meetings of the County Legislature, its committees, and such meetings as the Legislature may direct and recommend such policies and measures they may deem appropriate;
 - E. Serve as County Budget Officer, in conjunction with the County's Treasurer/Chief Financial Officer, and review proposed department and office budgets collaboratively with Department Heads and make recommendations for expenditures to be in the County budget, and monitor expenditures throughout the year;
 - F. Coordinate the preparation of multi-department policies and shall, where necessary, make recommendation to the County Legislature and shall implement necessary administrative policies as may be required to carry out the policies established by the County Legislature;
 - G. Perform those specific tasks directed to be performed by the County Administrator by the Legislature through majority vote of a Standing Committee. The County Administrator shall not perform specific tasks requested by any individual Legislator or group of Legislators;
 - H. Represent the County and the Legislature in the Schuyler County community;
 - I. Participate in discussions and planning as related to economic development;
 - J. Participate when requested by a member of the County Legislature in discussions of issues being considered by the Legislature at its meetings;
 - K. Assist all department heads in the initiation and preparation of grant requests and recommend the disposition of each to the Legislature, paying particular attention to anything that will require the County to make an additional expenditure or items that will cause conflicts between the several departments or with existing Legislative policies and procedures;
 - L. Have the administrative responsibility of approving the organization and staffing within any specific department, or agency or operation subject to the County Administrator's direct administrative control and shall have administrative control of other temporary assignments with the same department, agency, or operation or from one department, agency, or operation to another;
 - M. Participate as authorized by the County Legislature in the conduct of collective bargaining negotiations with employees;
 - N. Exercise general supervision over all County institutions and agencies, except as otherwise required by law, coordinate the various administrative activities of the county, and unify the management of its affairs or cause all such responsibilities to be executed and performed through the Department Heads;
 - O. Provide the Legislature with data and analyses that they need for policy consideration, including collective bargaining.
 - P. Sit as a member of the management team in all collective bargaining activities.
 - Q. Formulate data that will measure the impact of Legislative proposals and decisions on the tax base and economic development goals established by the Legislature.
 - R. Aid the Legislature in evaluating proposals and make recommendations concerning same.
 - S. Advise the Legislature in developing policies and procedures promoting economy and efficiency in government.
 - T. Undertake administrative and management studies and make recommendations regarding the results thereof to the Legislature.
 - U. Act as liaison between the Legislature and political subdivisions, state and federal officials and agencies.
 - V. In consultation with the Chair of the Legislature and County Attorney, determine what officer

PROCEEDINGS OF THE YEAR 2023

shall perform a duty not clearly defined or specified by law.

W. Have such other powers and perform such other duties as may now or hereafter be conferred or imposed upon the County Administrator by resolution of the County Legislature or applicable law.

II. No other changes.

All other terms of and conditions of Local Law No. 3 of the Year 1999 remain in full force and effect.

III. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

IV. Effective Date

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

Vote 8-0.

RESOLUTION NO. 287 Motion by Barnes, Second by Jaynes.

RE: AUTHORIZE MANAGEMENT/CONFIDENTIAL SALARY INCREASE FOR 2024 – HUMAN RESOURCES DEPARTMENT

WHEREAS, the Management/Confidential Handbook provides that, in order to determine raises for management each year, the Personnel Officer and County Administrator will make a recommendation to the Legislature based upon a review of the CPI, an average of the union increases for the upcoming year, and additional factors such as the average of increases for M/C staff in comparable counties; such adjustment shall be subject to approval by the Legislature, and for those who qualify per the handbook, and

WHEREAS, the Personnel Officer and County Administrator are recommending a 3.9 % raise for all employees subject to the Management/Confidential Handbook, for the Year 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes all employees subject to the Management/Confidential Handbook, with the exception of the District Attorney (which position is subject to Judiciary Law § 183-a), to receive a 3.9% salary increase for the year 2024, subject to any and all applicable provisions of County Law § 201 and Mun. Home Rule Law § 24(2)(h), related to salary increases for any county officer elected or appointed for a fixed term.

Vote 8-0.

RESOLUTION NO. 288 Motion by Barnes, Second by Jaynes.

RE: INTRODUCE LOCAL LAW INTRO. F OF THE YEAR 2023 SETTING SALARIES FOR CERTAIN PUBLIC OFFICERS FOR THE YEAR 2024

WHEREAS, County Law § 201 states that any change in compensation of such officer elected or appointed for a fixed term during his/her term be made only by Local Law subject to the provisions of Section 24 of the Municipal Home Rule Law.

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. F of the year 2023 be, and hereby is, introduced in the form hereto annexed pursuant to the Municipal Home Rule Law, and

BE IT FURTHER RESOLVED, that a public hearing shall be held upon said proposed Local Law on Monday, November 13, 2023 at 6:30 p.m., in Room 120 at the Human Services Complex, 323 Owego Street, Montour Falls, NY 14865.

LOCAL LAW INTRO. F OF THE YEAR 2023

A Local Law Setting Salaries for Certain Public Officers for the Year 2024.

PROCEEDINGS OF THE YEAR 2023

Be it enacted by the Legislature of the County of Schuyler as follows:

- Effective 45 days following adoption, the following adjustments of salaries for the public officers listed below shall be in the amounts herein stated, salaries effective January 1, 2024.
- The following public officers are subject to the provisions hereof:

<u>TITLE</u>	<u>SALARY</u>	<u>TITLE</u>	<u>SALARY</u>
Commissioner of Social Services	\$120,909.00	Personnel Officer	\$99,925.00
Highway Superintendent	\$112,804.00	Real Property Tax Director	\$91,759.00
Commissioner Board of Elections	\$23,845.00	Public Health Director	\$92,471.00
- This Local Law shall not take effect until at least 45 days after its adoption in accordance with County Law Section 201 and Municipal Home Rule Law Section 24.

Vote 8-0.

RESOLUTION NO. 289 Motion by Barnes, Second by Jaynes.

RE: INTRODUCE LOCAL LAW INTRO. G OF THE YEAR 2023 SETTING THE SALARY FOR CERTAIN ELECTED OFFICIALS FOR THE YEAR 2024

WHEREAS, County Law § 201 states that any change in compensation of such officer elected or appointed for a fixed term during his/her term be made only by Local Law subject to the provisions of Section 24 of the Municipal Home Rule Law.

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. G of the year 2023 be, and hereby is, introduced in the form hereto annexed pursuant to the Municipal Home Rule Law, and

BE IT FURTHER RESOLVED, that a public hearing shall be held upon said proposed Local Law on Monday, November 13, 2023 at 6:30 p.m., in Room 120 at the Human Services Complex, 323 Owego Street, Montour Falls, NY 14865.

LOCAL LAW INTRO. G OF THE YEAR 2023

A Local Law Setting the Salary for Certain Elected Officials for the Year 2024.

Be it enacted by the Legislature of the County of Schuyler as follows:

- This Local Law is enacted pursuant to Sections 200 and 201 of the County Law for the purpose of setting the salary of certain elected officials for fiscal year 2024.
- Effective 45 days following adoption, the following adjustments of salary for the elected official listed below shall be in the amount herein stated, salaries effective January 1, 2024.

<u>TITLE</u>	<u>SALARY</u>
Treasurer	\$ 96,174.00
County Clerk	\$ 82,582.00
Sheriff	\$105,298.00
Legislators	\$ 12,000.00
Chairman	\$ 6,881.00

- This Local Law shall not take effect until at least 45 days after its adoption in accordance with County Law Section 201 and Municipal Home Rule Law Section 24.

Vote 8-0.

RESOLUTION NO. 290 Motion by Barnes, Second by Jaynes.

RE: SET DATE FOR PUBLIC HEARING ON COUNTY BUDGET FOR 2024

WHEREAS, a public hearing in respect to the 2024 County Budget is required pursuant to County Law § 359, and

WHEREAS, the Management & Finance Committee has turned over the Preliminary budget to the Legislature on October 3, 2023 making it a Tentative budget, and the Legislature will be ready for the public hearing to be held at the next Regular Meeting.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing in regard to the 2024 County Budget will be held in Room 120 at the Human Service Complex, 323 Owego Street, Montour Falls, NY on November 13, 2023 at 6:30 p.m., to be followed by the Regular Meeting of the Legislature, and possible action to adopt the 2024 Budget, and

PROCEEDINGS OF THE YEAR 2023

BE IT FURTHER RESOLVED, pursuant to County Law § 152 that this resolution, changing the place of meeting where such legislature has regularly met to any other city, town or village in the county, shall not be effective unless approved by the affirmative vote of at least three-fourths of the total membership of the County Legislature, and

BE IT FURTHER RESOLVED, upon approval of this resolution, the Clerk of the Legislature shall give appropriate public notice of said hearing and provide a specific number of copies as the Governing Body shall direct of the tentative budget, and otherwise comply with the requirements of County Law § 359.

Vote 8-0.

RESOLUTION NO. 291 Motion by Lausell, Second by Barnes.

RE: AUTHORIZE GRANT APPLICATION AND AGREEMENT WITH THE NEW YORK STATE OFFICE FOR THE AGING FOR THE NEW YORK CONNECTS EXPANSION AND ENHANCEMENT PROGRAM – OFFICE FOR THE AGING DEPARTMENT

WHEREAS, Schuyler County has a New York (NY) Connects program within the Office for the Aging which serves as the local Aging and Disability Resource Center for individuals from birth to death with long term care or chronic healthcare issues, and

WHEREAS, NY Connects is an essential component of the State’s efforts to rebalance the Long-Term Services and Supports (LTSS) system to increase access to non-institutional community-based long-term services and supports, and

WHEREAS, the purpose of the Expansion and Enhancement funding is to broaden the scope and involve new partners to produce a fully functional No Wrong Door structural reform as required under the federal Balancing Incentive Program (BIP) authorized under the Patient Protection and Affordable Care Act of 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to sign a grant application and agreement with the New York State Office for the Aging for the Expansion and Enhancement of NY Connects program grant funds, for the term April 1, 2023 through March 31, 2024, in the amount of \$159,095.00, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish the NY Connects program grant accordingly in cooperation with the Office for the Aging Department.

Vote 8-0.

RESOLUTION NO. 292 Motion by Lausell, Second by Barnes.

RE: ACKNOWLEDGE APPOINTMENT OF EARLY INTERVENTION OFFICIAL DESIGNEE – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Public Health Nurse who serves as the Early Intervention Official Designee (EIOD) has resigned from the County as of September 8, 2023, and

WHEREAS, each County in New York State can appoint one or more designees to assist the Early Intervention Official to oversee the compliance of the Early Intervention Program, and

WHEREAS, Public Health Nurse, Katie Kelly, has been oriented to the role and responsibilities of the EIOD.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature does hereby acknowledge the appointment of Katie Kelly, Public Health Nurse, to be appointed as an Early Intervention Official Designee for Schuyler County, effective October 10, 2023.

Vote 8-0.

RESOLUTION NO. 293 Motion by Lausell, Second by Barnes.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR INCENTIVE AWARD – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Schuyler County Public Health Department has been awarded a total of \$13,708.00 as an incentive award for COVID-19 pandemic experience and response.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Public Health Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
---------------	--------------------	--------------------

PROCEEDINGS OF THE YEAR 2023

+\$13,708.00	001.4010.0401	Contractual Expense
+\$13,708.00	001.4010.1689	Other Health Dept. Income

Vote 8-0.

RESOLUTION NO. 294 Motion by Lausell, Second by Barnes.

RE: AUTHORIZE AMENDMENT TO THE CONTRACT WITH S²AY RURAL HEALTH NETWORK, INC. FOR THE PUBLIC HEALTH FELLOWSHIP PROGRAM – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Schuyler County Public Health Department currently has a contract with S²AY Rural Health Network, Inc., to provide the Public Health Corps Fellowship Program that is funded through a grant with an expiration date of July 31, 2023, and

WHEREAS, the grant contract has been extended through June 30, 2024 and the contract with S²AY Rural Health Network, Inc. needs to be extended as well.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract amendment with S²AY Rural Health Network, Inc. for the Public Health Corps Fellowship Program extending the term of the contract to June 30, 2024, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 295 Motion by Lausell, Second by Barnes.

RE: AUTHORIZE CONTRACT WITH SOUTH SENECA CENTRAL SCHOOL DISTRICT FOR RELATED PRESCHOOL SERVICES – PUBLIC HEALTH DEPARTMENT

WHEREAS, per Section 4410 of the New York State Education Law and Part 200 of the Regulations of the New York State Education Commissioner, Schuyler County Public Health Department is required to provide related preschool services to meet the needs of preschool children with disabilities, and

WHEREAS, South Seneca Central School District will provide the Related Preschool Services at the rates established for the Special Education Itinerate Teacher, Center Based Tuition and Related Preschool Services set by the New York State Education Department, \$67.00 per individual half hour session per child, and \$45.00 per group session, per child for related services Occupational Therapy, Physical Therapy, Speech Therapy and Counseling at the rate \$69.00 per half hour individual session, \$45.00 per group session per child for Occupational, Physical and Speech Therapy and Counseling Services, per half hour rate for Aides at \$7.00, Assisted Technology Services, School Health Services and Nursing at \$29.00, term of July 1, 2023 through June 30, 2028.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with South Seneca Central School District for the above services and rates for the Schuyler County Public Health Department, for the term of July 1, 2023 through June 30, 2028, funding available in account no. 001.2960.0401, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 296 Motion by Lausell, Second by Barnes.

RE: AUTHORIZE ONGOING INTERDEPARTMENTAL COOPERATIVE AGREEMENT AND MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE COMMUNITY SERVICES DEPARTMENT AND PUBLIC HEALTH DEPARTMENT FOR THE MANAGEMENT OF THE SUICIDE AWARENESS FOR EVERYONE (S.A.F.E.) COALITION – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Suicide Awareness For Everyone Coalition (SAFE) was originally managed through the Community Services Department with the Schuyler County Public Health Department as a partner, and

WHEREAS, the Schuyler County Public Health Department will now manage the Suicide Awareness For Everyone (S.A.F.E.) Coalition, and

WHEREAS, the Schuyler County Community Services Department agrees to pay the Public Health Department \$12,000.00 annually for the management of the program, and

WHEREAS, the agreement is needed to aid in the effective coordination of efforts between these entities and to clearly define the roles and responsibilities of the agencies and programs participating in the project.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to

PROCEEDINGS OF THE YEAR 2023

execute an ongoing Interdepartmental Cooperative Agreement and Memorandum of Understanding with the Community Services Department for the Public Health Department for the S.A.F.E. Program, at the cost of \$12,000.00 annually, effective September 1, 2023 until such time the S.A.F.E. Coalition dissolves, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 297 Motion by Lausell, Second by Barnes.

RE: AUTHORIZE CONTRACT WITH ELIZABETH PIA-MILLER FOR RELATED PRESCHOOL SERVICES SPEECH THERAPY – PUBLIC HEALTH DEPARTMENT

WHEREAS, per Section 4410 of the New York State Education Law and Part 200 of the Regulations of the New York State Education Commissioner, Schuyler County Public Health Department is required to provide related preschool services to meet the needs of preschool children with disabilities, and

WHEREAS, Elizabeth Pia-Miller will provide said services at the rate \$67.00 per half hour individual session, \$45.00 per group session per child for speech therapy services.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with Elizabeth Pia- Miller for the Schuyler County Public Health Department for related preschool services speech therapy, for the term of September 1, 2023 through June 30, 2027, at a cost of \$67.00 per half hour individual session and \$45.00 per group session per child, funding available in account no. 001.2960.0401, contract approved as to form by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 298 Motion by Lausell, Second by Barnes.

RE: DESIGNATE OCTOBER 22, 2023 THROUGH OCTOBER 28, 2023 AS LEAD POISONING PREVENTION WEEK - PUBLIC HEALTH DEPARTMENT

WHEREAS, every Schuyler County resident deserves to grow up in a healthy, safe environment, free from the harmful effects of lead, and

WHEREAS, lead is a naturally occurring element in the environment, but exposure to it can cause long-term neurological damage and irreversible health effects, especially if it occurs during the critical stages of brain development in early childhood, and

WHEREAS, Schuyler County Public Health Department works to increase the testing of all children at ages 1 and 2 to identify children with lead poisoning, and

WHEREAS, EPA partners with the U.S. Department of Housing and Urban Development (HUD) and the Centers for Disease Control and Prevention (CDC) to raise awareness about lead exposure and lead poisoning and have proclaimed October 22, 2023 through October 28, 2023 as National Lead Poisoning Prevention Week.

NOW, THEREFORE, BE IT RESOLVED, the Schuyler County Legislature designates the week of October 22, 2023 through October 28, 2023, as Lead Poisoning Prevention Week in Schuyler County and encourages all parents/guardians with children of the age of one and two, to have their children tested.

Vote 8-0.

RESOLUTION NO. 299 Motion by Lausell, Second by Barnes.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR DAY CARE EXPENSES – SOCIAL SERVICES DEPARTMENT

WHEREAS, the Schuyler County Department of Social Services needs to amend the 2023 Day Care budget for expenses that are fully reimbursable.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Day Care budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$175,000.00	001.6055.0401	Day Care
+\$175,000.00	001.6055.3655	State Aid – Day Care

Vote 8-0.

RESOLUTION NO. 300 Motion by Lausell, Second by Barnes.

PROCEEDINGS OF THE YEAR 2023

RE: ESTABLISH ADDITIONAL CASE MANAGEMENT PETTY CASH FUND – COMMUNITY SERVICES DEPARTMENT

WHEREAS, the Community Services Department has hired an additional Home Health Care Manager, and

WHEREAS, said care manager will need a Petty Cash fund for the department's clients.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer be, and hereby is, authorized to establish an additional petty cash fund in the amount of \$300.00 for this additional care manager.

Vote 8-0.

RESOLUTION NO. 301 Motion by Lausell, Second by Barnes.

RE: ALTERATION OF 2024 TENTATIVE BUDGET PURSUANT TO COUNTY LAW SECTION 358 – LEGISLATURE

BE IT RESOLVED, that the Tentative Budget for 2024 be altered and modified by the following:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
-\$ 50,000.00	001.1010.1110	State Admin. Sales and Use Tax Revenue
+\$10,896,312.00	001.1010.1001	Real Property Taxes Revenue

Vote 8-0.

NEW BUSINESS:

The Clerk reminded the Legislators about the invite they received from Horseheads Brewing. She also asked if anyone would not be attending the November 8, 2023 Legislative Resolution Review Committee meeting as the Inter-County Association of Western New York was meeting that day which means Legislator Rondinaro will be at that meeting and Legislator Howell will be out of town.

Legislator Barnes reported that Cayuga Medical needs to build a new building to house the ambulances. A discussion held in the past to build at the same site as the Shared Public Works Facility needs to be revisited. He said we need to get this built before snow flies as the current situation using the garage at Highway is unsuitable. He told Attorney Getman he realizes there needs to be a contract or lease, but he does not want it held up with all the lawyer stuff. He instructed Attorney Getman to make this a priority in his office and he is to get in touch with the Schuyler Hospital attorney and get this resolved. The plans have been given to a local contractor to build and a meeting with him, Kirk Smith and Brian from Schuyler Hospital is scheduled for tomorrow morning at the site. All that is needed is an engineer to approve of the drawings. The hospital has looked at the land behind the primary care building that they own however there are no utilities available there. He said that Scott Welliver has offered up a temporary location and will be getting back to him about it. Chairman Blowers said that sixty percent of the ambulance calls are located in Watkins Glen, and Attorney Getman if there were any issues with the County owned land being used for this. Legislator Rondinaro said that if this is done right, it could be a very good thing. Maybe it should be a Local Development Corporation (LDC) to hold the lease and the hospital be a long-term lease, but he does not want to see a mixed ownership. Legislator Gray asked the Highway Superintendent if there were any plans for the Highway Department to expand. He was concerned about another contract with the hospital considering the troubles they have had with the current one. Legislator Barnes and Rondinaro discussed the various types of builds that could be constructed in such as short time period. Legislator Barnes then instructed Attorney Getman to get this done now. He said that there is an agreement between the hospital and us, the attorney for the hospital has been directed by upper management to get it done as well. Attorney Getman said you're expecting me to just rush through this? There are a number of issues at hand. There's the possibility of this being a public works contract, that this is required to be put out for a sealed bid, you then have all of conditions of a lease, you have County employees and Hospital staff involved, we have the lease from fifty years ago to consider and need to make sure there is an out clause. There is value to the municipal property, legalities for the use of by a public entity, maybe a public hearing involved, and land to be surveyed. He said candidly the hospital was talking about building here a few months ago, now it is forty degrees at night, and you expect a building to be built before snow flies. He said that there could also be state and federal regulations as well. Chairman Blowers said that the Welliver location would be temporary location until the building has been built. He needs to get permission. Legislator Barnes said that I can make a phone call to a person to get an architectural drawing done at my home, how come all of

PROCEEDINGS OF THE YEAR 2023

this has to take so long? I can draw up a lease myself. Attorney Getman explained that the fact that the land being considered is owned by the people of Schuyler County. Legislator Rondinaro asked about the existing Ambulance building. He said he knows they were not interested initially, but there is always a chance to re-negotiate. Maybe the hospital should offer them a dollar amount for the use of their facility for the winter. Attorney Getman said that we need to first determine if we can even lease to the hospital.

Legislator Howell asked about the state of emergency due to the immigrants and wanted to be sure that if we had busses arriving that we would be in a position to deal with this. Chairman Blowers said that we had declared the first State of Emergency from the recommendation of the New York State Association of Counties (NYSAC). He said that any further discussion would have to be held in executive discussion because of pending litigation. He assured the legislators that through Homeland Security and our Emergency Management we have a plan and will manage that if this occurs. Legislator Gray suggested a committee be formed to address this.

Legislators Gray asked about the Local Law that was just introduced for the County Administrator position. He wanted to know what the next step was. The Clerk explained that this just set the public hearing date for November and that it could be adopted after the public hearing. There was some discussion on advertising or not and disagreements on how the next steps should occur. Legislator Rondinaro was the only legislator that voiced his strong opinion and believed that they were legally obligation to advertise. The Clerk stated that the Local Law does not require that. There was much discussion about advertising for the position and not just appointing the Interim Administrator. Legislator Rondinaro feels we need to see who else would apply. Interim Administrator Rosno stated that Yates County did not advertise for their Administrator, she was just appointed by the Legislature, so he does not believe there is a requirement to do so. He suggested that Attorney Getman reach out to Yates County. Attorney Getman was asked to research this with the Personnel Officer and issue a legal opinion on whether it was required or not.

UNFINISHED BUSINESS:

The Chairman reported that the Middle School Auditorium (Performing Arts Center) lease was created when the Downtown Revitalization Incentive funding (DRI) was awarded and set aside to work on that building. We as a Legislature decided not to proceed with that project and the Planning Director has paperwork from the Department of State, he signed to completely remove the funding from the grant and re-allocated that funding to another project. We now need to terminate the lease for that building that we pay \$20,000.00 per year for when the building is not being used. He instructed the Interim County Administrator to look into terminating the lease. Legislator Rondinaro stated that not all of the legislators agreed to that action. He was not in support of that and he is concerned about the impression this could leave with the State as it was supposed to be used for public activity.

REPORT ON STANDING COMMITTEES: None.

COUNTY ADMINISTRATOR'S REPORT:

Interim Administrator Rosno reported that the first submission of sales tax for September is down from a year ago by eleven percent, but over-all it is still an increase of about six percent. He explained that one Legislator had requested that he look again at the over all budget and consider lowering the projection for the 2024 budget. We still have the second payment in September to receive yet and historically that has always been larger. He and Legislator Rondinaro discussed all of the various percentages and net figures. There was a great deal of discussion on the tax rates, and the perception from the public.

PUBLIC PARTICIPATION:

Mr. Bartow commended the Interim Administrator on the budget and that he did a great job.

The Meeting adjourned at 8:51 p.m.

Stacy B. Husted, Clerk

Jamee L. Mack, Deputy Clerk

**REGULAR MEETING
NOVEMBER 13, 2023**

The November 13, 2023 Regular Meeting of the Schuyler County Legislature was called to order at 6:30

PROCEEDINGS OF THE YEAR 2023

p.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Gray and followed by a Moment of silence. All Legislators were present, except Legislators Lausell and Howell who were excused. County Attorney Steven Getman and Interim County Administrator Shawn Rosno were present.

PUBLIC HEARING ON THE 2024 BUDGET:

The Chairman gave the floor to the Interim County Administrator to give a presentation on the 2024 Tentative Budget. Interim Administrator Rosno reviewed his presentation ([click here for presentation](#)). Legislator Rondinaro explained that the Watkins Glen Area Chamber of Commerce has had good luck leveraging organizations and with their live your dream efforts have been able to bring people here as tourists in hopes of them bring businesses, living and working here. Legislator Barnes complimented the Interim Administrator on this Budget and said he was thrown into this and with the help from the Treasurer and the Clerk of the Legislature, it was a job well done. Interim Administrator Rosno said that he appreciated hearing this. The only comment from the public present was from Ms. Carol Henry the owner of the Golden Night Inn. She said that this was a good presentation, and she was thankful she was present to hear as she learned a lot.

PUBLIC HEARING ON LOCAL LAW INTRO. E OF THE YEAR 2023 TITLED “A LOCAL LAW TO AMEND “LOCAL LAW No. 3 OF THE YEAR 1999, A LOCAL LAW TO ESTABLISH THE OFFICE OF COUNTY ADMINISTRATOR FOR THE COUNTY OF SCHUYLER”:

Legislator Rondinaro explained the purpose of this amendment was to expand on the qualifications to allow for a broader range of applicants.

PUBLIC HEARING ON LOCAL LAW INTRO. F OF THE YEAR 2023 A LOCAL LAW SETTING SALARIES FOR CERTAIN PUBLIC OFFICERS FOR THE FISCAL YEAR 2024: None.

PUBLIC HEARING ON LOCAL LAW INTRO G OF THE YEAR 2023 A LOCAL LAW SETTING SALARIES FOR CERTAIN ELECTED OFFICIALS FOR THE FISCAL YEAR 2024: None.

PUBLIC PARTICIPATIONS:

Mr. Terence Mason and his wife were present and expressed concern with the property sold on the tax auction located on Chase Road, in the Town of Reading. Mr. Mason said the bid was very high, and they wondered what would be done with the property. The bidder bought three or four other properties and it seemed suspicious to them. He said there were local people interested and that Legislator Rondinaro had looked into this for them and the bidder is an LLC and have a Post Office Box in Brooklyn, NY. Ms. Carol Henry, the owner of The Golden Knight Inn, wanted to know when the County changed to an online auction platform versus selling the property on the courtroom steps with all local people being able to bid. She said it was only because a person that was staying in her Inn that told her about the auction or they would not have known about it at all. She said that this person was also interested in buying a property and living here. With no other comments from the public present, the Chairman asked County Attorney Getman to comment on the Tax Auction properties. Attorney Getman said while the County acknowledges the concerns of nearby property owners, the County must be guided by the law. He then read from a statement as follows: The County of Schuyler is a political subdivision of the State of New York and is bound by New York State law. The County is, further, bound by the United States Constitution and federal law. The County obtained title to the subject property by Judgment of Tax Foreclosure dated June 27, 2023, entered in the Supreme Court, State of New York, County of Schuyler. The judgment, as relevant here, directed the property be sold pursuant to Real Property Tax Law 1136. Pursuant to RPTL 1136(2)(c), any sale directed by the court pursuant to this subdivision shall be at public auction (*see, also, 13A Carmody-Wait 2d § 88:17*). That auction is advertised in two local newspapers (multiple weeks) and online. Currently, a majority of counties in the area use an online auction process. However, the county may revisit this in future years, depending on how the state elects to move forward with the RPTL. The policy underlying the public auction process is so that the county might procure the best and highest possible price for the property being sold (*7A C.J.S. Auctions and Auctioneers § 1; Foley v Wheelock, 157 NH 329 [2008]*). While an auctioneer has the right to ignore or reject the bid of an irresponsible person (*13A Carmody-Wait 2d § 88:17*), such rejection must be in good faith (*Orelli v Ambro, 51 AD2d 85 [1976]*). For purposes of a public auction a “responsible bidder” would appear to be simply one “ready and willing to pay at the time of the sale under the terms of the sale” (*73A N.Y. Jur. 2d Judicial Sales § 14*). As part of the current auction process and determination of responsible bidder(s), the county’s auctioneer requires proof

PROCEEDINGS OF THE YEAR 2023

of identity, such as a photo driver's license or other valid government identification. This is the case whether a bidder is local or located in another jurisdiction. In addition, each bidder must pay a deposit as evidence of financial responsibility and close (pay in full) upon the property within a specified period of time. This is consistent with New York State dictates. However, the fact that a bidder might be a limited liability company, foreign entity or a non-citizen appears irrelevant to questions of responsibility pursuant to New York State law and objections on that basis may be deemed illegally discriminatory. A limited liability company may own real property with the state (*NY Limited Liability Company Law § 202*). In regard to the property at issue on Chase Rd, Petitioner to the board Terry Mason has raised concerns that the high bidder LLC is organized by persons with quote-"Oriental"-unquote last names. Pursuant to NY Real Property Law § 10(2), noncitizens are empowered to buy and sell real property within this state in the same manner as native-born citizens. Similarly, a foreign corporation is permitted by statute to acquire and hold real property in New York in furtherance of its corporate purposes (*BCL § 1307*). Further, in New York, the opportunity to obtain the ownership, use and occupancy of land or commercial space without discrimination because of race, creed, color or national origin, is recognized and declared to be a civil right (*18A N.Y. Jur. 2d Civil Rights § 201; Exec. Law § 291[2]*). The Chairman interrupted Attorney Getman and said that they have regulations they have to follow. Mr. Mason said that it is not about discrimination, it's what they will do with the property once they own it. He said it is in the news all the time about the Chinese buying up property all over our country and next to government institutions. He said this should be the bigger concern.

RESOLUTION NO. 302 Motion by Jaynes, Second by Gray.

RE: APPROVE MINUTES OF THE OCTOBER 10, 2023 REGULAR MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the October 10, 2023 Regular Meeting of the Schuyler County Legislature be approved.

Vote 6-0.

RESOLUTION NO. 303 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE INTERMUNICIPAL CONTRACT WITH YATES COUNTY TO PROVIDE CODE ENFORCEMENT SERVICES – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Code Enforcement Officer has certain powers and duties regarding the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (hereinafter referred to as the "Uniform Code") and the State Energy Conservation Construction Code (hereinafter referred to as the "Energy Code"), and

WHEREAS, Yates County has provided a qualified and certified Code Enforcement Officer to Schuyler County in the past, and

WHEREAS, Schuyler County desires to renew the contract with Yates County for the services of the Code Enforcement Officer, with respect to Schuyler County owned buildings, premises and equipment, and

WHEREAS, Yates County will charge \$3,000.00 annually for said services.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute an intermunicipal contract with Yates County for Code Enforcement Officer services, as set forth above, at a cost of \$3,000.00, funding available in account no. 001.3689.0401, with a term of from January 1, 2023 through December 31, 2023, approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 304 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE CHANGE IN FUNDING FOR THE CONTRACT WITH SOUTHERN TIER NETWORK, INC. FOR THE EXTENSION OF THE FIBER OPTIC NETWORK INTO MONTEREY – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, Resolution No. 294 of 2022 authorized a contract with Southern Tier Network, Inc. for the extension of the Fiber Optic Network into Monterey with funding for the contract provided by two Statewide Interoperable Communication Grants (SICG) and use of the E-911 Reserve Account funds, in an amount not to exceed \$462,000.00, and

WHEREAS, the use of \$377,129.25 of E-911 Reserve Funds would nearly deplete this reserve, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, the County's Economic Development Reserve Fund should be used in place of the E-911 Reserves.

NOW, THEREFORE, BE IT RESOLVED, that the funding for this contract shall now be as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
\$215,820.75	001.3689.0202.3803	Statewide Interoperable Communications Grant
\$246,179.25	A890	Economic Development Reserve Funds, and

BE IT FURTHER RESOLVED, that this action supersedes the funding authorization in Resolution No. 294-22, with the exception of the monthly fee, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer up to the amount of \$246,179.25 from the Economic Development Reserve Fund account A890 into the Emergency Management account no. 001.3020.0401 – Contractual Expense.

DISCUSSION: Legislator Rondinaro said that he will support this Resolution, however he feels that the fund should come from another source other than the Economic Development Reserve. He said the Economic Development Reserves should be saved for the broadband to the houses.

Vote 6-0.

RESOLUTION NO. 305 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE THE CREATION AND FILLING OF ONE FULL-TIME DEPUTY BUILDING MAINTENANCE SUPERVISOR POSITION – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, the current Deputy Building Maintenance Supervisor is retiring effective December 22, 2023, and

WHEREAS, the Schuyler County Highway Superintendent, who oversees the Buildings and Grounds Department, wishes to create another full-time Deputy Building Maintenance Supervisor Position to work concurrently with the current Deputy Building Maintenance Supervisor until his retirement, and

WHEREAS, upon the retirement of the current Deputy Building Maintenance Supervisor, that position will be abolished, and

WHEREAS, the Buildings and Grounds Department is requesting to create this position, upon the approval of the Interim County Administrator, and

WHEREAS, funding for this position is included in the 2023 Buildings and Grounds budget.

NOW, THEREFORE, BE IT RESOLVED, that the Buildings and Grounds Department is authorized to create and fill one Full-Time Deputy Building Maintenance Supervisor position, in Grade 5 of the Management/Confidential Handbook, effective December 11, 2023, at an annual salary to be set by the Interim County Administrator, per Resolution No. 62-23.

Vote 6-0.

RESOLUTION NO. 306 Motion by Gray, Second by Jaynes.

RE: RESOLUTION ADOPTING DETERMINATION AND FINDINGS FOLLOWING THE CONCLUSION OF A PUBLIC HEARING PURSUANT TO EMINENT DOMAIN PROCEDURE LAW CONCERNING THE PROPOSED TAKING OF A PORTION OF TAX MAP NO. 101.00-2-4.221, FORMERLY KNOWN AS TAX MAP NO. 101.00-2-4, COUNTY ROAD 16, IN THE TOWN OF ORANGE, COUNTY OF SCHUYLER, STATE OF NEW YORK – HIGHWAY DEPARTMENT

WHEREAS, on October 10, 2023, at 6:30 pm, in accordance with Article 2, Section 202, of the New York State Eminent Domain Procedure Law, in relation to the County Road 16 Bridge Replacement Over Pine Creek Project (PIN 6755.48), Town of Orange, County of Schuyler, State of New York, this Legislature held a Public Hearing to inform the public of and review the public use to be served by the proposed taking and the impact on the environment and residents of the locality where the county project is situated, and

WHEREAS, the Legislature received both comment and documents at the Public Hearing, and

WHEREAS, copies of all documentation concerning the above acquisition and condemnation are on file at the offices of the Schuyler County Clerk at 105 Ninth Street, Unit 8, Watkins Glen, New York, and the Clerk of the Legislature of Schuyler County at 105 Ninth Street, Unit 6, Watkins Glen, New York, which include the transcript of the public hearing, (an) acquisition map(s), and the Federal Environmental Approval Worksheet (FEAW) dated March 23, 2022, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, the Eminent Domain Procedure Law (EDPL) requires that the Legislature, within ninety days after the conclusion of the Public Hearing, make determinations and findings concerning the project, and

WHEREAS, the county reserves the right to pursue reasonable means to continue negotiations in a timely manner without necessitating legal measures, but must provide for the contingency that the properties in question be acquired via eminent domain procedures as a last resort.

NOW, THEREFORE BE IT RESOLVED, that this Legislature hereby finds and determines as follows:

1. That the acquisition by the County of Schuyler of the real property described herein for use as public space will achieve the following public purposes: maintenance and repair of a highway system (bridge) that can be used by all to safely travel, to wit, the County Road 16 Bridge Replacement Over Pine Creek Project (PIN 6755.48), Town of Orange, County of Schuyler, State of New York.
2. That the County of Schuyler will benefit by the use of the subject property in that the roadway can be used by all and weight restriction to limit heavy vehicles and machinery from utilizing the road will not be necessary once the bridge repair has been completed.
3. That the subject property does not include any residential property or structures. Thus, no persons will require relocation as a result of this acquisition.
4. That there will be no significant adverse effect from the aforesaid land acquisition, and the contemplated improvements, to the environment or upon the residents of the area and locality immediately adjacent and in close proximity to the subject property.
5. The properties proposed to be acquired for public purpose and use are identified as all that piece or parcel of property being a portion of Tax Map No. 101.00-2-4.221, formerly known as Tax Map No. 101.00-2-4, in the Town of Orange, County of Schuyler, State of New York, as more fully described as follows:

Parcel No. 1 Fee Acquisition

COMMENCING at a point on the centerline of County Road 16, said point being a distance of 3,095+/- feet, as measured along said centerline in a southwesterly direction, from its intersection with the centerline of Switzer Hill Road;

Thence N36°38'03"W, a distance of 24.58 feet to a point on the northwesterly boundary of County Road 16, said point being the POINT OF BEGINNING of the parcel herein described, said point being 1.93 feet distant northwesterly, measured at right angles from station 18+77.55 of the hereinafter described 2022 Survey Baseline; then S52°03'18"W, along the above-stated boundary of County Road 16, a distance of 76.85 feet to a point 7.34 feet distant northwesterly, measured at right angles from station 18+00.83 of said baseline; thence the following three (3) courses and distances through lands now or formerly owned by Earl Owens and Lorraine Owens (L.416, P.340):

4. N12°56'42"W, a distance of 38.98 feet to a point 41.44 feet distant northwesterly, measured at right angles from station 18+19.83 of said baseline;
5. N52°03'18"E, a distance of 60.16 feet to a point 37.18 feet distant, northwesterly, measured at right angles from station 18+79.83 of said baseline;
6. S38°18'00"E, a distance of 35.33 feet to the point of beginning.

The above described parcel contains 2,420+/- sq. ft. or 0.056+/- acre.

Parcel No. 2 Fee Acquisition

All that piece or parcel of property being a portion of Tax Map No. 101.00-2-4.221, formerly known as Tax Map No. 101.00-2-4, in the Town of Orange, County of Schuyler, State of New York, as more fully described as follows:

COMMENCING at a point on the centerline of County Road 16, said point being a distance of 3,116+/- feet, as measured along said centerline in a southwesterly direction, from its intersection with the centerline of Switzer Hill Road;

Thence S36°38'03"E, a distance of 25.40 feet to a point on the southeasterly boundary of County Road 16, said point being the POINT OF BEGINNING of the parcel herein described, said point being 45.90

PROCEEDINGS OF THE YEAR 2023

feet distant southeasterly, measured at right angles from station 18+52.25 of the hereinafter described 2022 Survey Baseline; thence the following three (3) courses and distances through lands now or formerly owned by Earl Owens and Lorraine Owens (L.416, P.340):

4. S12°56'42"E, a distance of 37.24 feet to a point 78.45 feet distant southeasterly, measured at right angles from station 18+34.16 of said baseline;
5. S52°03'18"W, a distance of 67.26 feet to a point 74.01 feet distant southeasterly, measured at right angles from station 17+67.72 of said baseline;
6. N37°56'42"W, a distance of 33.75 feet to a point on the above-stated boundary of County Road 16, said point being 40.32 feet distant southeasterly, measured at right angles from station 17+69.81 of said baseline;

thence N52°03'18"E, along the boundary of County Road 16, a distance of 83.00 feet to the point of beginning.

The above described parcel contains 2,536+/- sq. ft. or 0.058+/- acre.

The above mentioned survey baseline is a portion of the 2022 Survey Baseline for CR16 over Pine Creek Bridge replacement Project and is described as follows:

Beginning at Station 10+00.00; thence N35°12'31"E to Station 15+02.04; thence N48°29'50"E to Station 18+03.85; thence N47°59'46"E to Station 19+48.35; thence N73°52'06"E to Station 20+39.70; thence N39°55'15"E to Station 26+82.76.

All bearings refer to True North at the 76°--35' Meridian of West Longitude.

Parcels 4 and 5 Temporary Easements

All that piece or parcel of property being a portion of Tax Map No. 101.00-2-4.221, formerly known as Tax Map No. 101.00-2-4, in the Town of Orange, County of Schuyler, State of New York, as more fully described as follows:

Temporary easements to be exercised in, on and over the property delineated above for the purpose of a work area and the reconstruction of a portion of County Road 16 in the Town of Orange, County of Schuyler, State of New York for use and exercisable during the construction or reconstruction of the highway and terminating upon the approval of the completed work, unless sooner terminated if deemed no longer necessary for highway purposes and released by the County of Schuyler Highway Superintendent or other authorized representative acting for The County of Schuyler or its assigns. Such easement shall be exercised in and to all those pieces or parcels of property designated as Parcel Nos. 4 and 5, more fully described below.

RESERVING, however, to the owner of any right, title or interest in and to the property above delineated as Parcel Nos. 4 and 5 above, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for the construction or reconstruction of the herein identified project.

The above mentioned survey baseline is a portion of the 2022 Survey Baseline for CR16 over Pine Creek Bridge replacement Project and is described as follows:

Beginning at Station 10+00.00; thence N35°12'31"E to Station 15+02.04; thence N48°29'50"E to Station 18+03.85; thence N47°59'46"E to Station 19+48.35; thence N73°52'06"E to Station 20+39.70; thence N39°55'15"E to Station 26+82.76.

All bearings refer to True North at the 76°--35' Meridian of West Longitude, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature is directed to publish a notice and synopsis of these Determination and Findings, as prepared by the county attorney, in at least two successive issues of the Watkins Review and Express and in at least two successive issues of a newspaper of general circulation in the county, and

PROCEEDINGS OF THE YEAR 2023

BE IT FURTHER RESOLVED, that a notice and synopsis of these Determination and Findings shall be served by personal service or certified mail upon each assessment record billing owner whose property may be acquired, or his or her attorney(s) of record, such notice to be in conformance with EDPL § 204.

Vote 6-0.

RESOLUTION NO. 307 Motion by Jaynes, Second by Rondinaro.

RE: ACCEPT/REJECT 2023 TAX AUCTION BIDS – TREASURER’S DEPARTMENT

WHEREAS, the Schuyler County Treasurer is now holding tax deeds on certain tax delinquent properties, pursuant to judgement(s) of foreclosure in accordance with Article 11 of the Real Property Tax Law, and

WHEREAS, the Schuyler County Legislature contracted for the auction sale of these properties and such sale was conducted from October 2, 2023 through October 13, 2023, and

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby accepts the following bids, to wit:

BIDDER’S NAME: 3LS Legacy, LLC

BIDDER’S ADDRESS: 8225 5th Avenue, Suite 228, Brooklyn, NY 11228

AMOUNT OF BID: \$18,000.00

FORMER OWNER: Hanville, Terry L.

TAX MAP #: 65.13-7-17

LOCATION: 135 S. Monroe Street, Town of Dix, County of Schuyler, State of New York

BIDDER’S NAME: Austin Bassette

BIDDER’S ADDRESS: 410 South Daysville Road, Pulaski, NY 13142

AMOUNT OF BID: \$9,600.00

FORMER OWNER: Foster, Richard

TAX MAP #: 15.00-3-39

LOCATION: Updyke Road, Town of Hector, County of Schuyler, State of New York

BIDDER’S NAME: 3LS Legacy, LLC

BIDDER’S ADDRESS: 8225 5th Avenue, Suite 228, Brooklyn, NY 11228

AMOUNT OF BID: \$51,300.00

FORMER OWNER: Foster, Richard

TAX MAP #: 15.00-3-40

LOCATION: 6080/6082 Updyke Road, Town of Hector, County of Schuyler, State of New York

BIDDER’S NAME: Canyon Property Solutions, LLC

BIDDER’S ADDRESS: 1846 E. Innovation Park Drive, Suite 100, Oro Valley, AZ 85755

AMOUNT OF BID: \$5,500.00

FORMER OWNER: Pierce, Lyle T.

TAX MAP #: 34.00-1-12.221

LOCATION: State Route 79, Town of Hector, County of Schuyler, State of New York

BIDDER’S NAME: Forevergreen Housing, LLC

BIDDER’S ADDRESS: 3120 Halseyville Road, Trumansburg, NY 14886

AMOUNT OF BID: \$1,025.00

FORMER OWNER: Smith, Wayne

TAX MAP #: 54.07-1-21.3

LOCATION: Main Street, Town of Hector, County of Schuyler, State of New York

BIDDER’S NAME: Diana Lambert

BIDDER’S ADDRESS: 3280 County Road 6, Alpine, NY 14805

PROCEEDINGS OF THE YEAR 2023

AMOUNT OF BID: \$27,200.00
FORMER OWNER: Wagner, David C.
TAX MAP #: 58.00-1-17
LOCATION: 3280 County Road 6, Town of Hector, County of Schuyler, State of New York

BIDDER'S NAME: Irena Wisniewska
BIDDER'S ADDRESS: 357 87th Street, Apt. 4D, Brooklyn, NY 11209
AMOUNT OF BID: \$11,700.00
FORMER OWNER: Estate of Walter B. Croft Sr. and Estate of Gail M. Croft
TAX MAP #: 76.19-3-7
LOCATION: 214 Ayers Street, Town of Montour, County of Schuyler, State of New York

BIDDER'S NAME: James A. Pierce
BIDDER'S ADDRESS: 106 W. South Street, Montour Falls, NY 14865
AMOUNT OF BID: \$11,200.00
FORMER OWNER: Allen, Arthur H. and Allen, Geraldine
TAX MAP #: 86.07-5-12
LOCATION: 102 W. South Street, Town of Montour, County of Schuyler, State of New York

BIDDER'S NAME: Joseph Barber
BIDDER'S ADDRESS: 3058 Elmira Road, Newfield, NY 14867
AMOUNT OF BID: \$26,100.00
FORMER OWNER: Village of Montour Falls
TAX MAP #: 86.07-5-5
LOCATION: 116,114 Owego Street, Town of Montour, County of Schuyler, State of New York

BIDDER'S NAME: Yates County Habitat for Humanity
BIDDER'S ADDRESS: 210 Reading Road, Watkins Glen, NY 14891
AMOUNT OF BID: \$46,100.00
FORMER OWNER: Estate of Rodney H. Cornish
TAX MAP #: 87.13-1-1
LOCATION: Havana Glen Road, Town of Montour, County of Schuyler, State of New York

BIDDER'S NAME: 3LS Legacy, LLC
BIDDER'S ADDRESS: 8225 5th Avenue, Suite 228, Brooklyn, NY 11228
AMOUNT OF BID: \$61,100.00
FORMER OWNER: Estate of Rodney H Cornish
TAX MAP #: 87.13-1-2
LOCATION: 126 Havana Glen Road, Town of Montour, County of Schuyler, State of New York

BIDDER'S NAME: Nikole Grover and Clayton Grover
BIDDER'S ADDRESS: 3251 Upper Foots Hill Road, Montour Falls, NY 14865
AMOUNT OF BID: \$8,700.00
FORMER OWNER: Scholtisek, David M. and Estate of Richard Jackson
TAX MAP #: 73.00-1-10
LOCATION: 1801 Sugar Hill Road, Town of Orange, County of Schuyler, State of New York

BIDDER'S NAME: Regina Simpson-Fausel and Alan Fausel
BIDDER'S ADDRESS: 2556 Church Road, Rock Stream, NY 14878
AMOUNT OF BID: \$16,200.00

PROCEEDINGS OF THE YEAR 2023

FORMER OWNER: McMillan, Brice
TAX MAP #: 102.05-1-25
LOCATION: 1475 Orchard Street, Town of Orange, County of Schuyler, State of New York

BIDDER'S NAME: 3LS Legacy, LLC
BIDDER'S ADDRESS: 8225 5th Avenue, Suite 228, Brooklyn, NY 11228
AMOUNT OF BID: \$82,400.00
FORMER OWNER: Dinkins, Alice
TAX MAP #: 32.00-1-28
LOCATION: 2950 Chase Road, Town of Reading, County of Schuyler, State of New York

BIDDER'S NAME: John Meier and Christine Meier
BIDDER'S ADDRESS: 142 Drive A, Elmira, NY 14905
AMOUNT OF BID: \$9,500.00
FORMER OWNER: Estate of John E. Nicolo and John Nicolo
TAX MAP #: 32.19-1-1
LOCATION: Kent Klub Road, Town of Reading, County of Schuyler, State of New York

BIDDER'S NAME: Omar Mark Abrams
BIDDER'S ADDRESS: 742 Elizabeth Street, Apt. 2, Utica, NY 13501
AMOUNT OF BID: \$2,225.00
FORMER OWNER: Unknown
TAX MAP #: 32.19-1-20
LOCATION: Kent Klub Road, Town of Reading, County of Schuyler, State of New York

BIDDER'S NAME: Omar Mark Abrams
BIDDER'S ADDRESS: 742 Elizabeth Street, Apt. 2, Utica, NY 13501
AMOUNT OF BID: \$7,900.00
FORMER OWNER: Jones, Harvey Jr.
TAX MAP #: 52.00-2-20
LOCATION: Irelandville Road, Town of Reading, County of Schuyler, State of New York

BIDDER'S NAME: YCH1, LLC
BIDDER'S ADDRESS: 30 N. Gould Street, Suite R, Sheridan, WY 82801
AMOUNT OF BID: \$81,100.00
FORMER OWNER: Estate of Rita Tucker and Estate of James Tucker
TAX MAP #: 52.00-4-48
LOCATION: 3669 Cross Road, Town of Reading, County of Schuyler, State of New York, and

BE IT FURTHER RESOLVED, that in the event one or more successful high bidders fail to proceed in accordance with the terms and conditions of the auction, then the Chair of the Legislature is authorized to accept a lower bid without further resolution, and

BE IT FURTHER RESOLVED, that appropriate deeds and transfer documents shall be prepared pertinent to each such conveyance, within thirty (30) days of such authorization, documents subject to the direction and approval of the Schuyler County Attorney, and

BE IT FURTHER RESOLVED, the Chair of the Schuyler County Legislature is authorized to execute such deeds and attending documents and the Schuyler County Treasurer is authorized to deliver and/or record such deeds and attendant documents upon full payment of the bid purchase price balance to the County of Schuyler.

Vote 6-0.

RESOLUTION NO. 308 Motion by Jaynes, Second by Rondinaro.

PROCEEDINGS OF THE YEAR 2023

RE: SET THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE LAMOKA/WANETA LAKES PROTECTION AND REHABILITATION DISTRICT – REAL PROPERTY TAX DEPARTMENT

BE IT RESOLVED, that the Public Hearing on the Assessment Roll for the year 2023, for the budget year of 2024, for the Lamoka/Waneta Lakes Protection and Rehabilitation District shall be held on the 11th day of December, 2023 at 6:30 P.M. in the County Office Building, 105 Ninth Street, Watkins Glen, New York and the Clerk of the Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 270 of the County Law in the official newspaper of the County, and the Clerk is further directed to forward a certified copy of this Resolution to the Clerk of the Steuben County Legislature; the Director of Schuyler County Real Property Tax Service Agency and the Schuyler County Treasurer.

Vote 6-0.

RESOLUTION NO. 309 Motion by Jaynes, Second by Rondinaro.

RE: AUTHORIZE ONGOING CONTRACT WITH eRECORDING PARTNERS NETWORK, LLC (ePN) FOR ELECTRONIC RECORDING SERVICES – COUNTY CLERK’S DEPARTMENT

WHEREAS, the County Clerk’s Office wishes to offer an additional vendor for insurance companies, attorneys, mortgage bankers, full-service banks and other trusted entities to submit electronic documents to that office for recording, and

WHEREAS, eRecording Partners Network, LLC (ePN) offers this service free of charge to the County.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute an ongoing contract with ePN for the County Clerk’s Department for Electronic Recording Services for the term effective November 13, 2023 and shall terminate only upon thirty days written notice, at no cost to the County; contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 310 Motion by Jaynes, Second by Rondinaro.

RE: AUTHORIZE ABOLISHING THE TITLE OF ALTERNATE VOTING SYSTEM TECHNICIAN/CUSTODIAN – BOARD OF ELECTIONS DEPARTMENT

WHEREAS, Resolution No. 292 of the year 2012 authorized the creation of certain positions in the Board of Elections Office per Internal Revenue Service regulations, and

WHEREAS, these positions are determined by Civil Service to be unclassified, and

WHEREAS, the position of Alternate Voting System Technician and Custodian does the same work as a regular Voting Machine Technician/Custodian position, and

WHEREAS, the Commissioners of the Board of Elections wish to abolish the Alternate position and request to hire up to eight Voting Machine Technician and Custodian positions, to be appointed equally from and among the two major political parties, pursuant to New York Election Law § 3-300, and

WHEREAS, funding for these positions is included in the 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby abolishes the Alternate Voting System Technician/Custodian position effective immediately, and

BE IT FURTHER RESOLVED, that the additional Voting Machine Technician and Custodian positions shall be effective September 1, 2023.

Vote 6-0.

RESOLUTION NO. 311 Motion by Jaynes, Second by Rondinaro.

RE: ADOPT LOCAL LAW INTRO. E/LOCAL LAW NO. 8 OF THE YEAR 2023 TITLED ““A LOCAL LAW TO AMEND ”LOCAL LAW NO. 3 OF THE YEAR 1999, A LOCAL LAW TO ESTABLISH THE OFFICE OF COUNTY ADMINISTRATOR FOR THE COUNTY OF SCHUYLER””

WHEREAS, Local Law Intro. E of the Year 2023 “A Local Law to Amend “”Local Law No. 3 of the Year 1999, a Local Law to Establish the Office of County Administrator for the County of Schuyler”” was heretofore introduced and appropriate notice established in the official newspaper regarding a public hearing to be held November 13, 2023 at 6:30 p.m., and

WHEREAS, said public hearing was duly held, at which time all interested persons were given the opportunity to be heard, and this Legislature has duly considered the adoption and passage of said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. E of the Year 2023, in the form hereto annexed be, and hereby is, passed, adopted and enacted, and

BE IT FURTHER RESOLVED, that the Clerk of this Legislature duly cause the publication of the passage, enactment and adoption of Local Law No. 8 of the Year 2023, together with the required text thereof in the official county newspaper, together with filing with the New York State Department of State.

LOCAL LAW NO. 8 OF THE YEAR 2023

A Local Law to Amend “Local Law No. 3 of the Year 1999, a Local Law to Establish the Office of County Administrator for the County of Schuyler.”

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SCHUYLER that following sections of Local Law No. 3 of the Year 1999, “a Local Law to Establish the Office of County Administrator for the County of Schuyler” are hereby amended as follows:

I. Amendments to Local Law No. 3 of the Year 1999.

Section 1, “Legislative Intent,” of Local Law No. 3 of the Year 1999, is hereby amended to read as follows:

The Schuyler County Administrator shall be appointed by the County Legislature. The office will function as the agent of the Legislature in supervising the daily operations of the County’s administrative matters with the primary goal of improving the general efficiency of administration as consistent with all laws, rules and regulations. To accomplish this responsibility, the County Administrator will as necessary study the current organizations of all County departments and recommend such changes in personnel, finances and structures as deemed necessary to meet this objective. Additionally, the County Administrator shall propose ongoing programs which will continue these initiatives into the future. This is a chief administrative position involving responsibility for the overall administration of County government under the direction of the County Legislature.

It is the intent of the legislature that the County Administrator shall demonstrate the following full performance knowledge, skills, abilities and personal characteristics: Thorough knowledge of the principles and procedures of county government; thorough knowledge of administration supervision; thorough knowledge of intergovernmental relations; Thorough knowledge of the principles and practices of governmental accounting and government budget; Thorough knowledge of methods of organization, planning and management; Good knowledge of report writing and statistical interpretation; Good knowledge of public relations practices and procedures; Good knowledge of purchasing process; Ability to communicate effectively, both orally and in writing; Ability to analyze problems and to make recommendations; Ability to prepare and maintain written reports and records; Ability to follow and issue complex oral and written instructions; Ability to establish and maintain good relationships both within the County and with outside agencies; Ability to supervise the work of others; Ability to exercise good judgment in evaluating situations, establishing priorities, and making decisions.

The Schuyler County Legislature hereby declares that nothing herein shall be construed as electing an optional form of county government under the New York State Constitution, Alternative County Government Law, or any other law of this State. It is the intention of this Legislature to create and establish a position of employment in accordance with County Law Sections 204 and 400-4(a), which position shall be so regarded in every respect.

Section 3, “Qualifications,” of Local Law No. 3 of the Year 1999, is hereby amended to read as follows:

- B. At the time of appointment, the County Administrator shall have the qualifications set forth in Section 3 of the Public Officer’s Law, except that, at the time of his/her appointment the County Administrator need not be a resident of Schuyler County but shall become a resident of Schuyler County within ninety (90) days of his/her taking office, and thereafter shall remain a resident of Schuyler County during their tenure of office.

B. In addition to the above qualifications, the County Administrator shall meet or exceed the following qualifications:

(a) Possess an Associate's Degree from an accredited college or university and have ten years satisfactory paid full time responsible executive management experience in a private or public business or industrial enterprise, or

(b) Possess a Bachelor's Degree from an accredited college or university and have eight years satisfactory paid full time responsible executive management experience in a private or public business or industrial enterprise, or

(c) Possess a Master's Degree from an accredited college or university and have six years of satisfactory paid full time responsible executive management experience in a private or public business or industrial enterprise, or

(d) Possess a Master's Degree in Public Administration or Business Administration from an accredited college or university and have four years of satisfactory paid full time responsible executive management experience in a private or public business or industrial enterprise.

Each such educational degree must have been awarded by a college or university accredited by a regional, national, or specialized agency recognized as an accrediting agency by the U.S. Department of Education/U.S. Secretary of Education, or in the case of an educational institution outside the United States and its territories, an independently verified equivalent degree.

Section 5, "Powers and Duties," of Local Law No. 3 of the Year 1999, is hereby amended to read as follows:

Perform all the duties now and hereafter conferred or imposed upon the office by law or directed by the Legislature and shall have all the powers and perform all the duties necessarily implied or incidental thereto. The County Administrator will provide and coordinate staff services to the County Legislature and its various committees and shall coordinate the activities of the various County departments and agencies. Among such powers and duties, but not by way of limitation, are the following (each subject to Sections 6 and 7 of this Local Law):

X. Execute and enforce, as authorized by the County Legislature, all applicable laws, legalizing acts, ordinances, and resolutions of the County Legislature and all other acts required by operation of law;

Y. Ensure efficient and effective operation of all County departments and offices, and recommend such changes in personnel, finances and structures as deemed necessary to meet this objective;

Z. Supervise all Department Heads who are not elected officials, with the exception of the County Attorney and Clerk of the Legislature, in order to assure the implementation of legislative policies, procedures, and processes, with a particular emphasis on the provision of consistent and fair departmental goals, objectives, staffing practices and operations in accordance with established policies;

AA. Attend meetings of the County Legislature, its committees, and such meetings as the Legislature may direct and recommend such policies and measures they may deem appropriate;

BB. Serve as County Budget Officer, in conjunction with the County's Treasurer/Chief Financial Officer, and review proposed department and office budgets collaboratively with Department Heads and make recommendations for expenditures to be in the County budget, and monitor expenditures throughout the year;

CC. Coordinate the preparation of multi-department policies and shall, where necessary, make recommendation to the County Legislature and shall implement necessary administrative policies as may be required to carry out the policies established by the County Legislature;

DD. Perform those specific tasks directed to be performed by the County Administrator by the Legislature through majority vote of a Standing Committee. The County Administrator shall not perform specific tasks requested by any individual Legislator or group of Legislators;

EE. Represent the County and the Legislature in the Schuyler County community;

FF. Participate in discussions and planning as related to economic development;

PROCEEDINGS OF THE YEAR 2023

- GG. Participate when requested by a member of the County Legislature in discussions of issues being considered by the Legislature at its meetings;
- HH. Assist all department heads in the initiation and preparation of grant requests and recommend the disposition of each to the Legislature, paying particular attention to anything that will require the County to make an additional expenditure or items that will cause conflicts between the several departments or with existing Legislative policies and procedures;
- II. Have the administrative responsibility of approving the organization and staffing within any specific department, or agency or operation subject to the County Administrator's direct administrative control and shall have administrative control of other temporary assignments with the same department, agency, or operation or from one department, agency, or operation to another;
- JJ. Participate as authorized by the County Legislature in the conduct of collective bargaining negotiations with employees;
- KK. Exercise general supervision over all County institutions and agencies, except as otherwise required by law, coordinate the various administrative activities of the county, and unify the management of its affairs or cause all such responsibilities to be executed and performed through the Department Heads;
- LL. Provide the Legislature with data and analyses that they need for policy consideration, including collective bargaining.
- MM. Sit as a member of the management team in all collective bargaining activities.
- NN. Formulate data that will measure the impact of Legislative proposals and decisions on the tax base and economic development goals established by the Legislature.
- OO. Aid the Legislature in evaluating proposals and make recommendations concerning same.
- PP. Advise the Legislature in developing policies and procedures promoting economy and efficiency in government.
- QQ. Undertake administrative and management studies and make recommendations regarding the results thereof to the Legislature.
- RR. Act as liaison between the Legislature and political subdivisions, state and federal officials and agencies.
- SS. In consultation with the Chair of the Legislature and County Attorney, determine what officer shall perform a duty not clearly defined or specified by law.
- TT. Have such other powers and perform such other duties as may now or hereafter be conferred or imposed upon the County Administrator by resolution of the County Legislature or applicable law.

II. No other changes.

All other terms of and conditions of Local Law No. 3 of the Year 1999 remain in full force and effect.

III. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

IV. Effective Date

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

Vote 6-0.

RESOLUTION NO. 312 Motion by Jaynes, Second by Rondinaro.

RE: ADOPT LOCAL LAW INTRO. F/LOCAL LAW NO. * OF THE YEAR 2023 SETTING SALARIES

PROCEEDINGS OF THE YEAR 2023

FOR CERTAIN PUBLIC OFFICERS FOR THE FISCAL YEAR 2024

WHEREAS, Local Law Intro. F of the Year 2023 “A Local Law Setting Salaries for Certain Public Officers for the Fiscal Year 2024” was heretofore introduced and appropriate notice established in the official newspaper regarding a public hearing to be held November 13, 2023 at 6:30 p.m., and

WHEREAS, said public hearing was duly held, at which time all interested persons were given the opportunity to be heard, and this Legislature has duly considered the adoption and passage of said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. F of the Year 2023, in the form hereto annexed be, and hereby is, passed, adopted and enacted, and

BE IT FURTHER RESOLVED, that the Clerk of this Legislature duly cause the publication of the passage, enactment and adoption of Local Law No. * of the Year 2023, together with the required text thereof in the official county newspaper, together with filing with the New York State Department of State, and

BE IT FURTHER RESOLVED, that the final number of said local law shall be made by the Clerk of the Legislature in her records, based on the date of final readiness for filing with the Secretary of State.

LOCAL LAW NO. * OF THE YEAR 2023

A Local Law Setting Salaries for Certain Public Officers for the Fiscal Year 2024.

Be it enacted by the Legislature of the County of Schuyler as follows:

1. Effective 45 days following adoption, the following adjustments of salaries for the public officers listed below shall be in the amounts herein stated, salaries effective January 1, 2024.

2. The following public officers are subject to the provisions hereof:

<u>TITLE</u>	<u>SALARY</u>	<u>TITLE</u>	<u>SALARY</u>
Commissioner of Social Services	\$120,909.00	Personnel Officer	\$99,925.00
Highway Superintendent	\$112,804.00	Real Property Tax Director	\$91,759.00
Commissioner Board of Elections	\$ 23,845.00	Public Health Director	\$92,471.00

3. This Local Law shall not take effect until at least 45 days after its adoption in accordance with County Law Section 201 and Municipal Home Rule Law Section 24.

Vote 6-0.

RESOLUTION NO. 313 Motion by Jaynes, Second by Rondinaro.

RE: ADOPT LOCAL LAW INTRO. G/LOCAL LAW NO. * OF THE YEAR 2023 SETTING THE SALARY FOR CERTAIN ELECTED OFFICIALS FOR THE FISCAL YEAR 2024

WHEREAS, Local Law Intro. G of the Year 2023 “A Local Law Setting the Salary for Certain Elected Officials for the Year 2024” was heretofore introduced and appropriate notice established in the official newspaper regarding a public hearing to be held November 13, 2023 at 6:30 p.m., and

WHEREAS, said public hearing was duly held, at which time all interested persons were given the opportunity to be heard, and this Legislature has duly considered the adoption and passage of said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that Local Law Intro. G of the Year 2023, in the form hereto annexed be, and hereby is, passed, adopted and enacted, and

BE IT FURTHER RESOLVED, that the Clerk of this Legislature duly cause the publication of the passage, enactment and adoption of Local Law No. * of the Year 2023, together with the required text thereof in the official county newspaper, together with filing with the New York State Department of State, and

BE IT FURTHER RESOLVED, that the final number of said local law shall be made by the Clerk of the Legislature in her records, based on the date of final readiness for filing with the Secretary of State.

LOCAL LAW NO. * OF THE YEAR 2023

A Local Law Setting the Salary for Certain Elected Officials for the Fiscal Year 2024.

Be it enacted by the Legislature of the County of Schuyler as follows:

1. This Local Law is enacted pursuant to Sections 200 and 201 of the County Law for the purpose of setting the salary of certain elected officials for fiscal year 2024.

2. Effective 45 days following adoption, the following adjustments of salary for the elected officials listed below shall be in the amount herein stated, salaries effective January 1, 2024.

<u>TITLE</u>	<u>SALARY</u>
--------------	---------------

PROCEEDINGS OF THE YEAR 2023

Treasurer	\$ 96,174.00
County Clerk	\$ 82,582.00
Sheriff	\$105,298.00
Legislators	\$ 12,000.00
Chairman	\$ 6,881.00

3. This Local Law shall not take effect until at least 45 days after its adoption in accordance with County Law Section 201 and Municipal Home Rule Law Section 24.

Vote 6-0.

RESOLUTION NO. 314 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE CONTRACT WITH THE CHEMUNG-SCHUYLER CHAPTER, NYSARC, INC. DBA THE ARC OF CHEMUNG SCHUYLER FOR MOBILITY MANAGEMENT TRAINING - OFFICE FOR THE AGING DEPARTMENT

WHEREAS, the Schuyler County Office for the Aging (SCOFA) provides a transportation service which is required as a priority service under the Older Americans Act, and

WHEREAS, SCOFA had contracted with the Chemung-Schuyler Chapter, NYSARC, Inc. dba The Arc of Chemung Schuyler (ARC) in 2021 and 2022, and

WHEREAS, the SCOFA attempted to provide the Mobility Management services through their office as a cost saving measure for the County but found that this further siloed and hampered transportation services, and

WHEREAS, the long-range economic plan is to have all transportation services under one umbrella with a realignment of the role of the Aging Services Aide who coordinated transportation services within the Office.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with Chemung-Schuyler Chapter, NYSARC, Inc. dba Chemung Schuyler (ARC) for the Office for the Aging for mobility management training, for the term January 1, 2024 through December 31, 2024, for the amount of \$6,000.00, funding available in Office for the Aging budget account no. 001.6772.0490, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 315 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE CONTRACT AMENDMENT WITH AJC SENIORS, INC. DBA HOME INSTEAD TO INCREASE THE CONTRACT AMOUNT - OFFICE FOR THE AGING DEPARTMENT

WHEREAS, the Schuyler County Office for the Aging Department (SCOFA) currently has a contract with AJC Seniors, Inc. dba Home Instead for non-medical in-home services for individuals, age 60 and over, and

WHEREAS, SCOFA needs to increase the amount of the contract from the current not-to-exceed amount of \$62,000.00 for EISEP to be increased to \$70,700.00 and the current total amount not-to-exceed \$33,000.00 for Caregiver Respite to be increased to \$39,300.00 for a total amount not-to-exceed \$110,000.00, an increase of \$15,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract amendment with AJC Seniors, Inc. dba Home Instead to increase the contract amount by a total of \$15,000.00, through the term of the existing contract expiring December 31, 2024, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 316 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE CONTRACT WITH PEGGY TOMASSI FOR COMPUTER SKILLS FOR THE BI-MONTHLY NEWSLETTER – OFFICE FOR THE AGING DEPARTMENT

WHEREAS, Peggy Tomassi will assist the Schuyler County Office for the Aging Department (SCOFA) with computer skills for the creation of the bi-monthly newsletter, and

WHEREAS, SCOFA will pay Peggy Tomassi at the rate of \$50.00 per newsletter for her services, not to exceed \$300.00 for the year.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to

PROCEEDINGS OF THE YEAR 2023

execute a contract with Peggy Tomassi for the Office for the Aging Department for computer skills for the term January 1, 2024 through December 31, 2024, at a cost of not to exceed \$300.00, funding available in account no. 001.6772.0490, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 317 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE ONGOING SERVICE PROVIDER AGREEMENT WITH BISHOP SHEEN ECUMENICAL HOUSING FOUNDATION, INC. FOR SUPPORTIVE SERVICES - OFFICE FOR THE AGING DEPARTMENT

WHEREAS, Bishop Sheen Ecumenical Housing Foundation, Inc. (Bishop Sheen) has a mission to improve access to information, referrals and services to enable lower income residents to live with the greatest possible independence, dignity and quality of life, and

WHEREAS, the Schuyler County Office for the Aging/NY Connects has worked for years in conjunction with Bishop Sheen to meet the needs of low-income consumers, and

WHEREAS, the Schuyler County Office for the Aging is required under Federal and State mandates to meet certain targeting objectives in service provision, and

WHEREAS, Resolution No. 50-15 authorized an ongoing service provider agreement, and

WHEREAS, a new ongoing agreement has been received.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to execute the ongoing service agreement with Bishop Sheen Ecumenical Housing Foundation, Inc., for the Office for the Aging Department at no cost to the County, effective upon signature until terminated, agreement approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 318 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR PFC JOSEPH P. DWYER PEER SUPPORT FUNDING FROM THE COMMUNITY SERVICES DEPARTMENT – VETERANS SERVICES DEPARTMENT

WHEREAS, the Veterans Services Agency has an Inter-Departmental Agreement with the Schuyler County Community Services Department to provide services per the PFC Joseph P. Dwyer Peer Support Funding requirements, and

WHEREAS, the Veterans Services Agency will be receiving more revenue than what was budgeted for 2023 therefore requiring a budget amendment.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$80,768.81	001.6510.1289	Other Governmental Income Revenue
+\$30,000.00	001.6510.0100	Personnel Services Regular
+\$30,000.00	001.6510.0401	Contractual Exp – Dwyer
+\$20,768.81	001.9060.0807	Hospital Medical Expenses

Vote 6-0.

RESOLUTION NO. 319 Motion by Rondinaro, Second by Jaynes.

RE: OBSERVING THE MONTH OF NOVEMBER IN SUPPORT OF OPERATION GREEN LIGHT FOR ACTIVE MILITARY SERVICE MEMBERS IN TRANSITION TO CIVILIAN LIFE AND ALL OUR SCHUYLER COUNTY VETERANS WHO SERVED OUR COUNTRY - VETERANS SERVICES DEPARTMENT

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

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

PROCEEDINGS OF THE YEAR 2023

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

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

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

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

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

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

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

WHEREAS, the Schuyler County Legislature appreciates the sacrifices our United States Military Personnel made while defending freedom and believes specific recognition should be accorded to them in appreciation of their service and to demonstrate the honor and support they have earned.

NOW, THEREFORE, BE IT RESOLVED, with designation as a Green Light for Military Service County, Schuyler County hereby declares November 1 through November 30, 2023 a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service, and

BE IT FURTHER RESOLVED, that in observance of Operation Green Light, that Schuyler County Legislature encourages its citizens in patriotic tradition to recognize the importance of honoring all those who's the immeasurable sacrifices helped to preserve freedom by displaying a green light in/on their place of business or residence.

Vote 6-0.

RESOLUTION NO. 320 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE APPOINTMENT TO THE SCHUYLER COUNTY PLANNING COMMISSION - PLANNING DEPARTMENT

WHEREAS, the Town of Tyrone representative on the Schuyler County Planning Commission is vacant, and

WHEREAS, Vikki Flynn has agreed to represent the Town of Tyrone on the Schuyler County Planning Commission to fill the unexpired term.

NOW THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes the appointment of Vicki Flynn as the Town of Tyrone representative on the Schuyler County Planning Commission, to fill the unexpired term effective November 1, 2023 through December 31, 2024.

Vote 6-0.

RESOLUTION NO. 321 Motion by Rondinaro, Second by Gray.

RE: AUTHORIZE CONTRACT AMENDMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL FUNDING FOR BUS STATION REHABILITATION ACCESSIBILITY IMPROVEMENTS - COUNTY ADMINISTRATOR'S DEPARTMENT

WHEREAS, Resolution No. 80-2019 authorized as six-year contract with New York State Department of Transportation (NYSDOT) for the Mass Transportation Capital Project Contract # C004140, and

WHEREAS, NYSDOT has provided additional funding in the amount of \$17,154.00 for bus station rehabilitation accessibility improvements.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract amendment with the New York State Department of Transportation for the Mass Transportation Capital Project Contract # C004140 for additional funding in the amount of \$17,154.00, contract approved as to form by the Schuyler County Attorney.

Vote 6-0.

RESOLUTION NO. 322 Motion by Rondinaro, Second by Gray.

RE: ADOPTION OF SCHUYLER COUNTY BUDGET FOR 2024

WHEREAS, a notice was published in the official newspaper of the County of Schuyler that a Public

PROCEEDINGS OF THE YEAR 2023

Hearing on the Tentative Budget of the County of Schuyler for 2024 would be held at 6:30 P.M. on November 13, 2023 in Room 120 of the Human Services Complex, 323 Owego Street, Montour Falls, NY, and

WHEREAS, the above-mentioned Public Hearing was held on November 13, 2023 at said time and place, and all interested persons were given opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Budget for 2024 as presented by the Budget Officer and the Management & Finance Committee of the Legislature, and as revised by the Schuyler County Legislature, to raise \$10,896,312.00 by tax levy, be adopted.

Vote 6-0.

RESOLUTION NO. 323 Motion by Rondinaro, Second by Gray.

RE: APPROPRIATE THE SEVERAL AMOUNTS SPECIFIED IN BUDGET IN COLUMN ENTITLED "2024"

WHEREAS, the Schuyler County Legislature by Resolution No. 322 dated November 13, 2023, has adopted a budget for fiscal year 2024.

NOW, THEREFORE, BE IT RESOLVED, that the several amounts specified in such budget in the column entitled "2024" as amended, be, and the same hereby are, appropriated for the objects and purposes specified, effective January 1, 2024.

Vote 6-0.

RESOLUTION NO. 324 Motion by Rondinaro, Second by Gray.

RE: 2024 BUDGET OF \$65,178,957.00: LEGISLATURE TO DETERMINE TOWN CONTRIBUTION TO COUNTY TAXES AND ISSUE CERTIFICATE TO EACH TOWN

BE IT RESOLVED, pursuant to the Real Property Tax Law Section 900, that this Legislature, no later than December 31, 2023, levy the taxes for the County upon the basis of the full valuation of the taxable real property in accordance with Title 2 of Article 8 of the Real Property Tax Law, the contribution of each Town to County taxes, and

BE IT FURTHER RESOLVED, that the Chair of the Legislature issue, not later than December 31, 2023 the required certificate to the tax collecting officer of each Town stating the total of taxes due from each Town to Schuyler County.

Vote 6-0.

NEW BUSINESS: None.

UNFINISHED BUSINESS:

The Clerk asked for a Motion to advertise for the County Administrator position.

MOTION made by Legislator Rondinaro, **SECOND** by Legislator Gray. Motion carried six ayes to zero noes.

The Clerk also informed the Legislators of the mandatory Health Insurance portal email. She explained to them that they need to log on and complete this for coverage or to opt out for the annual insurance buyout. She informed them that the deadline is a hard date of Friday, December 1st.

REPORT ON STANDING COMMITTEES:

Legislator Rondinaro reported that at the last Inter County Association of Western New York meeting he was elected as the First Vice President. The new President is from Steuben County and the Second Vice President is from Chemung County, so the Southern Tier is represented.

COUNTY ADMINISTRATOR'S REPORT:

The Interim County Administrator said that with the budget presentation he felt he had spoken enough and had nothing more to report on.

PUBLIC PARTICIPATION:

Mr. Dennis Tremblay, Code Enforcement Officer from the Town of Reading was present. He stated that he feels there is a focus on downtown Watkins Glen and not the surrounding area. He understands that with all of the tourism however, he would like to see some effort put forth towards the surrounding Towns and our local youth to be considered as well. He feels something for our youth would go a long way. Legislator Rondinaro said that he and Legislator Gray are both working on going outside of the Watkins Glen area.

The Meeting adjourned: 7:23 pm

PROCEEDINGS OF THE YEAR 2023

Stacy B. Husted, Clerk
Jamee L. Mack, Deputy Clerk.

**REGULAR MEETING
DECEMBER 11, 2023**

The December 11, 2023 Regular Meeting of the Schuyler County Legislature was called to order at 6:30 p.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Jaynes and followed by a Moment of silence. All Legislators were present, except Legislator Barnes who was excused. County Attorney Steven Getman and Interim County Administrator Shawn Rosno were present.

PUBLIC HEARING ON THE COMPLETION AND FILING OF THE LAMOKA/WANETA LAKES PROTECTION AND REHABILITATION DISTRICT ASSESSMENT ROLL FOR THE YEAR 2023:

None.

PUBLIC PARTICIPATION:

Mrs. Peggy Scott was present representing the United Way program. She explained what the program is about and how it helps some people in our community. Her reason for being present was to ask for permission to give a presentation to the employees in each County Building. Her goal is to increase the contributions being made through our payroll deductions.

RESOLUTION NO. 325 Motion by Howell, Second by Jaynes.

RE: APPROVE MINUTES OF THE NOVEMBER 13, 2023 REGULAR MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the November 13, 2023 Regular Meeting of the Schuyler County Legislature be approved.

Vote 7-0.

RESOLUTION NO. 326 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE ON-CALL PAY FOR ASSISTANT DISTRICT ATTORNEYS – DISTRICT ATTORNEY’S DEPARTMENT

WHEREAS, Local Law No. 6 of the Year 2018 authorized per diem compensation under the “Counsel at First Arraignment Program”, and

WHEREAS, Resolution No. 39-19 authorized on-call pay for Assistant District Attorney positions in the District Attorney’s Office to provide coverage on weekends and holidays, at a rate of \$400.00/day (\$800.00/weekend), which resolution expired on December 31, 2019, and

WHEREAS, Resolution No. 322-19 authorized on-call pay for Assistant District Attorney positions in the District Attorney’s Office to provide coverage on weekends and holidays, at a rate of \$200.00/day (\$400.00/weekend), which resolution expired on December 31, 2020, and

WHEREAS, the Assistant District Attorneys have been paid the lower on-call pay for the years 2021, 2022 and 2023 to date, and

WHEREAS, the District Attorney is requesting that the on-call pay for the Assistant District Attorney positions in his office to provide coverage for weekends and holidays be approved effective as of January 1, 2021 through December 31, 2023 at the current rate they have been receiving, \$200.00/day (\$400.00/weekend), and

WHEREAS, the District Attorney is also requesting that the on-call pay for the Assistant District Attorney positions in his office to provide coverage for weekends and holidays to be authorized at a rate of \$400.00/day (\$800.00/weekend), for the term January 1, 2024 through December 31, 2024, and

WHEREAS, funding in the amount of \$36,000.00 is available in the 2024 budget account no. 001.1165.0130 – Personnel Overtime with \$18,000.00 of that amount being offset by the New York State Division of Criminal Justice Services Aid to Prosecution revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes on-call pay for the Assistant District Attorney positions in the District Attorney’s office to provide coverage on weekends and holidays, at the rate of \$200.00/day (\$400.00/weekend), approved effective January 1, 2021

PROCEEDINGS OF THE YEAR 2023

through December 31, 2023, and

BE IT FURTHER RESOLVED, that the Schuyler County Legislature hereby authorizes on-call pay for the Assistant District Attorney positions in the District Attorney's office to provide coverage on weekends and holidays, at the rate of \$400.00/day (\$800.00/weekend), effective January 1, 2024 through December 31, 2024.

Vote 7-0.

RESOLUTION NO. 327 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE STOP-DWI PLAN FOR THE YEAR 2024 – SHERIFF'S DEPARTMENT

WHEREAS, the County of Schuyler is participating in the New York State Special Traffic Options Program for Driving While Intoxicated (STOP-DWI), which provides for coordination of county, town and village efforts to reduce alcohol-related traffic injuries and fatalities, and

WHEREAS, the STOP-DWI Coordinator has submitted the required plan to the legislature for approval, pursuant to 15 NYCRR 172.3, and

WHEREAS, the STOP-DWI plan is to be funded by fines and forfeitures resulting from violations of Sections 1192 and 511-2 of the Vehicle and Traffic Law.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby adopts and approves the Year 2024 STOP-DWI Program Plan in the amount of \$60,700.00, with a term of January 1, 2024 through December 31, 2024, and

BE IT FURTHER RESOLVED, that the Chair of the Legislature be hereby authorized to sign said Plan, approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 328 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE TITLE CHANGE FROM SECRETARY I TO SECRETARY II - EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Emergency Management Department has a forty hour per week Secretary I position that provides clerical support to the Department, and

WHEREAS, a review of the duties of the position, as well as the needs of the Department was completed by the Personnel Officer, and it was found to be more suitably titled a Secretary II, a Grade 6 position in the CSEA Administrative Unit Agreement with a starting salary of \$ 22.45 (2024 rate) per hour, and

WHEREAS, the Interim County Administrator has recommended said change and funds are available in the 2024 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes the change in title for the Secretary I in the Emergency Management Department to a Secretary II, to work forty hours per week, effective January 1, 2024.

Vote 7-0.

RESOLUTION NO. 329 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE THREE-YEAR CONTRACT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR A FISCAL YEAR 2023 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Schuyler County Emergency Management Department was awarded a New York State Division of Homeland Security and Emergency Services Fiscal Year 2023 Emergency Management Performance Grant (EMPG), project number EM23-1005-D00, in the amount of \$22,602.00, with 50% matching funds, and

WHEREAS, this grant provides funds for current budgeted expenses for certain personnel and administrative functions associated with our local emergency management programs.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to accept and execute the EMPG grant contract with the New York State Division of Homeland Security and Emergency Services, for the term of October 1, 2022 through September 30, 2025, in the amount of \$22,602.00, and

PROCEEDINGS OF THE YEAR 2023

BE IT FURTHER RESOLVED, that the Schuylers County Treasurer is hereby directed to establish said grant accordingly, and in cooperation with the Emergency Management Department.

Vote 7-0.

RESOLUTION NO. 330 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE THREE-YEAR CONTRACT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE FISCAL YEAR 2023 STATE HOMELAND SECURITY PROGRAM GRANT – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Schuylers County Emergency Management Department was awarded a New York State Division of Homeland Security and Emergency Services Fiscal Year 2023 State Homeland Security Program Grant SH23-1005-D00, in the amount of \$46,946.00, with no local share cost, and

WHEREAS, these grant funds will be used to purchase equipment that will enhance the cyber security, critical infrastructure, and ability to address emerging threats to the County.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to accept and execute the three-year State Homeland Security Program grant contract with the New York State Division of Homeland Security and Emergency Services, for the term of September 1, 2023 through August 31, 2026, in the amount of \$46,946.00, and

BE IT FURTHER RESOLVED, that the Schuylers County Treasurer is hereby directed to establish the State Homeland Security Program grant accordingly in cooperation with the Emergency Management Department.

Vote 7-0.

RESOLUTION NO. 331 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE TEN-YEAR LAND/GROUND LEASE AGREEMENT WITH THE TOWN OF ORANGE FOR AN EMERGENCY COMMUNICATIONS TOWER SITE – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Emergency Management Office has been working to acquire land that would provide a communications tower site suitable to enhance the current emergency communications system and related coverage to Schuylers County area, and

WHEREAS, the Town of Orange has approximately 2500 square feet of property which is available for the installation, operation and maintenance of communications towers and related equipment, and

WHEREAS, the Town of Orange agrees to charge \$1.00 in annual installments due on the anniversary of the execution of this agreement each year during the term of this lease, and

WHEREAS, the agreement contemplates, as additional consideration to the Town, that the County shall cooperate and assist the Town of Orange with several endeavors related to fiber network and emergency communication access, including connection access to the STN fiber network.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be authorized to execute the Ten-Year Land/Ground Lease Agreement with the Town of Orange for the term December 11, 2023 through December 10, 2033, and shall be automatically renewed for an additional period of ten years, per the terms of the contract, for an annual rent fee of \$1.00, funding available in account no. 001.3420.0401, approved as to form by the Schuylers County Attorney.

Vote 7-0.

RESOLUTION NO. 332 Motion by Gray, Second by Jaynes.

RE: AUTHORIZE THREE-YEAR CONTRACT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES (OILS) FOR A DISTRIBUTION NO. 12 GRANT TO PROVIDE FUNDING FOR ASSIGNED COUNSEL PROGRAM (ACP) ATTORNEYS – PUBLIC DEFENDER’S DEPARTMENT

WHEREAS, the Public Defender’s Office has received a New York State Office of Indigent Legal Services (OILS) grant, Contract No. C120043, Distribution No. 12 to provide funding for Assigned Counsel Program (ACP) Attorneys to provide in person representation to people at arraignment, and

WHEREAS, said grant is in the amount of \$55,776.00 for all three years, with no local share, for the period January 1, 2022 through December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to

PROCEEDINGS OF THE YEAR 2023

execute the grant contract with OILS for the Public Defender’s Office for Distribution No. 12 for the term of January 1, 2022 through December 31, 2024, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish said grant accordingly, and in cooperation with the Public Defender’s Office.

Vote 7-0.

RESOLUTION NO. 333 Motion by Howell, Second by Lausell.

RE: AUTHORIZE ADVERTISEMENT TO RECEIVE SEALED BIDS FOR THE GUTTER REPLACEMENT AT THE MILL CREEK CENTER – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, the gutters are in need of replacement at the Mill Creek Center.

NOW, THEREFORE, BE IT RESOLVED, that the Buildings and Grounds Department under the leadership of the Highway Superintendent be authorized to advertise for the replacement of the gutters at the Mill Creek Center, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature will receive bids to be opened publicly with an award made at a future meeting of the Legislature, and

BE IT FURTHER RESOLVED, that the County of Schuyler reserves the right to accept or reject any and all bids, and to re-advertise if desired.

Vote 7-0.

RESOLUTION NO. 334 Motion by Howell, Second by Lausell.

RE: AUTHORIZE ADVERTISEMENT TO RECEIVE SEALED BIDS FOR THE ELEVATOR CONTROLLER REPLACEMENT AT THE COUNTY COURTHOUSE COMPLEX BUILDING – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, the Dover Elevator Microprocessor Controller in the County Courthouse Complex Building will require replacement.

NOW, THEREFORE, BE IT RESOLVED, that the Buildings and Grounds Department under the leadership of the County Highway Superintendent be authorized to advertise for the replacement of the Dover Elevator Microprocessor Controller at the County Courthouse Complex Building, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature will receive bids to be opened publicly with an award made at a future meeting of the Legislature, and

BE IT FURTHER RESOLVED, that the County of Schuyler reserves the right to accept or reject any and all bids, and to re-advertise if desired.

Vote 7-0.

RESOLUTION NO. 335 Motion by Howell, Second by Lausell.

RE: ACCEPT SEALED BID FROM M & S FIRE PROTECTION, LLC FOR WET/DRY SPRINKLER SYSTEM INSPECTIONS – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, Resolution No. 221-23 authorized advertising for sealed bids for the Wet/Dry Sprinkler System Inspections for the Schuyler County Buildings and Grounds Department, and

WHEREAS, bids were received and opened on October 19, 2023, and

WHEREAS, the Buildings and Grounds Department, under leadership of the Highway Superintendent, has determined that M & S Fire Protection, LLC is the lowest responsible bidder per the rates as set forth below:

<u>LOCATION</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>
Courthouse Complex (Wet)	\$1,130.00	\$1,130.00	\$1,150.00	\$1,150.00	\$1,150.00
Human Services Complex (Wet)	\$1,130.00	\$1,130.00	\$1,150.00	\$1,150.00	\$1,150.00
Shared Services Building (Wet and Dry)	\$2,000.00	\$2,000.00	\$2,075.00	\$2,075.00	\$2,075.00
8 – Backflow Devices	\$ 880.00	\$ 880.00	\$ 880.00	\$ 880.00	\$ 880.00

PROCEEDINGS OF THE YEAR 2023

Annual TOTAL \$5,140.00 \$5, 140.00 \$5,255.00 \$5, 255.00 \$5,255.00

Internal Inspection in 2028 at a cost of \$750.00 for each, totaling \$2,250.00 that year additional.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby accepts the sealed bid from M & S Fire Protection, LLC for Wet/Dry Sprinkler System Inspections, for the term of January 1, 2024 through December 31, 2028, funding available in the department’s budgets, and

BE IT FURTHER RESOLVED, that the Chair of the Legislature is hereby authorized to execute the four-year contract with M & S Fire Protection, LLC as stated above, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 336 Motion by Howell, Second by Lausell.

RE: AUTHORIZE CONTRACT EXTENSION WITH ECONOMY PAVING, CO., INC. FOR REPAIR OF SENECA HARBOR PARK SEAWALL – BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, Resolution No. 159-23 authorized a contract with Economy Paving, Co., Inc. for Repair of the Seneca Harbor Park Seawall for a term of May 1, 2023 through November 30, 2023, and

WHEREAS, Economy Paving Co., Inc. has requested an extension of the completion date until May 15, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to execute the contract extension with Economy Paving, Co., Inc. to extend the term through May 15, 2024, approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 337

RE: AUTHORIZATION TO DECLARE ITEMS JUNK OR SURPLUS FOR VARIOUS DEPARTMENTS – PURCHASING DEPARTMENT

WHEREAS, various departments have items to be declared junk or surplus.

NOW, THEREFORE, BE IT RESOLVED, pursuant to County Law Section 215, the Schuyler County Legislature hereby declares the following assets junk or surplus, and

BE IT FURTHER RESOLVED, that the following items are to be placed in storage for an auction or otherwise lawfully disposed of.

JUNK

<u>Asset #</u>	<u>Description</u>	<u>Serial/VIN #</u>	<u>Department</u>
7094	Meraki POE Switch	Q2NP-LZ5X-HWWS	Information Technology
7103	Samsung Tablet	HPRP91ED601726	Community Services
7299	Dell Latitude E7450	DXGRD72	Public Health
7300	Dell Latitude E7450	D7GPD72	Community Services
7307	Dell Latitude E7450	J3X0F72	Community Services
7341	Chromebook Mini	FBMACX002113	Information Technology
7345	Dell Latitude E7450	467BF72	District Attorney
7444	Dell OptiPlex 7040	717MZC2	Emergency Management
7463	Dell Latitude 3570	5ZV8WB2	Information Technology
7486	Dell Latitude E5470	CW61PF2	Information Technology
7491	Dell Latitude E5470	4P11PF2	Information Technology

SURPLUS FOR AUCTION

<u>Asset #</u>	<u>Description</u>	<u>Serial/VIN #</u>	<u>Department</u>
5021	Trailer & Sign	N/A	Sheriff
5535	Speed Trailer	N/A	Sheriff
5793	Snow Blade and Sweeper	084100289	Buildings and Grounds
6102	2005 Excavator EX180B	8751539	Highway
7958	VOE 14390015 ECU (COMPUTER PART FOR FUEL)	Installed on Asset #6102	Highway

Vote 7-0.

PROCEEDINGS OF THE YEAR 2023

RESOLUTION NO. 338 Motion by Rondinaro, Second by Jaynes.

RE: ACCEPT BID FOR DISPOSAL AND RECYCLING SERVICE FOR THE COUNTY – PURCHASING DEPARTMENT

WHEREAS, Resolution No 224-23 authorized the Clerk of the Legislature to advertise for sealed bids for said disposal and recycling service for the County, and

WHEREAS, bids were received, opened and reviewed on October 12, 2023 with the recommendation being made by the Purchasing Director to accept the low bid from Y’All Rite LLC DBA Greenleaf Recycling.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby accepts the bid from Y’All Rite LLC DBA Greenleaf Recycling for the Disposal and Recycling Service, for the term of January 1, 2024 through December 31, 2026, per rates in Exhibit 1 of the submitted bid documents, funding available in account no. 001.5110.0401 and 001.1620.0448, and

BE IT FURTHER RESOLVED, that the Chair of the Legislature is hereby authorized to execute the contract, approved as to form by the by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 339 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE INCREASING THE HOURS OF THE PURCHASING CLERK POSITION FROM PART-TIME TO LESS THAN FULL-TIME - PURCHASING DEPARTMENT

WHEREAS, there is a need for the part-time Purchasing Clerk to work additional hours, and

WHEREAS, the Purchasing Director has requested in the 2024 budget that the part-time Purchasing Clerk’s hours be increased from 17 hours per week to 22 (less than full-time) hours per week, and

WHEREAS, this request is approved by the Interim County Administrator, and

WHEREAS, funding for this position is available in the 2024 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature approves of the increase of hours for the Purchasing Clerk position from 17 hours a week to 22 hours a week, effective January 1, 2024, and

BE IT FURTHER RESOLVED, that the second part-time Purchasing Clerk position, currently vacant, be abolished, effective immediately.

Vote 7-0.

RESOLUTION NO. 340 Motion by Rondinaro, Second by Jaynes.

RE: COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2023 FOR THE LAMOKA/WANETA LAKES’ PROTECTION AND REHABILITATION DISTRICT IN THE TOWNS OF ORANGE AND TYRONE, IN THE COUNTY OF SCHUYLER, AND STATE OF NEW YORK PURSUANT TO SECTIONS 270 AND 271 OF THE COUNTY LAW OF THE STATE OF NEW YORK – REAL PROPERTY TAX DEPARTMENT

WHEREAS, the assessment roll for the year 2023 for the Lamoka/Waneta Lakes’ Protection and Rehabilitation District in the Towns of Orange and Tyrone, in the County of Schuyler, and State of New York for the budget year 2024 has been completed and properly filed with the Schuyler County Real Property Tax Service Agency at its office in the Schuyler County Office Building at 105 Ninth Street, Watkins Glen, New York, for review and inspection by the public and interested parties, and

WHEREAS, proper notice was given of the completion and filing of said assessment roll and also proper notice was given that the Public Hearing on the assessment roll would be held by the County Legislature of the County of Schuyler on December 11, 2023 at 6:30 P.M. in the County Office Building, 105 Ninth Street, Watkins Glen, New York to hear and consider any objections pertaining to said assessment roll, and

WHEREAS, due and proper proof of the publication of the notice of the aforesaid Public Hearing has been filed in the Office of the Clerk of the Legislature, and

WHEREAS, the aforesaid Public Hearing was duly held on the 11th day of December, 2023, and any persons appearing in regard to the said assessment roll having been heard.

NOW, THEREFORE, BE IT RESOLVED, that said assessment roll for the year 2023 for the Lamoka/Waneta Lakes District in the Towns of Orange and Tyrone, in the County of Schuyler, and State of

PROCEEDINGS OF THE YEAR 2023

New York be hereby approved as completed and filed in the office of the Schuyler County Real Property Tax Service Agency, and

BE IT FURTHER RESOLVED, that the Director of the Schuyler County Real Property Tax Service Agency and the Schuyler County Treasurer shall see to the proper procedure for the levy and collection of the appropriate taxes on the several real properties situate and benefited within said Lakes' Protection and Rehabilitation District in accordance with the rates set by category in the table below, and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to the Director of Real Property Tax Service Agency, the County Treasurer, the Lamoka/Waneta Lakes' District Commission and the Clerk of the Steuben County Legislature.

<u>Lakes District Category</u>	<u>Rate</u>
Category 1	135.00
Category 2	180.00
Category 3	90.00
Category 4	90.00
Category 5	27.00

Vote 7-0.

RESOLUTION NO. 341 Motion by Rondinaro, Second by Jaynes.

RE: DIRECTING THE LEVY OF THE LAMOKA/WANETA LAKES' PROTECTION AND REHABILITATION DISTRICT TAXES DUE JANUARY 2024 – REAL PROPERTY TAX DEPARTMENT

Pursuant to Article 5-D of the County Law of the State of New York.

BE IT RESOLVED, that the report of the Lamoka/Waneta Lakes' District Commission of the several amounts of taxes due January 2024, levied upon the various parcels of land in the said Lakes' Protection and Rehabilitation Districts be received and filed, and the Director of the Schuyler County Real Property Tax Service Agency is directed to levy the amount upon the various parcels therein mentioned in accordance with said report, and

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to the Director of Real Property Tax Service Agency; the Lamoka/Waneta Lakes' Districts Commission, and the Clerk of the Steuben County Legislature.

Vote 7-0.

RESOLUTION NO. 342 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE THE CREATION AND FILLING OF ONE FULL-TIME REAL PROPERTY APPRAISER POSITION – REAL PROPERTY TAX DEPARTMENT

WHEREAS, the position of Real Property Appraiser is an essential component of providing contracted assessment services to the many towns within Schuyler County, and

WHEREAS, the Real Property Appraiser Trainee has met the requirements for promotion into the Real Property Appraiser position, and

WHEREAS, the Real Property Appraiser position had previously been abolished per Civil Service Rules due to length of vacancy and now requires the position to be re-created, and

WHEREAS, the Real Property Department is requesting to create this position, upon the approval of the Interim County Administrator, and

WHEREAS, funding for this position is included in the 2023 and 2024 budgets.

NOW, THEREFORE, BE IT RESOLVED, that the Real Property Tax Department is hereby authorized to create and fill the Real Property Appraiser position at an hourly rate of \$27.48 to be placed in Grade 10, as set forth in the CSEA, Schuyler County Administrative Unit Contract, effective immediately, and

BE IT FURTHER RESOLVED, that the Real Property Appraiser Trainee position will remain vacant as long as the Real Property Appraiser position is filled.

Vote 7-0.

RESOLUTION NO. 343 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261

PROCEEDINGS OF THE YEAR 2023

OF THE NEW YORK STATE TAX LAW FOR THE PERIOD OF APRIL 1, 2023 THROUGH SEPTEMBER 30, 2023

WHEREAS, the County Clerk and Treasurer have each presented their report concerning mortgage tax receipts for the period April 1, 2023 through September 30, 2023, pursuant to Section 261 of the New York State Tax Law, and the same has been apportioned to the various municipalities thereto.

NOW, THEREFORE, BE IT RESOLVED, that the County Treasurer be, and hereby is, authorized to pay the respective towns and villages of Schuyler County those amounts listed below.

MORTGAGE TAX DISTRIBUTION AMONG TOWNS AND VILLAGES
APRIL 1, 2023 THROUGH SEPTEMBER 30, 2023

<u>TOWNS</u>	<u>Amount Due</u>	<u>VILLAGES</u>	<u>Amount Due</u>
Catharine	\$4,231.78	Burdett	\$851.10
Cayuta	\$1,328.64	Montour Falls	\$2,996.87
Dix	\$15,745.77	Odessa	\$712.57
Hector	\$49,947.76	Watkins Glen	\$6,485.97
Montour	\$8,793.08		
Orange	\$5,798.80		
Reading	\$22,910.78		
Tyrone	\$13,027.53		
TOTALS	\$121,784.14		\$11,046.51

Vote 7-0.

RESOLUTION NO. 344 Motion by Rondinaro, Second by Jaynes.

RE: SET DATES - 2023 YEAR END MEETING AND THE 2024 ORGANIZATIONAL MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the final meeting of the year 2023 for the Schuyler County Legislature be held on Wednesday, December 27, 2023, at 9:00 a.m. and that appropriate legal notice be published in the official newspaper of the County, and

BE IT FURTHER RESOLVED, that the 2024 Organizational Meeting of the Schuyler County Legislature shall be held on Wednesday, January 3, 2024 at 9:00 a.m. and that appropriate legal notice be published in the official newspaper of the County.

Vote 7-0.

RESOLUTION NO. 345 Motion by Rondinaro, Second by Jaynes.

RE: RESOLUTION SUPPORTING NEW YORK STATE ASSEMBLY BILL A02067 AND SENATE BILL S00125 ALLOWING FOR ONLINE/DIGITAL PUBLICATION OF PUBLIC NOTICES

WHEREAS, New York State County Law § 214, requires the designation of one or more official newspapers, and

WHEREAS, the objective in selection of an official paper is to assure that official notices are read by as many people throughout the County as possible, and

WHEREAS, the definition of "newspaper" in General Construction Law § 60 currently does not allow for publication of legal notices in online/digital publications, and

WHEREAS, research shows that most Americans consume news and information through media and online/digital, and daily paper journals have decreased in readership, and

WHEREAS, there is growing interest in supplementing publication in the official newspaper(s) via publication in online/digital media, and

WHEREAS, the purpose of New York State Assembly bill A02067/Senate bill S00125 is to allow online/digital publication of public notices by amending the General Construction Law Chapter 22, Article 2, and

WHEREAS, such online/digital publication must provide general interest news daily for a defined geographic location and must have been continuously published for at least one year prior to online/digital notices, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, these bills would permit this body to publish notices in news publications with an online/digital presence, increasing access to public information and supporting more local journalism, and

WHEREAS, this body expresses its desire to increase access to public notice and important public information, which requires finding new ways to disseminate information in both print and online/digital formats.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature supports Assembly bill A02067/Senate bill S00125 and encourages the passage of this bill or similar legislation by the legislature and subsequent signing by the Governor, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to New York State Governor Kathy Hochul, Assemblymen Philip A. Palmesano, State Senator Thomas F. O'Mara, the New York State Association of Counties, Inter-County Association of Western New York and all others deemed necessary and appropriate.

Vote 7-0.

RESOLUTION NO. 346 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE ONE-YEAR CONTRACT WITH ENERGETIX FOR DRUG AND ALCOHOL TESTING – HUMAN RESOURCES DEPARTMENT

WHEREAS, the County is required to provide Drug and Alcohol Testing, and

WHEREAS, the existing five-year contract with Energetix has expired and a new one-year contract has been provided.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a one-year contract with Energetix for the Human Resources Department for Drug and Alcohol testing, for the term October 1, 2023 through September 30, 2024, at costs listed in Exhibit 2 of the contract, funding available in the Highway Department budget account no. 002.5110.0544, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 347 Motion by Rondinaro, Second by Jaynes.

RE: ACKNOWLEDGE AND SET SALARIES FOR CERTAIN EMPLOYEES IN THE MANAGEMENT/CONFIDENTIAL GROUP PER LOCAL LAW NO. 4 OF THE YEAR 2022 – HUMAN RESOURCES DEPARTMENT

WHEREAS, the Schuyler County Legislature commissioned the Burke Group to perform a comprehensive, independent, objective review and analysis of current salaries of the County's Management/Confidential positions to comparable positions in the marketplace, and

WHEREAS, a process was established, duly adopted and codified, as Local Law No. 4 of the Year 2022, to adjust certain non-department head management/ confidential employees who were assigned to the "Twenty-Fifth" percentile to have their position salaries further adjusted to the "Midpoint" at the beginning of the fiscal year, after the employee completes three full years in the position, and upon satisfactory evaluation by the employee's appointing authority and approval by the County Administrator, and

WHEREAS, consistent with the foregoing, there are three (3) employees in the non-department head management/confidential category deemed eligible to move to the "Midpoint" of their grade upon completion of a satisfactory evaluation, as set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the salaries for the following employees be increased to the established "Midpoint" effective January 1, 2024.

<u>TITLE</u>	<u>NAME</u>	<u>2024 SALARY</u>
Assessor	Patricia Bartolomeo	\$ 62,046.00
Deputy Commissioner BOE	Kristina Vondracek	\$ 51,278.00
Nurse Practitioner	Nita Toupin	\$120,909.00

Vote 7-0.

RESOLUTION NO. 348 Motion by Rondinaro, Second by Jaynes.

PROCEEDINGS OF THE YEAR 2023

RE: RESOLUTION SUPPORTING SENATE BILL S07645 AND ASSEMBLY BILL A08185 REPEALING THE STATE FEE FOR BACKGROUND CHECKS ON CERTAIN FIREARM AND AMMUNITION PURCHASES — COUNTY CLERK’S DEPARTMENT

WHEREAS, on July 1, 2022, Governor Kathy Hochul signed into law Bill S51001, referred to as the “Concealed Carry Improvement Act” (CCIA) which amended the Penal Law, the General Business Law, the Executive Law, the Civil Practice Law and Rules, and the State Finance Law, in relation to licensing and other provisions relating to firearms, and

WHEREAS, said Act included regulations that allow the State to have oversight over background checks for firearms and ammunition purchases, and

WHEREAS, said Act amended State Executive Law to add a new Section 228, authorizing the New York State Police to run National Instant Criminal background (NICS) checks and serve as a State point of contact rather than utilizing the current NICS Background Check System, and

WHEREAS, said Act also created a new bureau within the State Police financed by new “background check fees” upon purchasers to cover the costs associated with performing state background checks, and

WHEREAS, these provisions of the so-called CCIA have resulted in onerous background check fees upon citizens equal to \$2.50 for every ammunition purchase and \$9.00 for every firearm purchase with the potential for increases without legislative approval, and

WHEREAS, the CCIA infringes on the inalienable right to keep and bear arms guaranteed by the Second Amendment, and

WHEREAS, Senate Bill S07645 and Assembly Bill A08185 would repeal Subdivision 5 of Section 228 of the Executive Law of S51001 relating to the background check fees for firearms and ammunition as included in the CCIA.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby endorses Senate Bill S07645 and Assembly Bill A08185 to repeal certain provisions of the Executive Law establishing a fee for background checks on certain firearm and ammunition purchases and amends state finance law, in relation to the source of funds for the background check fund, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this Resolution to New York State Governor Kathy Hochul, Senator Thomas F. O’Mara, Assemblyman Philip A. Palmesano, Inter-County Association of Western New York, the New York State Association of Counties, and all others deemed necessary and proper.

Vote 7-0.

RESOLUTION NO. 349 Motion by Rondinaro, Second by Jaynes.

RE: AUTHORIZE ONGOING INTERDEPARTMENTAL COOPERATIVE AGREEMENT AND MEMORANDUM OF UNDERSTANDING (MOU) WITH THE BOARD OF ELECTIONS DEPARTMENT FOR FACILITATION AND IMPLEMENTATION OF CYBER SECURITY PROGRAM REQUIREMENTS – INFORMATION TECHNOLOGY DEPARTMENT

WHEREAS, the Schuyler County Board of Elections requires facilitation and implementation of Cyber Security Program Requirements pursuant to “Part 6220 – Cyber Security Requirement for Board of Elections”, and

WHEREAS, the Information Technology Department agrees to provide these services at no charge to the Board of Elections, and

WHEREAS, the agreement is needed to aid in the effective coordination of efforts between these entities and to clearly define the roles and responsibilities of the agencies and programs participating in the project.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute an ongoing Interdepartmental Cooperative Agreement and Memorandum of Understanding with the Board of Elections Department for the Information Technology Department for said services listed above, at no cost, effective October 1, 2023 until such time it is terminated, approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 350 Motion by Lausell, Second by Rondinaro.

PROCEEDINGS OF THE YEAR 2023

RE: AUTHORIZE THE CREATION AND FILLING OF ONE FULL-TIME CLERK POSITION – SOCIAL SERVICES DEPARTMENT

WHEREAS, the Department of Social Services had to two receptionist positions, pre-COVID, and

WHEREAS, the Department of Social Services elected to have one position remain vacant until the need for additional assistance in reception returned to pre-COVID numbers, and

WHEREAS, the in-office traffic and phone calls are increasing to the point that there is a need for more than one person in the reception area, and

WHEREAS, the Commissioner of Social Services is requesting to create this position, upon the approval of the Interim County Administrator, and

WHEREAS, funding for this position is included in the 2024 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Social Services is hereby authorized to create and fill one full-time, 35 hours a week, Clerk position at an hourly rate of \$17.46, to be placed in Grade 2, as set forth in the CSEA Administrative Unit Contract, effective January 1, 2024.

Vote 7-0.

RESOLUTION NO. 351 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE FIVE-YEAR CONTRACT WITH CHRIST CHURCH DAY CARE, INC. DBA READY, SET, GROW CHILD CARE CENTER FOR DAY CARE SERVICES – SOCIAL SERVICES DEPARTMENT

WHEREAS, the Schuyler County Social Services Department is required to provide quality day care services to children 6 weeks of age through 12 years, in accordance with regulations defined in 18 NYCRR §413 (“State and Federal Standards of Day Care”), 18 NYCRR § 418, (“Day Care Centers”) and 18 NYCRR § 414 (“School Age Child Care”), and

WHEREAS, Christ Church Day Care, Inc. dba Ready, Set, Grow Child Care Center has agreed to provide the services per the State Child Care Market Rates established by the New York State Office of Children and Family Service, for the term of August 25, 2023 through August 24, 2028.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a five-year contract with Christ Church day care, Inc. dba Ready, Set, Grow child Care Center for the Social Services Department for day care services, for the term of August 25, 2023 through August 24, 2028, at the rates established by the New York State Office of Children and Family Services, funding available in account no. 001.6055.0401, contract approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 352 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR YOUTH PROGRAMS – YOUTH BUREAU DEPARTMENT

WHEREAS, the Schuyler County Youth Bureau Department needs to amend the 2023 for Youth Programs budget for expenses that are fully reimbursable.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Youth Program budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$13,000.00	001.7310.0495	Youth Programs
+\$13,000.00	001.7310.3820	State Aid – Youth Programs

Vote 7-0.

RESOLUTION NO. 353 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE SCHUYLER COUNTY YOUTH BUREAU RESOURCE ALLOCATION PLAN FOR 2023-2024 – YOUTH BUREAU DEPARTMENT

WHEREAS, the Schuyler County Youth Bureau has prepared, and the Schuyler County Youth Board has approved a Resource Allocation Plan for October 1, 2023 -September 30, 2024 and recommends approval thereof.

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to sign the Resource Allocation Plan for the operation of the Schuyler County Youth Bureau for October 1, 2023 through September 30, 2024 within budgeted allocations.

Vote 7-0.

RESOLUTION NO. 354 Motion by Lausell, Second by Rondinaro.

RE: DELEGATE AUTHORITY TO SIGN AMENDMENTS – YOUTH BUREAU DEPARTMENT

WHEREAS, the New York Office of Children and Family Services (OCFS) allows the County Chief Executive to delegate authority to their County's Youth Bureau Directors to sign all amendments to their County's approved allocation plan, and

WHEREAS, Schuyler County has previously given authority to their Youth Bureau Director to sign amendments to the fullest extent of his/her authority by OCFS standards.

NOW THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature does hereby authorize its Chair to delegate authority to the Schuyler County Youth Bureau Director to sign OCFS amendments to the Schuler County approved Resource Allocation Plan after approval from the Schuyler County Youth Board and with appropriate reporting to the Human Service Committee of the Legislature for the term of October 1, 2023 through September 30, 2024.

RESOLUTION NO. 355 Motion by Lausell, Second by Rondinaro.

RE: APPROVING THE BYLAWS OF THE EXECUTIVE BOARD OF SCHUYLER COUNTY COALITION ON UNDERAGE DRINKING AND DRUGS - PUBLIC HEALTH DEPARTMENT

WHEREAS, the Schuyler County Coalition on Underage Drinking and Drugs (referred to as SCCUDD or the Coalition) operates under the auspices of the Schuyler County Public Health Department, and

WHEREAS the Coalition is composed of agencies, institutions and concerned community members that retain their own identity and agree to work together to prevent, reduce, and delay the onset of substance use among Schuyler County youth, and

WHEREAS, the Executive Board of SCCUDD has identified and approved revisions to its bylaws, attached.

NOW, THEREFORE, BE IT RESOLVED, that this County Legislature hereby approves the bylaws of the Schuyler County Coalition on Underage Drinking and Drugs attached, revised October 3, 2023, to be effective September 30, 2024.

Vote 7-0.

RESOLUTION NO. 356 Motion by Lausell, Second by Rondinaro.

RE: APPROVING THE BYLAWS OF THE EXECUTIVE BOARD OF SCHUYLER COUNTY SUICIDE AWARENESS FOR EVERYONE COALITION - PUBLIC HEALTH DEPARTMENT

WHEREAS, the Schuyler County Suicide Awareness For Everyone Coalition (referred to as SAFE or the Coalition) operates under the auspices of the Schuyler County Public Health Department, and

WHEREAS the SAFE Coalition is composed of agencies, institutions and concerned community members that retain their own identity and agree to work together to connect people to prevention, intervention and recovery by providing education, support and advocacy to reduce the occurrence of suicide in Schuyler County, and

WHEREAS, the Executive Board of SAFE has identified and approved revisions to its bylaws, attached.

NOW, THEREFORE, BE IT RESOLVED, that this County Legislature hereby approves the Bylaws of the Schuyler County Suicide Awareness For Everyone Coalition attached, revised October 17, 2023, to be effective January 1, 2024.

Vote 7-0.

RESOLUTION NO. 357 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE GRANT CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH THROUGH HEALTH RESEARCH, INC. FOR EMERGENCY PREPAREDNESS PROGRAM FUNDING – PUBLIC HEALTH DEPARTMENT

WHEREAS, the Public Health Department has received a grant from the New York State Department of Health (NYSDOH) through Health Research Inc. for emergency preparedness program in the total amount of

PROCEEDINGS OF THE YEAR 2023

\$52,099.00, with possible allocations from restricted funding up to an additional \$1,052,099.00, that is federally funded from the Centers for Disease Control and Prevention, contract number 5NU90TP9220090500, and

WHEREAS, these grant funds will be used for emergency preparedness program.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to execute the grant contract with Health Research, Inc., for the term July 1, 2023 through June 30, 2024, in the amount of \$52,099.00, with possible allocations from restricted funding up to an additional \$1,052,099.00, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer be hereby directed to establish said grant accordingly, in cooperation with the Public Health Department.

Vote 7-0.

RESOLUTION NO. 358 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR OFFICE OF ADDICTION SERVICES AND SUPPORTS (OASAS) STATE AID INCREASE FOR COMMUNITY SERVICES – MENTAL HEALTH DEPARTMENT

WHEREAS, additional State Aid was received in the second quarter of 2023, and can be used by the end of 2024, and

WHEREAS, this increased funding will be annualized starting in 2023 and will continue for a total of up to sixteen years, and transfer of the funds to Finger Lakes Area Counseling and Recovery Agency, Inc. (FLACRA) is contingent upon having the funds available when vouchered for.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$45,000.00	001.4322.3492	State Aid – MH OASAS Opioid Fund
+\$45,000.00	001.4322.0336	Finger Lakes Area Counseling and Recovery Agency, Inc. (FLACRA)

Vote 7-0.

RESOLUTION NO. 359 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR OFFICE OF ADDICTION SERVICES AND SUPPORTS (OASAS) STATE AID INCREASE FOR COMMUNITY SERVICES – MENTAL HEALTH DEPARTMENT

WHEREAS, additional State Aid was received in the second quarter of 2023, and can be used by the end of 2024, and

WHEREAS, this increased funding will be annualized starting in 2023 and will continue for a total of up to sixteen years, transfer of the funds to Counsel on Alcoholism is contingent upon having the funds available when vouchered for.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$20,245.00	001.4322.3492	State Aid - MH OASAS Opioid Fund
+\$20,245.00	001.4322.0550	Council on Alcoholism

Vote 7-0.

RESOLUTION NO. 360 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE AMENDING THE 2023 BUDGET FOR IMPLEMENTATION OF METHADONE TREATMENT SERVICES FOR COMMUNITY SERVICES – MENTAL HEALTH DEPARTMENT

WHEREAS, additional State Aid was received in the second quarter of 2023, and can be used by the end of 2024, and

WHEREAS, this increased funding will be annual for up to sixteen years, and transfer of the funds to CASA-TRINITY is contingent upon having the funds available when vouchered for, and

WHEREAS, New York State Office of Addiction Services and Support (OASAS) has instructed the implementation of Methadone Treatment in the Schuyler County Jail, to be provided by CASA-TRINITY, and

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the 2023 Budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$25,000.00	001.4322.3492	State Aid-MH OASAS Opioid Fund
+\$25,000.00	001.4322.0506	Professional Fees - CASA-Trinity

Vote 7-0.

RESOLUTION NO. 361 Motion by Lausell, Second by Rondinaro.

RE: AUTHORIZE ONGOING COOPERATIVE AGREEMENT WITH THE SCHUYLER COUNTY DISTRICT ATTORNEY'S DEPARTMENT FOR REFERRAL SERVICES - SOCIAL SERVICES DEPARTMENT

WHEREAS, 18 NYCRR 359.4 requires the Schuyler County Department of Social Services (DSS) to refer a case involving a Public Assistance and/or Supplemental Nutrition Assistance Program intentional program violation in which it believes the facts warrant civil or criminal prosecution to the appropriate District Attorney, and

WHEREAS, the District Attorney shall provide this service at no cost to DSS and may at times determine that the overpayment has been determined to be less than sufficient for prosecution, and

WHEREAS, the Office of Temporary and Disability Assistance requires a cooperative agreement to be executed to define the roles of each department.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute an ongoing cooperative agreement between DSS and the Schuyler County District Attorney's Department for the referral services, at no cost to DSS, for the term effective December 11, 2023 until changes are required, agreement approved as to form by the Schuyler County Attorney.

Vote 7-0.

RESOLUTION NO. 362 Motion by Jaynes, Second by Lausell.

RE: APPOINTMENT – COUNTY ADMINISTRATOR

BE IT RESOLVED, that M. Shawn Rosno be appointed County Administrator commencing December 12, 2023 through December 31, 2024 at a salary of \$160,929.00.

DISCUSSION: Legislator Rondinaro said that he will vote in favor of this Resolution, but after submitting advertisement for the position, he felt they should have followed up with interviews. He also said that he had no doubts that Shawn would do fine as our Administrator.

Vote 7-0.

NEW BUSINESS:

The County Clerk, Theresa Philbin, was present and thanked the Legislature for passing her Resolution regarding the sales of gun ammunition. She said she feels very strongly about this, and feels that every time a new step is taken for conceal carry there's another hurdle for legal gun owners to carry. She is grateful we are standing up to let our Governor know this is not acceptable. Attorney Getman said that when the County Clerk contacted him about this Resolution, he had to reiterate her position and state that the only thing this is doing is punishing local businesses and citizens of New York State can simply go to Pennsylvania to buy their ammunition to avoid the fee.

UNFINISHED BUSINESS: None.

REPORT ON STANDING COMMITTEES:

Legislator Howell reported that the Village of Montour Falls had opted out of cannabis sales and there is a local resident that had expressed interest in establishing a store front on the Main Street. He explained that about a half dozen others sued the State of New York to give them the ability to obtain a license to sell cannabis and it was granted, so if the Village had opted in, there would now be a storefront on Main Street in Montour Falls. However, for now this issue is dead for the near future.

COUNTY ADMINISTRATOR'S REPORT:

Administrator Rosno reported that the latest sales tax report shows hitting our 2023 target through mid-November and everything collected from this point forward will be put in reserves. The County has concerns every year about our sales tax falling, and this year it has not. He reported that he attended a meeting today in

PROCEEDINGS OF THE YEAR 2023

Hector where Assemblyman Palmesano was present. There were a variety of businesses and community members present as well. They had some a good discussion and we talked about a lot of things that we are currently doing with the new CHT Ambulance service as an example. He then thanked the Legislature for his appointment. He said he is looking forward to this and he wants to sit down and talk to each one of them and try to do this on a regular basis.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 7:07 p.m.
Stacy B. Husted, Clerk
Jamee L. Mack, Deputy Clerk

**YEAR END MEETING
DECEMBER 27, 2023**

The December 27, 2023 Year End Meeting of the Schuyler County Legislature was called to order at 9:00 a.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Barnes and followed by a Moment of silence. All Legislators were present, except Legislator Jaynes who was excused. County Attorney Steven Getman and County Administrator Shawn Rosno were present.

PUBLIC PARTICIPATION: None.

RESOLUTION NO. 363 Motion by Barnes, Second by Gray.

RE: AUTHORIZE THE CREATION AND FILLING OF ONE PART-TIME INVESTIGATOR (PUBLIC DEFENDER'S OFFICE) POSITION – PUBLIC DEFENDER'S DEPARTMENT

WHEREAS, the Public Defender's Office currently has a contract with AMRIC Associates LTD for all investigative services which will expire December 31, 2023, and

WHEREAS, the Public Defender wishes to create a position rather than continue with a contractual arrangement for all investigative services, and

WHEREAS, the Public Defender is requesting to create this position, upon the approval of the County Administrator, and

WHEREAS, funding for this position is included in the 2024 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Public Defender is hereby authorized to create and fill one part-time, 17 hours a week, Investigator (Public Defender's Office) position at an hourly rate of \$26.83, to be placed in Grade 9, as set forth in the CSEA Administrative Union Contract, effective January 1, 2024.

Vote: 7-0.

RESOLUTION NO. 364 Motion by Barnes, Second by Gray.

RE: AUTHORIZE ADDITIONAL MILEAGE REIMBURSEMENT FOR EMERGENCY MANAGEMENT INVESTIGATION TEAM VOLUNTEERS – EMERGENCY MANAGEMENT DEPARTMENT – **AS AMENDED BY RESOLUTION NO. 98-2024**

WHEREAS, Resolution No. 181-21 authorized the Director of Emergency Services, serving as the County's Fire Coordinator, to appoint and remove members of the County Fire Investigation Team, up to ten members, that he oversees, and

WHEREAS, the Resolution authorized continuing the mileage reimbursement for team members at the County's rate when performing their duties as a team member, and

WHEREAS, said mileage reimbursement has consisted of traveling only to and from a required or requested emergency scene, and

WHEREAS, the Director of Emergency Services, as the County's Fire Coordinator, is requesting that said team members also receive additional mileage reimbursement to travel to the Emergency Management Department while continuing to perform their duties as it relates to the investigation within a twenty-four-hours from the time of the occurrence, at the Director's discretion, and

WHEREAS, this request is approved by the County Administrator, and

WHEREAS, funding is available in the department budget.

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes Volunteer Emergency Management Investigation team members, consisting of Fire Investigators, one EMS Coordinator and up to ten Deputy Fire Coordinators appointed by the Fire Coordinator, with a list maintained by the Emergency Management Department and in the Approved Volunteer List in the All County folder, to receive mileage reimbursement to and from a required or requested emergency scene while performing their duties within twenty-four-hours from the time of the occurrence, at the Director's discretion, effective January 1, 2024, and

BE IT FURTHER RESOLVED, that resolution No. 364-23 as amended supersedes any and all Resolutions prior as it relates to mileage reimbursement for volunteer Fire Investigators or Deputy Fire Coordinators.

Vote: 7-0.

RESOLUTION NO. 365 Motion by Barnes, Second by Gray.

RE: AUTHORIZE ADVERTISEMENT TO RECEIVE REQUEST FOR PROPOSALS (RFP) FOR PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM CONSULTING/COORDINATION – EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, Schuyler County is a recipient of New York State grant funding with the objective to provide

regional connectivity between Allegany, Chemung, Schuyler, and Steuben Counties in New York State, and

WHEREAS, the Director of Emergency Services is requesting authorization to advertise for Request for Proposals (RFP) to hire a consultant to assist and support the County, with primary focus on site acquisition, procurement support, implementation support, and other project management services for migrating to the new system, which services are in the nature of professional services.

NOW, THEREFORE, BE IT RESOLVED, that the Director of Emergency Services be authorized to advertise for Request for Proposals (RFP) for Public Safety Radio Communications System Consulting/Coordination, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature will receive said RFP's to be opened publicly with an award made at a future meeting of the Legislature, and

BE IT FURTHER RESOLVED, that the County of Schuyler reserves the right to accept or reject any and all RFP, and to re-advertise if desired.

Vote: 7-0.

RESOLUTION NO. 366 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE TRANSFER OF FUNDS FOR VARIOUS DEPARTMENTS - TREASURER'S DEPARTMENT

BE IT RESOLVED, that the Schuyler County Treasurer be hereby authorized to make the following account transfers in order to balance out the 2023 accounts, to wit: *

**To be filled in after the books are officially closed in February 2024.*

Vote: 7-0.

RESOLUTION NO. 367 Motion by Barnes, Second by Rondinaro.

RE: UNPAID SCHOOL TAXES – ASSESSED AND RELEVIED FOR 2023-2024 (2022-2023 CITY SCHOOLS) - TREASURER'S DEPARTMENT

WHEREAS, the County Treasurer submitted to this County Legislature, pursuant to Sections 1330 and 1332 of the Real Property Tax Law, a certified list of unpaid school taxes as of November 15th, which will be assessed and relevied, and

WHEREAS, pursuant to Sections 1330 and 1332 of the Real Property Tax Law, this Legislature is required to pay the various Districts the amount of unpaid school taxes, as certified.

NOW, THEREFORE, BE IT RESOLVED, that the unpaid school taxes for the year 2023-2024 (2022-2023 City Schools), as they appear on said certified list be, and the same hereby are, approved as of December 31, 2023, and the real property named in said certification any items of unpaid taxes therein set forth.

Vote: 7-0.

PROCEEDINGS OF THE YEAR 2023

RESOLUTION NO. 368 Motion by Barnes, Second by Rondinaro.

RE: DEDICATION OF 2023 PROCEEDINGS

WHEREAS, it has been the custom to give tribute in the Proceedings of the Schuyler County Legislature to employees who retire from County service or pass away while serving as a County employee, and elected officials who leave office, as recognition for their dedication and service.

NOW, THEREFORE, BE IT RESOLVED, that the "Proceedings of the County Legislature of the County of Schuyler for the year 2023" contain a tribute to Christopher J. Tennant (Licensed Clinician – Community Services/Mental Health), Arnab K. Bagchi (Senior Clinician – Mental Health/Community Services), Todd W. Day (Deputy Sheriff Lieutenant – Sheriff), Terry L. Higgins (Probation Supervisor I – Probation), Lisa A. Orr (Conf. Sec. to the Public Defender), Joan E. Cole-Scott (Veterans Service Officer – Veterans Agency), Jason E. Kelly (Dep. Bldg. Maint. Supervisor – Buildings and Grounds), Peggy A. Tomassi (Conf. Sec. to the County Administrator), subject to any other retirements effective by December 31, 2023.

Vote: 7-0.

RESOLUTION NO. 369 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE ESTABLISHING THE SALARY GRADE FOR THE POSITION OF DEPUTY COUNTY ADMINISTRATOR – HUMAN RESOURCES DEPARTMENT

WHEREAS, the position of Deputy County Administrator was created by Resolution 293-20, prior to the Burke Group study and Local Law No. 4 of the Year 2022 that placed all Management/Confidential titles into a salary grade, and

WHEREAS, the title of Deputy County Administrator was also vacant at the time of the Burke study, thus was not placed in the Management/Confidential Handbook in a salary grade, and

WHEREAS, the County Administrator would like to fill the Deputy County Administrator position, and in conjunction with the Personnel Officer, feels the position is appropriately placed in Grade 10 of the Management/Confidential salary chart.

NOW, THEREFORE, BE IT RESOLVED, that the County Administrator is hereby authorized to advertise for one full-time Deputy County Administrator position, which position shall be placed in Grade 10 of the Management/Confidential position group schedule as determined by the Personnel Officer, effective immediately.

Vote: 7-0.

RESOLUTION NO. 370 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE INCREASING THE HOURS OF THE RECORDS MANAGER POSITION FROM LESS THAN FULL-TIME TO FULL-TIME – RECORDS MANAGEMENT DEPARTMENT

WHEREAS, the workload will be increasing for the current less than full-time Records Manager position in the Records Management Department in 2024 necessitating the need to make the position full-time, and

WHEREAS, this request is approved by the County Administrator, and

WHEREAS, funding is available in the 2024 Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature approves of the increase of hours for the Records Manager position from 25 hours a week to full time, 35 hours a week, effective January 8, 2024.

Vote: 7-0.

RESOLUTION NO. 371 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE APPOINTMENT – RECORDS MANAGEMENT OFFICER (RMO)

WHEREAS, pursuant to NY Arts & Cultural Affairs Law § 57.19, the county shall have one officer who is designated as Records Management Officer (RMO), who shall coordinate the development of and oversee such program and shall coordinate legal disposition, including destruction of obsolete records, and

WHEREAS, the current RMO is retiring effective December 29, 2023, and

WHEREAS, it is recommended that the position of County Administrator be appointed to said position with no additional compensation.

PROCEEDINGS OF THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED, that the position of County Administrator be, and hereby is, appointed Schuyler County Records Management Officer effective December 30, 2023.

Vote: 7-0.

RESOLUTION NO. 372 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH PEGGY TOMASSI TO ASSIST VIRTUALLY IN TRAINING THE NEW CONFIDENTIAL SECRETARY TO THE COUNTY ADMINISTRATOR AND PROVIDE MAINTENANCE AND UPDATES TO THE COUNTY WEBSITE – COUNTY ADMINISTRATOR’S DEPARTMENT

WHEREAS, the current Confidential Secretary to the County Administrator, Peggy Tomassi, is retiring effective December 29, 2023, and

WHEREAS, Peggy Tomassi will provide remote assistance to the new Confidential Secretary in learning the role of this position and provide maintenance and updates to the County Website while working with the new Confidential Secretary in learning the administrative duties of the website, and

WHEREAS, the County will pay Peggy Tomassi \$1,000.00 a month, not to exceed \$12,000.00 for the year.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute a contract with Peggy Tomassi for the County Administrator’s Department for remote assistance and training as stated above, for the term January 1, 2024 through December 31, 2024, at a rate of \$1,000.00 a month, not to exceed \$12,000.00, funding available in account no. 001.1230.0401, contract approved as to form by the Schuyler County Attorney.

Vote: 7-0.

RESOLUTION NO. 373 Motion by Rondinaro, Second by Lausell.

RE: AUTHORIZE CONTRACT WITH PRO ACTION OF STEUBEN AND YATES, INC. FOR SERVICES OF A REGISTERED DIETITIAN FOR THE NUTRITION PROGRAM – OFFICE FOR THE AGING DEPARTMENT

WHEREAS, the nutrition program funded under the Older Americans Act and Supplemental Nutrition Assistance Program (SNAP) education under the Seniors’ Health Improvement and Nutrition Education (SHINE) program, requires the services of a registered dietitian, and

WHEREAS, Pro Action of Steuben and Yates, Inc. will provide a Registered Dietitian at an hourly rate of \$44.39, at ten hours per week, for the Nutrition Program, for a total of \$23,083.00 plus mileage reimbursed at the Federal rate, for a total of not to exceed amount of \$24,119.00, and

WHEREAS, the hourly rate for SNAP Education services under the SHINE grant is at \$44.39, at 7.5 hours per week for a total of \$17,312.00 plus mileage reimbursement at the current federal mileage reimbursement rate, not to exceed \$250.00, for a total not to exceed cost of \$17,562.00, for a total contract cost of \$41,681.00.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to sign the contract with Pro Action of Steuben and Yates, Inc. for the above costs, for the term of January 1, 2024 through December 31, 2024, funding available in grant account no. 001.6772.0490, contract approved as to form by the Schuyler County Attorney.

Vote: 7-0.

RESOLUTION NO. 374 Motion by Rondinaro, Second by Lausell.

RE: AUTHORIZE GRANT APPLICATION FOR MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT (MIPPA) FUNDING – OFFICE FOR THE AGING DEPARTMENT

WHEREAS, the New York State Office for the Aging provides funding each year for the Medicare Improvements for Patients and Providers Act (MIPPA) Program, and

WHEREAS, funding in the amount of \$16,036.00 is provided to the local Area Agency on Aging to support efforts to educate and assist eligible Medicare beneficiaries with enrollment into the Medicare Low-Income Subsidy (LIS) Program and the Medicare Savings Program (MSP), to provide counseling and assistance on accessing the Medicare Prescription Drug Coverage Part D, especially for beneficiaries who are low income,

PROCEEDINGS OF THE YEAR 2023

underserved and/or residing in rural areas, and to promote the availability of preventive and wellness services, and

WHEREAS, the term of this grant is September 1, 2023 through August 31, 2024, with no local share.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is hereby authorized to sign the grant application, and

BE IT FURTHER RESOLVED, that the Schuyler County Office for the Aging be authorized to submit the grant application for funding for the MIPPA program, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish said grant funds, accordingly in cooperation with the Office for the Aging.

Vote: 7-0.

RESOLUTION NO. 375 Motion by Rondinaro, Second by Lausell.

RE: APPROVAL OF THE ANNUAL UPDATE TO THE 2020-2024 FOUR YEAR PLAN – OFFICE FOR THE AGING DEPARTMENT

WHEREAS, the Schuyler County Legislature has established an Office for the Aging in Schuyler County, and

WHEREAS, the Office for the Aging is required to submit a Four-Year Plan with annual applications for funding which includes plans for programs operated by the Office for the Aging, as follows:

Title IIIB of the Older American's Act

Titles IIIC1 and IIIC2 of the Older American's Act

Title IIID of the Older American's Act

Title IIIE of the Older American's Act

Expanded In-Home Services for the Elderly Program (EISEP)

Community Services for the Elderly Program (CSE)

Congregate Services Initiative Program (CSI)

Wellness in Nutrition Program (WIN)

Transportation

Health Insurance Information, Counseling and Assistance Program (HIICAP),

Unmet Need, and

WHEREAS, the Plan requires approval by the Schuyler County Legislature for submission, and

WHEREAS, the Annual Update includes and requires the signature of the Office for the Aging Director on a Certification Regarding Lobbying which is required of all recipients of federal funds administered by the Department of Health and Human Services which includes the Administration for Community Living under which the Administration on Aging resides, and

WHEREAS, the Plan must be signed by the Office for the Aging Director to ensure compliance with all aspects of the Plan and to verify the agency is not currently suspended or debarred; and

WHEREAS, no Federal and/or New York State funding will be available until the Plan has been approved by the Schuyler County Legislature and signed and submitted to the New York State Office for the Aging and approved.

NOW, THEREFORE, BE IT RESOLVED, that the Office for the Aging Director is hereby authorized to sign the Certification Regarding Lobbying as well as the Plan, and the Chair of the Legislature be hereby authorized to sign the Plan for the funding application necessary to carry out the services provided by the Schuyler County Office for the Aging for the term of April 1, 2023 through March 31, 2024, and

BE IT FURTHER RESOLVED, that the Schuyler County Office for the Aging be authorized to submit the completed and signed funding application along with the Certification Regarding Lobbying.

Vote: 7-0.

RESOLUTION NO. 376 Motion by Rondinaro, Second by Lausell.

RE: AUTHORIZE AN ONGOING CONTRACT WITH ELAVON, INC FOR CONVERGE NEXT GENERATION CREDIT CARD PAYMENT EQUIPMENT – PUBLIC HEALTH DEPARTMENT

WHEREAS, Schuyler County Public Health Department has services it provides for clients who wish to pay with a credit card, and

PROCEEDINGS OF THE YEAR 2023

WHEREAS, Elavon, Inc. through the Converge Next Generation Credit Card System will provide said Credit Card Payment (collection) equipment to the Public Health Department, at no cost to the County.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature is authorized to execute an ongoing contract with Elavon, Inc. for Converge Next Generation Credit Card equipment for the Public Health Department, effective December 11, 2023, until terminated, at no cost to the County, contract approved as to form by the Schuyler County Attorney.

Vote: 7-0.

RESOLUTION NO. 377 Motion by Rondinaro, Second by Lausell.

RE: AUTHORIZE INTERDEPARTMENTAL COOPERATIVE AGREEMENT AND MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE PUBLIC HEALTH DEPARTMENT AND SHERIFF'S DEPARTMENT FOR LAW ENFORCEMENT ASSISTANCE FOR SCHUYLER COUNTY COALITION FOR UNDERAGE DRINKING AND DRUGS (SCCUDD) IDENTIFIED EVENTS - PUBLIC HEALTH DEPARTMENT

WHEREAS, the Schuyler County Public Health Department proposes to partner with the Sheriff's Department for increased law enforcement presence during certain identified youth events, as defined by the Schuyler County Coalition for Underage Drinking and Drugs (SCCUDD), and

WHEREAS, the expense for the services rendered in the amount of \$2,640.00 will be funded through the Drug Free Community Grant (DFC).

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Legislature be hereby authorized to execute an ongoing Interdepartmental Cooperative Agreement and Memorandum of Understanding between the Public Health Department and the Sheriff's Department for Law Enforcement Assistance, at the cost of \$2,640.00, effective November 13, 2023 through September 30, 2024, funding available in account no. 001.4010.0401.4148, contract approved as to form by the Schuyler County Attorney.

Vote: 7-0.

RESOLUTION NO. 378 Motion by Rondinaro, Second by Lausell.

RE: AUTHORIZE INCREASING THE HOURS OF THE VETERANS SERVICE OFFICER POSITION FROM LESS THAN FULL-TIME TO FULL-TIME – VETERANS SERVICES DEPARTMENT

WHEREAS, the Schuyler County Veterans Services Department requires a full-time Veterans Service Officer position for succession/training purposes, as well as to meet an increase in workload starting January 1, 2024, and

WHEREAS, this request is approved by the County Administrator, and

WHEREAS, funding is available in the 2024 Budget through a contract with the Community Services Department to receive PFC Joseph P. Dwyer Program funds.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature approves of the increase of hours for the Veterans Service Officer position from 25 hours a week to full time, 35 hours a week, effective January 8, 2024.

DISCUSSION: Legislator Howell asked how long this Dwyer funding would last. Administrator Rosno explained that it is unknown however they have been told they can count on it for a couple of years. Both the Director and the Officer in the office know that this may not be permanent.

Vote: 7-0.

RESOLUTION NO. 379 Motion by Gray, Second by Rondinaro.

RE: AUTHORIZE APPOINTMENTS TO THE SCHUYLER COUNTY INDUSTRIAL DEVELOPMENT AGENCY (SCIDA)

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the Schuyler County Industrial Development Agency (SCIDA) for the term January 1, 2024 through December 31, 2026, to wit:

John H. Terry
Laury E. Ward

Vote: 7-0.

RESOLUTION NO. 380 Motion by Gray, Second by Rondinaro.

PROCEEDINGS OF THE YEAR 2023

RE: AUTHORIZE ADVERTISEMENT FOR SEALED PROPOSALS FOR APPLICATION AND MONITORING EXPENSES FOR THE LAMOKA/WANETA LAKES PROTECTION AND REHABILITATION DISTRICT (LAMOKA AND WANETA LAKES)

WHEREAS, the Lamoka/Waneta Lakes Protection and Rehabilitation District needs to solicit request for proposals for the application of ProcellaCOR on Lamoka and Waneta Lakes and the residual monitoring thereof, which services are in the nature of professional services, and

WHEREAS, the Lamoka/Waneta Lakes Protection and Rehabilitation District needs to submit a permit treatment plan update to the New York State Department of Environmental Conservation (DEC) regarding the proposed ProcellaCOR treatment of Lamoka and Waneta Lakes in 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Legislature be hereby authorized to advertise for proposals for chemical application and residual monitoring services as set forth above for the Lamoka/Waneta Lakes Protection and Rehabilitation District, and

BE IT FURTHER RESOLVED, that the District authorizes Dennis Fagan, and/or Glenn Sullivan on its behalf, to submit the required permit treatment plan update to DEC for the ProcellaCOR treatment of Lamoka and Waneta Lakes in 2024.

Vote: 7-0.

NEW BUSINESS: None.

UNFINISHED BUSINESS: None.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 9:09 a.m.

Stacy B. Husted, Clerk

PROCEEDINGS OF THE YEAR 2023

A

Adoption

Salary Schedule, 3

Agreement/Contract/Proposal

Adirondack Research, LLC, 60

Amendment, ADP, Inc., 134

Amendment, AJC Seniors, Inc, 169

Amendment, Applied Business Systems, Inc, 52

Amendment, Axon Enterprise, Inc., 81

Amendment, Community Services and Veterans Services, 32

Amendment, Economy Paving, Co. Seneca Harbor Park Seawall), 177

Amendment, Flight Suit Medical, P.C, 86

Amendment, Hale Contracting, Inc., 50

Amendment, Hune Engineers, Architects, Land Surveyors and Landscape Architects D.P.C., 108

Amendment, Liberty Resources Post, PLLC, 73

Amendment, National Association of County and City Health Officials (NACCHO), 30

Amendment, NYS DOT, Coronavirus Aid and Economic Security Act Funding, 33

Amendment, NYS DOT, Federal Transit Administration, 33

Amendment, S2AY Rural Health Network., 151

Amendment, Stephen J.A. Maybee, P.E., 58

Amendment, Towns of Orange and Tyrone, 30

Amendment, Tyler Technologies, Inc., 8

Amy's Sunshine Center Painted Post, LLC, 129

Arbor Housing and Development, 7

Bishop Sheen Ecumenical Housing Foundation, Inc., 169

Bonadio and Co., LLP, 119

Brzostek's Real Estate Auction, Co., 68

Burr Consulting, LLC, 106

Catholic Charities Chemung Schuyler, 39

Cayuga Health Transport, Lease, 109

Chemung Schuyler Steuben Workforce New York, 62, 90, 104

Christ Church Day Care, Inc., 183

Cintas Corporation, 125

Civil Service Employee's Association, 117

Cornell Cooperative Extension, 57

Correction Officer's Benevolent Association, 112

Denise Rae Price, 30

Economy Paving Co, Inc., 81

Elavon, Inc., 192

Elizabeth Pia-Miller, 152

Energetix, 181

eRecording Partners Network, LLC., 163

EV Connect, Inc., 123

Family Service Society, Inc, 130

Family Services of Chemung County, Inc., 7

Federal Emergency Management Agency, 108

First Presbyterian Church, 129

FLX Surveying and Mapping DPC, 138

Gila, LLC dba Municipal Services Bureau, 38

Glen Gators Swim Team, Inc., 119

Hancock Estabrook LLP, 92

Harriette Vickio, 31

Health Research, Inc., 119

Healthy Families Schuyler/Tompkins and Catholic Charites Steuben/Livingston, 118

IMA, Public Health and Sheriff Department, 193

Information Technology and Board of Election, 182

Kelly A. Damm, 69

Lakeside Trolley, LLC, 24

Language Line Services, Inc., 70

Liberty Resources Post, PLLC, 29

M&S Fire Protection LLC, 176

Michelle D.Mills, 42

Microbac Laboratories, Inc., 97

Monterey Volunteer Fire Company, Inc., 96

Motorola Solutions, Inc, 90

MSS Electronics, Inc., 71

New Directions Youth and Family Services, Inc., 95

New York State Department of Transportation, 171

Odessa Montour Central School District, 43

Park Outdoor Advertising of New York, Inc., 42

Peggy Tomassi, 169, 190

Pitney Bowes, 83

ProAction of Steuben and Yates, Inc, 191

Quadient, 81

S2AY Rural Health Network, Inc., 130

Schuyler County Chapter NYSARC, Inc., 168

Schuyler County Child Care Coordinating Council, Inc. dba My Place, 117

Schuyler County Human Resources Department, 84

Schuyler County Public Health and Community Services, 151

Schuyler County Social Services and District Attorney Office, 186

Schuyler County Youth Baseball and Softball, 57, 84

Schuyler Hospital, Inc., 74, 96

South Seneca Central School, 151

Steuben County, 79

Stipulation Agreement, 102

Stipulation Agreement, 44

Stipulation Agreement, 105

Stipulation Agreement, 105

Suit-Kote Corporation, 50

SUNY Corning Community College, 68

T&M USA, LLC, 128

Toshiba Business Solutions, 35

Town of Orange, 85, 175

Venesky Training and Support Services, LLC, 97

Village of Odessa, 58

Village of Watkins Glen, 45, 84

Watkins Glen International, LLC, 85

Wiarcom, Inc., 67

Wilmac Business Equipment Co, Inc., 108

Worldwide Travel Staffing Limited, 118

Y'All Rite LLC dba Greenleaf Recycling, 178

Yates County, 138, 156

Agricultural District

Modify, Ag District # 2, 76

Negative Declaration, Ag District #2, 75

Public Hearing, Review and Modification of Ag District #2, 59

Ambulance Service

Authorize Lease, 109

Legislative Intent for Funding, 66

Appointment

Chairman, 1

Chemung Schuyler Steuben Workforce Development Board, 92

Commssioner of Social Services, 29

County Administrator, 3, 187

County Historian, 3

Democratic Election Commissioner, 122

Early Intervention Designee, 150

PROCEEDINGS OF THE YEAR 2023

Economic Opportunity Program, 32
Fair Housing Officer, 99
Interim County Administrator, 120
Law Library Board of Trutees, 122
Planning Commission, 43
Records Management Officer, 190
Schuyler County Industrial Development Agency, 193
Schuyler County Planning Commission, 131, 171
Southern Tier Central Regional Planning and Development Board, 34
Special Committee, 15, 16, 17
Youth Board, 129

Approval/Authorization

2023 Seasonal Rate for Village Marina, 49
2023 Stop DWI Plan, 46
2024 Stop DWI Plan, 174
Amending Management & Confidential Handbook, 139
Amending Salary Schedule, 36
Annual Update 2020 2024 Four Year Plan, 192
Apply for Community Development Block Grant, 87
Appoint and Remove Members Fire Investigation Team, 188
Giving County Administrator Authority for Non Department Head Appointments, 37
Heather Zimba, MD, Credential, 96
Implementation and Funding Federal Aid and State Marchiselli Program Aid, 140
Increase Hours, Veterans' Service Officer, 193
Increased Hours, Records Manager, 190
Increasing Hours, Purchasing Clerk, 178
Management/Confidential Raise for 2024, 148
MOU, CSEA, Sick Leave Bank Enrollment, 92
Multi-Jurisdictional Hazard Mitigation Plan, 47
On Call Pay for Assistant District Attorneys, 173
SAFE By Laws, 185
Salary Correction, Director of Veterans Services, 28
Salary Grade, Deputy County Administrator, 190
SCCUDD By Laws, 184
Settlement Agreement, Lawsuit Related to the Opioid Crisis, 18
Settlement Agreement, Opioid Crisis, 54
Stipend, Assistant Public Defender, 120
Title Change, Secretary I to Secretary II, 174
Youth Bureau Resource Allocation Plan, 56, 184

B

Bid

Accept, Application and Monitoring Waneta Lake, 60
Accept, Bridge Repair and Infrastructure Construction, 141
Accept, Disposal and recycling Service, 178
Accept, Kitchen and Custodial Supply, 67
Accept, Laboratory Services for Schuyler County Watershed, 97
Accept, Material and Supplies, 51
Accept, Wet/Dry Sprinkler Inspection, 176
Accept, Repair Seneca Harbor Park Seawall, 81
Authorize Advertisement, Bath Facilities, 61
Authorize Advertisement, Bridge Repairs and Infrastructure Construction, 91
Authorize Advertisement, Disposal and Recycling Services, 110
Authorize Advertisement, Gutter Replacement, 176
Authorize Advertisement, Highway Materials and Supplies for 2023, 25
Authorize Advertisement, Kitchen and Custodial Supplies, 36

Authorize Advertisement, Laboratory Testing Services, 41
Authorize Advertisement, Lamoka/Waneta Lakes, Application and Monitoring, 193
Authorize Advertisement, Repair at Seawall, 25
Authorize Advertisement, Replacement and Upgrade of Standby Generator, 48
Authorize Advertisement, Wet Dry Sprinkler System, 109
Authorize Advertisement, Elevator Controller Replacement, 176
Extension, Guiderail and Tree Stump Removal, 52
Reject the Construction of Bath Facilities at Seneca Harbor Park, 123

Budget

Adoption, 171
Alteration, Legislature, 153
Amendment, 2022 PFC Joseph P. Dwyer Peer Support Funding, 98, 170
Amendment, 2023 PFC Joseph P. Dwyer Peer Support Funding, 98
Amendment, Community Services, 131, 185
Amendment, Day Care Expenses, 152
Amendment, Incentive Award, Public Health, 150
Amendment, Information Technology, 129
Amendment, Mental Health, 186
Amendment, Mental Health Department, 32
Amendment, New York State Office of Addiction Services and Support, COLA, 98
Amendment, Office for the Aging, 72
Amendment, Probation Department, 46
Amendment, Public Health, 31, 130
Amendment, Rental Supplement Program, 56
Amendment, Safe Harbour Funding, 56
Amendment, Sheriff Department, 126
Amendment, Sheriff's Department, 46, 63
Amendment, Youth Programs, 184
Appropriate Amounts 2024, 171
Set Public Hearing, 149

C

Conform to Rules of Procedure, 1
Contingency

Authorize Transfer Sheriff Department Medical Expenses, 138
Authorize Transfer, Sheriff Car Operation, 107
Authorize Transfer, Sheriff Department Medical Expenses, 63
Authorize Transfer, Sheriff's Department, Medical Expenses, 90
Authorize Use for CHT Contract, 66

Continuity of Local Government, 1

D

Dedication of Proceedings, 189
Delegate Authority

Real Property Tax Director, Corrections, 2
Sign Amendments, 57, 184
Tax Anticipation Notes, 2

Designation

Depositories, 1
Legal Newspaper, 3

E

Eminent Domain

PROCEEDINGS OF THE YEAR 2023

Determination, 157

Extension, New York State Office of Indigent Legal Services, 6

F

Failed, 131

Fair Housing, 99

Affirmatively Furthering, 100

Federal American Rescue Plan Act Funding

Authorize Use Of, Software and Cloud Storage, 81

Authorize Use Standby Generator, 48

Freedom of Information Law (FOIL)

Updating Rules and Regulations, 8

Fund

Change,Economic Development Reserve ., 157

Transfer, District Attorney Seized Assets, 80

Transfer, Highway Department, 67

Transfer, Various Departments, 189

G

Grant

Accept, Alternative to Incarceration, 47

Accept, Health Research, Inc., 119

Accept, HIICAP Volunteer Stipend Program, 72

Accept, National Association of Chronic Disease Directors, 85

Accept, New York State Department of Health, Health Research,
Inc. Emergency Preparedness, 185

Accept, New York State Department of Health,Immunization
Action Plan, 97

Accept, New York State Division of Homeland Security and
Emergency Services, Inoperable Communications, 107

Accept, New York State Division of Homeland Security Fical Year
2020 Statewide Interoperable Commuications, 65

Accept, New York State Homeland Security 2023 Homeland
Security, 175

Accept, New York State Homeland Security, 2023 Emergency
Management Performance, 174

Accept, New York State Office of Indigent Legal Services, 7

Accept, Office of Indigent Legal Service, Distribution 12, 175

Accept, Raise the Age Plan, 46

Accept,New York State Department of Health, Emergency
Preparedness and Response, 41

Amendment, NYS DOT, Mass Transportation Capital Project, 33

Application, Appalachian Reginal Commission, 133

Application, Community Development Block Grant, 87

Application, Medicare Improvement for Patients and Providers
(MIPPA), 191

Application, NY Connects Expansion and Enhancement, 150

Application, Restore NY Project 2023, 20

Application, Seniors Health Improvement and Nutrition
Education Program, 40

Authorization, Byrne Jag Grant, 45

Designate Certifying Officer, 101

Extension New York State Division of Homeland Security and
Emergency Services, 2020 Hazmat, 139

Extension, Health Research, Inc., 41

Extension, New York State Board of Elections, AbsenteeBallot
Pre-Paid Postage, 93

Extension, New York State Board of Elections, Additional
Technology Innovation, 93

Extension, New York State Division of Homeland Security and
Emergency Services, FY 2019 HazMat, 47, 65

J

Junk/Surplus Equipment

Multiple Departments, 35, 67, 110, 142, 177

L

Lamoka/Waneta Lakes, 60

Bids, 60

Completion and Filing of Assessment Roll 2023, 178

Directing the Levy, 179

Set Public Hearing Completion and Filling, 163

Local Law

Adoption, Amending Local Law 3 of the Year 1999 the Office of
County Administrator, 164

Adoption, Photography, Electronic Recording, Audio/Visual, 22

Adoption, Salaries Certain Elected Officials, 168

Adoption, Salaries certain Public Officers for 2024, 167

Adoption, Volunteer Firefighter & Ambulance Tax Exemption,
142

Adoption, Youth Hunting, 113

Introduction Correcting Salaries for Certain Public Officers and
one Elected Official, 55

Introduction, Correcting Salaries Certain Public Officers for the
Year 2023, 37

Introduction, Establish Office of County Administrator, 144

Introduction, Firefighter Property Tax Exemption, 126

Introduction, Regulating Photography, Electronic Recording
and/or Audio Visual Recording, 4

Introduction, Setting Salaries Certain Public Officers for the Year
2023, 149

Introduction, Setting Salaries Certain Public Officers for the Year
2024, 148

Introduction, Youth Hunting, 94

N

NYS Legislature/Legislation

Supporting Online/Digital Publication of Public notices, 180

Supporting Repeal of State Fee Background Checks Ammunition
Purchases, 182

O

Opposition

Bans on Gas Stoves and Other Fossil Fuel, 77

Board of Elections to Hire Additional Full Time Staff, 69

Eliminating All Probation Administrative Supervision Fees, 63

Governors Budget Proposal shifgtng Medicaid Costs, 38

Permitted Landfill Height and Extended Life of Seneca Meadows,
132

Outdoor Entertainment

Mass Gathering Lead Agency, 76

P

Policy

Adopt Updated Policy and Procedures Manual, 55

Adopt, Updated Transportation Services Title VI, 102

Adoption, Purchasing Policies and Procedures, 3

PROCEEDINGS OF THE YEAR 2023

Amendment, Policy and Procedures Manual, Meal Allowance, 26
Amendment, Sexual Harassment Policy, 82
Amendment, Updated Transportation Services Title VI, 128
Position

Abolish Alternate Voting System Technician/Custodian, 163
Appoint Director of Veterans Services, 74
Appointment and Set Salary, Nurse Practitioner, 32
Appointment and Set Salary, Public Defender, 122
Creat and Fill Less Than Full Time Veterans Service Officer, 75
Create and fill Full Time Care Manager, 99
Create and Fill Full Time Compliance Officer, 120
Create and Fill Full Time Senior Bookkeeper, 137
Create and Fill Full Time Temporary Deputy Sheriff, 107
Create and Fill Less Than Full Time Planner, 43
Create and Fill Part Time Investigator, 188
Create and Fill Three Full Time Emergency Services
Communication Specialist, 139
Create and Fill, Full Time Clerk, 183
Create and Fill, Full Time Deputy Building Maintenance
Supervisor, 157
Create and Fill, Full Time Director of weights and Measures A
Trainee, 141
Create and Fill, Full Time real Property Appraiser, 179
Create and Fill, Senior Account Clerk Keyboard specialist, 86
Create and fill, Two Full Time Correction Sergeant, 21
Increase Hours, Assistant Public Defender, 140
Increase Hours, Director of Veterans Services Agency, 74
Licensed Clinician or Licensed Clinician Trainee, 74
Voting Machine Technician and Custodian, 163

Public Entertainment
Licensing/Permits, 87
Negative Declaration, 86

Public Hearing
Authorize Advertisement Use of Facilities and Grounds Reserve
Account, 91
Proposed Acquisition for Public Purpose, 123
Setting, Community Development Block Grant, 87

R

Request for Proposal

Authorize Advertisement, Public Safety Radion Communication
System, 188
Reserve Funds
Authorize Use, 81, 108
Set Public Hearing and Advertise Use of, 49

S

Sales Tax
Renewal, 29, 61
Ambulance Service, 65
Set Dates
Year End and Organizational Meetings, 180
Set Salaries
Management/Confidential Group, 181
Settlement of Notice of Claim, 105
Special Meeting Ratification, 14, 18, 20, 103, 121
Standard Work Day, 68

T

Tabled/Failed, 25, 103, 104, 105
Tax
2024 County Tax Levy, 142
Mortgage Tax distribution, 82
Mortgage Tax Distribution, 180
Sales & Use Tax Rate Extension, 114
Town Contribution, 172
Unpaid School Tax Releived, 189
Tax Auction
Accept Bids, 111, 160
Set Date, 110
Town of Tyrone
Accept offer to Purchase Real Property, 83

W

Withdrawn, 95, 101