

PROCEEDING 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 | Philip 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:

PROCEEDING OF THE YEAR 2023

---

CHEMUNG CANAL TRUST COMPANY

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 15<sup>th</sup> 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

PROCEEDING OF THE YEAR 2023

---

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.

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 Xenophondas “Fonda” 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

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.

PROCEEDING OF THE YEAR 2023

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.

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.

PROCEEDING OF THE YEAR 2023

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, 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 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 personal 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 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;

PROCEEDING OF THE YEAR 2023

---

- 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 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.

PROCEEDING OF THE YEAR 2023

---

- 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>
- 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 record if more than two hours of an agency employee's 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 4<sup>th</sup> 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.

PROCEEDING OF THE YEAR 2023

---

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

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

PROCEEDING OF THE YEAR 2023

---

**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

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



PROCEEDING OF THE YEAR 2023

---

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 Fratarcangelo, Community Representative  
Tamre Waite, Community Representative  
Judy Phillips, Community Representative  
Angela McFall, Consumer Representative

**PEOPLE WITH DEVELOPMENTAL DISABILITIES SUBCOMMITTEE**

Charlene DeLallo, Community Representative  
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

PROCEEDING OF THE YEAR 2023

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 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

PROCEEDING OF THE YEAR 2023

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

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 4<sup>TH</sup> STREET, WATKINS GLEN, NY 14891:**

PROCEEDING OF THE YEAR 2023

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 4<sup>th</sup> 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 4<sup>th</sup> 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 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 4<sup>th</sup> 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.

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.

PROCEEDING OF THE YEAR 2023

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 Schuylker 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 Schuylker 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 Schuylker 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 Schuylker 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.

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

**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**



PROCEEDING OF THE YEAR 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.

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

PROCEEDING OF THE YEAR 2023

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 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: | <del>\$8.00</del>  | <b>\$10.00</b> |
| Lunch:     | <del>\$13.00</del> | <b>\$15.00</b> |
| Dinner:    | <del>\$20.00</del> | <b>\$25.00</b> |

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

## PROCEEDING OF THE YEAR 2023

---

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.                                     |
| 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 unauthorize 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

## PROCEEDING OF THE YEAR 2023

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 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,

PROCEEDING OF THE YEAR 2023

---

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 – 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

PROCEEDING OF THE YEAR 2023

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 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.

PROCEEDING OF THE YEAR 2023

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 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

PROCEEDING OF THE YEAR 2023

---

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

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



PROCEEDING OF THE YEAR 2023

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

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

## PROCEEDING OF THE YEAR 2023

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 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 PARTICIPATION:**

# PROCEEDING OF THE YEAR 2023

---

## A

Adoption  
Purchasing Policies and Procedures, 3  
Salary Schedule, 3

Agreement/Contract/Proposal  
Amendment, Community Services and Veterans Services, 32  
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, Towns of Orange and Tyrone, 30  
Amendment, Tyler Technologies, Inc., 8  
Arbor Housing and Development, 7  
Denise Rae Price, 30  
Family Services of Chemung County, Inc., 7  
Harriette Vickio, 31  
Lakeside Trolley, LLC, 24  
Liberty Resources Post, PLLC, 29

Appointment  
Chairman, 1  
Commissioner of Social Services, 29  
County Administrator, 3  
County Historian, 3  
Economic Opportunity Program, 32  
Southern Tier Central Regional Planning and Development Board, 34  
Special Committee, 15, 16, 17

Approval/Authorization  
Salary Correction, Director of Veterans Services, 28  
Settlement Agreement, Lawsuit Related to the Opioid Crisis, 18

## B

Bid  
Authorize Advertisement, Highway Materials and Supplies for 2023, 25  
Authorize Advertisement, Repair at Seawall, 25

Budget  
Amendment, Mental Health Department, 32  
Amendment, Public Health, 31

## C

Conform to Rules of Procedure, 1  
Continuity of Local Government, 1

## D

Delegate Authority  
Real Property Tax Director, Corrections, 2  
Tax Anticipation Notes, 2

Designation  
Depositories, 1  
Legal Newspaper, 3

## F

Freedom of Information Law (FOIL)  
Updating Rules and Regulations, 8

## G

Grant  
Acceptance, New York State Office of Indigent Legal Services, 7  
Amendment, NYS DOT, Mass Transportation Capital Project, 33  
Authorize Application, Restore NY Project 2023, 20  
Extension, New York State Office of Indigent Legal Services, 6

## L

Local Law  
Adoption, Photography, Electronic Recording, Audio/Visual, 22  
Introduce Regulating Photography, Electronic Recording and/or Audio Visual Recording, 4

## P

Policy  
Amendment, Policy and Procedures Manual, Meal Allowance, 26

Position  
Appointment and Set Salary, Nurse Practitioner, 32  
Create and fill, Two Full Time Correction Sergeant, 21

## S

Special Meeting Ratification, 20  
Special Meeting, 14  
Special Meeting Ratification, 18, 20

## T

Tabled/Failed, 25

Tax  
Sales Tax Renewal, 29

