



# Seneca County General Health District

## Board of Health Meeting Minutes

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### **Board of Health Meeting**

April 10, 2019 at 6:00 pm

Seneca County Services Building, Conference Room A

**Present:** Scott Lyons, Philip Steyer, Robert Watson, Jimmie Young, Bonnie Boroff

**Absent/**

**Excused:** Ann Sacksteder, Rebecca Shank

**Guests:** Sign in sheets attached to minutes

**SCGHD Staff:** Beth Schweitzer, Laura Wallrabenstein

### **Welcome, Roll Call and Pledge of Allegiance**

With quorum present, Mr. Young called the special board meeting to order on April 10, 2019 at 6:02 pm; he then presided over the Pledge of Allegiance.

Mr. Young announced that this was a special meeting with just two items on the agenda. There will not be any public comment. The two items on the agenda are the appointment of a hearing officer and the adoption of hearing procedures.

### **Approve the appointment of the Hearing Officer Peter A. Precario and authorize the Health Commissioner to enter into a contract with Peter A. Precario for such services.**

Mr. Young turned the floor over to Joe Durham, from Eastman & Smith, attorney for the board. Mr. Durham discussed Mr. Precario's qualifications. Mr. Durham then turned the floor over to Sunny Farms Attorney, Mr. Vincent Atriano so that he could also address the board.

Mr. Atriano stated that they do have an objection to the appointment of Mr. Precario as the hearing examiner for the Sunny Farms License hearing. Mr. Atriano stated that they have some concerns about his impartiality. Then he asked that the Board reconsider the appointment of Mr. Precario.

Mr. Durham then responded that this issue was brought to their attention. He spoke to The Seneca County Prosecuting Attorney on this issue. They then reviewed the decisions that Mr. Precario was involved in when he was a hearing officer for the environmental board of review. After review, they felt that Mr. Precario can be an unbiased hearing officer in this matter. Mr. Durham recommends the board approve Mr. Precario as the hearing officer.

Mr. Young requested a motion to approve the appointment of the Hearing Officer Peter A. Precario and authorize the Health Commissioner to enter into a contract with Peter A. Precario for such services.

Mr. Steyer made a motion to approve the appointment of the Hearing Officer Peter A. Precario and authorize the Health Commissioner to enter into a contract with Peter A. Precario for such services.

Mr. Watson seconded the motion. The motion carried upon roll call vote. Mrs. Boroff – Yes. Mr. Lyons – Yes. Mr. Steyer – Yes. Mr. Watson – Yes. Mr. Young – Yes.

### **Adopt the hearing procedure**

Mr. Young turned the floor over to Mr. Durham. Mr. Durham then went over the hearing procedure and timeline for the hearing. Mr. Durham also discussed that Sunny Farms can coordinate a tour of the landfill for both attorneys, the hearing officer and the board prior to the start of the hearing. This is part of the hearing procedure.

Mr. Young then asked for a volunteer from the board to represent the board and attend all meetings and the Sunny Farms Licensing hearing. Board member Scott Lyons agreed to be able to attend all. All board members may attend any and all meetings and the hearing if possible.

Mr. Young then requested for a motion to adopt the hearing procedure. Mr. Watson made a motion to adopt the hearing procedure. Mr. Steyer seconded the motion. The motion carried upon roll call vote.

Mrs. Boroff – Yes. Mr. Lyons – Yes. Mr. Steyer – Yes. Mr. Watson – Yes. Mr. Young – Yes.

**Adjournment**

Mr. Lyons made a motion to adjourn the meeting. Meeting adjourned at 6:18 p.m.