

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

July 22, 2008

8:00 p.m.

Call to Order

Acting Chairman Mooney called the meeting to order at 8:05 p.m.

Roll Call of Members by the Clerk

Thirteen members of the Board of Supervisors answered roll call. Chairman Lafler was absent

Pledge of Allegiance and Moment of Silence

Presentations / Petitioners

a. Quarterly Report on Seneca County Tourism, Fred Gaffney, Executive Director, Seneca County Chamber of Commerce.

b. Seneca County Department Review:

Highway Department, Roy Gates, Highway Superintendent along with highlighting the functions of the highway department, Mr. Gates reported on current projects funded by C.H.I.P.S. which included W. River Rd., Cty Rd 121, one mile of Packwood Rd., and Cty Rd. 153 & 124.

Reports of Standing Committees

Public Works Committee, Mr. Davidson, Chair, reported on the Committee's approval of a lease with the Friends of the Three Bears for the Papa Bear and Mama Bear buildings in Ovid, NY.

Public Safety Committee, Mr. Shipley, Chair, reported on the Committee's approval for the Board of Supervisors Chairman to sign contracts with New York State Division of Probation for a \$27,000 award for enhanced supervision of sex offenders; and a \$7,100 award for enhanced supervision of felony offenders.

Human Services Committee, Mrs. Amidon, Vice-Chair, reported on the Committee's approval for the Office of the Aging to advertise for public hearings scheduled for September for the purpose of obtaining feedback relative to the Office for the Aging Annual Area Plan.

Planning, Development, Agriculture & Tourism Committee, Mr. Kaiser, Chair, reported on the Committee's approval of a grant extension for stabilization of the "Baby Bear" building in Ovid, NY; the approval of a resolution by the Board of Supervisors in opposition to the DEC's proposed revisions to Part 215 - Open Fires, Part 191 - Forest Fire Prevention, and Part 621 - Uniform Procedures. The Committee also approved two CDBG loans, one for B & W Powersports and the other loan relating to the Clarence Hotel project in Seneca Falls.

Public Health Services Committee, Mr. Hayssen, Chair, reported on the Committee's approval for the following contracts for the Public Health Department: Water Enhancement Grant, ATUPA Contract, and Jacquelyn Ater for speech and language pathology services.

Finance, Assessment & Insurance, Mr. Barto, Chair, reported that the Committee recommended that the terms of the current recycling contract with Casella Waste Management be reviewed for possible negotiations.

Approval of Meeting Minutes

The draft minutes for the April 22, 2008 and May 2008 Regular Board meetings of the Seneca County Board of Supervisors were approved

Chairman's Remarks

Mr. Mooney, Acting Chairman of the Board of Supervisors informed the Board that the groundbreaking ceremony for Lowe's Home Center was scheduled for July 31, 2008.

County Manager's Remarks

County Manager Sinclair reported that the transfer of the 162-acre plot of land from New York State to Seneca County designated as the site of the Sampson Veterans Cemetery was completed.

Communications

142. From Mercy Flight Central, a copy of the Annual Report for 2007.

143. From NYS Agriculture & Markets, notification dated June 20, 2008 that Seneca County Agricultural District No. 6 is eligible for districting.

144. A copy of the Seneca County Board of Health June 16, 2008 meeting minutes.

145. From NYS Public Service Commission, a Notice Soliciting Comments Re: Proceeding on Motion of the Commission to Examine the Safety of Consolidated Edison Company of New York, Inc.'s Electric Transmission and Distribution Systems.

146. From Genesee Finger Lakes Regional Planning Council, a copy of its Preliminary Budget for the 2009 Calendar Year, for assistance in planning Seneca County's 2009 budget. Referred to the oversight committees for Finance, Government Operations and Planning.

RESOLUTIONS AND MOTIONS

SUPERVISORS ADOPT 2009 WORKERS' COMPENSATION BUDGET

RESOLUTION NO. 190-08, moved by Mr. Barto, seconded by Mr. Kaiser and adopted by 679 ayes (Barto, Kaiser, Reynolds, Serven, Davidson, Dresser, Same, Terryberry, Amidon, Hayssen, Mooney, Shipley, Westfall) and 71 absentees (Lafler).

WHEREAS, the Finance, Assessment & Insurance Committee approved the 2009 Workers' Compensation budget on July 8, 2008, and

WHEREAS, the Workers' Compensation budget must be filed with the Board of Supervisors by August 15th of each year per Article 5, Section 67 of the NYS Worker's Compensation Law; be it

RESOLVED, that the Seneca County Board of Supervisors does hereby adopt the Seneca County Workers' Compensation budget for the year 2009 as follows:

1710	ADMINISTRATION	
.1100	Personal Service Administrator	\$ 27,056.00
.1110	Employee Benefits Assistant	20,815.00
	Longevity	1,050.00
.1200	Workers' Comp. Attorney	43,250.00
.2200	Equipment	500.00
.2300	Computer Equipment	500.00
.4200	Supplies	500.00
.4240	Postage	1,000.00
.4260	Books and Periodicals	750.00
.4270	Membership and Dues	250.00
.4280	State Assessment	100,000.00
.4440	Mileage	500.00
.4450	Hotels and Meals	500.00
.4560	Excess Insurance	91,000.00
.4700	Investigation	4,000.00
.4701	Training	1,000.00
.4702	Legal Services	5,000.00
.4703	Rehabilitation Services	9,000.00
.8100	Retirement	9,678.00
.8300	Social Security	5,715.00
.8600	Hospitalization	13,408.00
.8700	Medicare	1,337.00
	TOTAL ADMINISTRATION	\$ 336,809.00
1720	NON-ADMINISTRATION	
.4100	Indemnification/Benefits & Award	\$ 248,000.00
.4110	Long Term Indemnity Liabilities	160,000.00
.4200	Medical	165,000.00
.4210	Long Term Medical Liabilities	54,000.00
.4220	Independent Medical Examinations	8,000.00

.4440	Mileage/Claimants	6,000.00
.4700	Reserve	20,000.00
	TOTAL NON-ADMINISTRATION	\$ 661,000.00
	GRAND TOTAL	\$ 997,809.00

**SUPERVISORS AUTHORIZE CHAIRMAN OF THE BOARD TO APPLY
FOR MAMA BEAR STABILIZATION GRANT EXTENSION**

RESOLUTION NO. 191-08, moved by Mr. Kaiser, seconded by Dr. Dresser and adopted by 679 ayes (Kaiser, Dresser, Reynolds, Barto, Serven, Davidson, Same, Terryberry, Amidon, Hayssen, Mooney, Shipley, Westfall) 71 absentees (Lafler).

WHEREAS, through the efforts of Senator Michael F. Nozzolio, Seneca County received a \$25,000 grant from the New York State Department of State in 2003 to re-stabilize and restore the "Mama Bear" building at the former Seneca County Courthouse complex in Ovid; and

WHEREAS, these grant monies terminated on July 31, 2005 and were re-appropriated by the New York State Legislature for this purpose until July 31, 2009; and

WHEREAS, the New York State Department of State has agreed to extend the grants until July 31st, 2009; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Committee on July 22, 2008; now, therefore be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to sign all necessary documents to extend this New York State Department of State grant project.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A RENEWAL CONTRACT WITH CATHIE BOND, CONSULTANT
FOR THE EMERGENCY PREPAREDNESS GRANT**

RESOLUTION NO. 192-08, moved by Mr. Hayssen, seconded by Dr. Dresser and adopted by 679 ayes (Hayssen, Dresser, Reynolds, Barto, Serven, Davidson, Kaiser, Same, Terryberry, Amidon, Mooney, Shipley, Westfall) and 71 absentees (Lafler).

WHEREAS, Cathie Bond is a consultant who has been working with the Health Department staff on Emergency Preparedness planning; and

WHEREAS, Cathie assists with plan development and review, completion of the "deliverables", training, and drill planning; and

WHEREAS, this contract will be a fee for service contract for the period August 9, 2008 through August 31, 2009; and

WHEREAS, the contract will be billed as follows:

- Writing/rewriting plans or components of plans at \$60 per hour
- Attendance at meetings and conferences at \$30 per hour
- Tabletop Exercises - design, facilitate and write the after action report according to HSEEP requirements \$1,200 per exercise
- Drill-design, meet with parties, evaluate and write AAR \$1,000-4000 per drill depending on the size and preparation involved
- Education/staff training on key components of the plan \$60 per hour; and

WHEREAS, the funding for this contract is included in the Public Health Budget 10-115-5-4014-4370; and

WHEREAS, the Public Health Committee has approved the signing of this contract; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a renewal contract with Cathie Bond for the Emergency Preparedness Grant.

Mr. Shipley moved adoption of a resolution which, after amendment, was adopted as follows:

**CREATE PART-TIME ASSISTANT DISTRICT ATTORNEY POSITION
AND AUTHORIZE THE TREASURER TO TRANSFER FUNDS (amended)**

RESOLUTION NO. 193-08, moved by Mr. Shipley, seconded by Mrs. Amidon and adopted by 619 ayes (Shipley, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Same, Terryberry, Hayssen, Mooney), 60 nays (Westfall), and 71 absentees (Lafler).

WHEREAS, the Seneca County District Attorney's office is in need of an Assistant District Attorney to fulfill its statutory duty to conduct all prosecutions for crimes and offenses cognizable by the courts of the county; and

WHEREAS, the Board of Supervisors' oversight committee for Public Safety and Finance, Assessment & Insurance recommended the creation of a Part-time Assistant District Attorney position for the District Attorney's Office at it July 8, 2008 meeting; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby create a part-time Assistant District Attorney position in the Seneca County District Attorney's Office at an annual salary of \$35,000.00, and be it

FURTHER RESOLVED, that the Seneca County Board of Supervisors does hereby approve hiring to fill the position of part-time Assistant District Attorney, and be it

FURTHER RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to amend the 2008 Seneca County District Attorney's budget as follows:

Decrease line item 10-101-5-1165-1100	\$35,000
Increase line item 10-101-5-1165.1200	\$35,000

**CLERK OF THE BOARD TO ADVERTISE FOR
OFFICE FOR THE AGING PUBLIC HEARINGS**

RESOLUTION NO. 194-08, moved by Mrs. Amidon, seconded by Mr. Kaiser and adopted by 679 ayes (Amidon, Kaiser, Reynolds, Barto, Serven, Davidson, Dresser, Same, Terryberry, Hayssen, Mooney, Shipley, Westfall) and 71 absentees (Lafler).

WHEREAS, 9 NYCRR 6653.2 of New York State Rules and Regulations requires submission of an Annual Implementation plan of Services for the Seneca County Office for the Aging; and

WHEREAS, a hearing is required to be held at least thirty days prior to such submission and notice of such hearing to be published in local newspapers at least twenty-one days prior to such hearing; and

WHEREAS, Seneca County wishes the benefit of public suggestions and comments for such Annual Plan; therefore be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to advertise Public Hearings on the Annual Implementation Plan of Services for the Seneca County Office for the Aging for the period April 1, 2009- March 31, 2010, said hearings to be held on September 17, 2008 at 11:30 am in the community room of Verona Village, Ovid, NY and September 19, 2008 at 11:30 am at the Office for the Aging, 1 DiPronio Drive, Waterloo, NY. Said notice is to be published at least 30 days prior to the first such Public Hearing in the County's newspapers of record; and be it further

RESOLVED, that the proposed plan or an abstract containing program goals, objectives, action steps, and proposed budgets with categorical breakdowns shall be made available to the public prior to the first such hearing; and be it further

RESOLVED, that single copies of the proposed area plan or an abstract shall be made available without charge upon request as soon as it is prepared, before submission to the New York State Office for the Aging.

New Business

Mr. Shipley made a motion, seconded by Mr. Barto, and carried, to suspend the rules of order to introduce the following resolution:

**SHERIFF AUTHORIZED TO SIGN RENEWAL OF AGREEMENT BETWEEN UNIFIED
COURT SYSTEM AND SENECA COUNTY SHERIFF'S DEPARTMENT FOR
THE PERIOD APRIL 1, 2008 THROUGH MARCH 31, 2009**

RESOLUTION NO. 195-08, moved by Mr. Shipley, seconded by Mr. Barto and adopted by 679 ayes (Shipley, Barto, Reynolds, Serven, Davidson, Dresser, Kaiser, Same, Terryberry, Amidon, Hayssen, Mooney, Westfall) and 71 absentees (Lafler).

WHEREAS, the Seneca County Sheriff's Department is contracted by the New York State Unified Court System for security services provided for the Seneca County Courts; and

WHEREAS, the maximum compensation for the 2008 – 2009 Period shall be \$318,585 for 8.1 full-time equivalent personnel; and

WHEREAS, this resolution was reviewed and recommended by the Public Safety Committee at its meeting on July 22, 2008; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Seneca County Sheriff to sign the Renewal of Agreement between the New York State Unified Court System and Seneca County Sheriff's Department for the provision of security services for the Seneca County Courts for the period commencing April 1, 2008 and terminating March 31, 2009.

Special Order of the Day

The meeting adjourned at 8:45 p.m.