

Seneca County Board Of Supervisors

Regular Meeting

February 11, 2014

Call to Order

Chairman Hayssen called the meeting to order at 6:00 p.m.

Roll Call of Members by the Clerk

All members of the Board of Supervisors answered roll call. Mr. Westfall was excused from the meeting at 7:20 p.m.

Pledge of Allegiance and Moment of Silence

Presentation

Employee of the 3rd Quarter 2013 - Wendy Dressing, Staff Resources Assistant, Seneca County Community Counseling Center

Petitioners

- a. Catherine Lasher, employee of SMI, Inc. - Tire Recycling. The Seneca Meadows Tire Recycling Facility is a NYSDEC registered operation that processes 1 to 2 million car and light truck tires per year for on-site use.
- b. Four members of the FIRST Committee: Jeff Trout, Jim Bromka, Fred Jensen and Maryanne Kowalski. Fayette Infrastructure Review and Strategy Team (FIRST) provided a PowerPoint presentation. The mission of FIRST is to provide the Fayette Town Board with analysis, evaluation and recommendations regarding the current and future infrastructure status and needs of the town, including but not limited to: roads, bridges, water and sewer. The purpose of the presentation was to make recommendations to the Board of Supervisors regarding Water District. The recommendations are as follows:

1. Stop blaming Jason McCormick & Mithc Rowe
2. Appoint an Interim Water & Sewer Director
 - Temporary, Independent, Non-Political
 - Employee Accountability Review
3. Establish Ethics Panel
 - Review Ethics Policy
 - Establish a Conflict of Interest Code
 - Create a Transparent Relationship Chart
4. Request NYS Comptroller Audit
5. Require Employee Exit Interviews
 - Employee Intimidation & Harassment

6. Develop with CSEA a Climate Survey
 - Adopt Meaningful “Firewalls” between the Board of Supervisors & Department Heads & Employees
7. Explore Third-Party Subcontracting

FIRST provided each supervisor a packet with paper copies of the information presented. The packet has been filed with the office of the Clerk of the Board.

Chairman Hayssen directed the Board of Supervisors Public Works Standing Committee to follow-up on the concerns and issues presented.

Approval of Meeting Minutes

The January 14, 2104 board meeting minutes were approved

Submission of Claims for Audit

A motion by Mr. Prouty, and a second by Mr. Reynolds, to approve the following bills for payment was carried.

WHEREAS, the following vouchers having gone through the proper auditing process; now, therefore be it

RESOLVED, that said bills be approved for payment.

Supervisors vouchers	totaling	\$	681,390.47
Workforce Development vouchers	totaling	\$	31,277.947
Self-Insurance vouchers	totaling	\$	36,654.46
County Airport vouchers	totaling	\$	4,665.12
Highway Transportation vouchers			
Maintenance & State Snow	totaling	\$	150,865.88
Highway Machinery	totaling	\$	118,979.42
	Highway Total	\$	269,845.30
Water	totaling	\$	226,182.98
Sewer 1	totaling	\$	21,978.69
Sewer 2	totaling	\$	59,952.82
Airport Capital vouchers	totaling	\$	35,101.97
County Road 132 Capital vouchers	totaling	\$	626.10

Reports of Standing Committees

Public Health Committee - Mr. McGreevy, Chairman. The Committee, at the January 28, 2014 meeting review and recommended the following items for a board resolution: (1) authorize Chairman Hayssen to sign the contract authorizing receipt of funding for the New York State Department of Health

Immunization Program for the Immunization Action Plan Grant. The amount of the grant is \$30,000 for the period April 1, 2014 through March 31, 2015; (2) a board resolution appointing Grace Freier M.D. to the County Board of Health for a term expiring December 31, 2019; (3) a resolution amending the Building and Fire Code Enforcement Fee Schedule. The new fee schedule adopted by the board went into effect on January 1, 2014. One minor error under Residential Building Permits should be corrected.

The Public Health Committee authorized refilling the position of Senior Clerk in the Codes Enforcement Department as recommended by the Vacancy Committee.

The committee was informed that the Department of Building and Fire Code Enforcement submitted its Uniform Code Administration and Enforcement Report for 2013, as required under 19 NYCRR Part 1203. During 2013, Seneca County Building and Fire Code Enforcement completed 560 Building Permits including 78 New 1 & 2 Family Dwellings and 17 New Commercial Buildings; responded to 233 Complaints; conducted 320 Fire & safety Inspections; and issued 20 Stop Work Orders. The permits represent roughly \$27.8 million in total estimated construction costs, and brought in \$ 101,881 in revenue from collected permit and inspection fees.

Public Safety Committee - Mr. Reynolds, Chairman. The Committee met with representatives from Mercy Flight Central, Inc. They provided a overview of what they do and the general operation of their not-for-profit critical care air medical transport service.

Indian Affairs Committee - Mr. Shipley, Chairman. Report provided by IAC Chairman Shipley focuses on the NYSAC Winter Conference in Albany and meeting with our state representatives on Indian issues; and seeking support to realign Seneca County from DOT Region 3 to DOT Region 4. A full copy of IAC Chairman Shipley is included at the end of the minutes.

Human Services - Mr. Lazzaro. The Committee approved refilling the following positions in the Department of Human Services. Typist position, Child Protective Caseworker position, Adult Protective Caseworker position created in 2014 budget, Foster Care Caseworker created in 2014 budget, and to create and fill one PT Social Services Investigator position (no increase to budget).

Planning, Development, Agriculture & Tourism Committee - Mr. Earle, Chairman. The Committee recommended the following issues for consideration of a resolution by the Board of Supervisors: (1) appointments of individuals to certain outside agencies: Bill Bordeau, Director of Planning & Community Development to the GFLRPC Executive Committee and the Genesee Transportation Council Board (Alternate). Roy Gates, Superintendent of Seneca County Highway Department to the Genesee Transportation Council Planning Committee. Frank Sinciropi, resident of the Town of Seneca Falls and former Seneca County Personnel Officer to the NYS Fish & Wildlife Board (BOS Representative). John Andrews to the NYS Fish & Wildlife Board (Sportsmen Rep); (2) Tourism

Promotion Agency Contract and Authorize Payment. The Board of Supervisors of Seneca County appointed the Seneca County Chamber of Commerce as the Tourism Promotion Agency (“TPA”); (3) authorize the fidelity bond and payment of \$6,647.00 Genesee/Finger Lakes Regional Planning Council (GFLRPC) Bond and Payment. The budget for Seneca County fiscal year 2014 included the sum of \$6,647.00 as the County’s share of the operating funds of the Genesee/Finger Lakes Regional Planning Council. The New York State General Municipal Law (Section 119-00) requires counties participating in regional planning agencies to annually approve an “official undertaking” which can consist of a Public Employees Fidelity (Blanket) Bond for that officer of the agency designated to receive monies appropriated by member counties. This bond is to provide faithful performance blanket bond coverage for the designated officer in the amount of the funds being managed. In 2014, the total amount of funds being managed by the Regional Planning Council at any point during the calendar year will be approximately \$500,000; (4) adopt a resolution to reaffirm March as the time period for applications for property to apply to be included in Agricultural Districts; (5) adopt a resolution whereby Seneca County assumes ILead Agency status with respect to the Land Acquisition, Drainage Improvements, Terminal Expansion and Airspace Protection Projects at the Finger Lakes Regional Airport; (6) adopt a resolution authorizing a the submission of an application to FAA and NYSDOT for Taxiway Rehabilitation and Drainage Improvements – Construction Phase II to Remediate Drainage Problems at the Finger Lakes Regional Airport. This is the second phase of the construction program at the Finger Lakes Regional Airport. FAA portion of the grant is \$2,100,000, NYSDOT \$125,000 and Seneca County is \$125,000 which has been budgeted in the 2014 Airport budget line #305610 -54330. This request is for the submission of the application and acceptance of the grant. McFarland Johnson is the engineering firm representing Seneca County for this Project; (7) Creation of special committee to review progress in establishing Comprehensive Plan for Seneca County. The County’s Comprehensive Plan has not been finalized. It is recommended that a special committee be formed to review the current status of the plan and make recommendations for completion and approval of the plan.

Public Works Committee - Mr. Kaiser, Chairman. The Committee approved and recommended a board resolution authorizing the purchase of a 2015 Western Star 4700SF with Plow and Detroit Extended Warranties on State Bid for \$196,389.00. The adopted 2014 Seneca County budget approved the purchase of a 2015 Western Star 4700SF under State bid for a total cost of \$108,964.00.

PWC Chairman Kaiser said the Public Works Committee will review the information presented by FIRST. He is in favor of taking action now to address the issues and not wait for a county manager to be hired.

Mental Health Services - Mr. Serven, Chairman. The Seneca County Community Services Board accepted and approved applications of two current Community Services Board members for consideration

by the Seneca County Board of Supervisors for the reappointment to the Seneca county Community Services Board: Ted Papperman, Cayuga Street, Seneca Falls and Peter Same, John Street, Seneca Falls.

Finance, Assessment & Insurance Committee - Mr. Prouty, Chairman. The committee approved several 2014 budget transfers over \$1,000 and it also approved a blanket purchase order over \$10,000 for the Airport.

Chairman's Remarks

Seneca Nation has initiated a process to locate a full gaming Casino in Henrietta, NY. This would be the fourth casino in the area operated by Seneca Nation. This would cause financial distress to Western Regional Off-Track Betting. Chairman Hayssen supports a resolution that opposes the development of a fourth casino operated by Seneca Nation. A resolution will be presented to the Indian Affairs Committee and then to the Board of Supervisors.

The courthouse renovation project is moving forward. The initial stage of design is being formalized. Discussions have focused on the location for the E911 Backup Center. There is an issue with the current boilers. John Snyder Architects determined a need for additional architectural services. John Snyder will be at the Public Works Standing Committee to present the details.

County Attorney's Remarks

Having attended the NYSAC Native America Affairs Committee meeting at the Winter Conference in Albany it was clear that Seneca County stands alone in its opposition to Indian issues. Madison County and Oneida County agreed with the Governor's casino proposal. Part of the agreement is to discontinue their role in any current, pending, or future court cases. Seneca County will not need to take the lead role.

Communications:

9. A copy of the Seneca County Board of Health January 15, 2014 meeting minutes.
10. A copy of the Seneca County Department of Building & Fire Code Enforcement 2013 End of Year Summary Report.
11. A copy of the Seneca County E911 Communications 2013 Annual Report.
12. A copy of the Seneca County Probation Department 2013 Annual Financial Report.
13. From Gail M. Williams, a letter dated January 22, 2014 to the Board of Supervisors, as the daughter of the late Arthur C. Hall, a dedicated sportsman and conservationist from Waterloo and founding member of the Seneca White Deer, urging the Board of Supervisors to support the goal of preserving the natural resource of the white deer habitat.
14. A copy of Onondaga County Resolution No. 022, "Denying the Use of the Onondaga County Seal or Any Other Marks Identifying the County by the State of New York without the Consent of Onondaga County."

15. A copy of Yates County Resolution No. 31-14, "Urging Yates County Residents to Join the Donor Registry".

16. A copy of Yates County Resolution No. 25-14, "Supporting the Passage of Legislation to Allow the New York State and local Primary Election to be Conducted on the Fourth Tuesday of June each Year Commencing in 2014 and There Forward thus Coinciding with the Federal Primary Election.

17. A copy of Essex County Proclamation issued on the 15th day of January 2014, "Urging Essex County Residents to Join the Donor Registry".

18. Forty-four separate emails from senders residing in New York State, none residing in Seneca County, urging the county governing body to adopt a resolution declaring English as the county's official language.

19. From Assemblyman Philip A. Palmesano, a letter dated January 9, 2014, thanking the Board of Supervisors for joining him in the successful fight to save inpatient services at the Elmira Psychiatric Center (EPC) and these vital inpatient services will continue to be available to serve the families in the eleven-county region.

RESOLUTIONS & MOTIONS

BOARD OF SUPERVISORS AUTHORIZE AMENDMENTS TO

2014 SENECA COUNTY BUDGET

RESOLUTION NO. 14-14, moved by Mr. Prouty, second by Mr. Kubasik and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, amendments to the 2014 Seneca County Budget are necessary and appropriate; and

WHEREAS, funding is available in the object codes identified herein; and

WHEREAS, these amendments have been reviewed and approved by the Finance, Assessment and Insurance Committee at its meeting on January 28, 2014; now, therefore it be

RESOLVED, that the Board of Supervisor authorizes the following amendments to the 2014 Seneca County Budget:

Dist Atty

From:	101165-51100 (DA Salaries)	\$1,453.90
To:	101165-51400 (DA Severance)	\$1,453.90

Sheriff's Office

From:	103113-51100 (Sheriff Road Patrol Salaries)	\$6,491.56
To:	103113-51400 (Sheriff Road Patrol Severance)	\$6,491.56

Public Health

From:	104010-51100 (Public Health Salaries)	\$1,873.38
To:	104010-51400 (Public Health Severance)	\$1,873.38

County Manager

From:	101015-51100 (County Manager Salaries)	\$3,980.69
To:	101015-51400 (County Manager Severance)	\$3,980.69

DHS

From:	106010-51100-SS02 (DHS Fam & Child Srvs Salaries)	\$1,388.54
To:	106010-51400-SS02 (DHS Fam & Child Srvs Severance)	\$1,388.54

From:	106010-51100-SS01 (Temporary Assistance Salaries)	\$5,348.99
To:	106010-51400-SS01 (Temporary Assistance Severance)	\$5,348.99

From:	106010-51100-SS08 (Support Collections Salaries)	\$1,264.95
To:	106010-51400-SS08 (Support Collections Severance)	\$1,264.95

**SUPERVISORS AUTHORIZE BLANKET PURCHASE ORDER
FOR 2014 BUDGET**

RESOLUTION NO. 15-14, moved by Mr. Prouty, second by Mr. Kubasik and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the Finger Lakes Regional Airport requires regular purchases throughout the year that exceeds \$10,000; and

WHEREAS, the County's Purchasing Policy requires purchases in the amount of \$10,000 or greater to be authorized by Resolution of the Board of Supervisors; and

WHEREAS, funding is provided in the Adopted 2014 County Budget for regular and necessary purchases; and

WHEREAS, this resolution has been reviewed and approved by the Finance, Assessment and Insurance Committee on January 28, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors, in accordance with the County's Purchasing Policy, does hereby approve the following blanket purchase:

Airport – Aviation Fuel – 305610-54421 \$140,000

**SUPERVISORS URGE SENECA COUNTY RESIDENTS TO
REGISTER AS AN ORGAN /TISSUE DONOR**

RESOLUTION NO. 16-14, moved by Mr. McGreevy, second by Mr. Reynolds and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, in New York State, the demand for donated organs far exceeds the supply, with more than 10,000 individuals on a waiting list in New York State; and

WHEREAS, statistics in 2012 showed that 612 individuals died while waiting for a donated organ, this is an average of someone in New York will die every 15 hours because of the organ shortage; and

WHEREAS, enrollment in the organ registry for New York has one of the lowest organ / tissue rates in the nation at 22 percent, compared to 45 percent reported by other states; and

WHEREAS, to increase public awareness of the critical need for organ /tissue donation, NYSAC is reaching out to all 64 counties in New York State for a resolution urging organ /tissue donation; and

WHEREAS, the Government Operations Committee approved this resolution at a meeting on January 28, 2014; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors, in an effort to increase donor registration in New York State, does hereby urge its citizens to register as an organ / tissue donor at the local DMV office; or online through the New York State DMV website, or through the New York Organ Donor Network website.

**SUPERVISORS REAPPOINT TWO CURRENT MEMBERS TO
THE SENECA COUNTY COMMUNITY SERVICES BOARD**

RESOLUTION NO. 17-14, moved by Mr. Serven, second by Mr. Prouty and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, there are vacancies on the Community Services Board; and

WHEREAS, the Community Services Board moved to recommend the reappointment of the following individuals to the Community Services Board; and

Ted Papperman, Cayuga Street, Seneca Falls, NY 13148

Peter Same, John Street, Seneca Falls, NY 13148,

WHEREAS, the Board of Supervisors Mental Health Committee supports and approves the Community Services Board's recommendation of these two candidates at a meeting on January 28, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby re-appoint: Ted Papperman, Cayuga Street, Seneca Falls, NY 13148; and Peter Same, John Street, Seneca Falls, NY 13148, each to a four-year term on the Community Services Board, to expire February 11, 2018.

SENECA COUNTY BOARD OF SUPERVISORS' CHAIR AUTHORIZED TO SIGN

2014 MENTAL HEALTH SERVICES PROVIDER-AGENCY CONTRACTS (as amended)

RESOLUTION NO. 18-14, moved by Mr. Serven, second by Mr. Churchill and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the Department of Mental Health enters into services contracts each year with Lakeview Mental Health Services, Inc.; Finger Lakes Parent Network; Cayuga Centers; Unity House of Cayuga County; Challenge Industries; the Franziska Racker Centers; and the Council on Alcoholism and Other Chemical Dependencies of the Finger Lakes, Inc., to provided mental health and alcoholism services to the residents of Seneca County; and

WHEREAS, the funds used for these contracts are passed through state aid monies from New York State Office of Mental Health and New York State Office of Alcoholism and Substance Abuse Services; and

WHEREAS, the total state dollars-invested amount for these contracts is \$952,300 (revenue account 10.4300.43000 and expense account 10.4300.54700) with no local mandated share; and

WHEREAS, these contracts have been approved by the Mental Health Committee of the Seneca County Board of Supervisors; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the 2014 services providers' contracts with Lakeview Mental Health Services, Inc.; Finger Lakes Parent Network; Cayuga Centers; Unity House of Cayuga County; Challenge Industries; Franziska Racker Centers; and Council on Alcoholism and Other Chemical Dependencies of the Finger Lakes, Inc.

Prior to the adoption of Resolution No. 18-14, Mr. Kubasik moved to amend the resolution by deleting the text "2013" from the first line in the Resolved clause and replacing it with the text "2014".

SUPERVISORS APPROVE PURCHASE OF A 2015 WESTERN STAR 4700SF 10 WHEELER WITH PLOW, BOX AND DETROIT EXTENDED WARRANTIES FOR THE HIGHWAY DEPARTMENT

RESOLUTION NO. 19-14, moved by Mr. Kaiser, second by Mr. Davidson and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the Seneca County Highway Department is requesting to buy a 2015 Ford Western Star 4700SF 10 wheeler with plow, box and Detroit extended warranty; and

WHEREAS, funds for the purchase of one (1) 2015 Western Star 4700SF 10 Wheeler with Detroit Extended Warranty from Oneida County contract in the amount of \$115,664.00; Tenco plow and box from Oneida County contract in the amount of \$80,725.00 have been appropriated from the 2014 Seneca County Highway Road Machinery Vehicle Account 505130-52600; and

WHEREAS, the purchase was approved by the Public Works Committee of the Seneca County Board of Supervisors on January 28, 2014; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Seneca County Highway Superintendent to purchase one (1) 2015 Western Star 4700SF 10 wheeler with plow, box and Detroit Extended Warranty in the amount of \$196,389.00 with funds appropriated from the 2014 Highway Road Machinery Vehicle Account 505130-52600.

SUPERVISORS ABOLISH (1) PART-TIME LABORER POSITION AND CREATE AND FILL (1) FULL-TIME BUILDING MAINTAINER POSITION EFFECTIVE IMMEDIATELY

RESOLUTION NO. 20-14, moved by Mr. Kaiser, second by Mr. Prouty and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the Public Works Committee approved abolishing (1) Part-time Laborer Position and approved the creation and filling of (1) Full-time Building Maintainer Position at a meeting on January 28, 2014; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby abolish (1) Part-time Laborer Position effective immediately; and be it further

RESOLVED, the Seneca County Board of Supervisors does hereby create and authorize filling (1) Full-time Building Maintainer Position effective immediately; and be it further

RESOLVED, that the Buildings & Grounds Department is hereby authorized to fill the Building Maintainer position at an hourly rate of \$15.316, to be placed in Grade 4, as set forth in the CSEA Contract.

RESOLUTION APPOINTING MEMBERS TO VARIOUS BOARDS

RESOLUTION NO. 21-14, moved by Mr. Earle, second by Mr. Shipley and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, there are a number of boards / committees which serve to benefit Seneca County; and

WHEREAS, Seneca County has the opportunity to appoint or recommend appointments to these organizations; and

WHEREAS, the Seneca County Board of Supervisors appoints and / or recommends appointment of the following individuals:

<u>COMMITTEE</u>	<u>APPOINTEE</u>	<u>TERM</u>
GFLRPC (Executive Committee) Genesee Finger Lakes Regional Planning Council	Bill Bordeau	01/01/14 - 12/31/15
GTCB (Alternate) Genesee Transportation Council Board	Bill Bordeau	01/01/14 - 12/31/15
GTCPC Genesee Transportation Council Planning Committee	Roy Gates	01/01/14 - 12/31/15
NYS FWB (Board of Supervisors' Representative) NYS Fish & Wildlife Board	Frank Sinicropi	01/01/14 -12/31/15
NYS FWB (Sportsmen Representative) NYS Fish & Wildlife Board	John Andrews	01/01/14 - 12/31/15

WHEREAS, this resolution was reviewed and approved by the Planning, Development, Agriculture & Tourism Committee at a meeting on January 28, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint the above named individuals to serve in these capacities.

**BOARD OF SUPERVISORS REAFFIRM THE MONTH OF MARCH AS WHEN THEY WILL
RECEIVE APPLICATIONS FOR VIABLE AGRICULTURAL LAND TO BE INCLUDED
WITHIN A CERTIFIED AGRICULTURAL DISTRICT**

RESOLUTION NO. 22-14, moved by Mr. Earle, second by Mr. Davidson and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, New York State Agriculture and Markets Law Section 303-b states that “the legislative body of any county containing a certified agricultural district shall designate an annual thirty-day period within which a land owner may submit to such body a request for inclusion of land which is predominantly viable agricultural land within a certified agricultural district”; and

WHEREAS, traditionally this has been for Seneca County the month of March; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on January 28, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby reaffirm that the month of March shall serve as the time period during which land owners may apply to have property included with a certified Agricultural District; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to advertise this action; and be it further

RESOLVED, the Clerk of the Board is hereby directed to forward any application received during that time period to the Seneca County Agriculture Enhancement Board for their review and recommendation as per New York State Agriculture and Markets Law Section 303-b.

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH SENECA COUNTY CHAMBER OF
COMMERCE RE: NYS MATCHING FUNDS PROGRAM & TOURISM SERVICES AND
TREASURER AUTHORIZED TO RELEASE FUNDS IN ACCORDANCE WITH THE
PAYMENT SCHEDULE FOR 2014**

RESOLUTION NO. 23-14, moved by Mr. Earle, second by Mr. Kubasik and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the Seneca County Chamber of Commerce, Inc., is a not-for-profit corporation organized under the laws of the State of New York; and

WHEREAS, the Board of Supervisors of Seneca County has appointed the Seneca County Chamber of Commerce as the Tourism Promotion Agency (“TPA”); and

WHEREAS, the Chamber has made a proposal to the Board of Supervisors regarding the performance of certain duties related to tourism promotion of Seneca County; and

WHEREAS, the Planning, Development, Agriculture & Tourism Committee approved this resolution at a meeting on January 28, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the Chairman of the Board of Supervisors to sign a contract memorializing the terms of the proposal in a form and content approved by the County Attorney, the term to commence January 1, 2014, through December 31, 2014; and be it further

RESOLVED, that the Seneca County Board of Supervisors authorizes the Treasurer to release funds under Seneca County Budget 2014 line 108021-54700 (Tourism-Tourism CO) to the Chamber according to the terms of Schedule B of said Contract:

Schedule B

Seneca County Chamber of Commerce Contract NYS Matching Funds Program and Tourism Services
Payment Schedule for 2014

		<u>Matching Funds Program</u>	<u>Tourism Services</u>
Payment 1	February 2014	\$ 57,289.93	\$ 40,677.51
Payment 2	April 2014	0.00	40,677.52
Payment 3	July 2014	0.00	40,677.52
Payment 4	October 2014	0.00	40,677.52
Total		\$ 57,289.93	\$ 162,710.07

**BOARD OF SUPERVISORS APPROVES THE OFFICIAL UNDERTAKING OF
PUBLIC EMPLOYEES FIDELITY BOND FOR
GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

RESOLUTION NO. 24-14, moved by Mr. Earle, second by Mr. Serven and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the County of Seneca has appropriated the sum of \$6,647.00 as its share of the Year 2014 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

WHEREAS, pursuant to § 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000; and

WHEREAS, this resolution was reviewed and approved by the Planning, Development, Agriculture & Tourism Committee at a meeting on January 28, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law; and be it further

RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to pay the Genesee/Finger Lakes Regional Planning Council, 50 West Main Street, Suite 8107, Rochester, New York 14614, the sum of \$6,647.00 as the County's share of operating funds for the year 2014 as appropriated in the Department of Planning and Community Development account 10-135-5-8020.4380 Other Fees and Services.

**APPOINT SENECA COUNTY AS LEAD AGENCY FOR THE
PHASE II DRAINAGE PROJECT AT THE FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 25-14, moved by Mr. Earle, second by Mr. Churchill and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, Seneca County, as owner/sponsor of the Finger Lakes Regional Airport, has undertaken a design project known as Land Acquisition, Drainage Improvements, Terminal Area Expansion and Airspace Protection Projects, through McFarland Johnson, Inc., as Airport Consultant; and

WHEREAS, Seneca County intends to seek bids for and have constructed the aforesaid Project; and

WHEREAS, the aforesaid Project requires completion of New York State Environmental Quality Review (SEQR) pursuant 6 NYCRR 617; and

WHEREAS, Seneca County has identified the Townships of Fayette and Seneca Falls and the New York State Department of Environmental Conservation (NYS DEC) as involved agencies; and

WHEREAS, Seneca County has distributed Part 1 of the Full Environmental Assessment Form to all involved agencies, along with its intent to serve as lead agency; and

WHEREAS, in accordance with 6 NYCRR 617, no involved agency has issued an objection to Seneca County serving as lead agency within thirty (30) days of notification; and

WHEREAS, 6 NYCRR 617 requires the designation of lead agency from within the identified involved agencies prior to the issuance of a determination of significance; and

WHEREAS, it is the purpose of the Resolution to formalize and establish Seneca County as the lead agency, which will directly undertake and coordinate this Project pursuant to SEQR, and

WHEREAS, this resolution was reviewed and approved by the Planning, Development, Agriculture & Tourism Committee at a meeting on January 28, 2014; now, therefore be it

RESOLVED, that Seneca County hereby assumes lead agency status with the respect to the Land Acquisition, Drainage Improvements, Terminal Area Expansion and Airspace Protection Projects at the Finger Lakes Regional Airport.

APPLICATION, ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION (FAA) GRANT UP TO \$2,100,000 AND APPOINTING MCFARLAND JOHNSON AS ENGINEERS FOR THE PROJECT TO REHABILITATE TAXIWAY AND DRAINAGE IMPROVEMENTS, PHASE II AT THE FINGER LAKES REGIONAL AIRPORT

RESOLUTION NO. 26-14 moved by Mr. Earle, second by Mr. Lazzaro and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the FAA has indicated that a Phase II grant will be made available for the Wetland, Taxiway and Drainage Improvements at the Finger Lakes Regional Airport; and

WHEREAS, the total grant would be for \$2,100,000 with the Seneca County Local Share at \$105,000 which has been budgeted for in the 2014 Airport Budget and NYSDOT will contribute \$105,000; and

WHEREAS, McFarland Johnson was approved by the Seneca County Board of Supervisors to be the engineering firm for the Finger Lakes Regional Airport; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on January 28, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the application and acceptance of the FAA grant for Taxiway and Drainage Improvements Phase II at the Finger Lakes Regional Airport and that the Chairman of the Board of Supervisors be authorized and directed to sign all necessary documentation to submit and accept this application to the FAA; and, be it further

RESOLVED, that McFarland Johnson be approved as the engineering firm for the grant.

Under the discussion phase of Resolution No.26-14, Mr. Boudreau, Director of Planning & Community Development explained that there is no money commitment with this resolution. McFarland Johnson is being designated as the engineer on record. If Seneca County receives the aware from FAA, another resolution will come back to the Board of Supervisors with bids obtained by McFarland Johnson.

SUPERVISORS SUPPORT TENTATIVE AGREEMENT WITH SENECA COUNTY DEPUTY SHERIFF'S PBA

RESOLUTION NO. 27-14, moved by Mr. Earle, second by Mr. Davidson and adopted by 636 ayes, 57 nays (Kubasik) and 57 not present (Westfall).

WHEREAS, Seneca County and the Deputy Sheriff's PBA have engaged in contract negotiation and mediation; and

WHEREAS, the County and the PBA have reached a tentative agreement; and

WHEREAS, the PBA membership has voted on and passed the tentative agreement; and now, therefore be it

RESOLVED, the Seneca County Board of Supervisors supports the tentative agreement reached between the County and the PBA to be effective January 1, 2012 - December 1, 2015; and be it further

RESOLVED, the Chairman of the Board of Supervisors is authorized and directed to sign such agreement on behalf of the County; and be it further

RESOLVED, the Board of Supervisors authorizes the County Treasurer to make the necessary transfers from the contingency fund into the Sheriff's Office budget upon completion of calculation of salary changes.

**BOARD OF SUPERVISORS ABOLISH TEMPORARY FULL-TIME CASEWORKER POSITION
AND CREATE A PERMANENT FULL-TIME CASEWORKER POSITION (FOSTER
CARE/ADOPTION)**

RESOLUTION NO. 28-14, moved by Mr. Lazzaro, second by Mr. Reynolds and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the Seneca County Division of Human Services-Services Unit recommends abolishing one Temporary Full-Time Caseworker Position and creating a Permanent Full-Time Caseworker Position; and

WHEREAS, the DHS Services Unit is responsible for handling numerous adult and child welfare related issues and concerns; and

WHEREAS, the funding for these positions is provided for within the 2014 Division of Human Services budget and the position is 65% reimbursed (35% local share); and

WHEREAS, the Board of Supervisors Human Services Committee approved the creation and filling of said positions at its meeting on January 28, 2014; now, therefore be it

RESOLVED, that the Board of Supervisors hereby approves abolishing one Temporary Full-time Caseworker Position in the Services Unit of the Division of Human Services; and authorizes the creation and filling of one Permanent Full-time Caseworker Position in the Division of Human Services-Foster Care/Adoption Unit; and be it further

RESOLVED, that the Division of Human Services is hereby authorized to fill the Caseworker position at an hourly rate of \$17.525, to be placed in Grade 6, as set forth in the CSEA Contract.

**BOARD OF SUPERVISORS TO CREATE A PERMANENT
FULL-TIME CASEWORKER POSITION (ADULT PROTECTIVE SERVICES)**

RESOLUTION NO. 29-14, moved by Mr. Lazzaro, second by Mr. Serven and adopted by 636 ayes, 57 nays (Kubasik) and 57 not present (Westfall).

WHEREAS, the Seneca County Division of Human Services-Services Unit would like to create one Permanent Full-Time Caseworker Position; and

WHEREAS, the DHS Services Unit is responsible for handling numerous adult and child welfare related issues and concerns; and

WHEREAS, the funding for these positions is provided for within the 2014 Division of Human Services budget and the position is 65% reimbursed (35% local share); and

WHEREAS, the Board of Supervisors Human Services Committee approved the creation and filling of said position at its meeting on January 28, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the creation and filling of one Caseworker Position in the Division of Human Services-Adult Protective Services; and be it further

RESOLVED, that the Division of Human Services is hereby authorized to fill the Caseworker position at an hourly rate of \$17.525, to be placed in Grade 6, as set forth in the CSEA Contract.

BOARD OF SUPERVISORS TO CREATE A PERMANENT

PART-TIME SOCIAL SERVICES FRAUD INVESTIGATOR POSITION

RESOLUTION NO. 30-14, moved by Mr. Lazzaro, second by Mr. McGreevy and adopted by 636 ayes, 57 nays (Kubasik) and 57 not present (Westfall).

WHEREAS, the Seneca County Division of Human Services-Temporary Assistance Unit would like to create a Permanent Part-Time Social Services Fraud Investigator Position; and

WHEREAS, the Fraud Unit is responsible for combating welfare related fraud; and

WHEREAS, the funding for these positions is provided for within the 2014 Division of Human Services budget; and

WHEREAS, the Board of Supervisors Human Services Committee approved the creation and filling of said positions at its meeting on January 28, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the creation and filling of one Permanent Part-time Social Services Fraud Investigator Position; and be it further

RESOLVED, that the Division of Human Services is hereby authorized to fill the Social Services Fraud Investigator position at \$19.421 per hour, not to exceed the 2014 budget amount of \$14,900.

BOARD OF SUPERVISORS AUTHORIZES CHAIRMAN TO SIGN DOCUMENTS TO

AMEND THE 2011 STATE LAW ENFORCEMENT TERRORISM

PREVENTION PROGRAM GRANT CONTRACT

RESOLUTION NO. 31-14, moved by Mr. Reynolds, second by Mr. Shipley and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, Seneca County was awarded funds through the State Law Enforcement Terrorism Prevention Program Grant in 2011 from the New York Division of Homeland Security and Emergency Services, for the purposes of acquiring law enforcement equipment; and

WHEREAS, the New York Division of Homeland Security and Emergency Services has agreed to a one year contract extension to August 31, 2014; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Committee on January 28th, 2014; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be hereby authorized to sign all necessary documents to extend the 2011 State Law Enforcement Terrorism Prevention Program Grant contract with the New York Division of Homeland Security and Emergency Services, subject to approval of the Seneca County Attorney.

**OFFICE OF EMERGENCY SERVICES AUTHORIZED TO PURCHASE VEHICLE AND
CHAIRMAN AUTHORIZED TO SIGN GRANT AMENDMENTS**

RESOLUTION NO. 32-14, moved by Mr. Reynolds, second by Mr. Earle and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the County owns a 1997 van that is used to transport the Mobile Air System to fire scenes, drownings, and training drills to refill breathing air bottles; and

WHEREAS, the van has been out of service since October due to a major mechanical problem that makes it uneconomical to repair; and

WHEREAS, funds for the purchase of a new 2014 E-350 Cargo van, from Van Bortel Ford, on NYS Contract PC65855 for \$23,432.07, will be taken from the State Homeland Security Grants by amending the SHSP FY 12 & SHSP FY13; and

WHEREAS, the State Division of Homeland Security & Emergency Services has approved the amendments to these grants for the purchase of the vehicle; and

WHEREAS, the Public Safety Committee approved this purchase at its meeting on January 28, 2014; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Director of Emergency Services to purchase a new 2014 E-350 Cargo van, from Van Bortel Ford, on NYS Contract for \$23,432.07; and be it further

RESOLVED, that the Chairman of the Board is authorized and directed to sign any and all documents as required by the New York State Division of Homeland Security & Emergency Services to amend the SHSP FY 12 & SHSP FY13 grants.

**SUPERVISORS AUTHORIZE THE APPOINTMENT OF
TWO DEPUTY SHERIFFS ABOVE HIRE RATE**

RESOLUTION NO. 33-14, moved by Mr. Reynolds, second by Mr. Davidson and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the Sheriff has approval to fill two Deputy Sheriff Positions; and

WHEREAS, the Sheriff's Office has experienced difficulty recruiting and retaining qualified Deputies; and

WHEREAS, the PBA Collective Bargaining Agreement permits hiring qualified trained personnel at a salary up to and including Step 3 on the salary schedule, pending the approval of the Sheriff and the Board of Supervisors; and

WHEREAS, there are currently two qualified trained Deputy Sheriff applicants; now therefore it be

RESOLVED, the Seneca County Board of Supervisors authorizes the Sheriff to hire one candidate who has one year of experience at Step 1 of the salary schedule; and be it further

RESOLVED, the Seneca County Board of Supervisors authorizes the Sheriff to hire one Deputy Sheriff who has three years of experience at Step 3 of the salary schedule.

SUPERVISORS ABOLISH (1) FULL-TIME DEPUTY SHERIFF POSITION AND CREATE AND FILL (1) FULL-TIME SERGEANT POSITION EFFECTIVE IMMEDIATELY
RESOLUTION NO. 34-14, moved by Mr. Reynolds, second by Mr. Prouty and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the Public Safety Committee has approved abolishing (1) full-time Deputy Sheriff Position and approved the creation and filling of (1) full-time Sergeant Position at a meeting on January 28, 2014; and

WHEREAS, funding for this position is included in the 2014 budget; now therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby abolish (1) full-time Deputy Sheriff Position effective immediately; and authorizes the creation and filling of (1) full-time Sergeant Position effective immediately; and be it further

RESOLVED, that the Seneca County Sheriff's Department is hereby authorized to fill a Full-time Sergeant position at an hourly rate as set forth in the PBA Contract.

BOARD OF SUPERVISORS INCREASE SALARY STEP FOR UNDER SHERIFF
RESOLUTION NO. 35-14, moved by Mr. Reynolds, second by Mr. Davidson and adopted by 636 ayes, 57 nays (Kubasik), and 57 not present (Westfall).

WHEREAS, the Seneca County Sheriff has requested that the Under Sheriff Position on the Management Salary Schedule at Step 6 be raised to Step 8; and

WHEREAS, the current Under Sheriff has been in law enforcement for over 35 years as a Patrolman and Sergeant with Seneca Falls Police Department; a Senior Investigator with the New York State Insurance Fraud Bureau; and 6 years as Under Sheriff of Seneca County; and has gathered a great deal of knowledge and experience, a factor used when evaluating an employee's position on the Schedule; and

WHEREAS, presently the Chief Deputy is receiving a salary of \$67,579, which is greater than his supervisor, the Under Sheriff, and this increase in Step position would properly place the Under Sheriff's salary above his subordinate, the Chief Deputy, with a salary of \$69,196; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes increasing the Under Sheriff Position from Step 6 to Step 8 on the Management Salary Schedule and place his salary at \$69,196. This will be incorporated on the budget line of 103110-51100.

BOARD OF SUPERVISORS INCREASE GRADE AND STEP FOR JAIL ADMINISTRATOR
RESOLUTION NO. 36-14, moved by Mr. Reynolds, second by Mr. Davidson and adopted by 636 ayes, 57 nays (Kubasik), and 57 not present (Westfall).

WHEREAS, the Seneca County Sheriff has asked the Personnel Office to re-evaluate the management position of Jail Administrator to examine the possibility of upgrading the position; and

WHEREAS, the last evaluation of the position was undertaken while the Sheriff's Office was located on W. Williams Street in the Village of Waterloo and has since moved to 6150 State Road 96, Romulus, resulting in an increase in staff, inmate population and corresponding supervisory responsibilities; and

WHEREAS, after the re-evaluation was studied it was determined that the upgrading of the position from Grade 5 to Grade 6 was justified; and

WHEREAS, the Seneca County Sheriff is requesting that the Jail Administrator Position be upgraded from Grade 5 to Grade 6, and that the present Jail Administrator be placed in Grade 6, Step 6, at an annual salary of \$60,681; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes the grade Level of the Jail Administrator be upgraded from Grade 5 to Grade 6 and the present Jail Administrator be placed at Step 6 of Grade 6 at the annual salary of \$60,681. This will be incorporated in budget line 103150-51100.

**BOARD OF SUPERVISORS APPOINTS DR. GRACE FREIER TO
THE SENECA COUNTY BOARD OF HEALTH**

RESOLUTION NO. 38-14, moved by Mr. McGreevy, second by Mr. Churchill and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the Seneca County Department of Health currently has a vacancy for a Physician member due to the retirement of Dr. Emanuel Li; and

WHEREAS, Dr. Grace Freier, a Seneca County resident and practicing Pediatrician at LifeCare Medical Associates, has expressed a desire to join the board; and

WHEREAS, the appointment will be for a six year term as specified in Public Health Law and will be for the period January 1, 2014 through December 31, 2019; and

WHEREAS, the Public Health Committee approved Dr. Freier's appointment at a meeting on January 28, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby appoints Dr. Grace Freier to a six year term on the Seneca County Board of Health.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN A
CONTRACT FOR THE IMMUNIZATION ACTION PLAN GRANT**

RESOLUTION NO. 39-14 moved by Mr. McGreevy, second by Mr. Churchill and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, the Health Department has been awarded a grant from the New York State Department of Health for the Immunization program; and

WHEREAS, the grant period is April 1, 2014 through March 31, 2015 in the amount of \$30,000; and

WHEREAS, the money is in the Public Health budget; and

WHEREAS, it is necessary for the Chairman to sign the contract with the New York State Department of Health Immunization Program in order to receive the funds; and

WHEREAS, the Public Health Committee has approved this resolution at a meeting on January 28, 2014; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the contract with the New York State Department of Health for the Immunization Program Grant.

Unfinished Business

Chairman Hayssen stated that the deadline to accept applications for the vacant position of County Manager is February 15, 2014. The Personnel Director and Mr. Mazza, consultant, will review the applications and provide to the search committee viable candidates for interview. The search committee will meet two days next week to review the applications recommended by the Personnel Director and Mr. Mazza.

Mrs. Corona, Personnel Director, said that she did a quick review of the applications received to date, and it is her opinion that there are seventeen qualified applications. She said Mr. Mazza also has some applications which are confidential as requested by the applicant.

New Business

Rule of Order No. 29: Mr. Reynolds made a motion, second by Mr. Shipley, to introduce the following resolutions for consideration by the Board of Supervisors without it being reviewed by the appropriate standing committee. The motion carried by a two-third majority vote of the board members present.

CORRECTIONAL FACILITY MEDICAL CONTRACT

RESOLUTION NO. 40-14, moved by Mr. Reynolds, second by Mr. Shipley and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, Seneca County Sheriff Stenberg is responsible for the correctional facility operations; and a vital function of that facility operation is providing medical coverage to the inmates of the facility; and

WHEREAS, the New York State Commissioner of Corrections requires all correctional facilities to maintain medical coverage through a medical doctor; and

WHEREAS, the medical coverage we have had in place since 2009 is ending and a new provider must be secured; and

WHEREAS, the Sheriff has contacted Finger Lakes Health organization for discussions regarding putting a contract in place to provide the required medical coverage; and

WHEREAS, a contract has been approved to form by Seneca County Attorney and Finger Lakes Health between Finger Lakes Health, Seneca County and the Seneca County Sheriff, whereby medical coverage will be provided through Finger Lakes Health in the persons of Dr. Phillip Wirth, Dr. Andrew Reese and Nurse Practitioner Sue Green; and

WHEREAS, the cost of said contract is set at \$70,000 per year payable to Finger Lakes Health; now, therefore be it

RESOLVED, the Chairman of the Board of Supervisors is directed to sign the Medical Coverage Contract between the County of Seneca and Finger Lakes Health to provide medical coverage to the Seneca County Correctional Facility at an amount of \$70,000 per year which will be accounted for through 2014 Budget Line 103151-51100.

**SUPERVISORS DIRECT CHAIRMAN TO SEND LETTER TO STATE REPRESENTATIVES
SEEKING COMPENSATION FROM NEW YORK STATE FOR UNPAID TAXES ON
PROPERTY OWNED BY THE CAYUGA NATION AND TO REACH OUT TO NYS DOT
COMMISSIONER TO MOVE SENECA COUNTY TO DOT REGION 4**

RESOLUTION NO. 41-14, moved by Mr. Shipley, second by Mr. Davidson and adopted by 693 ayes and 57 not present (Westfall).

WHEREAS, New York State has paid \$1.5 million dollars each, to Madison County and Oneida County for non-payment of property taxes by the Oneida Indian Tribe; and

WHEREAS, the Cayuga Indian Nation refuses to pay property taxes on nearly 1,100 acres of Seneca County lands, representing a \$1.2 million shortfall of local Town and School taxes; and

WHEREAS, the Seneca County Tax Foreclosure case nears a potential historic decision by the Second Circuit Court of Appeals expected in late 2014; and

WHEREAS, in 2013 the Seneca County Board of Supervisors petitioned the New York State Legislature to compensate Seneca County for unpaid taxes on property owned by the Cayuga Nation; and

WHEREAS, in 2011 the Seneca County Board of Supervisors requested action by New York State Department of Transportation to move Seneca County from DOT Region #3 (Syracuse) to DOT Region #4 (Rochester) thus unifying planning efforts by the Genesee Transportation Council (GTC) and the NY State Economic Development Corporation – Finger Lakes Regional Office (Rochester); now therefore be it

RESOLVED, that the Seneca County Board of Supervisors directs the Chairman of the Board to send a letter to our New York State representatives seeking compensation from New York State for unpaid taxes on property owned by the Cayuga Nation and to reach out TO NYS DOT Commissioner to move Seneca County to DOT Region 4.

Special Order of the Day

The meeting adjourned at 8:35 p.m.