

REGULAR MEETING

Tuesday, January 10, 2006

The Board of Supervisors convened under the rules of regular session with thirteen members present. Supvr. Trickler was absent.

The Employee of the Third Quarter for 2006 was awarded to Steve Acquilano, Probation Officer

Supvr. Barto made a motion, seconded by Supvr. Kaiser, that the following vouchers, having gone through the proper auditing process be approved for payment. Motion was carried.

Supervisors' vouchers #1 - 339 totaling	\$244,443.39
Office of the Aging vouchers #1 - 44 totaling	43,321.68
Workforce Development vouchers #1 - 19 totaling	24,652.43
Insurance vouchers #1 - 6 totaling	10,366.80
County Airport vouchers #1 - 9 totaling	1,689.52
Jail Capital Project vouchers #1 - 12	901,938.67
Highway Fund vouchers: #1 - 33 totaling	117,277.76

Minutes for Board of Supervisor the December 27, 2005 meeting were approved as corrected and printed.

Under Reports of Standing Committee, Supvr. Mooney, Chairman, of the Planning, Development, Agriculture & Tourism Committee, gave a report of recent committee business, and as Board of Supervisor representative on the IDA Board, he gave a report on IDA activity.

At the conclusion of Supvr. Mooney's reports, Supvr. Same noted his objection to a statement made by Supvr. Mooney, in which he said he was acting on behalf of the Board of Supervisors when he voted against the re-appointment of Mr. Bradley Jones as IDA Chairman. Supvr. Same believed that the statement was inaccurate. He did not recall when the Board of Supervisors discussed the issue. Supvr. Mooney said it was actually discussed at a Planning, Development, Agriculture & Tourism committee meeting. Chairman Shipley and Supvr. Kaiser agreed that the issue had been discussed.

Reports for the following committees were also offered by the committee Chairman: Indian Land Claim; Personnel; Government Operations & Technology; Jail Construction Oversight; and Finance, Assessment & Insurance.

Particularly noted under the Finance, Assessment & Insurance report, two boats used by the Sheriff's Department and declared surplus were auctioned on Ebay (internet auction site) for a final combined bid of \$26,311.00. Supvr. Barto said the revenue would be applied to budget line items specifically for boat patrol.

Under Chairman's remarks, Chairman Shipley read the following statement.

"Tonight, as we are about to begin the 2006 Legislative Session, I would like to remind everyone where it "WAS" that we - as a collective Board - came from and where it "IS" that we - as a collective Board - need to go.

"A year ago, many of you sat in this room as we faced a number of uncertainties: Growing un-funded state mandates and delayed progress on the new county Safety & Jail facility threatened to produce double digit increases for our county taxes, while the Seneca-Cayuga Indian Land Claim and related illegal gambling activities threatened to diminish the quality of life for our residents.

"It took a courageous, unified effort to meet those issues "Head-on" and we succeeded. We challenged our county workforce to become more efficient and effective and they did.

"If this Board is to continue the progress of its predecessor, we must continue to demand greater efficiency and effectiveness out of our county workforce and it must start with ourselves.

"To that end, I am announcing a re-organization of our committee structure. this move is based on recommendations from our County Manager, fellow supervisors and the general public. In fact, the anticipated benefits of this system should help alleviate legitimate concerns that have been shared by fellow supervisors regarding the timing start and duration of committee meetings.

"This re-organization is an attempt to streamline our committee process, improve our efficiency as Supervisors and promote dialogue during our general board meetings.

"Make no mistake - the challenges that confronted us in 2005 will not go away in 2006. We must continue to evolve as a proactive board - one that is ready to meet the challenges of tomorrow... Today!...We have seen the results of increased efficiency and must continue to strive for more...We owe nothing less to the taxpayers of Seneca County."

Standing Committee assignments for 2006 are as follows:

No. 1 Finance, Assessment & Insurance

(Chairman - Barto, *Anglim, Same, Kaiser, Trickler)

No. 2 Government Operations, Personnel & Technology

(Chairman - Kaiser, *Barto, Smith, Reynolds, O'Neill)

No. 3 Public Works, Planning, Development, Agriculture & Tourism

(Chairman - Mooney, *O'Neill, Trickler, Same, Amidon)

No. 4 Mental Hygiene, Public Health, Human Services

(Chairman - O'Neill, *Smith, Reynolds, Mooney, Dresser)

No. 5 Public Safety & Jail Oversight

(Chairman - Anglim, *Lafler, Teichner, Kaiser, Reynolds)

No. 6 Indian Land Claim

(Chairman - Dresser, *Barto, Anglim, Lafler, Teichner)

Special Committees:

Inter County

(Chairman - Amidon, Kaiser, Secor)

Under County Attorney's remarks, Mr. Getman read the following statement.

"In regards to the efforts to pass a local law preventing sex offenders from living near certain designated areas where children are likely to congregate we have both positive and potentially negative developments.

"On the positive, the public safety committee has approved, and the board will tonight consider, a resolution addressed to the NYS DCJS demanding that sex offenders not be located by that agency to the county of Seneca. This resolution has been passed in other municipalities as a first step towards the type of local law the board is contemplating and I would endorse it and request the board's support.

"Furthermore, Cayuga County has passed a local law similar to that which we are contemplating. I have obtained a copy from that county. However, we are still looking into whether, given the differences between the counties in terms of government, geography and the like, whether that law is practical for a county such as ours.

"In addition, during his 12th and final State of the State Address on Wednesday, Governor Pataki made a strong call for new laws that would further protect our children and families by requiring the civil confinement of dangerous sexual predators; imposing longer sentences for those who molest and rape children, or commit violent or repeat sexual assaults; strengthening New York's Megan's Law; ending the statute of limitations on rape and sexual assaults; and requiring all criminals to submit a DNA sample to State's DNA Databank. How these proposals fare may effect our efforts one way or another.

"On a more negative note, the passage of a local law has been potentially complicated further by the news today that Meghan's law is set to expire in twelve days if the State assembly does not act.

"This law requires that sex offenders notify police of their whereabouts for at least 10 years after being released from prison.

"News reports indicate that a total of 168 offenders are slated to be dropped from the rolls on Jan. 21 unless the law is extended. By the end of the year, 3,500 offenders could be dropped, reports indicate.

"While we are still researching the ultimate effect of failure to extend Megan's' law, it is possible that this latest development could frustrate, or even doom, our efforts. These sorts of local laws typically rely on a person's status on the sex offender rolls as a method of determining residency and enforcing the law. If a person is no longer on the rolls, unless the law is written, or re-written, accurately any law we pass may be invalid and/or unenforceable.

"Senator Nozzolio advised that the State Senate has passed an extension that mandate lifetime registration for all levels of sex offenders. This bill has been sent to the Assembly, but has not yet been passed.

"As such, while I will continue working on the law, in the interim it may be appropriate for the members of the Board, and any other interested party, to contact the legislative leadership and urge passage of appropriate legislation seeking to have the law extended and, as necessary, strengthened.

The following communications were received and filed:

1. From Charlie Schillaci, Commissioner of Human Services, a copy of his appointment of Tom Kuryla as Deputy Commissioner effective January 3, 2006.

2. From Steven J. Getman, County Attorney, a copy of his appointment of Frank R. Fisher, Esq. as First Assistant County Attorney (full-time) and Barbara J. Carr, Confidential Secretary to the County Attorney (full-time).

3. From Lynn Patti, President, Board of Trustees, Waterloo Library & Historical Society, a letter thanking the Board of Supervisors for its continued support of the Automated circulation and cataloging system.

4. From Will Elliott, Corresponding Secretary, Erie County Federation of Sportsmen's Club's, Inc., a letter dated December 21, 2005, in support of the development of a Seneca white deer conservation park at the former Army depot.

5. From NYS Division of Criminal Justice Services, a copy of the fully executed grant contract between the Division of Criminal Justice Services (DCJS) and Seneca County.

6. From U.S. Department of Housing and Urban Development, a copy of executed Closeout Agreements for Small Cities Community Development Block Grant (CDBG); Grant Numbers B-97-DH-36-0035 and B-00-DH-36-0082; Seneca County, NY.

7. From Finger Lakes Workforce Investment Board, a letter dated December 28, 2005 from Karen A. Springmeier, Executive Director, addressing the findings of the FL WIB Monitoring Report for the Program Year 2005.

8. From NYS Workforce New York, a copy of a letter dated 16, 2005 to Deborah Culeton, Chairperson, FL WIB, regarding WIA PY 2004 Incentive Award.

9. From the Town of Milo, a copy of SEQR - Notice of Negative Declaration regarding zoning changes.

10. From FL Resource Conservation & Development Council, Inc., a copy of minutes from November 6, 2005 meeting.

11. From Seneca County Board of Health, a copy of minutes from the December 21, 2005 meeting.

12. From Seneca County IDA, a copy of minutes from the December 1, 2005 regular meeting and December 15 Joint Meeting of with Seneca County Economic Development Corporation.

13. From Western FL Solid Waste Management Authority, a copy of minutes from October 17, 2005 meeting.

The following communications were received and referred to committee as indicated:

14. From Nancy L. O'Connor, District Secretary, a copy of a letter dated December 27, 2005 to Paul Kronenwetter notifying him of his appointment as the Solid & Water Conservation District Board representative on the Fish & Wildlife Management Board of NYS-DEC Region 8 for 2006. Referred to Planning, Development, Agriculture & Tourism.

15. From Genesee / Finger Lakes Regional Planning Council, notification of Public Employees Performance Bond for GFLRPC. Referred to Finance Assessment & Insurance Committee and Planning, Development, Agriculture & Tourism.

16. From Genesee / Finger Lakes Regional Planning Council, notification of collaboration agreement with GFLRPC and Seneca County. Referred to Planning, Development, Agriculture & Tourism Committee and Government Operations & Technology Committee.

**A RESOLUTION ADDRESSED TO THE NEW YORK DIVISION OF CRIMINAL JUSTICE
SERVICES DEMANDING THAT SEX OFFENDERS NOT BE LOCATED WITHIN
THE COUNTY OF SENECA**

RESOLUTION NO. 03-06, moved by Mr. Smith, seconded by Mrs. Teichner and adopted by 690 ayes (Smith, Teichner, Reynolds, Barto, O'Neill, Dresser, Kaiser, Same, Anglim, Lafler, Amidon, Mooney, Shipley), and 60 absentees (Trickler).

WHEREAS, Seneca County Board of Supervisors recognize that there is nothing more important than the care and protection of those most innocent among us, our County's children; and

WHEREAS, In order to further protect our children from the danger posed by sex offenders, especially those sexually violent offenders who commit predatory acts characterized by repetitive and compulsive behavior; and

WHEREAS, Level II Sex Offenders have been determined by the Department of Corrections to pose a moderate risk of committing another sexual crime; and

WHEREAS, Level III Sex Offenders have been determined to pose a high risk of committing another sexual crime and have been determined to pose a threat to the public safety; and

WHEREAS, The County of Seneca has a number of registered sex offenders that reside within the County, thus increasing the probability of harm to the residents and children of our County; now therefore be it

RESOLVED, That the Board of Supervisors of the County of Seneca hereby demands that the Division of Criminal Justice Services of the New York Department of Corrections cease and desist in the placement and/or release of registered sex offenders into the County of Seneca; and be it further

RESOLVED, That the Clerk of the Board of Supervisors shall mail a copy of this resolution to the Division of Criminal Justice Services of the New York State Department of Corrections, Governor George E. Pataki, New York State Senator Michael Nozzolio, and New York State Assemblyman Brian Kolb.

CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN INTER-MUNICIPAL AGREEMENT BETWEEN THE COUNTIES OF MONROE, LIVINGSTON, STEUBEN, YATES, SCHUYLER, CHEMUNG, ONTARIO, WAYNE, AND SENECA.

RESOLUTION NO. 04-06, moved by Mr. O'Neill, seconded by Mr. Lafler and adopted by 690 ayes (O'Neill, Lafler, Reynolds, Barto, Smith, Dresser, Kaiser, Same, Anglim, Amidon, Teichner, Mooney, Shipley) and 60 absentees (Trickler).

WHEREAS, All county Health Departments have responsibilities for public health emergency planning and response; and

WHEREAS, Some public health problems may require public health services that exceed the capacity of the individual County Public Health Departments; and

WHEREAS, The member counties of the Finger Lakes Public Health Alliance have drafted an inter-municipal agreement to provide mutual aid to each other during a public health emergency; and

WHEREAS, This agreement has been reviewed and approved by the County Attorney and the Risk Manager, now therefore be it

RESOLVED, That the Chairman of the Board of Supervisors is hereby authorized and directed to sign this Inter-municipal Agreement.

Supvr. Lafler made a motion to suspend the rules of order to introduce draft resolutions not on the agenda. Supvr. Same seconded the motion. Motion was carried.

SUPERVISORS AUTHORIZE INCREASE FOR PART-TIME MANAGEMENT AND NON MANAGEMENT EMPLOYEES

RESOLUTION NO. 05-06, moved by Mr. Lafler, seconded by Mr. Same and adopted by 690 ayes (Lafler, Same, Reynolds, Barto, Smith, O'Neill, Dresser, Kaiser, Anglim, Amidon, Teichner, Mooney, Shipley) and 60 absentees (Trickler).

RESOLVED, That the Seneca County Board of Supervisors does hereby authorize a 3% salary increase for the following positions effective January 23, 2006: Seasonal and temporary employees, PT Sheriff's Department employees, Coroners PT, MEOs PT, Sr. Account Clerk PT, Staff Psychiatrist PT; Tax Map Technician PT, Tourism Specialist PT, Airport Manager PT, Social Services Investigators PT; and be it

FURTHER RESOLVED, That the Seneca County Board of Supervisors does hereby authorize a 3% salary increase for those management employees not covered by AMTEK (PT employees) effective January 16, 2006; and be it

FURTHER RESOLVED, That the Seneca County Board of Supervisors does hereby authorize a 3% salary increase for Court Attendants effective April 1, 2006.

Supvr. Same requested a five-minute recess, which was granted by Chairman Shipley.

SUPERVISORS ADOPT AMTEK MANAGEMENT COMPENSATION PLAN FOR 2006

RESOLUTION NO. 06-06, moved by Mr. Lafler, seconded by Mrs. Amidon and adopted by 446 ayes (Lafler, Amidon, Smith, O'Neill, Dresser, Same, Anglim, Teichner, Mooney), 224 nays (Reynolds, Barto, Kaiser, Shipley), and 60 absentees (Trickler).

WHEREAS, The Seneca County Board of Supervisors authorized review of the Management Compensation Plan; and

WHEREAS, The Personnel Committee on December 27, 2005 approved adoption of the AMTEK Plan as presented on December 13, 2005 and again on December 27, 2005; now, therefore be it

RESOLVED, That the Seneca County Board of Supervisors does hereby adopt the AMTEK Management Compensation Plan as proposed with a 2% increase with each management employee receiving one step for the year 2006.

**SUPERVISORS APPROVE AND CHAIRMAN AUTHORIZED TO SIGN CHANGE ORDERS FOR
NEW LAW ENFORCEMENT CENTER**

RESOLUTION NO. 07-06, moved by Mr. Kaiser, seconded by Mr. Smith and adopted by 608 ayes (Kaiser, Smith, Reynolds, O'Neill, Dresser, Same, Anglim, Lafler, Amidon, Teichner, Mooney, Shipley), 82 nays (Barto), and 60 absentees (Trickler).

WHEREAS, Changes to contracts for the law enforcement center project have been approved and, according to the policy adopted by the Board of Supervisors, changes that actually change the term and condition of the contracts become a change order and require Board approval; now, therefore be it

RESOLVED, That the Seneca County Board of Supervisors does hereby approve and the Chairman of the Board of Supervisors is hereby authorized and directed to sign the following change orders in the amounts indicated:

Schenectady Steel Co., Inc. (structural steel)	\$ 8,748
Michael A. Ferrauilo Plbg. & Htg. Inc. (HVAC Contract)	15,465
Bette & Cring, LLC	(25,254)
Bette & Cring, LLC	14,566
O'Connell Electric	(84,385)
Michael A. Ferrauilo Plbg. & Htg. (HVAC Contract)	(3,550)

AUTHORIZATION TO CORRECT & REFUND TAXES TO COUNTY TREASURER

RESOLUTION NO. 08-06, moved by Mr. Barto, seconded by Mr. Same and adopted by 690 ayes (Barto, Same, Kaiser, Smith, Reynolds, O'Neill, Dresser, Anglim, Lafler, Amidon, Teichner, Mooney, Shipley), and 60 absentees (Trickler).

WHEREAS, Section 554(9) & 556(8) of the Real Property Tax Law authorizes a tax levying body such as the Seneca County Board of Supervisors to delegate its authority to the County Treasurer to

correct errors and refund taxes as provided by Section 554(1-8) and 556(1-7) of the said law; and

WHEREAS, It would be in the best interest of the Board of Supervisors and taxpayers of Seneca County to delegate the refunding authority to expedite the corrective refund process; now therefore be it

RESOLVED, That the Seneca County Board of Supervisors delegate the authority to correct and refund taxes pursuant to Section 554 and Section 556 of the Real Property Tax Law to the County Treasurer for the fiscal year 2006 where said applications are for \$2,500.00 or less; and be it

FURTHER RESOLVED, That the County Treasurer submit a report to the Board of Supervisors before the 15th of each month detailing the corrections and refunds granted for the prior month. Said resolution to be effective until December 31, 2006.

Supvr. Dresser noted for the record, that the Finger Lakes Times article dated January 4, 2006 was inaccurate in stating, "Despite Board Chairman Bob Shipley's efforts to adjourn the meeting before a vote could be taken..." He said that Chairman Shipley and he had discussed the motion for executive session prior to the start of the board meeting.

Supvr. Kaiser noted for the record that during the reorganization meeting of the Board of Supervisors, he recognized Supvr. Mooney's nomination for Chairman of the Board before he recognized Supvr. Teichner's nomination because he first heard Supvr. Mooney, although he may have not spoken up as loudly as Supvr. Teichner.

As no further business was before the Board, Supvr. Barto moved the meeting adjourned.