

Seneca County Board of Supervisors

Regular Meeting

March 27, 2007

7:00 p.m.

Call to Order:

Chairman Barto called the meeting to order at 7:01 p.m.

Roll Call of Members by the Clerk:

Twelve members of the Board of Supervisors answered roll call. Mr. Trickler and Mr. Lafler were absent.

Pledge of Allegiance and Moment of Silence:

Petitioners:

Kevin Radka, Executive Board Member, IBEW: keeping business and industry in the local area, specifically the Food Lab located in Geneva, NY

Approval of Meeting Minutes:

Mrs. Amidon moved the minutes of Feb. 27, 2007 board meeting be approved as submitted. Second was made by Mr. Same. Motion carried.

Reports of Standing Committees:

The chairperson of the following oversight committees gave an overview of the pre-resolutions recommended by the committee for board adoption: Mental Health Services - Mrs. Amidon; Personnel & Technology – Mr. Reynolds; Public Works – Mr. Davidson, Vice Chair; Public Health – Mr. Lafler; Planning, Development, Agriculture & Tourism – Mr. Kaiser; Government Operations – Mr. Smith; Public Safety & Jail Construction – Mr. Shipley; Finance, Assessment & Insurance – Mr. Anglim.

Dr. Dresser, Chairman, Native American Affairs Committee, reported on a conference he attended, subject being “The State of Indian Gaming in New York”, the status of negotiations for a new compact for Turning Stone Casino, and an update on the collection of tax revenue on sales of cigarettes and gasoline to non-Indians. A copy of the complete report was filed with the office of the Clerk of the Board of Supervisors.

Chairman’s Remarks:

Chairman Barto’s remarks focused on the support given by county staff to a fellow employee whose children, along with a friend, were in a motor vehicle accident. A copy of Chairman Barto’s remarks was filed with the office of the Clerk of the Board.

The following communications were received and filed:

82. From NYS Office of the State Comptroller, a copy of a letter dated March 13, 2007, addressed to Nicholas Sciotti, Seneca County Treasurer, regarding the County's 2007 distribution from the Indigent Legal Services Fund (ILSF).

83. From Seneca County Industrial Development Agency (SCIDA), a notice letter dated February 27, 2007 of a public hearing regarding SCIDA and New York Chiropractic College (NYCC) on Monday, April 2, 2007 at 10:00 a.m. at the Community Center, Seneca Falls, NY.

84. From C. Fred Trickler, a letter dated March 19, 2007, of resignation as County Supervisor-at-large, Town of Waterloo, effective April 1, 2007.

85. From Bonadio & Co., LLP, information required by Government Auditing Standards to be communicated to the County regarding Audit Objectives, Management Responsibilities, Audit Procedures: General, Internal Control, and Compliance.

86. A copy of the 2006 Annual Report of Seneca County Department of Mental Health.

87. From Stephen B. Johnson, a letter dated March 8, 2007, regarding a fire occurring on the half mile of River Rd. not covered by public water.

88. From Dennis Mullen, President & CEO, Greater Rochester Enterprise, a copy of a letter dated March 12, 2007 in support of the proposed development of Empire Green Biofuels.

89. From Judith LaBelle, Rochester, NY, and Jackie Dunning, Fairport, NY, form letters received March 15, 2007, supporting a conservation park and the preservation of the white deer hear at the former Army depot.

90. From Robert G. Stevens, Phelps, NY, a letter dated March 7, 2007, opposing the sale of 4,500 acres at the former Army depot for the development of Empire Green Biofuels.

91. From Lloyd A. Johnson, Romulus, NY, a copy of a letter dated March 6, 2007 addressed to Glenn Cooke, Seneca County IDA, urging a compromise to the ethanol plant and wildlife controversy at the former Army depot, resulting in the co-existence of both.

92. From Suzanne S. Schmitt, Boxborough, MA, a letter dated March 7, 2007, supporting the preservation of the white deer herd at the former Army depot.

93. From Jack Luther, Romulus, NY, an email dated March 22, 2007, supporting the proposed ethanol producing facility.

94. From Guy Kinney, Waterloo, NY, an article from the February 23, 2007 Finger Lakes Times titled, *Wayne Doubles Vets' Exemption*.

95. Meeting minutes from the February 27, 2007 E911-Advisory Board meeting.

96. Meeting minutes from the Seneca County Cornell Cooperative Extension Board of Director's January 16, 2007 meeting.

97. Meeting minutes from the Seneca County Agriculture Enhancement Board meeting on January 10, 2007

98. Draft copy of meeting minutes from Seneca County Soil & Water Conservation District February 26, 2007 meeting.

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

99. From Tioga County Legislature, a copy of a resolution urging the United States Congress to enact the "Medicaid County Protection Act of 2007". Referred to the Human Services Committee.

Resolutions and Motions:

**RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD AND SHERIFF TO SIGN
CONTRACT WITH ONTARIO COUNTY FOR HOUSING OF INMATES**

RESOLUTION NO. 76-07, moved by Mr. Shipley, seconded by Mrs. Teichner and adopted by 619 ayes (Shipley, Teichner, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Same, Anglim, Amidon, Mooney) and 131 absentees (Lafler, Trickler).

WHEREAS, Seneca County currently has a contract with Ontario County for inmate housing that expired December 31, 2006 and a request to renew the contract for an additional year is being made at a cost of \$85.00 per day; now therefore be it

RESOLVED, that the Chairman of the Board and Sheriff are hereby authorized and directed to sign said contract with Seneca County for housing of inmates.

CHAIRMAN AUTHORIZED TO SIGN MICRO ENTERPRISE APPLICATION

RESOLUTION NO. 77-07, moved by Mr. Kaiser, seconded by Mr. Shipley and adopted by 619 ayes (Kaiser, Shipley, Reynolds, Barto, Smith, Davidson, Dresser, Same, Anglim, Amidon, Teichner, Mooney) and 131 absentees (Lafler, Trickler).

WHEREAS, Seneca County intends to apply to the Governor's Office for Small Cities (GOSC) New York State Trust Fund for up to \$400,000 of Community Small Cities Program Funding; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on February 27, 2007; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the necessary documents to submit an application to GOSC for Community Development Small Cities Funding.

**SUPERVISORS AWARD BID FOR PRINTING THE
2007 SENECA COUNTY VISITORS GUIDE**

RESOLUTION NO. 78-07, moved by Mr. Kaiser, seconded by Mr. Mooney and adopted by 619 ayes (Kaiser, Mooney, Reynolds, Barto, Smith, Davidson, Dresser, Same, Anglim, Amidon, Teichner, Shipley) and 131 absentees (Lafler, Trickler).

WHEREAS, four bids have been received for the printing of the 2007 Seneca County Visitors Guide; and

WHEREAS, PMI Remley, a division of Printing Methods, Inc., has met the requirements of the procurement specifications and is found to be the lowest responsible bidder; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on March 13, 2007; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby award the bid for the printing of the 2007 Seneca County Visitors Guide to PMI Remley, a division of Printing Methods, Inc., 3816 Oak Orchard Road, Albion, New York 14411 for the amount not to exceed \$28,395.00, to be drawn from account number 8021-4707.

RESOLUTION AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT

LOAN TO LLOYD DEAL

RESOLUTION NO. 79-07, moved by Mr. Kaiser, seconded by Mrs. Amidon and adopted by 619 ayes (Kaiser, Amidon, Reynolds, Barto, Smith, Davidson, Dresser, Same, Anglim, Teichner Mooney, Shipley) and 131 absentees (Lafler, Trickler).

WHEREAS, Seneca County has received Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development to make economic development loans; and

WHEREAS, businesses to whom these monies have been loaned are repaying the loans, thereby establishing a revolving loan fund for business development and job creation; and

WHEREAS, a loan application has been received and reviewed by the CBDG Loan Review Committee and found to be satisfactory; and

WHEREAS, this loan will help finance the purchase of a business at 20 East Bayard Street, Seneca Falls, NY and will create ten (10) full-time new jobs; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on February 13, 2007; now, therefore be it

RESOLVED, that the County of Seneca lend to Lloyd Deal \$100,000 from the CDBG funds from account no. 272310840 to be repaid at terms and conditions agreeable to the Department of Housing and Urban Development and the CDBG Loan Review Committee.

**RESOLUTION AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT LOAN TO
BRIAN SOLOMON, D/B/A SOLOMON CHIROPRACTIC**

RESOLUTION NO. 80-07, moved by Mr. Kaiser, seconded by Mr. Same and adopted by 619 ayes (Kaiser, Same, Reynolds, Barto, Smith, Davidson, Dresser, Anglim, Amidon, Teichner Mooney, Shipley) and 131 absentees (Lafler, Trickler).

WHEREAS, Seneca County is eligible to apply to the New York State Governor's Office for Small Cities for Community Development Block Grants (CDBG) funds to make economic development loans; and

WHEREAS, a loan application has been received for a business expansion for Solomon Chiropractic, and has been reviewed by the CDBG Loan Review Committee and found to be satisfactory; and

WHEREAS, this loan will help finance equipment and materials for the business and is projected to create two (2) full-time jobs and ½ time job; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on March 13, 2007; now, therefore be it

RESOLVED, that the County of Seneca lend to Brian Solomon \$25,000 from the New York State Governor's Office of Small Cities CDBG funds from account no. 272107469 to be repaid at terms and conditions agreeable to the State of New York and the CDBG Loan Review Committee.

SUPERVISORS APPROVE FUNDING FOR AIRPORT IMPROVEMENT PROJECT

RESOLUTION NO. 81-07, moved by Mr. Kaiser, seconded by Mr. Reynolds and adopted by 619 ayes (Kaiser, Reynolds, Barto, Smith, Davidson, Dresser, Same, Anglim, Amidon, Teichner Mooney, Shipley) and 131 absentees (Lafler, Trickler).

WHEREAS, a Security Improvement Project for the Finger Lakes Regional Airport, P.I.N. 3911.81 ("the Project") is eligible for funding under New York State's AIR 99 Program administered by the NYS Department of Transportation ("NYSDOT"); and

WHEREAS, the County of Seneca desires to advance the Project by committing advance funding of the Project, the total Project cost being \$335,000 of which the NYSDOT share is \$335,000 with no local funds required; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on March 13, 2007; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby approves the above subject Project; and be it

FURTHER RESOLVED, that the sum of \$335,000 is hereby advanced from the General Fund to the Airport Capital Fund account no. 80-101556102000 and made available to cover the costs of the Project to be reimbursed with State Funds and repaid to the General Fund after the State reimbursement; and be it

FURTHER RESOLVED, that in the event the full costs of the Project exceeds the amount appropriated above, the County of Seneca shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Manager; and be it

FURTHER RESOLVED, that the Chairman of the Seneca County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for AIR 99 Program Funding on behalf of the County of Seneca with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the funding of all Project costs that are not so eligible.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A CONTRACT WITH BRIGHT START PEDIATRIC SERVICES**

RESOLUTION NO. 82-07, moved by Mrs. Teichner, seconded by Mrs. Amidon and adopted by 619 ayes (Teichner, Amidon, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Same, Anglim, Mooney, Shipley) and 131 absentees (Lafler, Trickler).

WHEREAS, Bright Start Pediatric Services in Fairport will be providing vision services for a child enrolled in the Early Intervention Program; and

WHEREAS, it is necessary to establish a contract for these services; and

WHEREAS, the cost of these services is \$68 per visit; and

WHEREAS, the period of this contract will be through Dec. 31, 2009; and

WHEREAS, the money for this contract is in the budget 4145.470; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with Bright Start Pediatric Services.

**BOARD OF SUPERVISORS AUTHORIZE HIRING A FULL-TIME
CODE ENFORCEMENT OFFICER**

RESOLUTION NO. 83-07, moved by Mrs. Teichner, seconded by Mr. Davidson and adopted by 619 ayes (Teichner, Davidson, Reynolds, Barto, Smith, Dresser, Kaiser, Same, Anglim, Amidon, Mooney, Shipley) and 131 absentees (Lafler, Trickler).

WHEREAS, in the 2007 budget development process, the creation of a new Full-Time Code Enforcement Officer was approved; and

WHEREAS, changes to the State Sanitary Code become effective January 1, 2007, requiring additional staff to effectuate compliance with, and enforcement of the new state law; and

WHEREAS, the cost of this position is in the Code Enforcement budget 10-135-5-8090-1100, now, therefore be it

RESOLVED, the Board of Supervisors authorizes the filling of this position in accordance with county policies and procedures.

**RESOLUTION ACCEPTING TRAFFIC IMPROVEMENTS ON NORTH ROAD IN
CONNECTION WITH PROPOSED PROJECT BY WAL-MART STORES**

RESOLUTION NO. 84-07, moved by Mr. Davidson, seconded by Mr. Shipley and adopted by 619 ayes (Davidson, Shipley, Reynolds, Barto, Smith, Dresser, Kaiser, Same, Anglim, Amidon, Teichner Mooney) and 131 absentees (Lafler, Trickler).

WHEREAS, as part of its proposed expansion project in the Town of Seneca Falls, Wal-Mart Stores, Inc. ("Wal-Mart") is undertaking and constructing, at its expense, traffic improvements to the roadway infrastructure near the site; and

WHEREAS, the improvements include constructing left turn only lanes at each of the legs of NYS Rt. 414/North Road intersection and widening portions of North Road; and

WHEREAS, it is Wal-Mart's intent to turn over the widened portions of North Road to the County, as the County currently owns North Road; and

WHEREAS, the County Highway Department and the Public Works Committee of the Board of Supervisors have reviewed and approved this proposal; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the above described changes to North Road and agrees to accept title to the widened portions of North Road upon completion.

SUPERVISORS AUTHORIZE CREATION AND FILLING OF (5) PART-TIME COOK POSITIONS AT LAW ENFORCEMENT CENTER

RESOLUTION NO. 85-07, moved by Mr. Reynolds, seconded by Mr. Davidson and adopted by 619 ayes (Reynolds, Davidson, Barto, Smith, Dresser, Kaiser, Same, Anglim, Amidon, Teichner Mooney, Shipley) and 131 absentees (Lafler, Trickler).

WHEREAS, the new Law Enforcement Center will operate 24/7; and

WHEREAS, additional part-time Cooks will provide additional staffing required preparing meals for the inmates; now, therefore being it

RESOLVED, the Seneca County Board of Supervisors does hereby create and authorize the filling of (5) part-time Cook Positions at the new Law Enforcement Center.

RESOLUTION RE-APPOINTING COMMUNITY SERVICES BOARD MEMBERS

RESOLUTION NO. 86-07, moved by Mrs. Amidon, seconded by Dr. Dresser and adopted by 619 ayes (Amidon, Dresser, Reynolds, Barto, Smith, Davidson, Kaiser, Same, Anglim, Teichner, Mooney, Shipley) and 131 absentees (Lafler, Trickler).

WHEREAS, the Mental Hygiene Committee of the Board of Supervisors has moved to recommend the re-appointment of the following individuals to terms to expire as noted:

Sylvia (Macdonald) Papperman four year term to expire December 31, 2011

105 Cayuga Street

Seneca Falls, NY 13148

Rose Palmieri

four year term to expire December 31, 2011

1790 East River Road
Waterloo, NY 13165

Tom Premo

four year term to expire December 31, 2011

130 W. Bayard Street

Seneca Falls, NY 13148; now therefore be it,

RESOLVED, that Ms. Papperman, Ms. Palmieri and Mr. Premo are re-appointed to the Seneca County Community Services Board with terms as noted above.

Mr. Davidson made a motion to suspend the rules of order to introduce a resolution not pre-filed. Mrs. Amidon seconded the motion. The motion carried.

**SUPERVISORS SELECT ENGINEERING FIRM FOR SENECA COUNTY LOCALLY
ADMINISTERED FEDERAL AID BRIDGE PROJECTS**

RESOLUTION NO. 87-07, moved by Mr. Davidson, seconded by Mr. Reynolds and adopted by 619 ayes (Davidson, Reynolds, Barto, Smith, Dresser, Kaiser, Same, Anglim, Amidon, Teichner, Mooney, Shipley) and 131 absentees (Lafler, Trickler).

WHEREAS, the Seneca County Board of Supervisors previously passed resolutions authorizing the implementation and funding of the Design Phase of two separate bridge projects on County Road 114 and County Road 143; and

WHEREAS, letters of interest were sent to all fifteen (15) firms on the Local Design Service Agreement Approved Firms list for Region 3; and

WHEREAS, responses received have been reviewed and Barton & Loguidice has been selected for both bridge projects; now, therefore be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to sign any and all contracts with Barton & Loguidice regarding engineering services for Bridge Projects on County Road 114 and County Road 143.

New Business:

Chairman Barto made the following appointments:

Cornell Cooperative Extension Board - Mr. Davidson, Board of Supervisors representative, to fill the unexpired term due to Mr. Trickler's resignation.

Chamber of Commerce Board - Mr. Mooney, Board of Supervisors representative

Mr. Richard Ricci, as an ex-officio member of the Native American Affairs Committee.

Special Order of the Day:

Meeting was adjourned by motion made by Mr. Smith, seconded by Mr. Kaiser and carried.