

REGULAR MEETING

August 22, 2006

7:00 p.m.

The Board of Supervisors convened under the Rules of Regular session with thirteen members present. Mr. Trickler was absent.

Petitioners:

David Milhalyi, Pastor, St. Paul's Episcopal Church, Waterloo, NY regarding Seneca County government.

Approval of Minutes:

Minutes were approved as printed for the July 25, 2006 board meeting.

Standing Committee Reports:

The following committee reports were given by the respective Chairman of said committee.

Inter-County Special Committee, Supervisor Amidon, Chairman.

Public Works & Planning, Development, Agriculture and Tourism Committee, Supervisor Mooney, Chairman. A copy of the report was filed with the Office of the Clerk to the Board of Supervisors.

Native American Affairs Committee, Supervisor Dresser, Chairman. A copy of the report was filed with the Office of the Clerk to the Board of Supervisors.

Government Operations, Personnel, and Technology Committee, Supervisor Kaiser, Chairman. A copy of the report was filed with the Office of the Clerk to the Board of Supervisors.

Public Safety & Jail Construction Committee, Supervisor Anglim, Chairman. A copy of the report was filed with the Office of the Clerk to the Board of Supervisors.

Finance, Assessment & Insurance Committee, Supervisor Barto Chairman. A copy of the report was filed with the Office of the Clerk to the Board of Supervisors.

Chairman's Remarks:

Chairman Shipley's remarks included the rising cost of gasoline and the county's efforts to cap the gas tax at \$2.00 a gallon. He requested that Mr. Barto, Finance Director continue to monitor the situation and keep the Board updated on the Committee's findings.

Chairman Shipley also stated he supported establishing a bipartisan search committee for the position of County Manager. A copy of Chairman Shipley's remarks was filed with the Office of the Clerk to the Board of Supervisors.

County Manager's Remarks:

Ms. Secor included the 2007 budget process. She stated that she and the department heads were scrutinizing the budget; taking into account the cost of operations for the new jail facility. The goal is a budget that would result in a low tax rate.

County Attorney's Remarks:

The County Law Department was represented by Frank Fisher, Assistant County Attorney.

Communications:

The following communications were received and filed:

181. From Neal E. Lane, NYS Office for the Aging, a letter to Angela M. Reardon, Director, Seneca County OFA, dated July 17, 2006, with an enclosed copy of an official copy of the Notification of Grant Award and approved application for HIICAP for the period April 1, 2006 through March 31, 2007.

182. From Christopher DeAngelis, Program Administrator, Governor's Office for Small Cities, letters dated August 10, 2006, notifying the County of GOSC's monitoring review to be conducted on August 24, 2006 for Project Nos. 1056ME30-03 and 1056ME37-04.

183. From Ontario County Board of Supervisors, a copy of Resolution No. 430-2006, Authorizing Agreements Between Ontario County and Seneca, Wayne, and Yates Counties for Course Offerings - FLCC.

184. From the Varick Town Board, a copy of a motion which was made and unanimously approved supporting Seneca County Manager, Sharon L. Secor in her job.

185. From the Romulus Town Board, a copy of Resolution 61-06, Support for the County Manager Position.

186. From the Ovid Town Board, a copy of Resolution 15-2006, resolving that the retirement agreement with Sharon Secor signed January 3, 2006 should be declared null and void by the Board of

Supervisors so that Ms. Secor can serve her full term of office, thereby remaining County Manager until December 31, 2007.

187. From Don Kenyon, Interlaken, NY, a letter dated August 3, 2006, regarding the controversy over management in Seneca County.

188. From Frank Saracino, Seneca Falls, NY, a letter received in the Office of the Clerk of the Board on August 9, 2006, requesting he be considered for the position of "transition manager".

189. From Seneca County Planning Board, a copy of meeting minutes for July 13, 2006.

The following communications were referred to the committee indicated:

190. From Peter Robinson, Chair, Governing Board for Finger Lakes Partnership, an invitation to join the Board and participate in the implementation of the \$15 million WIRED (Workforce Innovation in Regional Economic Development) Initiative grant award. Referred to the Public Works & Planning, Development, Agriculture & Tourism Committee.

Resolutions and Motions:

**SUPERVISORS AUTHORIZE TREASURER TO TRANSFER FUNDS FOR PRISONER
OUTBOARDING EXPENSES**

RESOLUTION NO. 206-06, moved by Mr. Barto, seconded by Mr. Smith and adopted by 690 ayes (Barto, Smith, Reynolds, O'Neill, Dresser, Kaiser, Same, Lafler, Anglim, Amidon, Teichner, Mooney, Shipley) and 60 absentees (Trickler).

WHEREAS, the inmate population at the Seneca County Jail continues to increase dramatically and is causing major budget deficit issues; and

WHEREAS, the Finance, Assessment & Insurance Committee and Public Safety & Jail Construction Oversight Committee have reviewed options to control the costs and options available to cover the cost of said deficit; and

WHEREAS, the Board of Supervisors' Finance, Assessment & Insurance Committee has recommended transferring the sum of \$100,000 from the savings realized from Medicaid account 6102.470 to cover the cost of bills submitted for payment; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the County Treasurer to transfer the sum of \$100,000 from the Medicaid account 6102.470 to Sheriff's Jail Prisoner Contracts (housing) account 3150.438.

CHAIRMAN AUTHORIZED TO SIGN STATE AID LETTER OF APPROVAL FOR PROBATION
RESOLUTION NO. 207-06, moved by Mr. Anglim, seconded by Mrs. Amidon and adopted by 690 ayes (Anglim, Amidon, Reynolds, Barto, Smith, O'Neill, Dresser, Kaiser, Same, Lafler, Teichner, Mooney, Shipley) and 60 absentees (Trickler).

WHEREAS, the NYS Division of Probation and Correctional Alternatives has allocated \$79,400 in state aid to the Seneca County Probation Department for calendar year 2006; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the State Aid Letter of Approval on behalf of Seneca County for the calendar year 2006.

**CHAIRMAN OF SENECA COUNTY BOARD OF SUPERVISORS AND THE SENECA COUNTY
SHERIFF TO ENTER INTO AGREEMENT WITH CAYUGA COUNTY FOR SHARING RADIO
TOWER SPACE TO ENHANCE THE COMMUNICATIONS NETWORK**

RESOLUTION NO. 208-06, moved by Mr. Anglim, seconded by Mr. Kaiser and adopted by 690 ayes (Anglim, Kaiser, Reynolds, Barto, Smith, O'Neill, Dresser, Same, Lafler, Amidon, Teichner, Mooney, Shipley) and 60 absentees (Trickler).

WHEREAS, the Seneca County Sheriff is in need of additional radio tower space to cover eastern Seneca County; and

WHEREAS, the Cayuga County Sheriff is in need of additional radio tower space to cover western Cayuga County; and

WHEREAS, both municipalities are able to meet their individual needs by sharing existing tower space that each municipality owns and is presently in use in their respective counties; and

WHEREAS, a Memorandum of Agreement has been drafted for each municipality to sign including the prospective radio tower sites; now therefore be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors and the Seneca County Sheriff are hereby authorized to

enter into this Agreement to enhance the radio communications network in Seneca County.

CHAIRMAN AUTHORIZED TO SIGN CONTRACT DOCUMENTS EXTENDING FIRE TRAINING FACILITY GRANT CONTRACT PERIOD

RESOLUTION NO. 209-06, moved by Mr. Anglim, seconded by Mr. Mooney and adopted by 690 ayes (Anglim, Mooney, Reynolds, Barto, Smith, O'Neill, Dresser, Kaiser, Same, Lafler, Amidon, Teichner, Shipley) and 60 absentees (Trickler).

WHEREAS, Senator Michael Nozzolio secured a New York State Department of State grant in 2005 in the amount of \$60,000 for improvements at the Fire Training Center facility located at the former Seneca Army Depot; and

WHEREAS, the grant contract period must be extended to continue the project; and

WHEREAS, this resolution has been reviewed and approved by the Public Safety and Jail Construction Committee on August 8th, 2006; now, therefore be it

RESOLVED, The Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to sign all necessary contract extension documents for said grant.

SUPERVISORS AUTHORIZE PARTICIPATION IN COOPERATIVE BID

COORDINATED BY BOCES

RESOLUTION NO. 210-06, moved by Mr. Kaiser, seconded by Mr. O'Neill and adopted by 690 ayes (Kaiser, O'Neill, Reynolds, Barto, Smith, Dresser, Same, Lafler, Anglim, Amidon, Teichner, Mooney, Shipley) and 60 absentees (Trickler).

WHEREAS, the Seneca County Board of Supervisors desires to participate in a cooperative bidding program conducted by the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties from year to year or, until this Resolution is rescinded, for the purchase of various commodities and/or services; and

WHEREAS, the Seneca County Board of Supervisors is desirous of participating with The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties in the joint bid for

commodities and/or services mentioned below as authorized by General Municipal Law, Section 119-o; and

WHEREAS, the Seneca County Board of Supervisors has appointed the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties as representative to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Seneca County Board of Supervisors and making recommendations thereon; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors and the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties hereby accepts the appointment of the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters related above; and be it

FURTHER RESOLVED, that the Seneca County Board of Supervisors agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding, and be it

FURTHER RESOLVED, that the Seneca County Board of Supervisors on behalf of the County of Seneca County of New York State is hereby authorized to participate in cooperative bidding conducted by the Board of Cooperative Educational Services on Ontario, Seneca, Wayne and Yates Counties for various commodities and/or services and if requested to furnish the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties an estimated minimum number of units that will be purchased by the Board of Cooperative Educational Services of Ontario, Seneca Wayne and Yates Counties. The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

CHAIRMAN OF THE BOARD AUTHORIZED TO SIGN AGREEMENT WITH FLCC - RE:

OFFERING OF COURSES IN SENECA COUNTY

RESOLUTION NO. 211-06, moved by Mr. Kaiser, seconded by Mr. Same and adopted by 690 ayes (Kaiser, Same, Reynolds, Barto, Smith, O'Neill, Dresser, Lafler, Anglim, Amidon, Teichner, Mooney, Shipley) and 60 absentees (Trickler).

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign an agreement with the Finger Lakes Community College for the offering of courses in Seneca County for the 2006-07 year.

SUPERVISORS APPROVE AGREEMENT AND APPROPRIATION TO SENECA COUNTY

CORNELL COOPERATIVE EXTENSION

RESOLUTION NO. 212-06, moved by Mr. Mooney, seconded by Mrs. Teichner and adopted by 690 ayes (Mooney, Teichner, Reynolds, Barto, Smith, O'Neill, Dresser, Kaiser, Same, Lafler, Anglim, Amidon, Shipley) and 60 absentees (Trickler).

WHEREAS, a contractual relationship between Seneca County and the Seneca County Cornell Cooperative Extension will provide staff services needed to ensure the continuing maintenance of the Agricultural District Program and improved access to additional grant dollars for agricultural activities in Seneca County; and

WHEREAS, the Public Works, Planning, Development, Agriculture & Tourism Committee is recommending approval of such a contractual relationship and an annual appropriation of funding over the next seven (7) years; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve an agreement for Consultant Services between the County and the Seneca County Cornell Cooperative Extension for Consultant Services in 2006, subject to the review and approval of the County Manager and County Attorney; and be it

FURTHER RESOLVED, that a 2006 appropriation of \$2,625 from Account 8020-4370 to Seneca County Cornell Cooperative Extension be approved.

**DESIGNATE SENECA COUNTY GOVERNMENT AS TOURISM PROMOTION AGENCY AND
AUTHORIZE APPLICATION FOR MATCHING FUNDS PROGRAM IN 2006 - 07**

RESOLUTION NO. 213-06, moved by Mr. Mooney, seconded by Mr. Kaiser and adopted by 690 ayes (Mooney, Kaiser, Reynolds, Barto, Smith, O'Neill, Dresser, Same, Lafler, Anglim, Amidon, Teichner, Shipley) and 60 absentees (Trickler).

WHEREAS, the Seneca County Board of Supervisors desires to enhance the general economy of Seneca County through the promotion and marketing of tourism attractions, conventions, trade shows, special events, and other directly related and supporting tourism assets; and

WHEREAS, this resolution has been reviewed and approved by the Public Works, Planning, Development, Agriculture & Tourism Committee on August 8, 2006; now, therefore be it

RESOLVED, that the New York State Department of Economic Development be requested to designate the County of Seneca as Seneca County's Tourism Promotion Agency for purposes of the Matching Funds Program in 2006-07; and be it

FURTHER RESOLVED, that the Chairman of the Board of Supervisors be authorized on behalf of Seneca County to sign an application for New York State financial assistance in 2006 under the Matching Funds Program; and be it

FURTHER RESOLVED, that Seneca County will commit up to \$90,000 from the Seneca County Room Tax in 2006-07 to provide the County's share of the Matching Funds Program.

**CHAIRMAN OF THE BOARD AUTHORIZES SIGNATURE OF RENEWAL AGREEMENT WITH
BONADIO & CO. FOR ACCOUNT AND FRAUD-RELATED SERVICES**

RESOLUTION NO. 214-06, moved by Mr. O'Neill, seconded by Mrs. Teichner and adopted by 690 ayes (O'Neill, Teichner, Reynolds, Barto, Smith, Dresser, Kaiser, Same, Lafler, Anglim, Amidon, Mooney, Shipley) and 60 absentees (Trickler).

WHEREAS, the Division of Human Services would like to renew the agreement with Bonadio & Co., LLP, Certified Public Accountants; and

WHEREAS, Bonadio & Co. are certified public accountants who specialize in accounting and fraud-related issues; and

WHEREAS, the current agreement with Bonadio & Co. for these services will expire on August 31, 2006; and

WHEREAS, the upcoming contract will have the same rate of pay as the previous contract, \$150.00 per hour, up to \$3,000.00 paid from account 10-125-5-6020-4341, Single Audit; and

WHEREAS, the upcoming contract has been reviewed and approved by the Seneca County Attorney's office; and

WHEREAS, the upcoming contract has been reviewed by the Oversight Committee; now, therefore it be

RESOLVED, the Chairman of the Board is hereby authorized to sign the renewal agreement with Bonadio & Co. for account and fraud-related services with the Division of Human Services.

**CHAIRMAN OF THE BOARD AUTHORIZES SIGNATURE OF AGREEMENT WITH THE
FINGER LAKES HEALTH SYSTEMS AGENCY FOR
DEVELOPMENT OF LOCAL POINT OF ENTRY (POE)**

RESOLUTION NO. 215-06, moved by Mr. O'Neill, seconded by Mrs. Amidon and adopted by 690 ayes (O'Neill, Amidon, Reynolds, Barto, Smith, Dresser, Kaiser, Same, Lafler, Anglim, Teichner, Mooney, Shipley) and 60 absentees (Trickler).

WHEREAS, New York State requires that all counties develop a Point Of Entry (POE) in order to provide a consumer centered entry point for long term care; and

WHEREAS, the Division of Human Services, Office for the Aging, and Public Health will share responsibility for this project; and

WHEREAS, the Division of Human Services will receive a \$52,000 allocation in order to complete Phase 1 of the POE project; and

WHEREAS, Finger Lakes Health Systems Agency will be contracted to complete the needs analysis and develop the plan which will be submitted to New York State; and

WHEREAS, they will also develop the Phase 1 structure; and

WHEREAS, the cost of this project will not exceed \$42,000 (the hourly rate has not been finalized); and

WHEREAS, the remaining funds will be used to offset the cost of county staff involvement; and

WHEREAS, this position has been reviewed by the Oversight Committee for Human Services, Personnel Committee and Finance Committee and recommended for full Board approval; now, therefore it be

RESOLVED, the Chairman of the Board to sign the agreement with Finger Lakes Health Systems Agency for development of a local Point of Entry (POE).

Mr. O'Neill made a motion to Suspend the Rules of Order to introduce resolutions not previously filed. Mr. Kaiser seconded the motion. The motion was carried.

SUPERVISORS AWARD BID FOR ANNUAL HOUSEHOLD HAZARDOUS WASTE COLLECTION DAY AND CHAIRMAN AUTHORIZED AND DIRECTED TO SIGN NECESSARY CONTRACTS

RESOLUTION NO. 216-06, moved by Mr. O'Neill, seconded by Mr. Mooney and adopted by 690 ayes (O'Neill, Mooney, Reynolds, Barto, Smith, Dresser, Kaiser, Same, Lafler, Anglim, Amidon, Teichner, Shipley) and 60 absentees (Trickler).

WHEREAS, Seneca County has solicited bids for the Health Department's Annual Household Hazardous Waste Collection Day; and

WHEREAS, two sealed bids were received; and

WHEREAS, these sealed bids were opened and reviewed by the Health Department and the Seneca County Law Department; and

WHEREAS, the bid of Clean Harbors Environmental Services is the lowest responsible bidder; now, therefore be it

RESOLVED, that the Board of Supervisors does hereby award the bid to Clean Harbors Environmental Services for the annual household waste collection event as follows:

| | |
|---------------------------|--------------------------|
| Collection Set Up Charges | \$2,000 |
| Charge per household | \$52.00 x 200 = \$10,400 |
| | \$8.00 each |
| Propane cylinders 20 lb. | Lecture: \$5.00 each; |

and be it

FURTHER RESOLVED, that, as stated in the bid specs, if mutually agreed, the County and the Contractor may extend the length of the RFP for two additional years; and be it

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign any and all necessary contracts or documents in relation to the household hazardous waste program.

AGREEMENT TO RESCIND SECOR CONTRACT ENTERED INTO ON JANUARY 3, 2006

RESOLUTION NO. 217-06, moved by Mr. Kaiser, seconded by Mrs. Amidon and adopted by 690 ayes (Kaiser, Amidon, Reynolds, Barto, Smith, O'Neill, Dresser, Same, Lafler, Anglim, Teichner, Mooney, Shipley) and 60 absentees (Trickler).

RESOLVED, the Board of Supervisors does hereby authorize the Chairman of the Board to enter into an Agreement with Sharon Secor, Seneca County Manager, to rescind the contract entered into between the Board of Supervisors and Ms. Secor on January 3, 2006.