

REGULAR MEETING

Papa Bear Building, Ovid, NY

September 26, 2006

7:00 p.m.

The Board of Supervisors convened under the Rules of Regular session with twelve members present. Mr. O'Neill and Mr. Mooney were absent.

Standing Committee Reports:

The following committee reports, which a copy is filed with the Office of the Clerk of The Board of Supervisors, given by the respective Chairman of said committee.

Native American Affairs Committee, Supervisor Dresser, Chairman.

Government Operations, Personnel, and Technology Committee, Supervisor Kaiser, Chairman.

Public Safety & Jail Construction Committee, Supervisor Anglim, Chairman.

Finance, Assessment & Insurance Committee, Supervisor Barto Chairman.

Chairman Remarks:

Chairman Shipley's remarks focused on "aggressively pursuing economic development opportunities...infusing new dollars into our communities and creating more jobs". Chairman Shipley also restated the Board of Supervisors' commitment to fighting the Cayuga Nation's land-into-trust application.

County Manager's Remarks:

Ms. Secor informed the Board that the paving of the north parking lot at the County Office Building was completed at a cost of \$48,000. The amount budgeted was \$75,000, and the remaining \$27,000 would be used for paving the south parking lot next year.

County Attorney's Remarks:

Mr. Getman said that Local Law No. 1, Year 2006, "Establishing Residency and Proximity Restrictions in the County of Seneca for Sex Offenders Who Have Committed Criminal Offenses Against Minors" would be historic in that currently there is no other law that addresses this matter. He said it would be instructive for other local

municipalities that were interested in passing the same type of legislation in their communities.

Communications:

The following communications were received and filed:

207. From NYS Taxation and Finance, a copy of the Quarterly Notice Regarding Adjustment of the State and Local Cents per Gallon Rates of Sales and Use Taxes on Certain Motor Fuel and Diesel Motor Fuel (N-06-11) and Publication 718-F, Local Sales and Use Tax Rates on Qualified Motor Fuel, Diesel Motor Fuel, and B20 Biodiesel.

208. From Stephen J. Acquario, Executive Director, NYSAC, the 2006 Salary Survey and Employee Benefits Report in CD format.

209. From James M. Fox, Assistant Director, Finance and Administration, NYS Office for the Aging, an official copy of the second and final Notification of Grant Award for the federal fiscal year 2006 (FFY 2006) Nutrition Services Incentive Program and for the Weatherization Referral and Packaging (WRAP) Program for the period August 31, 2006 through July 31, 2007.

210. From Ruth L. Pierpont, Director, Historic Preservation, Field Services Bureau, two letters dated September 11, 2006, stating that the two following properties will be considered by the State Review Board for nomination to the National and State Registers of Historic Places: Ferry Farm/Bull House, Seneca Falls and David Kinne House, Ovid, NY.

211. From Seneca County Ag Enhancement Board, a copy of meeting minutes for July 27, 2006.

212. From Seneca County Soil & Water Conservation District Board of Directors, a copy of meeting minutes of August 28, 2006.

213. From Seneca County Zone Administration Board, a copy of meeting minutes of December 21, 2005.

214. From Seneca County Planning Board, a copy of meeting minutes of August 10, 2006.

The following communications were referred to the committee indicated:

215. From Stephen J. Acquario, Executive Director, NYSAC, a memorandum dated September 6, 2006 regarding information on the Shared

Municipal Services Incentive Program 2006 - 2007 Funding Applications. Referred to the oversight committee for Government Operations.

216. From Steven J. Getman, Seneca County Attorney, a copy of a letter dated September 14, 2006, to Daniel French, Esq. regarding Cayuga Indian Nation of New York Trust Application Process. Referred to the oversight committee for Native American Affairs.

217. From Judith A. Jacobs., Presiding Officer, 16th LD, Nassau County Legislature, a letter dated September 12, 2006 suggesting an additional County tax on the sale of cigarettes and requesting support of other NYS counties. Referred to the oversight committee for Public Health.

218. From James W. McMahon, Director, NYS Office of Homeland Security, information regarding National Incident Management System (NIMS) Compliance Certification. Referred to the oversight committee for Public Safety.

219. From Craig Van Vessem, Chair, Seneca County Community Services Board, a letter dated September 15, 2006, requesting that the Seneca County Board of Supervisors appoint Mr. Jonathan Strohl as Director of Community Services for Seneca County.

SUPERVISORS AUTHORIZE CHARGEBACKS FOR HAVA (HELP AMERICA VOTER ACT)

RESOLUTION NO. 234-06, moved by Mr. Barto, seconded by Mr. Same and adopted by 659 ayes (Barto, Same, Reynolds, Smith, Dresser, Kaiser, Lafler, Anglim, Amidon, Teichner, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, the New York State Legislature adopted the HAVA legislation which provides for minimum election administration standards for all town, county, state and federal elections with responsibility to be under county boards of elections, and

WHEREAS, additional costs associated with HAVA will increase overall election costs, and

WHEREAS, currently all towns budget and pay for election costs provided by the town as well as the County Board of Elections costs, that are budgeted for and included in the county budget, and

WHEREAS, preliminary budget estimates have been submitted and reviewed by the Board of Supervisors' Finance Committee which have

authorized a chargeback to the Towns based on the amount included in town budgets for the year 2005, now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct Seneca County to chargeback all towns for election polling district costs for the 2007 Seneca County budget in an amount as budgeted in the 2005 adopted town budgets as follows:

Town	Amount
Covert	2,900
Fayette	4,000
Junius	2,800
Lodi	1,600
Ovid	2,500
Romulus	4,000
Seneca Falls	17,700
Tyre	1,500
Varick	2,800
Waterloo	13,500
TOTAL	53,300

**RESOLUTION TO RECLASSIFY AND FILL THE POSITION OF ACCOUNTANT
IN THE TREASURER'S OFFICE**

RESOLUTION NO. 235-06, moved by Mr. Barto, seconded by Mr. Kaiser and adopted by 659 ayes (Barto, Kaiser, Reynolds, Smith, Dresser, Same, Lafler, Anglim, Amidon, Teichner, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, a recommendation to create an accounting division under the auspices of the County Treasurer has been made, in order to provide for more efficient oversight of county finances; and

WHEREAS there has been a recommendation made to Reclassify and fill the position of Accountant in the Treasurer's Office as the first step and provide a trial for the creation of an accounting division which will incorporate all fiscal functions of all departments in the accounting division that will report directly to the County Treasurer; and

WHEREAS, the County Treasurer and County Manager recommend that this position initially be assigned duties to assist the Sheriff and County Manager in analysis and control of costs associated with the Sheriff's department budget, including oversight of all financial and purchasing responsibilities in the Sheriff's Department; and

WHEREAS, this position will not take over the statutory duties of the Sheriff's Civil Office, which require the collection and enforcement of money judgements and making calculations and accountings thereto; and

WHEREAS, in the future, this position may be able to assist other departments; and

WHEREAS, the position of Accountant will be funded from the salary allocated for the full-time Deputy Clerk of the Board position which is currently funded in the 2006 budget County Treasurer budget account 1325.110; now, therefore, be it

RESOLVE, that the Board of Supervisors does hereby reclassify and fill the position of Accountant in the Treasurer's Office, and assign the duties as set forth above, in order to provide for more efficient oversight of county finances.

SUPERVISORS AUTHORIZE PURCHASES FOR THE NEW LAW ENFORCEMENT CENTER

RESOLUTION NO. 236-06, moved by Mr. Anglim, seconded by Mr. Lafler and adopted by 659 ayes (Anglim, Lafler, Reynolds, Barto, Smith, Dresser, Kaiser, Same, Amidon, Teichner, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, it is necessary to purchase equipment and office products due to the upcoming relocation of the Sheriff's Department and Jail to the new law enforcement center; and

WHEREAS, the Public Safety and Jail Construction Committee has recommended the authorization of said purchases; and

WHEREAS, funds for said purchases have been appropriated within the Jail Capital Project budget; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the purchase of the following to be paid from the Jail Capital Project budget:

<u>Aloi Materials Handling, Inc.</u> 102 Longdale Dr. Liverpool, NY 13090	Penco visitor Lockers	\$1,228
<u>Finger Lakes Communications</u> 305 Clark Street Auburn, NY 13021	State Contract #PO52968 Radio Equipment, Belt Clips, Remote Speakers, etc.	\$18,184
<u>Black Creek Integrated Systems, Corp.</u> 2130 AE Moore Drive P.O. Box 550 Moody, AL 35004	Sallyport Licensing Keys	\$8,655
<u>NORIX Group, Inc.</u> 1000 Atlantic Drive West Chicago, IL 60185-5101	State Contract #PC58553 Stack Chairs & Seating	\$8,466
<u>Usherwood Office Technology</u> 5801 County Road 41 Farmington, NY 14425	State Contract #PC59466 3 Copiers including fax & scan & printing capability	\$20,622
<u>ATD - American Company</u> 135 Greenwood Avenue Wyncote, PA 19095-1396	Bench Security Seating	\$1,409
<u>Pacific Concepts, Inc.</u> 3901 Riverdate Road Greensboro, NC 27406	Clearbox Organizer for inmates	\$1,830
	<u>Total Purchases</u>	<u>\$60,394</u>

SUPERVISORS PROCLAIM FIRE PREVENTION WEEK

RESOLUTION NO. 237-06, moved by Mr. Anglim, seconded by Mrs. Teichner and adopted by 659 ayes (Anglim, Teichner, Reynolds, Barto, Smith, Dresser, Kaiser, Same, Lafler, Amidon, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, Seneca County is served by 14 fire departments with over 500 volunteer members, and

WHEREAS, these fire fighters volunteer their time to serve Seneca County residents without question, and

WHEREAS, the fire fighters give of themselves freely and without question to provide a much needed service to the community, and

WHEREAS, the Seneca County Board of Supervisors wishes to thank all the volunteer fire fighters for their dedication and willingness to serve the residents of Seneca County, now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby proclaim the week of October 8 - 14, 2006 as FIRE PREVENTION WEEK in Seneca County, in recognition of their outstanding service to Seneca County residents.

APPROVAL OF WEBSITE MAINTENANCE & SUPPORT THROUGH - DECEMBER 2006

RESOLUTION NO. 238-06, moved by Mr. Kaiser, seconded by Mr. Same and adopted by 659 ayes (Kaiser, Same, Reynolds, Barto, Smith, Dresser, Lafler, Anglim, Amidon, Teichner, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, the purpose of this Agreement is for the County to retain the services of Fingerlakes1.com to offer continued support, content updates, and module enhancements and improvements as needed of the new Seneca County Website; and

WHEREAS, funds were budgeted in the 2006 budget for the purpose of upgrading and providing maintenance to the new Seneca County Website in account 10-101-5-1680-4370; and

WHEREAS, this maintenance and support will comprise of about 10 hours of time per month at the Fingerlakes1.com standard hourly rate of \$60/hour; and

WHEREAS, this proposal has been reviewed and approved by the Government Operations, Personnel, Technology Committee, and County Attorney now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the agreement for maintenance and support of the County Website with Fingerlakes1.com from September through December 31, 2006 at a cost not to exceed \$2,400.

APPROVAL OF INFORMATION SECURITY POLICY

RESOLUTION NO. 239-06, moved by Mr. Kaiser, seconded by Mr. Smith and adopted by 659 ayes (Kaiser, Smith, Reynolds, Barto, Dresser, Same, Lafler, Anglim, Amidon, Teichner, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, this policy is to define the minimum security requirements that all Seneca County, the County Departments, and the Employees must meet. This policy shall serve as best practices for the County. Any Department may, based on its individual business needs and specific legal requirements, such as Health Insurance Portability and Accountability Act (HIPAA) and bio-terrorism, exceed the security requirements put forth in this document, but must at a minimum, achieve the security levels required by this policy; and

WHEREAS, The Government Operations, Personnel, Technology Committee has reviewed and approved the Seneca County Information Security Manual now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approve the Seneca County Security Policy Manual.

APPROVAL OF CHANGE ORDER, INCLUSION OF CABELING AND PERFORMANCE BOND IN REL COMM COMMUNICATIONS, INC CONTRACT FOR COUNTY/LEC PHONE SYSTEM
RESOLUTION NO. 240-06, moved by Mr. Kaiser, seconded by Mr. Same and adopted by 659 ayes (Kaiser, Same, Reynolds, Barto, Smith, Dresser, Lafler, Anglim, Amidon, Teichner, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, the Government Operations Committee has reviewed and approved the change order and inclusion of the following items to the Rel Comm Contract not included in initial resolution:

- + \$5,361 - Performance Bond
- + \$20,000 - Cabling Allowance (reduced from \$25,000)
- \$2,500 - Amendment No. 1 Credit

to include Performance Bond and Cabling costs; now, therefore be it

RESOLVED, that this Board of Supervisors approves the contract with Rel Comm not to exceed \$340, 413.80.

**RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN
INTERMUNICIPAL AGREEMENT WITH ONTARIO COUNTY
FOR THE VOYAGER FUEL CARD SYSTEM**

RESOLUTION NO. 241-06, moved by Mr. Kaiser, seconded by Mr. Smith and adopted by 659 ayes (Kaiser, Smith, Reynolds, Barto, Dresser, Same, Lafler, Anglim, Amidon, Teichner, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, the Board of Supervisors' Government Operations, Personnel & Technology Committee and the County Manager have reviewed various options for the purchase of gasoline for use in County-owned vehicles, and

WHEREAS, the best option and most cost effective has been deemed to be to utilize the Voyager fuel card system which can be accomplished through an Inter-Municipal Agreement with Ontario County, now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the Chairman of the Board to sign an Inter-Municipal Agreement with Ontario County for participation in the Voyager fuel card system for purchasing of gasoline for use in County-owned vehicles.

**RESOLUTION AUTHORIZING ADOPTION BY THE BOARD OF SUPERVISORS OF THE
COUNTY OF SENECA OF LOCAL LAW NO. 1 OF THE YEAR 2006**

RESOLUTION NO. 242-06, moved by Mr. Kaiser, seconded by Mrs. Amidon and adopted by 659 ayes (Kaiser, Amidon, Reynolds, Barto, Smith, Dresser, Same, Lafler, Anglim, Teichner, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, a resolution was duly adopted by the Board of Supervisors of the County of Seneca for a Public Hearing to be held by said County on September 12, 2006 at 7:00 pm at THE SENECA COUNTY OFFICE BUILDING, ONE DIPRONIO DRIVE, WATERLOO, NY 13165 to hear all interested parties on a proposed Local Law entitled "A LOCAL LAW TO Establishing Residency and Proximity Restrictions in the County of Seneca for Sex Offenders Who Have Committed Criminal Offenses Against Minors"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper(s) of the County of Seneca; and

WHEREAS, said public hearing was duly held on September 12, 2006 at 7:00 pm at THE SENECA COUNTY OFFICE BUILDING, ONE DIPRONIO DRIVE, WATERLOO, NY 13165 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local law, or any part thereof; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Art. 8 (State Environmental Quality Review Act) it has been determined by the Board of Supervisors of the County of Seneca that adoption of said proposed Local law would not have a significant effect upon the environment and could be processed by other applicable government agencies without further regard to SEQR; and

WHEREAS, the Board of Supervisors of the County of Seneca, after due deliberation, finds it in the best interests of the County of Seneca to adopt said Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Seneca hereby adopts said Local Law No. 1 of the year 2006, a copy of which is attached hereto and made a part of this resolution; and be it further

RESOLVED that the Clerk of the Board be and hereby is directed to enter said Local law in the minutes of this meeting and in the Local Law Book of the County of Seneca, and to give due notice of the adoption of said local law to the Secretary of the State of New York.

AUTHORIZATION TO TRANSFER FUNDS TO COMPLETE BUDGET FOR MICRO PROGRAM
RESOLUTION NO. 243-06, moved by Mr. Trickler, seconded by Mr. Lafler and adopted by 659 ayes (Trickler, Lafler, Reynolds, Barto, Smith, Dresser, Kaiser, Same, Anglim, Amidon, Teichner, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, Seneca County has received approval from the New York State Governor's Office of Small Cities (NYS GOSC) to continue the MICRO Program for 2007; and

WHEREAS, the Micro Program provides technical assistance and loans to small businesses throughout Seneca County; and

WHEREAS, administrative monies have been granted in the amount of \$55,000; and

WHEREAS, authorization is for the balance of \$91,547 to be transferred from the MICRO account to Workforce Development; and

WHEREAS, this authorization has been approved by the Public Works, Planning, Development, Agriculture & Tourism Committee on September 12, 2006; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the transfer of funds from Five Star Bank Account #272017469 to Seneca County Account #20-32034914 to complete the budget for the MICRO Program.

CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN A CONTRACT WITH WESTERN NEW YORK SPEECH-LANGUAGE PATHOLOGY AND PSYCHOLOGY CONSULTANTS PLLC. (d/b/a CLINICAL ASSOCIATES OF THE FINGER LAKES)

FOR SERVICES FOR THE PRE-SCHOOL PROGRAM

RESOLUTION NO. 245-06, moved by Mr. Smith, seconded by Mr. Kaiser and adopted by 659 ayes (Smith, Kaiser, Reynolds, Barto, Dresser, Same, Lafler, Anglim, Amidon, Teichner, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, Western New York Speech-Language Pathology and Psychology Consultants PLLC. (d/b/a Clinical Associates of the Finger Lakes), located at 590 Fishers Station Drive in Victor, offers specialized professional services (speech therapy, occupational therapy etc); and

WHEREAS, these professional services are often required for children enrolled in the 3-5 Pre-School Program; and

WHEREAS, Clinical Associates of the Finger Lakes wishes to provide these services to children of Seneca County; and

WHEREAS, the money for this expenditure is in the Public Health Budget line item 2960.470; now, therefore be it; and

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with Clinical Associates of the Finger Lakes.

CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN A CONTRACT WITH MARY MCMAHON ESTEPHON FOR PROFESSIONAL SERVICES

FOR THE EARLY INTERVENTION PROGRAM

RESOLUTION NO. 246-06, moved by Mr. Smith, seconded by Mr. Same and adopted by 659 ayes (Smith, Same, Reynolds, Barto, Dresser, Kaiser, Lafler, Anglim, Amidon, Teichner, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, it is the County's responsibility to secure contracts with needed providers for Professional Services for the Early Intervention and 3-5 Pre-School Programs; and

WHEREAS, Mary McMahon Estephon of Penfield, NY is a teacher for the visually impaired; and

WHEREAS, Ms. Estephon would like to contract with Seneca County to provide these Professional services to Seneca County residents; and

WHEREAS, the money for this expenditure is included in the Public Health Budget line item 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 Mary McMahon Estephon for these professional services.

CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN A CONTRACT WITH THE NYSDOH (NEW YORK STATE DEPARTMENT OF HEALTH) FOR THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM

RESOLUTION NO. 247-06, moved by Mr. Smith, seconded by Mrs. Teichner and adopted by 659 ayes (Smith, Teichner, Reynolds, Barto, Dresser, Kaiser, Same, Lafler, Anglim, Amidon, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, the Seneca County Health Department will be receiving \$23,548 from New York State for the Childhood Lead Poisoning Prevention Program for the period April 1, 2006- March 31, 2007; and

WHEREAS, it is necessary for a contract be signed with the New York State Department of Health to receive this funding; 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 this grant.

CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN A CONTRACT WITH CATHIE BOND, CONSULTANT FOR THE BIO-TERRORISM GRANT

RESOLUTION NO. 248-06, moved by Mr. Smith, seconded by Mr. Kaiser and adopted by 659 ayes (Smith, Kaiser, Reynolds, Barto, Dresser, Same, Lafler, Anglim, Amidon, Teichner, Trickler, Shipley) and 91 absentees (O'Neill, Mooney).

WHEREAS, the Health Department will be receiving grant funding in the amount of \$75,000 for the period Sept. 1, 2006 - August 31, 2007; and

WHEREAS, the Department would like to contract with Cathie Bond, a consultant, for plan review and development, exercise and drill preparation, and education; and

WHEREAS, the money will be included in the BT Grant Budget (account 10-115-5-4014); and

WHEREAS, the amount will not exceed \$15,000; and

WHEREAS, there will be no county dollars involved; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with Cathie Bond for consultation services.

New Business:

Mrs. Teichner requested that a proposed cell phone tax be brought before committee and the board for consideration. Ms. Secor said that the Public Safety oversight committee would re-review the request to offset any possible increase in property tax.

As no further business was before the Board, Mr. Lafler moved the meeting adjourned.