

Seneca County Board of Supervisors

Regular Meeting

November 27, 2007

7:00 p.m.

Call to Order

Chairman Barto called the meeting to order.

Roll Call of Members by the Clerk

Thirteen members of the Board of Supervisors answered roll call. Mr. Davidson was absent.

Public Hearing

The re-certification of Agricultural District #6 (modified by merging into it Districts #3, #9, #10 and #11 and District #8 (modified by merging into it Districts #1 and #4). Mr. Kaiser made a motion to open the floor for public comment. Dr. Dresser made a second. The motion was carried. Shawn Bossard, Executive Director, Seneca County Cornell Cooperative Extension, explained the plans to merge the Agricultural Districts and the process with New York State. There were not other comments heard. Dr. Dresser made a motion to close the public hearing. Mr. Mooney made a second. The motion was carried.

Presentation

a. "Here4You" Update - Clifford Irwin, Romulus, NY and Seneca County CSEA spokesman Michael Lambert gave an update on the "Here4You" program. Mr. Lambert said that the CSEA made the program its holiday season project. They requested donations, both goods and monetary contributions (to help defray shipping costs) to support our brave men and women serving overseas from the Seneca County area.

b. Brad Jones, Seneca Falls, NY. Mr. Jones objected to the 2.3% tax levy increase presented in the Tentative 2008 budget. He said the Board of Supervisors should be presenting a zero increase and gives county residents a break from the economic hardship found in Seneca County.

Approval of Meeting Minutes

Minutes for October 9 and 23 board meetings were approved as presented.

Reports of Standing Committees

Public Safety Committee – Mr. Shipley, Chair, reported that the committee focused on the request of the District Attorney's office for a Senior Typist position to be created for 2008. There is an overload of work resulting from tickets issued by the state police for traffic infractions. Robert Mascari, ADA, and Capt. Don Swain, NYS Police, addressed the committee. It was decided that a special meeting would be scheduled between the District Attorney's office and the County Manager's office before inclusion of the position in the 2008 budget.

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Human Services Committee – Mr. Mooney, Chair, reported that the committee recommended authorization by board resolution for the Chairman of the Board to sign an agreement with the Youth Advocate Programs, Inc. for the 2008 Seneca County Reintegration Project.

Indian Affairs Committee – Dr. Dresser, Chair, reported that he participated in a conference call with NYSAC representatives, and Jim Calvin, President of the NYS Association of Convenience Stores. As a result, a letter was sent from Steve Acquario, NYSAC Executive Director, inviting the Governor to attend the NYSAC conference. Mr. Acquario also met with Mr. Rifkin, Special Counsel to the Governor's office to invite the governor to the conference.

Seven counties have adopted resolutions supporting the enforcement by the Governor to collect sales tax on cigarette and gasoline sales made to non-Indian consumers from Indian businesses.

A copy of Dr. Dresser's report was filed with the Office of the Clerk of the Board of Supervisors.

Public Health Committee – Mr. Lafler, Chair, reported that the committee recommended authorization by board resolution for the Chairman of the Board to sign documents for grant funding for \$108,000 for a feasibility study on consolidating the county's and towns' building codes and zoning administration and enforcement.

Government Operations Committee – Mr. Smith, Chair, reported that the committee recommended that the board pass a resolution setting an hourly rate of \$45 for services provided by the county engineer to other municipalities and the IDA.

Public Works Committee – Mr. Smith, Vice-Chair, reported that the committee recommended board authorization for the Chairman of the Board to sign documents for a grant application for \$675,000 to fund a county maintenance barn. The grant is sponsored under the NYS Shared Municipal Services program.

Chairman's Remarks

Chairman Barto announced that Suzanne Sinclair accepted the position of county manager effective January 1, 2008.

The topic of Chairman Barto's remark was, "Paying Respects". A copy was filed with the Office of the Clerk of the Board of Supervisors.

Seneca County government lost two members of its extended family last week. I would like to take a moment to pay our respect to each of them and their families.

Alan Dunham was a Code Enforcement Officer for the County. He was a hard worker and diligently looked out for the residents of Seneca County on behalf of his department. Al passed away in a tragic car accident Friday afternoon (November 23) in Ontario County. His wife Patricia was in the car with him at the time. Thankfully, she survived. In addition to

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Patricia, he is survived by his sister Patti, his children Renee and Todd, and many nieces, nephews and grandchildren. Al will be missed by us all.

Clarence Fegley was not a county employee. However, he leaves behind not only many family and friends, but also two daughters who work for the county. One daughter, Sharon Cosentino is employed with our Youth Bureau. His other daughter, Sue Cook, works in Code Enforcement. In addition, Mr. Fegley served our community as a life member of Waterloo Fire Department. He also passed away Friday, at his home in Waterloo.

On behalf of the board of supervisors, I want to extend my condolences to the families of both gentlemen. I hope that you will all continue to keep them in your thoughts and prayers during this difficult time. In addition, if anyone would like to make a donation for the family, I would ask that they contact Michael Whirtley, in the Youth Bureau, or my wife Rose, at the Public Health Department.

Additionally, I would like to extend my appreciation and thanks to each and every county employee who takes the time to assist these families. To quote Abraham Lincoln, "the strongest bond of human sympathy outside the family relation should be on unity working".

I am proud of the county staff who are working in unity and are there for their fellow employees. They deserve our thanks for treating their co-workers like family.

County Manager's Remarks

Ms. Secor announced that during the budget process, a projected increase for health insurance was set at 15%. The rate is actually 19%. This means that the tentative budget is under-funded. She will continue to work on the budget for 2008 to keep any increase to the taxpayers minimal.

County Attorney's Remarks

Mr. Getman informed the Board of Supervisors that the U.S. Supreme Court rejected petitions filed by the Micmac Indians and the Maliseet Indians in a sovereignty case involving jurisdiction over employment issues on tribal lands. Employees at the Foxwood Casino are becoming unionized. Unions fall under the federal labor law. The recent ruling by the Supreme Court terminates the sovereign rights to self-government and control over how the Tribes conduct day-to-day business on their lands.

Communications:

- 259. A copy of the Tentative Seneca County 2008 Budget
- 260. A copy of the Town of Fayette adopted 2008 Budget
- 261. A copy of the Town of Romulus adopted 2008 Budget
- 262. A copy of the Town of Waterloo adopted 2008 Budget
- 263. A copy of the Town of Varick adopted 2008 Budget
- 264. A copy of the Town of Tyre adopted 2008 Budget

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265. A copy of the Town of Covert adopted 2008 Budget
266. From Steven J. Getman, Seneca County Attorney, a copy of a letter of resignation dated November 19, 2007, effective December 31, 2007.
267. From Ontario County Board of Supervisors, a copy of Resolution No. 561-2007 supporting Seneca and Cayuga counties concerning opposition to negotiations with Cayuga Indian Nation for Class III casino; and Resolution No. 560-2007 requesting Governor Spitzer to collect taxes on sales of products by tribal enterprises to non-Indian customers.
268. From the Dutchess County Legislature, a copy of Resolution No. 207302, opposing changes to the Department of Motor Vehicle's license policy; and Resolution No. 207309, requesting the Dutchess County Clerk to comply with NYS Vehicle and Traffic Law when issuing NYS driver's licenses and non-driver identification cards.
269. From Assemblyman Kolb, a letter of acknowledgment of receipt of a certified copy of Seneca County Resolution No. 265-07 opposing Governor Spitzer's plan to give drivers licenses to illegal aliens.
270. From Robert Shipley, member of the Seneca County Board of Supervisors, a copy of a statement he read at the November 13 board meeting regarding the search process for candidates for the county manager position.
271. A copy of minutes from Seneca County Federation of Sportsmen's Clubs, Inc. November 5, 2007 meeting.
272. A copy of minutes from the 911 Board meeting on November 13, 2007.
273. A copy of minutes from the Seneca County Cornell Cooperative Extension Board of Director's meeting on September 4, 2007 and October 2, 2007.
274. A copy of minutes from the Seneca County Agriculture Enhancement Board meeting on October 3, 2007.
275. From Fred Gaffney, Executive Director, Seneca County Chamber of Commerce, a copy of his response to questions posed by Mr. R. S. Knight regarding the ability of the Chamber to assume responsibility for Seneca County tourism. A copy of Mr. Knight's questions included.
276. From NYS Department of Transportation, information regarding new FTA Coordinated Transportation Planning changes that will require adjustment to the planning, administration, and project selection process for the following programs: Elderly Individuals and Individuals with Disability; Job Access & Reverse Commute and New Freedom.
277. From NYS Emergency Management Office, notice of acceptance of Letters of Intent (LOIs) for a mitigation program, FY 2008 repetitive Flood Claims (RFC) Program, which provides funding to reduce or eliminate the long-term risk of flood damage to structures insured under the National Flood Insurance Program (NFIP). Referred to the Public Safety Committee.

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278. From NYS Emergency Management Office, information regarding applications for the Pre-Disaster Mitigation (PDM) FY 2008 Competitive Grant Program. Referred to the Public Safety Committee.

279. From the U.S. Department of Housing and Urban Development, a copy of the HUD-Administered Small Cities CDBG Program Post Closeout Annual Performance Assessment Report (PAR). Referred to the Planning, Development Agriculture & Tourism Committee.

Resolutions and Motions

CLERK OF THE BOARD AUTHORIZED TO ADVERTISE FOR PUBLIC HEARING

RE: 2008 SENECA COUNTY BUDGET

RESOLUTION NO. 291-07, moved by Mr. Anglim, seconded by Mr. Kaiser and adopted by 719 ayes (Anglim, Kaiser, Reynolds, Barto, Smith, Dresser, Same, Lafler, Amidon, Teichner, Mooney, Shipley Robinson) and 31 absentees (Davidson).

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for a public hearing on the tentative 2008 Seneca County Budget. Said public hearing to be held on December 11, 2007, Board of Supervisors' Room, Seneca County Office Building at or about 7:00 p.m.

Mr. Kaiser made a motion to appoint Wilfred Bordeau as Director of Planning & Community Development. The motion was seconded by Mrs. Teichner.

Mr. Robinson made a motion to return the issue to the Planning, Development, Agriculture & Tourism Committee. Mr. Mooney seconded the motion.

The motion to return to committee the appointment of Mr. Bordeau as the Director of Planning, & Community Development was carried by 588 ayes (Robinson, Mooney, Reynolds, Barto, Smith, Dresser, Kaiser, Lafler, Anglim, Shipley), 131 nays (Same, Amidon, Teichner) and 31 absentees (Davidson).

CHAIRMAN OF THE BOARD TO SIGN 2008 AGREEMENT WITH YOUTH ADVOCATE PROGRAM, INC. (YAP) FOR ANGER MANAGEMENT SERVICES

RESOLUTION NO. 292-07, moved by Mr. Mooney, seconded by Mr. Lafler and adopted by 719 ayes (Mooney, Lafler, Reynolds, Barto, Smith, Dresser, Kaiser, Same, Anglim, Amidon, Teichner, Shipley Robinson) and 31 absentees (Davidson).

WHEREAS, the Division of Human Services would like to renew the agreement with the Youth Advocate Program, Inc. (YAP) for Anger Management Services; and

WHEREAS, YAP is proposing to serve approximately 40 youth during a 10-week period; and

WHEREAS, the proposed operating budget for the proposed program totals \$27.00 per hour, not to exceed \$20,797.50; and

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WHEREAS, this funding is currently available in the 2007 budget, under line item 10-125-5-6070-4747, and planned for in the 2008 budget; and

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

RESOLVED, that the Board of Supervisors of the County of Seneca authorizes the Chairman of the Board of Supervisors to sign the 2008 agreement with the Youth Advocate Programs, Inc. for Anger Management Services.

THE CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO APPLY FOR FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION FIRE PREVENTION AND SAFETY GRANT

RESOLUTION NO. 293-07, moved by Mr. Shipley, seconded by Mr. Mooney and adopted by 719 ayes (Shipley, Mooney, Reynolds, Barto, Smith, Dresser, Kaiser, Same, Anglim, Lafler Amidon, Teichner, Robinson) and 31 absentees (Davidson).

WHEREAS, the United States Federal Emergency Management Administration (FEMA) has released 2007 Fire Prevention and Safety Grant, a competitive program intended to provide monies to communities for general fire safety projects; and

WHEREAS, locating rural addresses during an emergency is a serious challenge for the responding fire departments, police, and ambulances, particularly at night when addresses are hard to find, to read, or to see; and

WHEREAS, communities that have installed roadside reflective 911 address signs have seen substantial improvement in emergency response times; and

WHEREAS, the Seneca County Emergency Management Office intends to apply for funds to purchase 10,000 roadside 911 address signs to be installed through the county in order to help responders locate addresses faster; and

WHEREAS, this grant application is due on November 30th, 2007, and if awarded, will provide the \$200,000 needed to purchase the 10,000 address markers required to cover the rural areas of Seneca County; and

WHEREAS, this resolution has been reviewed and approved by the Public Safety Committee on November 13, 2007; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors be authorized and directed to sign all necessary documentation to submit this application for the 2007 Fire Prevention and Safety Grant through the United States Federal Emergency Management Administration.

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New Business

Mr. Smith made a motion to suspend the rules of order. Mr. Kaiser made a second. The motion was carried.

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR COUNTY OFFICE BUILDING HEATING PUMP REPAIRS

RESOLUTION NO. 294-07, moved by Mr. Smith, seconded by Mrs. Teichner and adopted by 719 ayes (Smith, Teichner, Reynolds, Barto, Dresser, Kaiser, Same, Anglim, Lafler Amidon, Mooney, Shipley, Robinson) and 31 absentees (Davidson).

WHEREAS, during the annual inspection of the County Office Building heating pumps, it was determined that bearings and seals need replacement in both pumps, and if said repairs are not completed the County Office Building will be without heat; and

WHEREAS, a quote has been received in the amount of \$5,890 which includes all materials, parts and labor to repair both pumps; now, therefore be it

RESOLVED, that the Seneca County Treasurer is hereby authorized to transfer the sum of \$5,890 from the Building repair reserve to account 1622.422 – County Office building repairs and maintenance for said repairs.

Special Order of the Day

As there was no other business before the Board of Supervisors, Mrs. Amidon moved the meeting adjourned.