

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

August 11, 2009

8:00 p.m.

Call to Order

Acting Chairman Mooney called the meeting to order at 8:00 p.m.

Roll Call of Members by the Acting Clerk

Thirteen members answered roll call. Chairman Lafler was not present.

Pledge of Allegiance and Moment of Silence

Presentations / Petitioners

a. Seneca County Industrial Development – Robert Aronson, Director gave an overview of the recent activities of the IDA and the Empire Zone. He talked about opportunities and financial assistance available to increase economic growth in Seneca County. The IDA is also trying to develop rail traffic in the county and a website for the Seneca County IDA will be online in the near future.

b. Quarterly Report Seneca County Tourism Promotional Agency - Fred Gaffney, Executor Director, Chamber of Commerce said that since the last report we have experienced a decrease in tourism and travel, attributed to the economy, and specifically a decrease in Canadian visitors, which may be because of the stricter requirements now in place to enter the United States. The Hotel Clarence in Seneca Falls, added forty-eight rooms for lodging, and the total number of rooms is four hundred and twenty-three. They are in the process of refining their marketing efforts. A Seneca County tourism video is being created. The video will be a major marketing piece to be used in a variety of ways, including being sent to tour operators, travel agents, being incorporated into the website and shown on travel shows. Because the matching funds grant monies have not been received (\$63,164), the advertising campaign planned for the remainder of 2009 is on “hold”.

Submission of Claims for Audit

Mr. Barto, Chairperson, made a motion, seconded by Mrs. Amidon, and carried that the following vouchers having gone through the proper auditing process be approved for payment.

Supervisors vouchers	#1812	totaling	\$ 246,832.34
OFA vouchers	#506 - 569	totaling	\$ 82,886.96
Workforce Development vouchers	#159 - 177	totaling	\$ 21,323.12
Insurance vouchers	#49 – 56	totaling	\$ 46,708.66

Airport vouchers	#71 - 82	Totaling	\$ 10,900.20
Sheriff vouchers	#535 - 601	totaling	\$ 169,844.47
Highway Transportation vouchers			
Maintenance & State Snow	#194 - 216	totaling	\$ 393,570.73
Highway Machinery	#230 - 265	totaling	\$ 17,027.44
		Highway Total	\$ 410,598.17
Highway Capital Voucher	#13 & 14	totaling	\$ 3,325.97
Jail Capital Voucher	#2	totaling	\$ 20,000.00

Reports of Standing Committees

Indian Affairs Committee, Dr. Dresser, Chairperson, reported that his committee met in executive session regarding the litigation pertaining to the sales tax collection on cigarettes.

Planning, Development, Agriculture & Tourism Committee, Mr. Kaiser, Chairperson, reported that his committee passed a resolution to financially support the Regional Planning Council in 2010. Also approved the acceptance of a Grant from FAA for the Design Phase of the Rehabilitation of the runway at the Airport. The Committee also approved the Snowmobile Trail Phase II application. Approved the TIGER Grant application for Passenger and Freight Rail improvements. Approved the creation of Agriculture Economic Development Specialist Position in Cooperative Extension and tabled discussion for replacing vehicle for Cooperative Extension in 2010.

Public Works Committee, Mr. Davidson, Chairperson, indicated that his committee discussed preparation of bid specs for cover for salt storage space at the depot.

Finance, Assessment & Insurance Committee, Mr. Barto, Chairperson, indicated that the item on the agenda for his committee had been tabled in other Committee meeting.

County Manager's Remarks

The County Manager reminded everyone of the Employee picnic on August 20th and that we had 286 signed up for the picnic, which is 50 more than last year.

County Attorney's Remarks:

The County Attorney informed everyone that he would be on vacation starting tomorrow the Assistant County Attorney, Brian Fay would be available.

Communications:

120. A copy of the Tourism Promotion Agency 2nd Quarter Report for 2009 Program Year submitted by Seneca County Chamber of Commerce.

121. A copy of the Seneca County Agriculture Enhancement Board meeting minutes for July 1, 2009.
122. A letter of acknowledgement dated July 27, 2009 from Assemblyman Brian Kolb, regarding receipt of Seneca County Resolution No. 150-09, urging Governor Paterson to prohibit the patronage of the Turning Stone Casino by New York State departments and agencies.
123. A copy of the Seneca County Development Agency meeting minutes from July 9, 2009.
124. From the Schoharie County Board of Supervisors, a copy of Resolution No. 77, "Requesting New York State to Take Back Local Share of Medicaid as a Component of True Medicaid Reform". Referred to the Human Services Committee.

Resolutions and Motions

**SUPERVISORS APPOINT MEMBERS TO FINGER LAKES REGIONAL
AIRPORT ADVISORY COMMITTEE**

RESOLUTION NO. 173-09, moved by Mr. Kaiser, seconded by Dr. Dresser and adopted by 679 ayes (Kaiser, Dresser, Reynolds, Barto, Serven, Davidson, Same, Terryberry, Amidon, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Lafler).

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on July 28, 2009; now, therefore, be it

RESOLVED, that Gerard Mirabito, Jr., Vern Sessler, Jr., and Dr. Kenneth Padgett be reappointed to the Finger Lakes Regional Airport Advisory Committee for terms of three years to expire on October 31, 2012; and be it

FURTHER RESOLVED, Bill Bordeau, Deputy Director of the Department of Planning and Community Development, be appointed to serve a three-year term to expire on October 31, 2012.

**SUPERVISORS AUTHORIZE CHAIRMAN OF THE BOARD TO SIGN MEMORANDUM OF
UNDERSTANDING WITH SENECA COUNTY CHAMBER OF COMMERCE REGARDING
MATCHING FUNDS AND TOURISM SERVICES FUNDS**

RESOLUTION NO. 174-09, moved by Mr. Kaiser, seconded by Mrs. Amidon and adopted by 679 ayes (Kaiser, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Same, Terryberry, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Lafler).

WHEREAS, the Seneca County Board of Supervisors believes it is in the best interests of Seneca County to support the efforts of the Seneca County Chamber of Commerce to promote tourism in Seneca County; and

WHEREAS, for this purpose, the County will allocate an amount equal to the "Matching Funds" provided by the New York State Matching Funds program for tourism marketing and promotion; and

WHEREAS, in addition, the County will provide financial support for the tourism services portion of the Chamber's annual budget, based on the budget submitted by the Chamber to the County; and

WHEREAS, for budgeting purposes these two amounts will be considered separate allocations; and if the New York State Matching Funds allocation from New York State is reduced by the state, this will not reduce the County's previous financial commitment for the support of the Chamber's tourism services. Likewise, if the tourism services budget is reduced, this will not affect the County's contribution to match the New York State Matching Funds program; and

WHEREAS, the funds allocated by the County to the New York State Matching Funds may not be reallocated to any other program or service by the Chamber without the express permission of the County's Board of Supervisors or the Seneca County Manager; and

WHEREAS, the funds allocated by the County to the tourism services portion of the Chamber's budget may be reallocated by the Chamber's budgeting authority to tourism marketing efforts normally funded by New York State's Matching Funds program in the event that such state funds are reduced. The Seneca County Advisory Committee on Tourism, acting in their advisory capacity, may recommend such a reallocation by the Chamber, but does not have the budgetary authority to enact such a reallocation; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Committee on July 28, 2009; now, therefore, be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to sign a Memorandum of Understanding with the Seneca County Chamber of Commerce regarding Matching Funds and Tourism Services Funds.

**BOARD AUTHORIZES CHAIRMAN TO SIGN NECESSARY DOCUMENTS
FOR ACCEPTANCE OF FAA GRANT FOR THE DESIGN PHASE OF THE
REHABILITATION OF RUNWAY 1-19 AND FOR THE AIRPORT LAYOUT PLAN
FOR THE FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 175-09, moved by Mr. Kaiser, seconded by Mr. Shipley and adopted by 679 ayes (Kaiser, Shipley, Reynolds, Barto, Serven, Davidson, Dresser, Same, Terryberry, Amidon, Hayssen, Mooney and Westfall) and 71 absentees (Lafler).

WHEREAS, the FAA has approved a grant for Seneca County for 2009 projects in the amount of \$159,000; and

WHEREAS, the projects to be undertaken will include the Design Phase of the Rehabilitation of Runway 1-19 and the Airport Layout Plan, which was last updated in 1988; and

WHEREAS, the Seneca County local share will be \$4,125 and will come out of the airport 2009 budget account number 10-101-5-5610 line 4280, maintenance projects; and

WHEREAS, the design and plan development work will be undertaken by McFarland Johnson, who serves as the County's Engineering Consultant for the airport; and

WHEREAS, the resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on August 11, 2009; now, therefore, be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to sign all necessary documents for acceptance of FAA Grant for the Design Phase of the Rehabilitation of Runway 1-19 and for the Airport Layout Plan for the Finger Lakes Regional Airport.

**ADVERTISE PUBLIC HEARINGS FOR ANNUAL IMPLEMENTATION PLAN OF SERVICES
FOR SENECA COUNTY OFFICE FOR THE AGING**

RESOLUTION NO. 176-09, moved by Mrs. Amidon, seconded by Mr. Terryberry and adopted by 679 ayes (Amidon, Terryberry, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Same, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Lafler).

WHEREAS, 9 NYCRR 6653.2 of New York State rules and Regulations requires submission of an Annual Implementation plan of Services for the Seneca County Office for the Aging; and

WHEREAS, a hearing is required to be held at least thirty days prior to such submission and notice of such hearing to be published in local newspapers at least twenty-one days prior to such hearing; and

WHEREAS, Seneca County wishes the benefit of public suggestions and comments for such Annual Plan; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to advertise Public Hearings on the Annual Implementation Plan of Services for the Seneca County Office for the Aging for the period April 1, 2010 – March 31, 2011, said hearings to be held on September 21, 2009 at 11:30 a.m. in the community room of Verona Village, 2276 County Road 139, Ovid, NY and September 23, 2009 at 11:30 a.m. at the Office for the Aging, 1 DiPronio Drive, Waterloo, NY. Said notice is to be published at least 30 days prior to the first such Public Hearing in the County's newspapers of record; and be it further

RESOLVED, that the proposed plan or an abstract containing program goals, objectives, action steps, and proposed budgets with categorical breakdowns shall be made available to the public prior to the first such hearing; and be it further

RESOLVED, that single copies of the proposed area plan or an abstract shall be made available without charge upon request as soon as it is prepared, before submission to the New York State Office for the Aging.

APPOINTMENTS OF FINGER LAKES WORKFORCE INVESTMENT BOARD MEMBERS

RESOLUTION NO. 177-09, moved by Mrs. Amidon, seconded by Mr. Davidson and adopted by 679 ayes (Amidon, Davidson, Reynolds, Barto, Serven, Dresser, Kaiser, Same, Terryberry, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Lafler).

WHEREAS, the Seneca County Board of Supervisors has authorized the creation of the Finger Lakes Workforce Investment Board for the counties of Ontario, Wayne, Seneca and Yates in compliance with the Workforce Investment Act (WIA) of 1998 and the appointment of the public sector Workforce Investment Board Members must be endorsed by the four counties of Ontario, Wayne, Seneca and Yates; and

WHEREAS, the Seneca County Board of Supervisors shall endorse the following public sector representatives to the Finger Lakes Workforce Investment Board effective July 1, 2009 to June 30, 2012:

Public Sector

Mr. Joseph Hamm 7/01/09 – 6/30/2012

Commissioner’s Finger Lakes Region Representative
New York State Department of Labor
276 Waring Road
Rochester, New York 14609

Dr. Joseph Marinelli 7/01/09 – 6/30/2012

Wayne-Finger Lakes BOCES, Eisenhower Building,
131 Drumlin Court
Newark, New York 14513

Mr. Marty Teller 7/01/09 – 6/30/2012

FLACRA
28 East Main Street
Clifton Springs, New York 14432

Mr. William Castiglione 7/01/09 – 6/30/2012

Ontario ARC / Abbey Industries
3071 County Complex Drive
Canandaigua, New York 14424; and

WHEREAS, these appointments have been reviewed and approved by the Human Services Committee on July 28, 2009; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint Mr. Joseph Hamm, Dr. Joseph Marinelli, Mr. Marty Teller and Mr. William Castiglione to the Finger Lakes Workforce Investment Board; and be it

FURTHER RESOLVED, that the Clerk to the Board of Supervisors send a certified copy of this resolution to the Finger Lakes Workforce Investment Board and to the Clerks of the Boards of Ontario, Wayne and Yates counties.

**SUPERVISORS AUTHORIZE PAY INCREASE FOR NURSING STAFF
WORKING ON HOLIDAYS**

RESOLUTION NO. 178-09, moved by Mr. Shipley, seconded by Mrs. Amidon and adopted by 679 ayes (Shipley, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Same, Terryberry, Hayssen, Mooney and Westfall) and 71 absentees (Lafler).

WHEREAS, the Public Safety Committee recommends that the per diem nurses at the Seneca County Law Enforcement Center be paid premium time when working for certain designated holidays; and

WHEREAS, premium pay for holidays is an accepted practice in the nursing industry and in order to attract future per diem RNs and keep the current ones on staff it is necessary to pay per diem RNs premium pay for certain holidays worked; and

WHEREAS, the Holidays recommended for such pay scale are: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs that the per diem nursing staff for the Seneca County Sheriff's Department will receive time plus one-half for hours worked on the following holidays: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day commencing with Labor Day, 2009.

**BOARD OF SUPERVISORS AUTHORIZES AND DIRECTS PAYMENT FOR PURCHASE OF
LAND FOR SAMPSON MEMORIAL VETERAN'S CEMETERY**

RESOLUTION NO. 179-09, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted by 679 ayes (Davidson, Amidon, Reynolds, Barto, Serven, Dresser, Kaiser, Same, Terryberry, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Lafler).

WHEREAS, the purchase prices of the Property constituting the proposed Sampson Memorial Veteran's Cemetery in the amount of \$47,500.00 remains due to the New York State Office of General Services; and

WHEREAS, the Board has previously expressed its commitment to the proposed Sampson Memorial Veteran's Cemetery and has by resolution accepted title to the premises from the State of New York; now, therefore, be it

RESOLVED, that the Board of Supervisors approves payment of the sum of \$47,500.00 for purchase of the real property currently held in the name of Seneca County and necessary for construction of the proposed Sampson Memorial Veterans Cemetery; and be it further

RESOLVED, that the Treasurer is authorized and directed to pay such sum to the New York State Office of General Services.

**SENECA COUNTY SIGNS MEMORANDUM OF UNDERSTANDING FOR SHARED
MAINTENANCE FACILITY SERVICES STUDY**

RESOLUTION NO. 180-09, moved by Mr. Davidson, seconded by Mr. Shipley and adopted by 679 ayes (Davidson, Shipley, Reynolds, Barto, Serven, Dresser, Kaiser, Same, Terryberry, Amidon, Hayssen, Mooney and Westfall) and 71 absentees (Lafler).

WHEREAS, the New York State Department of State, Division of Local Government Services has awarded Seneca County a \$29,000 grant to fund a Shared Maintenance Facility Study to determine to what extent a single, centralized shared vehicle maintenance facility will reduce the overall maintenance costs to the communities and countywide, rather than maintaining separate facilities and services; and

WHEREAS, the project requires all parties to sign a Memorandum of Understanding defining the role of the oversight committee as well as the collection of vehicle maintenance data from each school district and municipality; and

WHEREAS, this request has been reviewed and approved by the Public Works Committee at the July 28, 2009 meeting; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the Memorandum of Understanding for said grant.

**SUPERVISORS APPROVE PURCHASE OF A 10-WHEEL TRUCK
FOR HIGHWAY DEPARTMENT**

RESOLUTION NO. 181-09, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted by 679 ayes (Davidson, Amidon, Reynolds, Barto, Serven, Dresser, Kaiser, Same, Terryberry, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Lafler).

WHEREAS, funds for the purchase of one (1) 2010 10-wheel International Diamond Spec 7600 truck with plow, wing and sander from State Contract PC62176 in the amount of \$174,874f have been appropriated from the 2009 Seneca County Highway Road Machinery Vehicle Account 5130.2600; and

WHEREAS, the purchase was approved by the Public Works Committee of the Seneca County Board of Supervisors on March 24, 2009; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Seneca County Highway Superintendent to purchase one (1) 2010 10-wheel International Diamond Spec 7600 truck with plow, wing and sander from State Contract PC62176 in the amount of \$174,874 with funds appropriated from the 2009 Highway Road Machinery Vehicle Account 50-120-5-5130-2600.

**RESOLUTION AUTHORIZING FIVE-YEAR RENEWAL OF LEASE AGREEMENT WITH
WAYNE-FINGER LAKES BOCES FOR SPACE AT THE COUNTY BUILDING**

RESOLUTION NO. 182-09, moved by Mrs. Amidon, seconded by Dr. Dresser and adopted by 679 ayes (Amidon, Dresser, Reynolds, Barto, Serven, Davidson, Kaiser, Same, Terryberry, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Lafler).

WHEREAS, on August 1, 1999 Wayne-Finger Lakes BOCES and Seneca County entered into a five-year lease for premises commonly known as 2,880 square feet on the third floor of the County Office Building located at 1 DiPronio Drive, Waterloo, New York 13165; and

WHEREAS, said lease was renewed for a second five-year period commencing on August 1, 2004 with a five-year renewal option; and

WHEREAS, the BOCES needs the leased facilities for another five-years and is willing to continue leasing the space; and

WHEREAS, this resolution was approved by the Public Works Committee at its meeting on July 28, 2009; now, therefore, be it

RESOLVED, that the lease agreement between Seneca County and Wayne Finger Lakes BOCES for 2,880 square feet located on the third floor of the Seneca County Office Building for \$9.50 per square foot, is extended through July 31, 2014 on the same terms and conditions in the said 1999 lease as modified by agreements dated June 21, 2004 and December 12, 2007; and be it

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign said lease agreement.

Special Order of the Day

The meeting was adjourned at 8:37 p.m.