

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

September 22, 2009

8:00 p.m.

Call to Order

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

Roll Call of Members by the Clerk

All members of the Board of Supervisors answered roll call.

Pledge of Allegiance and Moment of Silence

Petitioners:

Glenn Silver, member of the concerned Citizens of Seneca County, addressed the Board of Supervisors regarding Zero Waste: the recycling of all materials back into nature or the marketplace in a manner that protects human health and the environment. He urged the Board of Supervisors to adopt a policy of zero waste in Seneca County.

Carol Richardson, member of the Finger Lakes Zero Waste, addressed the Board of Supervisors regarding the Meadow View Clay Mine project. She expressed concern about any negative effects the digging may cause to the environment and community. She urged the Board of Supervisors to oppose the mining project and to urge Seneca Meadows to find alternative ways to provide cover for the landfill. A written copy of Ms. Richardson's remarks was submitted to the Clerk of the Board of Supervisors.

Don Gentilcore, District Manager, Seneca Meadows responded to remarks about the Mining Project and Seneca Meadows stating that Seneca Meadows has "demonstrated over the years our commitment to this community and to the environment through our progressive approach." A written copy of Mr. Gentilcore's remarks was submitted to the Clerk of the Board of Supervisors.

Reports of Standing Committees

Government Operations Committee, Mrs. Amidon, Chairperson, reported that the Committee approved a resolution proclaiming October 3, 2009 as Literacy Day: "Recycle with Books: READ!". Mrs. Amidon also said she attended the Ethics In Government workshop at the New York State Association of Counties Fall Seminar, and said it was informative and very good.

Public Works Committee, Mr. Davidson, Chairperson, reported that the Committee met with Justin Bennett, Executive Director, Cayuga Indian Nation (CIN) Division of Housing, who was seeking an agreement with the Board of Supervisors to include certain County roads in the CIN Reservation Road Inventory, which would allow for federal funding for the roads. The request was not supported because the Committee stated that an Indian reservation does not exist in Seneca County therefore County roads could not be included in the inventory.

Public Safety Committee, Mr. Shipley, Chairperson, reported that the Committee discussed the salary for the District Attorney. The Committee approved decreasing the salary to \$119,800, based on the Attorney General's Opinion No. 2009-3 that the District Attorney's base salary is the same as the County Court Judge's base salary.

Indian Affairs Committee, Dr. Dresser, Chairperson, reported that NYSAC's Standing Committee on Native American Affairs & Gaming adopted three resolutions at its meeting at the Fall Seminar related to Indian Affairs: "Support of S.1456/.R. 3208, "Land-in-Trust Schools and Local Government Equitable Compensation Act"; "Urging the Governor to enforce the collections of sales and excise taxes on tribal and Indian Sales to Non-Indians"; and "Urging Members of the New York Congressional Delegation to Oppose any 'Carcieri Fix' and Hasty Modifications to the Land-into-trust Process".

Personnel and Technology Committee, Mr. Same, Chairperson, indicated that the Committee discussed the specs for Requests for Proposal for the Employee Assistance Program (EAP) and agreed that the towns in Seneca County are included in the services.

Public Health Committee, Mr. Mooney, Vice - Chairperson, said the Committee approved renewing a contract with Cathy Bond who is a consultant who has been working with the Health department staff on Emergency Preparedness planning for four years. The Committee also approved the Board of Supervisors Chairman to sign documents to accept \$26,133 in funding for the Tobacco Enforcement / Control Program (ATUPA).

Approval of Meeting Minutes

Minutes of the August 11, 2009 and August 25, 2009 were approved as printed.

Communications:

141. A copy of minutes from the Seneca County Cornell Cooperative Extension June 23, 2009 meeting minutes.

142. A copy of minutes from the Seneca County E911 Board September 8, 2009 meeting minutes.

143. From Genesee / Finger Lakes Regional Planning Council, a copy of its 2008 – 2009 Genesee – Finger Lakes Economic Development District Draft Comprehensive Economic Development Strategy Update.

144. From Peter J. Kiernan, Counsel to the Governor, a letter dated September 3, 2009, informing Chairman Lafler that the State does not believe the counties are entitled to payment of their legal fees "in this matter". Referred to the County Attorney and County Manager.

Resolutions and Motions

BOARD OF SUPERVISORS AUTHORIZE THE CHAIRMAN TO APPLY FOR TIGER GRANT FOR PASSENGER AND FREIGHT RAIL IMPROVEMENTS

RESOLUTION NO. 207-09, moved by Mr. Mooney, seconded by Mr. Davidson and unanimously adopted.

WHEREAS, the Seneca County Partners for Children, Youth & Families is celebrating the importance of literacy during the fifth annual county literacy event on October 3, the theme is “Recycle with Books: READ!”; and

WHEREAS, the Seneca County Partners for Children, Youth & Families define literacy as, “the essential skill that encompasses the use of reading, writing, speaking, and listening to find meaning, solve problems, and communicate information for a variety of personal and professional uses”; and

WHEREAS, the Seneca County Partners for Children, Youth & Families emphasizes the importance of promoting literacy in Seneca County based on the following points:

- A high percentage of students during Kindergarten screening fall below average in school readiness skills and have no “book of their own”;
- Many parents lack the information on ways to provide pre-literacy experiences for their children;
- Early literacy prevention support and strategies can prevent children from becoming classified as special needs students requiring costly support services;
- Higher literacy in adults can lead to better paying jobs, wage gains and an opportunity for families to break out of the cycle of poverty; and

WHEREAS, the Seneca County Partners for Children, Youth & Families furthermore recognizes that a large percentage of low-income families have no books at home for their children; and

WHEREAS, agencies, schools and communities in Seneca County will promote literacy efforts during this week, and the Seneca County Partners for Children, Youth & Families will host a Literacy Celebration on October 3, 2009 from 1:00 p.m. – 4:00 p.m. at the Seneca County Office Building; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors does hereby proclaim October 3, 2009 as Recycle with Books: READ! Day, as the fifth annual literacy event in Seneca County; and be it further

RESOLVED, as a child’s literacy development and school success is directly linked to parental involvement and the literacy environment in the home, the Seneca County Board of Supervisors urges all of our citizens to join forces increasing literacy awareness; thus providing greater opportunities for success of our children and families.

**AUTHORIZE UPGRADE OF SENECA COUNTY SHERIFF’S ROAD PATROL
FIREARM ARSENAL**

RESOLUTION NO. 208-09, moved by Mr. Shipley, seconded by Mr. Same and unanimously adopted.

WHEREAS, after considerable research and keeping in mind officer and citizen safety, the Seneca County Sheriff's Office is planning to upgrade firearms that are assigned to each Road Patrol Deputy and Sergeant and carried in their vehicles, with semi-automatic, .223 caliber rifles; and

WHEREAS, policies are being developed regarding deployment, utilization and initial & recurring training which will be thorough and strictly adhered to; and

WHEREAS, both the Public Safety and Finance Committees have approved an initial purchase of ten rifles; and

WHEREAS, the rifles are listed on state bid Contract #PC 63295 at a cost of \$814.35 each for a total of \$8,143.50 with the funds to purchase said items in the 2009 Sheriff's Office Budget; now, therefore, be it

RESOLVED, that the Board of Supervisors approves the purchase and authorizes the above expenditure for ten semi-automatic, .223 caliber rifles under the State Contract vender Standard Law Enforcement Supply Company of Roslyn Heights, NY.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN CONTRACT FOR
EMD ON LINE CALL TAKING SOFTWARE**

RESOLUTION NO. 209-09, moved by Mr. Shipley, seconded by Mr. Mooney and unanimously adopted.

WHEREAS, the Seneca County E-911 Center provides Emergency Medical Dispatch instructions (EMD) for medical calls; and

WHEREAS, on line call taking software will enhance this service by providing more proficient and precise instructions with less room for error on pre-arrival instructions; and

WHEREAS, this on line call taking service will improve emergency call taking efficiency, thereby reducing liability risks and increasing responder safety; and

WHEREAS, the amount of this on line call taking service will not exceed \$36,523, which is in the E-911 2009 budget line number 10-110-5-3020-4221 for Computer Upgrades and Licenses; and

WHEREAS, the EMD on line call taking service upgrade has been approved by the Public Safety Committee at its September 8, 2009 meeting; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with Priority Dispatch Corporation, 139 E South Temple, 5th Floor, Salt Lake City, Utah 84111, for the installation of EMD on line call taking software in the E-911 Center.

Mr. Davidson made the motion to adopt a resolution "Introducing Proposed Local Law D of 2009 that would Amend Local Law 2-1998 regarding the Composition of the Sewer District No. 1 Board." Mr. Same seconded the motion.

Dr Dresser made a motion to amend the main motion by changing text in the resolution relating to the composition of the Sewer District No. 1 Board membership to include the town supervisors from

Romulus and Varick, the mayors from the villages of Lodi and Ovid, and a customer of the Sewer District for a two-year term. The motion was not seconded.

The floor was opened for discussion. Following discussion, Dr. Dresser made a motion, seconded by Mr. Hayssen and carried, to refer the main motion to the Public Works Committee for further review on the composition of the Board.

Mr. Davidson made a motion to “Amend Resolution No. 109-00 to Reconstitute Seneca County Sewer District No. 2 Board”. Mrs. Amidon seconded the motion. Dr. Dresser made a motion, seconded by Mr. Hayssen and carried, to refer the main motion to the Public Works Committee for further review on the composition of the Board.

Mr. Davidson made a motion to “Amend Resolution No. 111-00 to Reconstitute Seneca County Water District No. 1 Board. Dr. Dresser made a motion, seconded by Mr. Hayssen and carried, to refer the main motion to the Public Works Committee for further review on the composition of the Board.

Special Order of the Day

The meeting was adjourned at 8:33 p.m.