

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

March 09, 2010

8:00 p.m.

Call to Order

Chairman Lafler called the meeting to order at 8:04 p.m.

Roll Call of Members by the Clerk

Thirteen members of the Board answered roll call. Mr. Reynolds was not present..

Pledge of Allegiance and Moment of Silence

Presentations / Petitioners:

- a. Employee of the Fourth Quarter 2009 Award was present to Kathy Corona, Personnel Technician
- b. Thomas M. Kicior, Jr., of the Genesee / Finger Lakes Regional Planning Council spoke about the importance of 2010 Census and how it is different from other years and what municipalities can do to get the word out to ensure that everyone is counted.
- c. Karen Rothfuss, Seneca County resident, spoke regarding the establishment of an Environmental Affairs Committee and urged that fairness and balance be considered when selecting members to the advisory committee.
- d. Lisa Compton read a letter from the Seneca County Farm Bureau president, Kevin Swartley, regarding membership of the proposed Environmental Committee and seeking representation on an advisory committee.

Submission of Claims for Audit

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

Supervisors vouchers	# 603 - 821	totaling	\$ 180,640.14
OFA vouchers	# 139 - 202	totaling	\$ 71,777.08
Workforce Development vouchers	# 36 - 57	totaling	\$ 19,355.20
Insurance vouchers	# 12 - 22	totaling	\$ 405,285.408
Sheriff vouchers	# 181 - 233	totaling	\$ 73,476.54
County Airport vouchers	# 23 - 30	totaling	\$ 7,125.60
Highway Transportation vouchers			
Maintenance & State Snow	# 53 - 72	totaling	\$ 245,448.33
Highway Machinery	# 84 - 122	totaling	\$ 72,482.90

		Highway Total	\$	317,931.23
Airport Capital vouchers	# 3	totaling	\$	6,125.00
Highway Capital vouchers	# 5 - 6	totaling	\$	3,971.44
Veterans Cemetery Capital Vouchers	# 7 – 10	totaling	\$	64,245.63
Sewer and Water District vouchers	# 1 – 17	Totaling	\$	40,723.81

Reports of Standing Committees

Planning, Development, Agriculture & Tourism, Mrs. Amidon, Chairperson, reported that her committee approved appointments to the Soil and Water Board and the Fish and Wildlife Management Advisory Board. The committee also approved the hiring of a temporary grant writer to assist in seasonal grant writing.

Public Safety Committee and Public Works Committee, Mr. Davidson, Chairman. reported that the committee approved appointments to the Seneca County Fired Advisory Board and approved reclassifying two positions in Probation, a Senior Probation Officer to a Probation Supervisor.

Human Services, Mr. Mooney, Chairperson, reported that the committee approved refills as recommended by the Vacancy Committee for a Family Aide position, and approved reclassifying an Account Clerk / Typist position to Sr. Account Clerk position, and approved reclassifying a Clerk position to Account Clerk position. The committee also approved accepting the bid fro All Pro Heating & Air Conditioning, Romulus, NY for the Weatherization Program.

Indian Affairs Committee, Mr. Shipley, Chairperson, reported that his committee discussed and approved the payment of the current legal bills. The committee also directed the County Manager to arrange for the county website to have information and links available regarding the Senate public hearings on the enforcement of the collection of sales taxes on purchases made by non-Indians from Indian businesses. Comments would be accepted until Monday, April 26, 2010.

Government Operations, Mr. Kaiser, Chairperson, said that the committee would be passing a resolution honoring Wayne Morrison as the recipient of the Seneca County Historian’s Award at the following board meeting

Mental Health Services Committee, Mr. Kaiser, Vice-Chair, reported that the Committee discussed and approved the acceptance a grant for \$20,000 from the NYS Office of Alcohol and Substance Abuse Services for a county program to reduce underage drinking.

Public Health Services, Mr. Hayssen, Chairperson, reported that his committee approved the Memorandum of Agreement with the school superintendents to allow the County to utilize the school facilities in emergencies for mass clinics and for special needs shelters.

Finance, Assessment & Insurance Committee, Mr. Kubasik, Chairperson, indicated his committee discussed and approved a vacancy in DHS and a temporary grant writer position.

### County Manager's Remarks

The County Manager recognized Ben Freier, Seneca County Highway Department employee, who avoided a potentially serious accident while operating a snowplow by quick thinking and swift maneuvering, thus avoiding head-on collision with another vehicle.

She also reported on the new GIS system and how it allows more specific detail and location when creating maps for the county.

### County Attorney's Remarks:

The County Attorney spoke about the hearing in Syracuse on March 25<sup>th</sup> in the Indian matter. He indicated that if anyone was planning on attending to advise him as soon as possible so he could arrange the transportation and that he is going down "very early" to be sure to get seating.

### Communications:

28. From NYS Assembly Minority Leader Brian Kolb, a copy of a letter dated February 23, 2010, to Mr. Garry Brown, Chairman NYS Department of Public Service requesting Mr. Brown's review of the situation involving the former Seneca Army Depot and the transmission lines owned by NYSEG.

29. From Karen A. Coleman, Director, Division of Employment and Workforce Solutions, a copy of a letter dated February 24, 2010 to Mr. Richard Bonneville, Local Board Chair, Finger Lakes Workforce Investment Board, stating that revisions to the Local Plan Modification addressed each of the "findings" identified by the review team and said Local Plan is deemed approved.

30. From NYS Assembly Minority Leader Brian Kolb, a letter acknowledging receipt of Seneca County Resolution No. 25-10 opposing various proposed anti-gun owner legislation in New York State.

31. A copy of Ontario County's Resolution No. 110-2010, Endorsement of Appointment to the Finger Lakes Workforce Investment Board.

32. A copy of the Seneca County Board of Health February 17, 2010 meeting minutes.

33. A copy of the Seneca County Soil & Water Conservation District January 25, 2010 meeting minutes.

34. A copy of the Finger Lakes Resource Conservation & Development Council, Inc., January 20, 2010 meeting minutes.

35. A copy of the Seneca County Cornell Cooperative Extension Board of Directors February 2, 2010 meeting minutes.

### Resolutions and Motions

**BOARD OF SUPERVISORS ESTABLISHES ENVIRONMENTAL AFFAIRS COMMITTEE**  
RESOLUTION NO. 51-10, moved by Mr. Kaiser, seconded by Mr. Shipley and adopted by 659 ayes (Kaiser, Shipley, Garlick-Lorenzetti, Serven, Davidson, Prouty, Same, Lafler, Churchill, Amidon, Mooney, Kubasik), 40 nays (Hayssen) and 51 absentees (Reynolds).

WHEREAS, the Seneca County Board of Supervisors recognizes the concerns of Seneca County residents as to issues affecting the environment in Seneca County, including solid waste disposal, oil and gas resource development and other land use issues; and

WHEREAS, the Government Operations Committee recommends establishment of a separate standing committee to review such issues to determine what, if any action is appropriate and permitted on the part of County Government and to keep the Board informed as to environmental issues within Seneca County; now, therefore, be it

RESOLVED, that there is hereby established a standing committee of the Board of Supervisors which shall be called the Environmental Affairs Committee; and be it further

RESOLVED, that the purpose of such committee shall be to keep the Board of Supervisors abreast of the various activities in the County and their potential environmental impacts; and be it further

RESOLVED, that §25 of the Seneca county Board of Supervisors Rules of Order for 2010 is hereby amended to add the following after the description contained therein of the duties of COMMITTEE NO. 12 – ENVIRONMENTAL AFFAIRS COMMITTEE – Responsible for keeping the Board abreast of the various activities in the county and their potential environmental impacts; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to select five members of the Board of Supervisors as members of such standing committee and further, to select from those five, one such member to act as Chairman of such Committee and one such member to act as Vice-Chairman of such Committee pursuant to §25 of the Rules of Order.

Prior to the adoption of the aforementioned resolution, a discussion ensued regarding the creation of an advisory committee and the selection of its members. Mr. Hayssen stated that he would be opposing the resolution since it does not address specifics for an advisory committee to the Environmental Affairs Committee.

**RESOLUTION ACCEPTING FUNDS AND SIGNING CONTRACT FOR “ENFORCING UNDERAGE DRINKING LAW (EUDL) GRANT” AND TREASURER AUTHORIZED TO AMEND BUDGET**

RESOLUTION NO. 52-10, moved by Mr. Kaiser, seconded by Mr. Same and adopted by 699 ayes (Kaiser, Same, Garlic-Lorenzetti, Serven, Davidson, Prouty, Lafler, Churchill, Amidon, Hayssen, Mooney, Shipley, Kubasik) and 51 absentees (Reynolds).

WHEREAS, the New York State Office of Alcohol and Substance Abuse Services (OASAS) has awarded the Seneca County Substance Abuse Program (SCASP) the Enforcing Underage Drinking Law (EUDL) Grant, Contract #T001159, in the amount of \$20,000 with no County match; and

WHEREAS, the EUDL Grant Contract #T001159 needs to be signed by the Seneca County Board of Supervisors Chair; and

WHEREAS, the 2010 County Budget needs to be amended to accept this money by increasing revenue account #10-319-3-3488 and expense account #10-115-5-4210-4555 by \$20,000 each; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors hereby accepts \$20,000 in funds from the OASAS EUDL Grant; and be it further

RESOLVED, that the Seneca County Board of Supervisors Chair is authorized to sign the EUDL Grant Contract #T0001159; and be it further

RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to amend the 2010 County budget as follows:

Increase Revenue: 10-319-3-3488, by \$20,000

Increase Expense: 10-115-5-4210-4555, by \$20,000

**MEMORANDUM OF AGREEMENT BETWEEN SENECA COUNTY AND CAYUGA COUNTY**

**FOR NYS OFFICE OF HOMELAND SECURITY 2009 TECHNICAL RESCUE GRANT**

RESOLUTION NO. 53-10, moved by Mr. Davidson, seconded by Mr. Kaiser and adopted by 699 ayes (Davidson, Kaiser, Garlick-Lorenzetti, Serven, Prouty, Same, Lafler, Churchill, Amidon, Hayssen, Mooney, Shipley, Kubasik) and 51 absentees (Reynolds).

WHEREAS, the Cayuga County Office of Emergency Services has been awarded a NYS Office of Homeland Security 2009 Technical Rescue Grant; and

WHEREAS, Seneca County and Wayne County are participating partners in the grant; and

WHEREAS, the grant is a one of only seven awarded statewide and will provide the needed equipment to establish Technical Rescue Teams in each county; and

WHEREAS, the requirement of the NYS Office of Homeland Security is for the Memorandum of Agreements to be signed by the County Fire Coordinators; and

WHEREAS, this resolution has been approved by the Public Safety Committee on February 23, 2010; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the Seneca County Director of Emergency Management to sign the NYS Office of Homeland Security Memorandum of Agreement for the 2009 Technical Rescue Grant between Seneca County and Cayuga County.

**LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT FFY 2009**

RESOLUTION NO. 54-10, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted by 699 ayes (Davidson, Amidon, Garlick-Lorenzetti, Serven, Prouty, Kaiser, Same, Lafler, Churchill, Hayssen, Mooney, Shipley, Kubasik) and 51 absentees (Reynolds).

WHEREAS, the New York State Emergency Management Office (SEMO) administers the Local Emergency Management Performance Grant Program; and

WHEREAS, Seneca County will receive \$16,325.00 for Federal Fiscal Year 2009; and

WHEREAS, SEMO requires the signature of an authorized certifying official for Seneca County to receive the funding; and

WHEREAS, this resolution was approved by the Public Safety Committee on February 23, 2010; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board to sign all and any documents as required by the New York State Emergency Management Office for Seneca County to receive the funding of \$16,325.00 from the Local Emergency Management Performance Grant FFY 2009.

**BOARD OF SUPERVISORS APPROVES SECURITY PLAN FOR SENECA COUNTY OFFICE BUILDING**

RESOLUTION NO. 55-10, moved by Mr. Davidson, seconded by Mr. Shipley and adopted by 699 ayes (Davidson, Shipley, Garlick-Lorenzetti, Serven, Prouty, Kaiser, Same, Lafler, Churchill, Amidon, Hayssen, Mooney, Kubasik) and 51 absentees (Reynolds).

WHEREAS, the need for security services at the Seneca County Office Building has come to the attention of the Board; and

WHEREAS, the safety of County employees is of great concern to the Board and appears to be in jeopardy unless safety measures are instituted at the County Office Building; and

WHEREAS, the Public Safety Committee has given approval to move forward with a security plan and expenditures for the County Office Building as follows:

Wage and benefits	\$87,203
Equipment and set-up	\$23,144
Uniforms	\$10,000; and

WHEREAS, the Sheriff will be coordinating security for the Building; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does support and approve the Security Plan and expenditures for the County Office Building and direct the Sheriff to proceed with setting up said security as soon as possible.

**SUPERVISORS SELECT ENGINEERING FIRM FOR SENECA COUNTY LOCALLY ADMINISTERED FEDERAL AID BRIDGE PROJECT**

RESOLUTION NO. 56-10, moved by Mr. Davidson, seconded by Mr. Shipley and adopted by 699 ayes (Davidson, Shipley, Garlick-Lorenzetti, Serven, Prouty, Kaiser, Same, Lafler, Churchill, Amidon, Hayssen, Mooney, Kubasik) and 51 absentees (Reynolds).

WHEREAS, the Indian Creek Bridge on County Road 132 (East Lake Road) in the Town of Romulus is in dire need of repair and has been reduced to one lane; and

WHEREAS, letters of interest regarding this project were sent to all fifteen (15) firms on the Local Design Service Agreement Approved Firms list for Region 3; and

WHEREAS, responses received have been reviewed and Barton & Loguidice has been selected for this project; now, therefore, be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to sign any and all contracts with Barton & Loguidice regarding engineering services for the Indian Creek Bridge Project on County Road 132.

**SUPERVISORS AWARD BID FOR CONSTRUCTION OF BRIDGE REPLACEMENT  
PROJECT ON COUNTY ROAD 143 (as amended)**

RESOLUTION NO. 57-10, moved by Mr. Davidson, seconded by Mr. Kubasik and adopted by 699 ayes (Davidson, Kubasik, Garlick-Lorenzetti, Serven, Prouty, Kaiser, Same, Lafler, Churchill, Amidon, Hayssen, Mooney, Shipley) and 51 absentees (Reynolds).

WHEREAS, the six (6) bids received for the construction phase of a bridge replacement project on County Road 143 were opened at 10:00 a.m. on October 14, 2009; and

WHEREAS, Silverline Construction Inc. presented the lowest bid at \$609,018.00; and

WHEREAS, on February 23, 2010, the Public Works Committee of the Seneca county Board of Supervisors recommended accepting the bid from Silverline Construction, Inc., on the condition that the Brewer Road project is satisfactorily completed with regard to milling and repaving; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby award the bid for construction of a bridge replacement project on County Road 143 to Silverline Construction Inc. at a cost not to exceed \$609,018.00 on the condition that the Brewer Road project is satisfactorily completed with regard to milling and repaving; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute a contract with Silverline Construction Inc. consistent with such bid for the construction project to replace the Route 143 bridge.

Prior to the adoption of the aforementioned resolution, Mr. Shipley moved to amend the main motion by deleting the word “paving” in the third WHEREAS clause and the first RESOLVED clause and inserting the words, “milling and repairing”.

**BOARD OF SUPERVISORS APPROVES TRANSFER OF FUNDS FROM SEWER DISTRICT  
NO. 2 ACCOUNT TO SEWER DISTRICT NO. 1 ACCOUNT**

RESOLUTION NO. 58-10, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted by 699 ayes (Davidson, Amidon, Garlick-Lorenzetti, Serven, Prouty, Kaiser, Same, Lafler, Churchill, Hayssen, Mooney, Shipley, Kubasik) and 51 absentees (Reynolds).

WHEREAS, an invoice for necessary and previously authorized work conducted on equipment of Sewer District No. 1 has been received in the amount of \$78,200.00; and

WHEREAS, Sewer District No. 1 currently lacks funds necessary to pay this invoice; and

WHEREAS, a short term transfer of funds from Sewer District No. 2 to cover such costs as authorized under §9-a of the New York General Municipal Law is recommended by the Public Works Committee; now, therefore be it

RESOLVED, that the Treasurer is authorized and directed to temporarily transfer funds of Sewer District No. 2 in the amount of \$78,200.00 from account #751351709 to the account of Sewer District No. 1, account #751351695; and be it further

RESOLVED, that pursuant to §9-a General Municipal Law, such funds shall be returned from Sewer District No. 1 to Sewer District No. 2 prior to the close of the fiscal year, that is, by December 31, 2010.

Prior to the adoption of the resolution, it was stated by the County Manager, that she and Jason McCormick believed that there would be sufficient funds to reimburse the County at the end of the year.

Mrs. Cindy Garlick Lorenzetti moved that a motion to Plan and Map the proposed Expansion of Water District No. 1 be laid on the table until the next board meeting for the purpose of allowing time for the Fayette Town Board to meet and discuss the issue.

**AUTHORIZATION TO HOLD TWO PUBLIC HEARINGS FOR NYS OCR GRANT FUNDS  
FOR HOUSING REHABILITATION**

RESOLUTION NO. 59-10, moved by Mrs. Amidon, seconded by Mr. Same and adopted by 699 ayes (Amidon, Same, Garlick-Lorenzetti, Serven, Prouty, Davidson, Kaiser, Lafler, Churchill, Hayssen, Mooney, Shipley, Kubasik) and 51 absentees (Reynolds).

WHEREAS, Seneca County intends to apply to the New York State Office of Community Renewal's (NYS OCR) annual competitive Community Development Block Grant Program for up to \$750,000 in housing rehabilitation funds; and

WHEREAS, it is a requirement of NYS OCR to hold two public hearings prior to resolution to submit the application; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, and Tourism Committee at the February 23<sup>rd</sup>, 2010 meeting; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize two public hearings to be held on March 25, 2010 at 7:00 p.m. in the South Seneca School Auditorium, and April

12<sup>th</sup>, 2010 at 7:00 p.m. in the Office for the Aging in the Seneca County Office Building at One DiPronio Drive, Waterloo, New York; and be it

FURTHER RESOLVED, that the Clerk of the Board is hereby authorized and directed to advertise for said public hearings.

**SUPERVISORS AUTHORIZE CREATION OF TEMPORARY GRANT WRITER POSITION IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

RESOLUTION NO. 60-10, moved by Mrs. Amidon, seconded by Mr. Mooney and adopted by 699 ayes (Amidon, Mooney, Garlick-Lorenzetti, Serven, Prouty, Davidson, Kaiser, Same, Lafler, Churchill, Hayssen, Shipley, Kubasik) and 51 absentees (Reynolds).

WHEREAS, the grant application load for the Spring, 2010 is anticipated to be extremely heavy due to the convergence of several major State and Federal deadlines affecting grant applications from Seneca County Departments, Towns, Villages, and Fire Departments; and

WHEREAS, while available Planning and Community Development Department resources have already been committed to assist with several of the projects, additional assistance is necessary to meet all the deadlines; and

WHEREAS, it is requested that one additional part time temporary Grant Writer position be created to provide the Department sufficient resources to meet the temporary increase in workload; and

WHEREAS, this resolution has been reviewed and approved by the Finance, Assessment, and Insurance, and the Planning, Development, Agriculture, and Tourism Committees on March 9<sup>th</sup>, 2010; now, therefore, be it

RESOLVED, that one (1) new temporary position of Grant Writer be created in the Planning and Community Development Department at the rate of \$13.00 / hr with a maximum annual salary of \$2,925; and be it

FURTHER RESOLVED, that the County Treasurer be authorized and directed to amend the 2010 Seneca Budget as follows:

Increase 10-1355-8020-1200	Part-Time Salaries	+\$ 2,925.50
Increase 10-1355-8020-8100	Retirement	+\$ 321.75
Increase 10-1355-8020-8300	Social Security	+\$ 181.35
Increase 10-1355-8020-8700	Medicare	+\$ 42.41
Decrease 10-1355-8020-4370	Consulting Services	-\$ 3,470.51

New Business:

Mrs. Amidon, seconded by Mr. Davidson, moved the rules of order suspended to introduce the following resolution:

**SUPERVISORS APPOINT JAMES MOONEY AND ROBERT IKE TO THE SENECA COUNTY  
SOIL & WATER CONSERVATION BOARD**

RESOLUTION NO. 61-10, moved by Mrs. Amidon, seconded by Mrs. Garlick-Lorenzetti and adopted by 699 ayes (Amidon, Garlick-Lorenzetti, Serven, Prouty, Davidson, Kaiser, Same, Lafler, Churchill, Hayssen, Mooney, Shipley, Kubasik) and 51 absentees (Reynolds).

WHEREAS, there are vacancies on the Soil & Water Conservation Board for a member and member-at-large; and

WHEREAS, the Board of Supervisors Planning, Development, Agriculture & Tourism Committee recommends the appointment of Supervisors James Mooney of Waterloo, New York and Robert Ike to serve on the Soil & Water Conservation Board; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint Waterloo Town Supervisor James Mooney as a member for a one-year term to expire December 31, 2010, and Robert Ike as a member-at-large, for a three-year term to expire on December 31, 2012 on the Soil and Water Conservation Board.

Special Order of the Day

The meeting was adjourned at 8:58 p.m..