

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

October 12, 2010

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 were present.

Presentations

a. Employee of the 2nd Quarter 2010 was awarded to Jennifer Bates, Staff Resources Assistant, Environmental Health with the award.

b. Seneca County Comprehensive Plan - Housing Chapter presented by Peter Brown, Grantwriter, Seneca County

Submission of Claims for Audit

Mr. Kubasik moved the following vouchers, having gone through the proper auditing process, be approved for payment.

Supervisors vouchers	# 2505 - 2765	totaling	\$	514,160.83
OFA vouchers	# 598 - 653	totaling	\$	84,578.81
Workforce Development vouchers	# 175 - 195	totaling	\$	20,314.25
Insurance vouchers	# 64 - 67	totaling	\$	3,454.39
Sheriff vouchers	# 635 - 693	totaling	\$	100,691.88
County Airport vouchers	# 108 - 119	totaling	\$	10,065.49
Highway Transportation vouchers				
Maintenance & State Snow	# 213 - 232	totaling	\$	366,004.22
Highway Machinery	# 341 - 377	totaling	\$	42,391.41
	Highway total		\$	408,395.63
Airport Capital vouchers	# 16	totaling	\$	45,993.57
Highway Capital vouchers	# 21 - 23	totaling	\$	47,274.31
Veterans Cemetery Capital Vouchers	# 31 - 33	totaling	\$	98,707.84
Sewer and Water District vouchers	# 178 - 200	totaling	\$	26,192.26

Reports of Standing Committees

Planning, Development, Agriculture & Tourism Committee, Mr. Same, Vice-Chairperson, reported that the committee approved applying for grant funds to develop Section 3 of the Cayuga-Seneca Canalway Trail. The next phase of the Cayuga-Seneca Canalway Trail project is to continue east from the Village of Waterloo to the Ludovico Trail in Seneca Falls. The New York State Office of Parks, Recreation, and Historic Preservation has published the competitive 2011-2012 Recreational Trail Grant. If awarded, the grant funding can cover 80% of the construction cost of the proposed Section 3, up to \$200,000. In-kind labor by the volunteers and Seneca County Department of Planning and Community Development will be used to provide the County's required 20% cost match.

The committee also discussed the county's involvement relating to the regulation of breeding facilities in Seneca County. The County Attorney was directed to research the legality of county involvement before any action by the Board of Supervisors

Public Safety Committee, Mr. Davidson, Chairperson, reported that the committee approved a board resolution amending the hours of operation of the Seneca County Sheriff's Civil Office to 8:00 a.m. through 4:00 p.m. Law Enforcement Accreditation Standards dictate that the hours of operation of the Civil Office, if other than the normal business hours of the county, be set by resolution.

Public Works Committee, Mr. Davidson, Chairperson, reported that the committee approved increasing the current recycling fee of \$20.00 per unit to \$28.00 per unit for 2011 taxes. The 2011 tentative recycling budget will increase by \$111,199 due to the increased bid price and contract with WeCare to provide curbside recycling and for additional funds added to the budget for recycling education and public information. Seneca County passed a local law in 1992 known as The Recycling Fee Schedule to authorize collecting revenue through a fee on the tax bill to fund the recycling program. The local law authorizes the Seneca County Board of Supervisors to change the fee by Resolution.

The committee also learned about WeCare's "enhanced recycling program". Cardboard will be accepted flattened and up to 3' x 3' x 18'; recycling will be picked up if in a 17 gallon container, limited to four containers per household, a fee will be charged to customers if more than four containers are used; WeCare will pick-up recycling if in a wheeled toter sold by WeCare for \$60.00; educational programs offered by WeCare will include programs such as Blue Bin of the Mont, farm days Booth, Meet with Schools & Apartment Building Managers; WeCare will pick up additional volume and meet with the owners of the Downtown Deli and Red's Tavern in Seneca Falls, NY to discuss a small rear load container; the WeCare recycling facility in Jordan, NY will be available for use by Seneca County residents.

Indian Affairs Committee, Mr. Shipley, Chairperson, reported that the United States Supreme Court granted the application of Madison County for certiorari in their action to foreclose on properties in

Madison County on which the Oneida Indians have refused to pay property tax; and the Supreme Court denied review of Seneca County's petition for certiorari in Cayuga v. Gould in which we questioned if federal law was properly interpreted in the decision by the New York Court of Appeals that land purchased by the Cayuga Indian Nation were exempt from New York cigarette tax and constituted "qualified reservation" property.

Human Services Committee, Mr. Mooney, Chairperson, reported that the committee approved a recommendation from the Vacancy Committee to refill a Caseworker position that will be vacant effective October 21. The committee approved a board resolution in support of Cayuga Community College establishing a presence in Seneca County and directing Chairman Lafler to send a letter to the SUNY Vice-Chancellor expressing endorsement of CCC's establishment of Seneca County as one of its service areas. The committee approved a resolution authorizing the Chairman to sign the agreement with the Ontario County Board of Supervisors and Finger Lakes Community College for the offering of college courses in Seneca County by Finger Lakes Community College for 2010-2011.

Personnel & Technology Committee, Mr. Same, Chairperson, reported that the committee approved a board resolution authorizing Chairman Lafler to sign a contract with Frontrunner Network Systems to provide remedial and preventative maintenance for Seneca County's telephone system

Public Health Committee, Mrs. Garlick Lorenzetti, Vice Chairperson, reported that the committee approved authorization by board resolution to renew contracts with service providers for the 3-5 (Pre-School) Program. The Health Department must secure contracts with agencies and individuals to provide professional services to children enrolled in the 3-5 (Pre-School) Program. The contracts include: Speech Therapy, Occupational Therapy, Physical Therapy, and Group Related Services.

Finance, Assessment & Insurance Committee, Mr. Kubasik, Chairperson, reported that the committee approved a recommendation by the Vacancy Committee to refill the Caseworker position that the Human Services Committee approved. The Committee also approved board adoption of the county equalization rates for 2011. The rates are as follows: Covert-Lodi-Ovid-Romulus-Varick- 84.00% Fay-SF 89% Junius 70% Tyre 88.00% and Waterloo 93%.county tax apportionment.

Chairman's Remarks

Chairman Lafler called Vickie Swinehart to the podium to report on the Household Hazardous Waste on October 30th at the Highway Barns and the Drive-through Flu Clinic on October 23rd here at the County Building in the south parking lot.

County Manager's Remarks

The County Manager spoke about the Sales Tax reports and the Comptroller's report on new procedures for the elections and the fact that there is no problems with Seneca County.

Communications:

- 150. From the Town of Geneva, notification of a Public Hearing concerning proposed Local Law No. 4-2010, "Amending Chapter (165) of the Code of the Town of Geneva"; Local Law No. 5-2010, "Adopting a Right to Farm Law"; Local Law No. 6-2010, "Enacting a Property Maintenance Law" to be held on October 12, 2010 at 7:00 p.m. at the Geneva Town Hall located at 3750 County Road 6, Geneva, NY.
- 151. A copy of the Seneca County IDA September 9, 2010 Board Meeting Minutes.
- 152. A copy of a petition to stop the renaming of East Bayard Street Extension to Gov. David Paterson Blvd, and to stop proclaiming September 28, 2010 as Gov. David Paterson Day, received in the Office of the Clerk to the Board of Supervisors on September 27, 2010.
- 153. From Phil Cianciotto, President, Seneca Lake Pure Waters Association, an email dated October 4, 2010 with information on the status of the New York State Supplemental Generic Environmental Impact Statement (SGEIS) in relation to natural gas drilling.
- 154. From the Cayuga Lake Watershed Intermunicipal Organization, a request for annual membership dues in the amount of \$900 for the year 2011. Referred to the Finance, Assessment & Insurance Committee.

Resolutions and Motions

BOARD OF SUPERVISORS ADOPTS EQUALIZATION RATES

RESOLUTION NO. 216-10, moved by Mr. Kubasik, seconded by Mr. Same and adopted:

Covert	84.00
Fayette	89.00
Junius	70.00
Lodi	84.00
Ovid	84.00
Romulus	84.00
Seneca Falls	89.00
Tyre	88.00
Varick	84.00
Waterloo	93.00

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE
TOBACCO CONTROL PROGRAM**

RESOLUTION NO. 217-10, moved by Mr. Hayssen, seconded by Mr. Shipley and adopted.

WHEREAS, the Health Department has been awarded a grant in the amount of \$25,917 for the period October 1, 2010 to September 30, 2011 for the tobacco control program; and

WHEREAS, it is necessary for the Chairman of the Board of Supervisors to sign this contract to receive these funds; and

WHEREAS, the funds are in the Public Health Budget 10-115-5-4011-4700; and

WHEREAS, the Public Health Committee has approved the grant; 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 the Tobacco Control Program.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED
TO SIGN CONTRACTS WITH SERVICE PROVIDERS FOR THE
EARLY INTERVENTION AND 3-5 PROGRAMS**

RESOLUTION NO. 218-10, moved by Mr. Hayssen, seconded by Mrs. Amidon and adopted.

WHEREAS, the Health Department is required to maintain contracts with individuals or agencies to provide professional services for the Early Intervention and 3-5 (Pre-School) programs; and

WHEREAS, the following individuals meet the qualifications and would like to provide Speech and Language Pathology services to children enrolled in these programs: Jennifer Balliette, JoAnne Corey and Amanda King; and

WHEREAS, the funds for these contracts is included in the Public Health budget 2960.470 and 4145.470; and

WHEREAS, it is necessary for the Chairman of the Board of Supervisors to sign these contracts; and

WHEREAS, the Public Health Committee has approved these contracts; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign contracts with Jennifer Balliette, Amanda King and JoAnne Corey for the provision of services to children enrolled in the Early Intervention and 3-5 Pre-School Programs.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A CONTRACT WITH THE ROCHESTER PRIMARY CARE NETWORK**

RESOLUTION NO. 219-10, moved by Mr. Hayssen, seconded by Mrs. Amidon and adopted.

WHEREAS, the Health Department has been contracting with Rushville Health Center for several years to provide preventive dental health services in Seneca County Schools; and

WHEREAS, Rushville Health Center is now under the Rochester Primary Care Network; and

WHEREAS, preventive dental health services are offered in Seneca Falls, Romulus, South Seneca and Waterloo Schools; and

WHEREAS, all children enrolled in first and fourth grades are offered a dental screening, cleaning and fluoride treatment; tooth brushing and flossing instructions; and

WHEREAS, the cost for these services will be billed to health insurance when available and when no health insurance coverage is available, the Health Department will pay the Rochester Primary Care Network \$45 per child; and

WHEREAS, the costs for these services and supplies are approximately \$5,000 per year and are included in the Public Health Department budget 10-115-5-4010-4350; and

WHEREAS, the Public Health Committee has approved this contract; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with the Rochester Primary Care Network for the provision of preventive dental health services in Seneca County schools.

Mr Churchill introduced the motion to adopt a resolution requesting the Governor and Legislature of New York State to apply the same standards to Seneca County and the Finger Lakes Watersheds that the DEC has indicated it will apply to the New York City and Syracuse Watersheds. Mr. Shipley seconded the motion.

Following a discussion, Mr. Churchill moved to refer the resolution back to the Environmental Affairs Committee to discuss holding a special meeting of the Committee to hear public comment on the issue.

**BOARD OF SUPERVISORS SETS HOURS OF OPERATION FOR THE CIVIL DIVISION OF
THE SENECA COUNTY SHERIFF'S OFFICE**

RESOLUTION NO. 220-10, moved by Mr. Davidson, seconded by Mr. Prouty and adopted.

WHEREAS, the Seneca County Sheriff's Office has requested that the hours of the Seneca County Sheriff's Office Civil Office be set by resolution; and

WHEREAS, that the Law Enforcement Accreditation Standards require that if the Civil Office hours differ from the accepted County Office Hours that the Civil Office hours be set by resolution; and

WHEREAS, the hours of the Seneca County Sheriff's Office has been operating between 8:00 a.m. and 4:00 p.m. for several years with success; and

WHEREAS, this matter was approved by the Public Safety Committee and the Finance Committee on October 12, 2010; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby authorize by resolution setting the hours of the Seneca County Sheriff's Office Civil Office at 8:00 a.m. thru 4:00 p.m., Monday thru Friday, excluding legal holidays and weekends.

Mr. Davidson made the motion to adopt a resolution increasing the recycling fee charged by Seneca County. Mrs. Amidon seconded the motion.

Mr. Hayssen made a motion to amend the main motion to include text stating that a capital reserve fund account be created for the purpose of holding funds not appropriated for recycling in the current year's budget and used for recycling for the following year's budget. Mr. Same seconded the motion to amend the main motion. The motion to amend the main motion carried.

Mr. Kaiser stated that he would be voting nay on the main motion as amended because he could not support raising the recycling fee and using \$15,000 of the of it towards recycling education for the public.

SUPERVISORS INCREASE RECYCLING FEE (as amended)

RESOLUTION NO. 221-10, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted by 699 ayes and 51 nays (Kaiser).

WHEREAS, Seneca County passed a local law in 1992 that authorized a recycling fee to be charged on the County tax bill to raise funds to cover the cost of the recycling program; and

WHEREAS, the local law authorizes the Seneca County Board of Supervisors to change the amount of the fee by resolution; and

WHEREAS, the 2011 recycle budget will increase by \$111,199 due to increased costs; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors raise the 2011 recycling fee to \$28.00 per recycling unit to generate sufficient revenue to balance the 2011 recycling budget; and be it further

RESOLVED, that a capital reserve fund account be created for the purpose of holding funds not appropriated for recycling in the current year's budget and used for recycling for the following year's budget.

BOARD OF SUPERVISORS AUTHORIZE AMENDMENTS TO DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT 2010 BUDGET AND AUTHORIZE TREASURER TO PAY TWIN LAKES SNOWMOBILE ASSOCIATION

RESOLUTION NO. 222-10, moved by Mrs. Amidon, seconded by Mr. Churchill and adopted.

WHEREAS, the amount to be received by Seneca County under the New York State Department of Parks, Recreation and Historic Preservation (NYSPRHP) Snowmobile Program was increased by \$504.00 to a total of \$6,444; and

WHEREAS, the funds received from the NYSPRHP Snowmobile Program are to support the snowmobile trail maintenance by the Twin Lakes Snowmobile Association within Seneca County; and

WHEREAS, Seneca County has received the final payment from NYSPRHP for the 2009-2010 season in the amount of \$1,800.00; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on September 28, 2010; now, therefore, be it

RESOLVED, that the Seneca County Treasurer is authorized to amend the Seneca County Department of Planning & Community Development 2010 Budget as follows:

Increase the following Account:

#10-135-5-8020-4382 (Snowmobile Grants)	\$6,444
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Increase Revenue Accounts as follows:

#1031933060 (Snowmobile Grants)	\$6,444
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FURTHER RESOLVED, that the Seneca County Treasurer is authorized and directed to pay up to \$1,800.00 to the Twin Lakes Snowmobile Association from Account #10-135-5-8020-4382 for final payment for 2009-2010.

**RESOLUTION APPOINTING MEMBERS TO THE FINGER LAKES REGIONAL
AIRPORT ADVISORY COMMITTEE**

RESOLUTION NO. 223-10, moved by Mrs. Amidon, seconded by Mr. Mooney and adopted.

WHEREAS, the Finger Lakes Regional Airport Advisory Committee has recommended that Mr. David Haimes, Mr. Paul Richardson, Mr. Robert Pfeiff and Mr. Robert Skinner be appointed to the Finger Lakes Regional Advisory Committee; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on September 28, 2010; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint David Haimes, Paul Richardson, Robert Pfeiff and Robert Skinner to the Finger Lakes Regional Advisory Committee effective October 1, 2010 to September 31, 2013.

**RESOLUTION APPOINTING MEMBER TO SENECA COUNTY REVOLVING
LOAN FUND COMMITTEE**

RESOLUTION NO. 224-10, moved by Mrs. Amidon, seconded by Mr. Prouty and adopted.

WHEREAS, a member of the Seneca County Revolving Loan Fund Committee recently resigned; and

WHEREAS, Mr. Kyle Collinworth has been recommended to fill this vacancy; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on September 28, 2010; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint Kyle Collinworth to the Seneca County Revolving Loan Fund Committee effective October 12, 2010.

New Business

Mr. Mooney to suspend the rules of order to introduce the following resolutions:

**BOARD OF SUPERVISORS SUPPORTS DESIGNATION OF SENECA COUNTY AS A
“SERVICE AREA” FOR CAYUGA COMMUNITY COLLEGE AND THE DEVELOPMENT OF
A PHYSICAL PRESENCE IN SENECA COUNTY FOR CAYUGA COMMUNITY COLLEGE**

RESOLUTION NO. 2225-10, moved by Mr. Mooney, seconded by Mr. Kubasik and adopted.

WHEREAS, a physical presence of Cayuga Community College (CCC) in Seneca County would offer the county’s graduating high school seniors and potential adult students a more readily available opportunity to obtain an outstanding college level education at a very reasonable cost; and

WHEREAS, it would be beneficial to make CCC’s Workforce Development and Community Education Programs more accessible to the county’s adult population since these programs would be of great value in creating a more qualified workforce to meet the county’s changing labor needs; and

WHEREAS, CCC’s commitment to being a leading resource in the areas of research, development and skills training for the region’s winery industry is particularly suitable for the economic realities in Seneca County; and

WHEREAS, a physical presence of CCC in Seneca County will be a powerful engine for economic development while enhancing the county’s cultural base and quality of life; and

WHEREAS, CCC has historically been one of the most utilized sources of post secondary education by Seneca County residents; and

WHEREAS, it would be very beneficial to significantly decrease the commuting distances Seneca County residents currently face to attend college, saving time, energy and money for these students; and

WHEREAS, recent discussions initiated by the Seneca Falls Local Development Corporation with the leaders of CCC indicate an interest in establishing a satellite facility or facilities in Seneca County; and

WHEREAS, the State University of New York (SUNY) must designate Seneca County as a “Service Area” before CCC can take significant action on exploring the possibilities of a physical expansion into Seneca County; and

WHEREAS, the designation of Seneca County as a “Service Area” by SUNY will facilitate the physical expansion of CCC into Seneca County; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the Chairman to sign a letter to Johanna Duncan Poiter, SUNY Vice Chancellor for Community Colleges, stating the Board’s strong support for SUNY’s designation of Seneca County as a “Service Area” for Cayuga Community College; and be it

FURTHER RESOLVED, that such letter will express the Board's firm endorsement for the development of a physical presence of Cayuga Community College in Seneca County.

**CHAIRMAN OF THE BOARD AUTHORIZED TO SIGN AGREEMENT BETWEEN
SENECA COUNTY AND FINGER LAKES COMMUNITY COLLEGE TO OFFER
COLLEGE LEVEL COURSES IN SENECA COUNTY**

RESOLUTION NO. 226-10, moved by Mr. Mooney, seconded by Mrs. Amidon and adopted.

WHEREAS, Finger Lakes Community College (FLCC) offers college-level courses in satellite locations in Seneca County; and

WHEREAS, no cost shall incur to Seneca County for the operation of these courses except for the normal operational charge backs per credit hour specified under Community College Law; and

WHEREAS, this resolution was approved by the Board of Supervisors Human Services Committee at its meeting on October 12, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign an agreement with the Finger Lakes Community College to offer college-level courses in satellite locations in Seneca County for the 2010 – 2011 year.

Special Order of the Day

The meeting was adjourned at 8:40 p.m.