

Seneca County Board of Supervisors

Regular Meeting

October 26, 2010

8:00 p.m.

Call to Order

Chairman Lafler called the meeting to order at 8:06 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

Presentation / Petitioners:

Mary McDonald, Executive Director of Seneca Housing and Karen Beals, Executive Director of United Way spoke on the Seneca County Housing Coalition and the 2010 Finger Lakes Housing Summit, which will be November 18, 2010 at the Ramada Inn in Geneva.

Unsafe Building Hearing

Property: 3084 County Road 139, Interlaken, NY 14847. Owner of Property: Doris Marion. Pursuant to Seneca County Local Law No. 3 of 2003, the Unsafe Buildings Law, you are hereby notified that a certain building located at and known as 2121 Orchard Street, Lodi, New York 14860, Seneca County Tax Map No. 03-1-22 is determined to be an Unsafe Building, in that the subject property has been determined by Seneca County to be dangerous and unsafe to the general public, is open and accessible, may become a place of rodent infestation, presents danger to the health, safety, and general welfare of the public, and is unfit for the purposes for which it may be lawfully used. The subject property is deemed to be in violation of §§ 302 and 303 of the Property Maintenance Code of New York State, which govern the exterior property areas and the exterior structure of existing buildings in New York State; and By authority of the Seneca County Board of Supervisors Resolution No. 129-10 dated June 22, 2010, Doris Marion, as the owner of record of such building, are hereby ordered to demolish and remove such building and to commence such demolition and removal within thirty (30) days of service of this Notice and to complete such demolition and removal within sixty (60) days thereafter unless, for good cause shown, such time shall be extended by the Seneca County Board of Supervisors, and In the event of your neglect or refusal to comply with this order, the Seneca County Board of Supervisors will provide for demolition and removal of such building and shall assess all expenses thereof against the land upon which it is located and institute a special proceeding to collect the costs of demolition, including, but not limited to the legal expenses thereof.

### Reports of Standing Committees

Planning, Development, Agriculture & Tourism Committee, Mrs. Amidon, Chairperson, first wanted to compliment the Chamber of Commerce on the Cork and Fork. She reported that her committee discussed the Seneca Co Housing Plan; authorized Chairman to sign contract with Disadvantaged Business Enterprise Program; accepted grant from NYS DOT for airport.

Public Works, Mr. Davidson, Chairperson, reported that his committee had three issues this evening, purchase a flat bed truck; and amend State Snow budget and a Lease Agreement with STS.

Indian Affairs, Mr. Shipley, Chairperson, reported that his committee had a lengthy discussion on the 30 day comment period.

Human Services, Mr. Mooney, Chairperson, reported that his committee discussed and approved funding the application for OFA annual implementation plan.

Personnel & Technology, Mr. Same, Chairperson, asked that there be a meeting in Executive Session following the Board Meeting.

Public Health, Mr. Hayssen, Chairperson, reported that his committee had one issue that will come to the full Board at the next meeting regarding permit fees.

Finance, Mr. Kubasik, Chairperson, reported that his committee had a report from the Treasurer on Expenses and Revenues; heard from the FL Library; reviewed recommendation from NYSAC on unfunded mandates and real property tax caps; discussed a workshop meeting on November 1 for full Board and Department Heads on the proposed 2011 budget.

### Chairman's Remarks

Chairman Lafler spoke about attending the Veterans Memorial Cemetery Highway dedication and how well attended it was.

### Communications

155. From the Town of Geneva, notice of a public hearing concerning proposed Local Law No. 7 – 2010, “Adopting Regulations regarding the Licensing of Dogs” to be held on November 9, 2010 at 7:00 p.m. in the Geneva Town Hall, 3750 County Road #6, Geneva, New York.

156. From the NYS Department of Transportation and New York State Thruway Authority information about its comprehensive multimodal transportation planning initiative in the Mohawk-Erie Corridor, defined as extending from the Massachusetts State Line to the Pennsylvania State Line, generally following Interstate 90 to explore the potential of the transportation system along this multimodal corridor to support the corridor's economy and communities into the future.

157. From the NYS Office of Children & Family Services a letter dated October 8, 2010 advising that a uniform reduction will be made to the payments Seneca County receives under the Youth Development Resource Allocation Plan (RAP) as required by Chapter 313 of the Law of 2010 – the enhance Federal

Medical Assistance Percentages (FMAP Contingency Allocation Plan, resulting in a reduction of f 1.1 percent funding to Seneca County for September 16, 2010 through March 31, 2011.

158. A copy of the Seneca County Library Consortia 2010 Annual Report to the Seneca County Board of Supervisors.

159. From Diana L. Graser, P.E., Regional Traffic Engineer, NYS DOT Region 3, a letter dated October 7, 2010 in response to the Seneca County Board of Supervisors Resolution No. 200-10 concerning the speed limit on a portion of Route 89 between County Road 138 in the Town of Romulus and Ernsberger Road in the Town of Varick, stating that as requested, a further review will be conducted by the NYS DOT.

160. A copy of the Seneca County Industrial Development Agency Annual Financial Disclosure Forms / Certificates of No Conflict of Interest and a copy of Oaths of Office for IDA Board Members Steven Brusso and Michael Hryzak.

161. A copy of the Seneca County Agricultural Enhancement Board September 1, 2010 meeting minutes.

162. A copy of the Finger Lakes Regional Airport Advisory Committee September 8, 2010 meeting minutes.

163. A copy of the Seneca County Planning Board September 9, 2010 meeting minutes.

164. A copy of the Seneca County Industrial Development Agency September 9, 2010 meeting minutes.

165. A copy of the Seneca County Federation of Sportsmen's Clubs, Inc. September 21, 2010 meeting minutes.

166. A copy of the Genesee / Finger Lakes Regional Planning Council September 8, 2010 meeting minutes.

167. From Alexander A. Humulock, L/Col. USAF Ret'd, a copy of a letter to Paul J. D'Amato Regional Director, Region 9 dated October 14, 2010 concerning the issue of the higher incidence rate of cancer and leachate in Seneca County.

168. From Frank Fisher, County Attorney, a copy of letters from Regina Horning, Clyde, NY; Lyndell and Lissa Horning, Clyde, NY; Darlene Hoover, Clyde, NY; Loretta and Kevin Horning, Clyde, NY; Mary Beth Wise, Waterloo, NY; Curtis and Jolene Martin, Seneca Falls, NY. The purpose of the letters is to urge the Board of Supervisors NOT to set county regulations concerning kennels and dog breeders in addition to the strict USDA and NYS regulations currently in place; and the letters are in support for professional and licensed kennels and dog breeders who abide by the current regulations; and the letters express displeasure with animal rights activists who are campaigning for new laws.

169. From Gregory D. Guy, Executive Director, Options for Independence, Inc. a letter dated October 8, 2010, requesting \$10,000.00 in funding from Seneca County in the 2011 budget to administer and pay construction costs for a minimum of two projects in 2011 under the Seneca County ramp and Access program. Referred to the Finance Committee and County Manager.

170. From AKRG, Environmental and Planning Consultants, a copy of the Bureau of Indian Affairs – Final Environmental Impact Statement (FEIS) for the fee-to-trust application for the Cayuga Indian Nation of New York. Referred to the Indian Affairs Committee.

Resolutions and Motions

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN CONTRACTS WITH SERVICE PROVIDERS FOR THE 3-5 (PRE-SCHOOL) PROGRAM**  
RESOLUTION NO. 227-10, moved by Mr. Hayssen, seconded by Mrs. Amidon and adopted.

WHEREAS, the Health Department must secure contracts with agencies and individuals to provide professional services to children enrolled in the 3-5 (Pre-School) Program; and

WHEREAS, the contracts for the following individuals or agencies must be renewed to continue services for these vulnerable children; and

WHEREAS, Center based services include Speech Therapy, Occupational Therapy, Physical Therapy, Group Related Services and are provided by the following Agencies:

1. Monroe I BOCES
2. Franziska Racker Centers
3. Finger Lakes United Cerebral Palsy (Happiness House)
4. Roosevelt Children's Center (Wayne ARC)
5. Seneca-Cayuga ARC; and

WHEREAS, Individual Related Services are provided by the following individuals:

1. Lisa Glasner: Speech Language Pathology
2. Christine Toner: Speech Language Pathology
3. Kristina Wight: Occupational Therapy; and

WHEREAS, the funds for these contracts are in the Public Health Budget 2960.470; 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 the individuals and providers listed for the provision of professional services to children enrolled in the 3-5 (Pre-School) Program.

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH FRONTRUNNER NETWORK SYSTEMS TO PROVIDE REMEDIAL AND PREVENTATIVE MAINTENANCE FOR**

**SENECA COUNTY'S TELEPHONE SYSTEM**

RESOLUTION NO. 228-10, moved by Mr. Same, seconded by Mr. Churchill and adopted.

WHEREAS, Seneca County needs a phone maintenance vendor that can provide continual support for our current phone system; and

WHEREAS, this vendor will be under contract that covers support for phones, telecom systems, voicemail, and monitoring; and

WHEREAS, this contract will support us during the acquisition of Nortel by Avaya; and

WHEREAS, this contract provider is listed under New York State Contract award numbers PT64268; T960252; PT58291; CMS1008 and group number 77009; and

WHEREAS, Frontrunner Network Systems can meet these requirements at an annual cost of \$15,264.00; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign an agreement with Frontrunner Network Systems in order to provide remedial and preventative maintenance on a 6 month trial basis for Seneca County's telephone system to be paid from funds available in Information Technology Phone Systems Expense account 1680.4230.

**BOARD OF SUPERVISORS AUTHORIZE THE CHAIRMAN TO APPLY FOR NEW YORK SAFETEA-LU RECREATIONAL TRAILS GRANT PROGRAM**

RESOLUTION NO. 229-10, moved by Mrs. Amidon, seconded by Mr. Churchill and adopted by 413 ayes (Amidon, Churchill, Same, Lafler, Mooney, Shipley, Kubasik) and 337 nays (Reynolds, Garlick-Lorenzetti, Serven, Davidson, Prouty, Kaiser, Hayssen).

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has released its competitive 2011 SAFETEA-LU Recreational Trails Grant Program application; and

WHEREAS, if awarded, this grant would provide up to \$200,000 towards the design and construction of Section 3 of the Cayuga-Seneca Canal Trail; and

WHEREAS, this project has an estimated cost not to exceed \$250,000, of which the maximum Seneca County share would be staff in-kind and community volunteer services valued at \$50,000; and

WHEREAS, if awarded, the grant will allow the Cayuga-Seneca Canal Trail engineering designs and construction to connect the Village of Waterloo to the Ludovico Trail in Seneca Falls completing a 2.5-mile uninterrupted recreational trail route between the City of Geneva and the Village of Seneca Falls; and

WHEREAS, this grant application must be submitted no later than November 05, 2010; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Committee on October 12, 2010; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors determines that the design and construction of Section 3 of the Cayuga-Seneca Canal Trail is classified as an Unlisted Action and will have no significant adverse environmental impact and hereby authorizes and directs the Chairman of the Seneca County Board of Supervisors to sign this project's Environmental Assessment Form; and be it

FURTHER RESOLVED, that Mr. Laverne C. Lafler, Jr., as Chairman of the Seneca County Board of Supervisors, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of the Recreational Trails Program, in an amount not to exceed \$200,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to Seneca County for engineering, design and construction of Section 3 of the Cayuga-Seneca Canal Trail and, if appropriate, a conservation easement to the deed of the assisted property.

Prior to the adoption of this resolution, Mrs. Garlick Lorenzetti stated that she would be voting nay because the Town of Fayette has gone on record opposing the trail since June 2009 and she was contacted by several constituents who opposed the trail.

#### Unfinished Business

Mr. Kubasik announced the first Budget Workshop will take place in the Board Room on November 01 at 5:30 p.m. for Board and Department Heads.

#### New Business:

Mrs. Amidon, at the request of Mr. Davidson will ask the Chamber of Commerce to provide the Board of Supervisors with a report on the Cork 'N Fork event.

#### Special Order of the Day

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