

Seneca County Board of Supervisors

Regular Meeting

November 23, 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

Twelve members of the Board answered roll call. Mr. Mooney and Mr. Churchill were absent.

Pledge of Allegiance and Moment of Silence

Presentation / Petitioners:

Comprehensive Plan Update – Agricultural and Rural Resources by Harriett Haynes, Planner, Seneca County Department of Planning and Community Development.

Reports of Standing Committees

Planning, Development, Agriculture & Tourism Committee, Mrs. Amidon, Chairperson. Seneca County Resolution 68-07 established agencies that could provide acceptable training for the County Planning Board to meet their required annual four (4) hours of training. It also made provision that “other training activities may be approved on a case-by-case basis by the Planning, Development, Agriculture, and Tourism Committee of the Seneca County Board of Supervisors.” The upcoming Finger Lakes Housing Summit will provide an excellent opportunity for County Planning Board members to learn about the status of housing issues in the Finger Lakes Region, and the proposed Seneca County Housing Plan. The Committee voted in favor of approval by board resolution to allow the Finger Lakes Housing Summit as training hours for County Planning Board members.

Public Works, Mr. Davidson, Chairperson. During the recycling bid process of awarding a contract for recycling pickup in Seneca County, there was much discussion about providing more recycling education to the residents of Seneca County. The concept is that more recycling education to the residents will enhance the program and lead to increased participation and increased amounts of recycling materials collected. Funds are budgeted in the 2011 recycling budget to provide for more education. Seneca County Cornell Cooperative Extension is very interested in providing a comprehensive recycling program to the residents of Seneca County. The committee voted in favor of contracting with SCCCE for a recycling education program.

Indian Affairs, Mr. Shipley, Chairperson. The committee met with the Citizens Advisory Committee and discussed the land-into-trust issues and the response prepared by Harris Beach to the EIS on behalf of the County. Two resolutions were also recommended for approval by the Board of Supervisors. One resolution would authorized the Chairman of the Board to write to our New York State

representatives and urging support for Bill No. A11535 / S8316 and override of the Governor's veto of the Magee / Klein Bill. The other proposed resolution urges Seneca County municipalities and school districts not to set any precedent or be dictated by any ethnic group or organization as to how to govern or educate its people.

Personnel & Technology, Mr. Same, Chairperson. The committee convened in executive session under Section 105(1)(f) Public Officers law in order to discuss the employment history of a County officer and possibly to take action in public session; and to discuss the collective negotiations regarding the SCSEA contract and possibly to take action in public session regarding a contract thereafter.

Approval of Meeting Minutes

The minutes of the October 12 and October 26, 2010 board meetings were approved.

County Manager's Remarks

County Manager Sinclair reported that the InterCounty Association of Western New York passed a resolution in support of more timely state reimbursement to counties for state mandated and other services provided by counties on behalf of the state, and to establish interest payments to counties in the event of a late state budget.

Ms. Sinclair also said the Association passed a resolution that she voted against, supporting the proposal by the Seneca Nation that it will make direct payments of exclusivity share monies to the host communities provided that New York State is willing to give a credit to the Seneca Nation for any payments made to the host communities in the event that the Seneca Nation's position is not completely sustained through the negotiation or arbitration process.

Communications

179. From Gregory D. Guy, Executive Director of Options for Independence, a copy of a letter dated November 9, 2010 to Suzanne Sinclair and copied to the members of the Board of Supervisors relating to the completed project of the installation of a concrete ramp and handicapped parking space at an apartment building in Seneca Falls made possible through the Seneca County Access & Ramp Program (SCARP) which is funded by Seneca County and administered by Options for Independence.

180. From David L. Dresser, Ph.D., a copy dated November 7, 2010 of his written comments related to the FEIS Cayuga Indian Nation of New York, Trust Application Project, submitted to Franklin Keel, Regional Director, Eastern Regional Office, Bureau of Indian Affairs.

181. From Harry Pettingill, Jr., Historian, Upstate Citizens for Equality (UCE), his written opinion, based on factual information, that Montreal Canada is the original origin of the Cayuga Nation and other tribes that make up the Five Nations are not the indigenous occupants of New York State therefore the Cayuga Nation's claim that portions of Seneca and Cayuga County are its homeland is invalid.

182. Adopted Budget for the year 2011 for the Town of Ovid, NY
183. Adopted Budget for the year 2011 for the Town of Junius, NY
184. Adopted Budget for the year 2011 for the Town of Seneca Falls, NY.
185. Adopted Budget for the year 2011 for the Town of Fayette, NY.
186. Tentative Budget for the year 2011 for the County of Seneca, State of New York.
187. Minutes of the E-911 Board Meeting of November 9, 2010.
188. Minutes of the Seneca County Planning Board meeting of October 14, 2010.
189. Notification that Seneca County was awarded \$126,000 under the FY2010 State Homeland Security Program (SHSP), provided by the U. S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA).

190. Notification that Seneca County application V11144 for 2011 VITA Grant funded provided by the Department of the Treasury Internal Revenue Service was not awarded.

191. From Roberta Harrison, on behalf of the Seneca County Agricultural Enhancement Board, a letter dated November 4, 2010 outlining its concerns relating to the issue that New York State apply the same standard to Seneca County and the Finger lakes Watershed that the DEC has indicated it will apply to the New York City Watershed and Syracuse Watersheds. AEB is requesting that should the Board of Supervisors adopt a resolution that it is specifically written to address high volume, slickwater hydraulic fracturing with horizontal drilling; and not prevent drilling of natural gas as farmers view the sale of natural gas as a potential income stream to their business. Referred to the Environmental Affairs Committee.

Resolutions and Motions

CHAIRMAN OF THE BOARD TO APPROVE AND APPOINT A SENECA COUNTY YOUTH BOARD MEMBER

RESOLUTION NO. 243-10, moved by Mrs. Amidon, seconded by Mr. Shipley and adopted by 619 ayes (Churchill (71) and Mooney (60) were not present).

WHEREAS, Christine Kinsman from the Town of Waterloo was nominated and approved to serve as a Seneca County Youth Board member at the October 25, 2010 Youth Board meeting; and

WHEREAS, the nominee must be approved by the Town Supervisor and then appointed by the Chairman of the Board of Supervisors for a term of four years; and

WHEREAS, this appointment has been reviewed by the oversight committee for Human Services; now, therefore, be it

RESOLVED, that the Board of Supervisors approves the appointment of Christine Kinsman to the Seneca County Youth Board; and be it

FURTHER RESOLVED, that the Chairman of the Board appoints Christine Kinsman to serve as a youth member of the Seneca County Youth Board.

**CHAIRMAN OF THE BOARD TO SIGN 2011 SENECA COUNTY REINTEGRATION
PROJECT AGREEMENT WITH THE YOUTH ADVOCATE PROGRAMS, INC.**

RESOLUTION NO. 244-10, moved by Mrs. Amidon, seconded by Mr. Reynolds and adopted by 619 ayes. Not present: Churchill (71) and Mooney (60).

WHEREAS, the Division of Human Services would like to renew the agreement with the Youth Advocate Program, Inc. (YAP) for the Seneca County Reintegration Project; and

WHEREAS, the agency is proposing to serve up to ten youth at any one time with up to twelve and one half youth receiving services annually; and

WHEREAS, YAP will successfully return 85% of the youth back into the community; and

WHEREAS, the proposed operating budget for the proposed program is not to exceed \$250,633; and

WHEREAS, this funding is currently available in the 2010 budget under line item 10-125-5-6070-4747, and planned for in the 2011 budget; and

WHEREAS, this agreement has been reviewed by the Human Services and Finance Committees; now, therefore, be it

RESOLVED, the Board of Supervisors authorizes the approval of the 2011 Youth Advocate Programs, Inc. Reintegration Project Agreement; and be it

FURTHER RESOLVED, the Chairman of the Board is authorized and directed to sign the 2011 Youth Advocate Programs, Inc. Reintegration Project.

**CHAIRMAN OF THE BOARD TO SIGN THE SENECA COUNTY 2011 CONTRACT
BETWEEN FINGER LAKES COMMUNITY COLLEGE AND SENECA COUNTY DIVISION
OF HUMAN SERVICES FOR EDUCATION COORDINATOR SERVICES**

RESOLUTION NO. 245-10, moved by Mrs. Amidon, seconded by Mr. Kaiser and adopted by 619 ayes. Not present: Churchill (71) and Mooney (60).

WHEREAS, the Seneca County Division of Human Services would like to enter into agreement with Finger Lakes Community College for Employee Education and Training Program and Education Coordinator Services; and

WHEREAS, the contract with the community college supports both the education of individual workers and training within the organization; and

WHEREAS, the Education Coordinator will provide assistance to the Division by facilitating registration into education and training opportunities to all DHS employees and other related agency staff; arrange for training that will help strengthen and develop workplace skills, community collaboration and

efficiency; purchase training supplies and curriculum; and assist the Commissioner and Deputy Commissioner in identifying training resources for the Division; and

WHEREAS, the 2011 Employee Education and Training Program provides DHS employees options to earn college credit toward completion of a college certificate, associate's, bachelor's, or master's degree, and attend in-service and non-credit training programs; and

WHEREAS, this contract will not exceed \$52,172.00; and

WHEREAS, the agreement has been reviewed by the Human Services and Finance Committees; now, therefore, be it

RESOLVED, the Board authorizes the approval the 2011 Agreement Between Finger Lakes Community College and Seneca County Division of Human Services for Education Coordinator Services; and be it

FURTHER RESOLVED, the Chairman of the Board is authorized and directed to sign the 2011 Agreement Between Finger Lakes Community College and Seneca County Division of Human Services for Education Coordinator Services.

CREATE THREE CASEWORKER POSITIONS IN THE DIVISION OF HUMAN SERVICES
RESOLUTION NO. 246-10, moved by Mrs. Amidon, seconded by Mr. Kaiser and adopted by 519 ayes (Amidon, Kaiser, Reynolds, Garlick Lorenzetti, Serven, Davidson, Prouty, Same, Lafler, Shipley); 100 nays (Hayssen, Kubasik). Not present: Churchill (71) and Mooney (60).

WHEREAS, the Seneca County Vacancy Committee approved to create and fill 3 Caseworker positions in the Division of Human Services on November 3, 2010; and

WHEREAS, these positions will assist in reducing individual caseloads; and

WHEREAS, the Human Services and Finance Committees have approved to create and fill these positions at the November 9, 2010 meeting; now, therefore, be it

RESOLVED, the Board of Supervisors approves the creation and filling of three Caseworker positions in the Division of Human Services.

LOCAL ENHANCED WIRELESS 911 REIMBURSEMENT PROGRAM

RESOLUTION NO. 247-10, moved by Mr. Davidson, seconded by Mr. Shipley and adopted by 619 ayes. Not present: Churchill (71) and Mooney (60).

WHEREAS, the County of Seneca has received an application to file for Local Enhanced Wireless 911 Reimbursement money; and

WHEREAS, the Public Safety Committee has approved the acceptance of the appropriated funds in the amount of \$17,218.00 from the State of New York, Department of State, for reimbursement from the Local Enhanced Wireless 911 Program; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the Chairman of the Board of Supervisors to sign this acceptance form for the Enhanced Wireless 911 Reimbursement Program.

**APPROVE DISADVANTAGED BUSINESS ENTERPRISE PLAN FOR FINGER LAKES
REGIONAL AIRPORT**

RESOLUTION NO. 248-10, moved by Mrs. Amidon, seconded by Mr. Same and adopted by 568 ayes (Amidon, Same, Reynolds, Garlick Lorenzetti, Serven, Davidson, Prouty, Lafler, Hayssen, Shipley, Kubasik); 51 Nays (Kaiser). Not present: Churchill (71) and Mooney (60).

WHEREAS, a Draft Disadvantaged Business Enterprise (DBE) Plan for the Finger Lakes Regional Airport has been on file for review in the Seneca County Department of Planning and Community Development for the required 30 days ending on October 22, 2010 and the extended comment period ending on November 8, 2010; and

WHEREAS, no significant comments have been received; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on October 26, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is directed to sign the Disadvantaged Business Plan for the Finger Lakes Regional Airport.

New Business:

Mr. Shipley made a motion, seconded by Mrs. Amidon and Mrs. Garlick Lorenzetti and carried that under suspension of the rules, to introduce the following resolutions:

BOARD OF SUPERVISORS SUPPORTS MAGEE / KLEIN OVERRIDE

RESOLUTION NO. 249-10, moved by Mr. Shipley, seconded by Mr. Same and adopted by 619 ayes. Not present: Churchill (71) and Mooney (60).

WHEREAS, the State Legislature adopted the Magee / Klein bill to remove authority of the Governor of the State of New York to enter into unilateral agreements with Indian tribes; and

WHEREAS, on July 22, 2010, the Governor vetoed the Magee / Klein legislation, retaining such power for himself and future Governors of the State; and

WHEREAS, the Board of Supervisors has been made aware of Bill number A11535 / S8316, designed to override the Governor's veto of the Magee / Klein legislation; and

WHEREAS, the Board of Supervisors believes it imperative that the legislature retain its traditional power to approve any such agreements with Indian tribes that effect their constituents, the people of the State of New York; and

WHEREAS, the Indian Affairs Committee has approved this resolution; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes and directs the Chairman of the Board of Supervisors to sign and forward to the representatives of the County of Seneca in the New York State

Legislature, a letter expressing the support of the Board of Supervisors on behalf of the residents of Seneca County for Bill No. A11535 / S8316 and the override of the Governor's veto of the Magee / Klein bill.

SENECA COUNTY BOARD OF SUPERVISORS URGE MUNICIPALITIES AND SCHOOL DISTRICTS TO NOT ALLOW ETHNIC GROUPS OR ORGANIZATIONS TO DICTATE HOW IT GOVERNS OR EDUCATES THE PUBLIC

RESOLUTION NO. 250-10, moved by Mr. Shipley, seconded by Mrs. Garlick Lorenzetti and adopted by 619 ayes. Not present: Churchill (71) and Mooney (60).

RESOLVED, that the Seneca County Board of Supervisors urge all towns, villages, municipalities, and school districts to not set any precedents or be dictated by any ethnic groups or organizations as to how to govern or educate the people.

SUPERVISORS SUPPORT TENTATIVE AGREEMENT WITH SENECA COUNTY SHERIFF'S EMPLOYEE ASSOCIATION

RESOLUTION NO. 251-10, moved by Mr. Same, seconded by Mr. Kubasik and adopted by 619 ayes. Not present: Churchill (71) and Mooney (60).

WHEREAS, the Corrections Officers and the County have been negotiating for the past year and a half; and

WHEREAS, the County and the Seneca County Sheriff's Employee Association have reached a tentative agreement; and

WHEREAS, the Seneca County Sheriff's Employee Association has voted on and passed the tentative agreement; and

WHEREAS, this resolution has been approved by the Personnel and Finance Committees; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors supports the tentative agreement reached between the Sheriff's Employees Union, the Seneca County Sheriff's Employee Association and the County of Seneca and authorizes and directs the Chairman of the Board of Supervisors to sign such agreement on behalf of the County, effective November 24, 2010.

Special Order of the Day

The meeting was adjourned at 8:59 p.m.