

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

December 14, 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

All members of the Board were present.

Public Hearing

A public hearing was held to receive comments regarding the proposed Seneca County Housing Plan that is part of the Seneca County Comprehensive Plan. A public information meeting was held at 7:00 p.m., Tuesday, November 30 at the Romulus High School Cafeteria, 5705 State Route 96, Romulus, New York in order to provide the public an opportunity to review the draft and ask questions prior to the public hearing. No comments were received.

Presentations / Petitioners

Employee of the 3rd Quarter 2010 - Tammy Mattoon, Workforce Development / Division of Human Services

Tourism Promotion Agency 3rd Quarter 2010 Report - Jeff Shipley, Executive Director of the Chamber of Commerce

Digma Rodriguez, a Seneca County resident and patron of Ovid and Waterloo Library, spoke in support of full funding to the Seneca County Libraries.

Submission of Claims for Audit

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

Supervisors vouchers	# 2992 - 3239	totaling	\$	313,914.08
OFA vouchers	# 711 - 773	totaling	\$	88,188.80
Workforce Development vouchers	# 211 - 232	totaling	\$	19,016.59
Insurance vouchers	# 70 - 80	totaling	\$	52,737.38
Sheriff vouchers	# 738 - 794	totaling	\$	96,373.03
County Airport vouchers	# 129 - 141	totaling	\$	8,816.28
Highway Transportation vouchers				
Maintenance & State Snow	# 254 - 280	totaling	\$	122,440.18

Highway Machinery	# 421 - 468	totaling	\$ 24,490.86
		Highway total	\$ 146,931.04
Airport Capital vouchers	# 19 - 20	totaling	\$ 69,327.71
Highway Capital vouchers	# 26 - 28	totaling	\$ 36,823.30
Veterans Cemetery Capital Vouchers	# 36 - 40	totaling	\$ 518,809.11
Sewer and Water District vouchers	# 229 – 265	totaling	\$ 27,978.25

Reports of Standing Committees

Planning, Development, Agriculture & Tourism Committee - Mr. Same, Vice-Chairman. The committee recommended a proclamation resolution in recognition of the Seneca Country Soil and Water Conservation District and its existence for seventy years. The SCSWCD helps farmers, landowners and municipalities make environmentally sound, cost-effective and science-based decisions that support farm businesses, save taxpayer dollars and protect the County's natural resource. December 27, 2010 is proclaimed as the Seneca County Soil and Water Conservation District Day.

Public Safety Committee - Mr. Davidson, Chairman. The committee recommended Board approval to (1) submit a grant application for New York State Office of Homeland Security State Homeland Security Program (SHSP) for \$126,000 for specific Emergency Management, Public Health Department, and Law Enforcement projects as outlined by the FY2010 SHSP program guidance. (2) The committee also approved the refilling a position for an E911 Dispatcher made vacant due to retirement.

Public Works Committee – Mr. Davidson, Chairman. The Committee recommended Board approval to (1) renew the annual agreement between the Unified Court System (UCS) and the County of Seneca for Court Cleaning and Minor Repairs. The maximum reimbursement from UCS for the State fiscal Year 2010-2011 is estimated to be \$79,571. The maximum reimbursement from UCS for the State fiscal Year 2009-2010 was \$67,495. (2) The Committee also approved refilling the position for a Motor Equipment Operator made vacant due to retirement.

Indian Affairs Committee - Mr. Shipley, Chairman. The Committee recommended approval by the Board of Supervisors to (1) pay the final bill from Harris Beach LLP for defense of the County's District Attorney and Sheriff in the litigation, Cayuga Indian nation v. Gould, et. al., the certiorari application to the U.S. Supreme Court and amicus brief in the application to the Supreme Court in Madison County v. Oneidas. (2) Mr. Shipley informed the committee that a meeting with Congressman-Elect Hanna was scheduled for December 27 at the County Office Building for the purpose of bringing him up to date on the position of Seneca County and Cayuga County regarding the land-into-trust application by the Cayuga Nation. (3) To send a letter to our federal representatives advising them of our opposition to any so called Carcieri fix legislation prior to its moving to the Senate.

Human Services Committee - Mr. Mooney, Chairman. The committee recommended approval by the Board of Supervisors to (1) approve the agreement with Bonadio & Co. for Account and Fraud-Related Services with the Division of Human Services. The agreement will have a rate of pay of \$150.00 per hour, up to \$10,000.00; (2) Authorize the transfer of funds from various related program areas to reflect current year spending projections.: Increase 10-125-5-6140-4-700 Safety Net – DSS by \$130,000, Decrease 10-125-5-6109-4-700 Temporary Assistance to Needy Families by \$130,000, Increase 10-125-5-6123-4-700 Juvenile Care – Cont Expense by \$168,000, Decrease 10-125-5-6119-4-700 Child Care – Cont Expense by \$168,000; (3) To authorize the increase in appropriations and revenues to project out the remainder of the year in the DHS budget: Increase 10-125-5-6101-4700 Medical Assistance by \$60,000 and Increase 10-320-3-4601 Medical Assistance by \$60,000. (4) To approve DHS 2010 budget adjustments as described. On November 3, 2010, the NYS Office of Children and Family Services (OCFS) issued the 2nd Quarter 2010 Care and Maintenance Chargeback Bill, including current quarter charges as well as final billing rate charge-backs for the years 2002-2007, which represent Seneca County's 50% of the non-federal share of the cost of care for youth placed in OCFS facilities. At the time of the 2010 budget preparation, these amounts were unknown and legislation passed regarding the charge-backs requires that certain amounts be paid within 60 days, and amounts unpaid at March 30, 2011 will be seized as a bottom-line reduction to revenue payment. Due to the availability of funds resulting from the change in FMAP in the MMIS Contractual Expense line, the Commissioner is requesting a transfer of funds to cover the amount of the payment. Payment of this bill in the current year will eliminate the potential budgetary impact to 2011. Both budget items are funded at 100% local share, and therefore there will be no adjustment to revenue. The following adjustment is being requested in order to allow for payment of OCFS charges in the current year budget: Increase 10-125-5-6129-4-700 St Training School Cont Expense by \$625,285.83 and decrease 10-125-5-6102-4-700 MMIS Contractual Expense by \$625,285.83. (5) The committee also approved refilling the position of an Employment & Training Counselor in Workforce Development made vacant due to retirement.

Personnel & Technology Committee - Mr. Same, Chairman. The Committee approved board authorization for (1) a resolution revising Resolution No. 144-10, *Standard Workday Resolution* by inserting end of term dates of certain county officials to coincide with the end of term date of the governing body. The original resolution did not indicate this information. (2) The committee entered executive session to discuss employment history of certain county employees. No action was taken when open session resumed.

Government Operations Committee - Mr. Kaiser, Chairman. The committee approved a board resolution (1) changing the meeting time to 5:30 p.m. for the last board meeting of the year and to cancel committee meetings. (2) The committee also approved awarding the bid for the annual proceedings for

the years 2005 through 2009 to Two Brothers of Moravia at a cost of \$1.63 per face page based on 500 pages per book, for twenty-four books and one CD.

Public Health Committee - Mr. Hayssen, Chairman. The Committee approved (1) refilling the position of Code Enforcement Officer made vacant due to retirement and to (2) Reclassify a position of Code Enforcement Officer to Senior Code Enforcement Officer.

Finance, Assessment & Insurance Committee - Mr. Kubasik, Chairman. The Committee approved refilling the position of Employment & Training Counselor in Workforce; the E911 Dispatcher position; the Employee Benefits Assistant position; the Motor Equipment Operator position; to promote the current employee to refill the vacant Principal Public Health Sanitation Position and refill the Public Health Sanitarian position; the Code Enforcement Officer position; to reclassify the Code Enforcement Officer position to Senior Code Enforcement Officer.

Chairman's Remarks

Chairman Lafler reported that Sgt. Rod Kraft of the Waterloo Police Department, who serves as school resource officer for the Waterloo schools won the service award from the Seneca County Youth Bureau.

In light of a recent article in the Finger Lakes Times regarding the personal use and/or abuse of computers owned by municipalities, Chairman Lafler brought attention to Seneca County policy 101.717, E-Mail, Telephone & Other Electronic Communications Policy. The purpose of the policy is to establish measures for the protection, access, responsibility and acceptable use of Seneca County's e-mail, electronic hardware, software, electronic systems and associated data. A copy of the policy was placed on each supervisors desk.

Communications:

192. A copy of the minutes from the Seneca County Board of Health November 17, 2010 meeting.
193. A copy of the minutes from the Seneca County Industrial Development Agency November 4, 2010 meeting.
194. A copy of the minutes from the Seneca County Federation of Sportsmen's Clubs, Inc.
195. A copy of the minutes from the Seneca County Agricultural Enhancement Board November 3, 2010 meeting.
196. A copy of the Genesee-Finger Lakes Economic Development District Draft Comprehensive Economic Development Strategy 2009 – 2010 from the Genesee / Finger Lakes Regional Planning Council.
197. A copy of the Town of Lodi Adopted Budget for 2011.
198. A copy of the Town of Waterloo Adopted Budget for 2011.
199. A copy of the Town of Covert Adopted Budget for 2011.

- 200. A copy of the Town of Romulus Adopted Budget for 2011.
- 201. A copy of the Town of Varick adopted Budget for 2011.
- 202. A copy of the Town of Tyre Adopted Budget for 2011.
- 203. Copies of several email communications expressing support for full funding for the Finger Lakes Library System and the five libraries in Seneca County for the fiscal year 2011.
- 204. A resolution from Schuyler County Legislature, urging the State Legislature to Clarify the Environmental Conservation Law to Expressly Authorize municipalities to protect their roads from damages as a result of gas drilling operations. Referred to the Environmental Affairs Committee.
- 205. A resolution from Steuben County Legislature adopted on November 29, 2010, Supporting NYSDEC's Requirement for a Road Use Agreement in its Draft Supplemental Generic Environmental Impact Statement for High Volume Hydraulic Fracturing. Referred to the Environmental Affairs Committee.

Resolutions and Motions

**BOARD OF SUPERVISORS RETAINS PROFESSIONAL SERVICES OF CORNELL
COOPERATIVE EXTENSION FOR RECYCLING EDUCATION**

RESOLUTION NO. 269-10, moved by Mr. Kubasik, seconded by Mr. Davidson and adopted by 587 ayes (Davidson, Reynolds, Garlick-Lorenzetti, Serven, Same, Lafler, Churchill, Amidon, Hayssen, Mooney, Shipley) and 163 nays (Prouty, Kaiser, Kubasik).

WHEREAS, Seneca County Cornell Cooperative Extension (SCCCE) submitted a proposal to provide a comprehensive recycling education program to the residents of Seneca County; and

WHEREAS, the proposal presented by (SCCCE) is a very complete plan to provide recycling education which will enhance the County's curbside recycling program by encouraging more residents to participate and to increase the amounts of materials collected; and

WHEREAS, the public works committee approved the proposal on November 23, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is directed and authorized to sign a contract with (SCCCE) in the amount of \$11,950 to provide a recycling education program to the residents of Seneca County for the year 2011. Said funds are budgeted in the 2011 recycling budget.

Mr. Kaiser opposed the resolution stating that he believed educating the public on recycling could be done for less money.

**SUPERVISORS AMEND TENTATIVE BUDGET FOR FISCAL YEAR 2011
DISTRICT ATTORNEY PART-TIME SALARIES**

RESOLUTION NO. 270-10, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted by 608 ayes (Davidson, Amidon, Reynolds, Serven, Prouty, Kaiser, Same, Lafler, Churchill, Hayssen, Mooney, Shipley) and 163 nays (Garlick Lorenzetti, Kubasik).

WHEREAS, the budget line for District Attorney – Part-time Salaries in the 2011 proposed Seneca County Budget is \$12,205 less than the amount in the same budget line in the 2010 budget; and

WHEREAS, restoring the amount to the 2010 level would allow the re-filling of an open investigator position; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the 2011 Tentative Budget for Seneca County by increasing the amount in the District Attorney Line Item 10-101-5-1165-1200 Part-time Salaries by \$12,205; thus allocating the amount of \$114,410 for this line item for fiscal year 2011.

SUPERVISORS AMEND TENTATIVE BUDGET FOR FISCAL YEAR 2011
DISTRICT ATTORNEY REVENUE

RESOLUTION NO. 271-10, moved by Mr. Davidson, seconded by Mr. Same and adopted.

WHEREAS, the New York County District Attorney investigated the sale of illegal knives by local and national retailers doing business in New York and obtained the profits gained from the illegal sales across the State, including Seneca County, over a four-year period; and

WHEREAS, pursuant to a request by the District Attorney, the New York County District Attorney, Cyrus Vance, Jr., has awarded the Seneca County District Attorney the amount of \$14,438.00, to be used for the investigation and prosecution of crimes under Penal Law article 265 (weapons); now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the 2011 Tentative Budget for Seneca County by adding the amount of \$14,438.00 to revenue line 10-101-5-1165-2500-2999 of the District Attorney 2011 budget.

SUPERVISORS AMEND TENTATIVE BUDGET FOR FISCAL YEAR 2011
COUNTY CLERK POSTAGE

RESOLUTION NO. 272-10, moved by Mr. Kaiser, seconded by Mr. Same and adopted by 648 ayes and 102 nays (Kaiser, Reynolds).

WHEREAS, the Board of Supervisors amended the tentative budget for the County Clerk's Office by reducing the amount requested for postage and allocating \$3,000 for line item 10-101-5-1410-4240; and

WHEREAS, since the year 2007, the average annual cost for postage for the County Clerk's Office is \$4,225.85; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the 2011 Tentative Budget for Seneca County by restoring the original amount of funding as requested, thus allocating \$5,000 to the County Clerk budget postage line item 10-101-5-1410-4240 for the fiscal year 2011.

Mr. Kaiser stated that he voted nay although he made the motion for the above resolution because the resolution was under his committee, Government Operation.

SUPERVISORS AMEND TENTATIVE BUDGET FOR FISCAL YEAR 2011

SENECA FALLS LIBRARY AND WATERLOO LIBRARY

RESOLUTION NO. 273-10, moved by Mr. Hayssen, seconded by Mr. Churchill and adopted.

WHEREAS, the amount each library requested for the fiscal year 2011 was \$10,650; and

WHEREAS, having received several communications of public comment opposing the reduction of funds to the libraries; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the Tentative Budget for fiscal year 2011 by increasing the amount for the two libraries by 23.184%; thus allocating to each library \$10,650 in funding for fiscal year 2011.

SUPERVISORS AMEND TENTATIVE BUDGET FOR FISCAL YEAR 2011

SOIL AND WATER CONSERVATION DISTRICT REQUEST FOR 2010 LEVEL FUNDING

(DEFEATED)

RESOLUTION NO. 274-10, moved by Mr. Mooney, seconded by Mrs. Amidon and defeated by 406 nays (Garlick Lorenzetti, Serven, Davidson, Prouty, Kaiser, Hayssen, Shipley, Kubasik) and 344 ayes (Mooney, Amidon, Reynolds, Same, Lafler, Churchill).

WHEREAS, Resolution 253-10 amended the Tentative Budget for Seneca County for Fiscal Year 2011 by increasing the Soil and Water Conservation District budget line 8730.4700 under Other General Fund Revenues and Expenditures by five percent thus allocating \$306,505.15 as the total amount budgeted; and

WHEREAS, the Soil and Water Conservation District Board requested that the 2011 funding from Seneca County be equal to 2010 funding of \$322,637; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the Tentative Budget for fiscal year 2011 by increasing the funding amount for the Soil and Water Conservation District to 2010 level funding.

SUPERVISORS AMEND TENTATIVE BUDGET FOR FISCAL YEAR 2011

CLERK TO THE BOARD OF SUPERVISORS SALARY LINE

RESOLUTION NO. 275-10, moved by Mr. Kaiser, seconded by Mr. Hayssen and adopted.

WHEREAS, the amount of funding for salaries in the Clerk to the Board's Office was less \$1,000 than the funding amount in the adopted 2010 Seneca County Budget; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the Tentative Budget for fiscal year 2011 by increasing the funding amount by \$1,000; thus allocating \$47,170 for the Clerk to the Board's Salaries line item 10-101-5-1040-1100.

**SUPERVISORS AMEND TENTATIVE BUDGET FOR FISCAL YEAR 2011
CLERK TO THE BOARD OF SUPERVISORS CONTRACTUAL EXPENSES**

RESOLUTION NO. 276-10, moved by Mr. Kaiser, seconded by Mr. Kubasik and adopted.

WHEREAS, the amount of funding for Contractual Expenses in the Clerk to the Board's Office budget is funds that were appropriated in previous years budgets; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the Tentative Budget for fiscal year 2011 by eliminating the funding amount of \$20,380 in the Clerk to the Board's Budget Contractual Expenses line 10-101-5-1040-4700.

**SUPERVISORS AMEND TENTATIVE BUDGET FOR FISCAL YEAR 2011
BUILDINGS & GROUNDS UTILITIES**

RESOLUTION NO. 277-10, moved by Mr. Kubasik, seconded by Mr. Shipley and adopted.

WHEREAS, in reviewing the Tentative Budget for fiscal year 2011, it was recommended that the amount appropriated for Utilities in the budget for Buildings & Grounds be reduced; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the Tentative Budget for fiscal year 2011, thus allocating \$40,000 for Buildings and Grounds Utilities line item 10-101-5-1620-4140.

**SUPERVISORS AMEND TENTATIVE BUDGET FOR FISCAL YEAR 2011
REDUCE TAX LEVY WITH CONTINGENT FUND**

RESOLUTION NO. 278-10, moved by Mr. Kubasik, seconded by Mr. Same and adopted.

WHEREAS, in reviewing the Tentative Budget for fiscal year 2011, it was recommended that the tax levy be further reduced by using money from the Contingent Fund; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the Tentative Budget for fiscal year 2011 by reducing the tax levy by appropriating \$15,796 from the Contingent Fund.

**SUPERVISORS AMEND TENTATIVE BUDGET FOR FISCAL YEAR 2011
ADJUST APPROPRIATION FOR MEDICAL INSURANCE BENEFITS**

RESOLUTION NO. 279-10, moved by Mr. Same, seconded by Mrs. Amidon, and adopted.

WHEREAS, sixteen percent was calculated for the medical insurance benefits for the county in the Tentative Budget for fiscal year 2011; and

WHEREAS, the actual percentage is ten percent for medical insurance benefits; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the County Manager to adjust the tentative budget to reflect the actual ten percent premium for medical insurance benefits.

INCREASE MANAGEMENT SALARIES BY TWO PERCENT FOR 2011 (DEFEATED)

RESOLUTION NO. 280-10, moved by Mr. Same, seconded by Mrs. Amidon and defeated by 557 nays (Reynolds, Garlick Lorenzetti, Serven, Prouty, Kaiser, Lafler, Hayssen, Mooney, Shipley, Kubasik) and 193 ayes (Same, Amidon, Davidson, Churchill).

RESOLVED, that the Seneca County Board of Supervisors does hereby increase the salaries of management employees by two percent for the year 2011.

INCREASE MANAGEMENT SALARIES BY ONE PERCENT FOR 2011(DEFEATED)

RESOLUTION NO. 281-10, moved by Mr. Same, seconded by Mr. Churchill and defeated by 426 nays (Reynolds, Garlick Lorenzetti, Serven, Prouty, Kaiser, Hayssen, Shipley, Kubasik) and 324 ayes (Same, Churchill, Davidson, Lafler, Amidon, Mooney).

RESOLVED, that the Seneca County Board of Supervisors does hereby increase the salaries of management employees by one percent for the year 2011.

SUPERVISORS AMEND TENTATIVE BUDGET FOR FISCAL YEAR 2011

REDUCE TAX LEVY BY \$123,650

RESOLUTION NO. 282-10, moved by Mr. Same, seconded by Mrs. Amidon and adopted.

WHEREAS, while preparing the Tentative Budget for Seneca County for fiscal year 2011, \$123,650 was appropriated in anticipation of an increase in salaries for management employees; and

WHEREAS, the Board of Supervisors did not increase salaries for management employees for 2011; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the Tentative Budget for fiscal year 2011 and reducing the tax levy by \$123,650.

SUPERVISORS ADOPT 2011 COUNTY BUDGET

RESOLUTION NO. 283-10, moved by Mr. Kubasik, seconded by Mr. Same and adopted by 488 ayes (Kubasik, Reynolds, Garlick Lorenzetti, Serven, Davidson, Prouty, Kaiser, Lafler, Mooney) and 262 nays (Same, Churchill, Amidon, Hayssen, Shipley).

WHEREAS, the heads of Seneca County Departments have made their estimates of revenues and expenditures for Fiscal Year 2011; and

WHEREAS, the Proposed 2011 Seneca County Budget has been duly filed and presented to the Board of Supervisors by the budget officer and a duly advertised public hearing has been held on December 2, 2010; now, therefore, be it

RESOLVED, that pursuant to Section 269 of the County Law said proposed budget, as changed, altered, revised and amended, be and hereby is adopted as the budget for Seneca County for the year 2011; and it is further

RESOLVED, that the several amounts specified in the 2011 County Budget be and hereby are appropriated for the objects and purposes enumerated therein.

**AUTHORIZE TREASURER TO TRANSFER \$32,000 IN THE
BOARD OF ELECTION BUDGET**

RESOLUTION NO. 284-10, moved by Mr. Kaiser, seconded by Mr. Churchill and adopted.

WHEREAS, the Board of Elections budget for 2010 was adopted assuming inspectors and technicians would remain as contractual employees; and

WHEREAS, the expenditure for the salaries of the election inspectors and technicians was placed in the accounts for contractual expenses 10-101-5-1450-4700 and contractual / technicians 10-01-5-1450-4380; and

WHEREAS, it has been determined that the salaries for election inspectors are to be paid from the part-time salary account 10-101-5-1450-1200; and

WHEREAS, the total expense for salaries for the election inspectors and technicians was budgeted in two separate accounts; and

WHEREAS, this resolution was approved by the Finance Committee at its meeting on November 9, 2010; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the County Treasurer to make the following transfer of funds so that the election inspectors can be paid for services:

Decrease account 10-101-5-1450-4380	\$27,000
Decrease account 10-101-5-1450-4700	5,000
Increase account 10-101-5-1450-1200	\$32,000

**SUPERVISORS APPOINT SINICROPI PERSONNEL OFFICER FOR A SIX YEAR TERM
EFFECTIVE JANUARY 3, 2011 (As Amended)**

RESOLUTION NO. 285-10, moved by Mr. Same, seconded by Mrs. Amidon and adopted.

WHEREAS, the Personnel Officer has resigned effective December 27, 2010; and

WHEREAS, the County is desirous of hiring Frank J. Sinicropi to be the Personnel Officer for a salary of \$30,000 per year with 90% payment of health insurance; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors does hereby appoint Frank J. Sinicropi as Personnel Officer for a six (6) year term effective January 3, 2011.

Prior to the adoption of the above resolution, Mr. Hayssen moved to amend the resolution by striking out the words “full” and replacing it with “90%”; and striking out the words “dental and vision” in the second Whereas clause. The motion to amend was adopted unanimously.

STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS FOR RETIREMENT PURPOSES (amended)

RESOLUTION NO. 286-10, moved by Mr. Same, seconded by Mr. Kubasik and adopted.

WHEREAS, the Office of the New York State Comptroller notified the Clerk to the Board of Supervisors by letter dated November 17, 2010 that the for said Appointed Officials a date for the “end of term date” would be the same “end of term date” of the governing body that made the appointment; and

WHEREAS, the Personnel & Technology Committee approved this resolution at its meeting on December 14, 2010; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend Resolution 144-10 by indicating the date of December 31, 2011 as the “end of term date” for Appointed Officials without a Set Term; the date being the same end of term date for the Governing Body the appointed those officials; and further

RESOLVED, that the Seneca County Board of Supervisors does hereby establish the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the records of activities maintained and submitted by these officials to the Clerk of the Board:

Elected Officials					
Position	Name	Standard Work Day	Term Begins/Ends	Participates in Employer’s Time Keeping System (Y/N)	Days/Month (Based On Record of Activities)
Board Supervisor	Kubasik, Keith A	6	01-01-10 / 12-31-11	N	7.42
Board Supervisor	Reynolds, Michael G	6	01-01-10 / 12-31-11	N	3.26
Board Supervisor	Shiple, Robert	6	01-01-10 / 12-31-11	N	5.92
County Treasurer	Sciotti, Nicholas A	7.5	01-01-10 / 12-31-13	N	21.67
District Attorney	Porsch, Barry L	7.5	01-01-10 / 12-31-13	N	48.12
Appointed Officials with Set Term					

Clerk, Board of Supervisors	Li, Margaret E	7.5	01-01-10 / 12-31-11	Y	NA
Commissioner, Elections	Same, Ruth V	7.5	01-01-10 / 12-31-13	Y	NA
Deputy Commissioner, Elections	Same, Carl J	7.5	01-19-10 / 12-31-13	Y	NA
County Attorney	Fisher, Frank R	7.5	01-01-10 / 12-31-11	Y	NA
Assistant, County Attorney	Fay, Brian J.	7.5	01-01-10 / 12-31-11	Y	NA
Confidential Secretary, County Attorney	Rhinehart, Laurel	7.5	01-01-10 / 12-31-11	Y	NA
Director, Emergency Management	McCann, Charles F	7.5	01-01-10 / 12-31-11	Y	NA
Assistant, District Attorney	Sinkiewicz, Mark	7.5	01-01-10 / 12-31-13	Y	NA
Assistant, District Attorney	Dunham, Matthew R	7.5	01-01-10 / 12-31-13	Y	NA
Assistant (PT) District Attorney	Morrell, Patrick J	7.5	01-01-10 / 12-31-13	Y	NA
Confidential Secretary, District Attorney	Scattaglia, Sharon A	7.5	02-08-10 / 12-31-13	Y	NA
Special Investigator (PT) District Attorney	Steele, Robert J	7.5	01/01/10 / 12-31-13	Y	NA
Public Defender (PT)	Mirras, Michael J	7.5	01-01-10 / 12-31-11	Y	NA
Assistant (PT) Public Defender	Nabinger, John J	7.5	01-01-10 / 12-31-11	Y	NA
Assistant (PT) Public Defender	Ricci, Stephen R	7.5	01-01-10 / 12-31-11	Y	NA
Assistant (PT) Public Defender	Conlon, Matthew D	7.5	01-01-10 / 12-31-11	Y	NA
Appointed Officials without a Set Term					
Airport Manager	vonHahmann, Milton	7.5	01-03-00/ 12-31-11	Y	NA
Attorney, Workers Compensation (PT)	Shaffer, Charles E	7.5	01-02-90 / 12-31-11	Y	NA
County Engineer	McCormick, Jason T	7.5	10-01-07 / 12-31-11	Y	NA
Director, Information Technology	Ryrko, Dieter W	7.5	07-09-07 / 12-31-11	Y	NA
Director, Mental Health	LaVigne, Scott S	7.5	09-24-07 / 12-31-11	Y	NA
Director, Planning & Community Dev.	Rowe, C. Mitchell	7.5	07-02-08 / 12-31-11	Y	NA
Director, Public Health	Swinehart, Vickie J	7.5	05-11-92 / 12-31-11	Y	NA
Jail Physician (PT)	Kooi, Pang L	8	03-02-09 / 12-31-11	Y	NA

Risk Manager	Pellicano, Greg L	7.5	12-21-09 / 12-31-11	Y	NA
Tax Map Technician (PT)	Karlsen, Michael D	7.5	01-04-89 / 12-31-11	Y	NA

*NA – Not Applicable

BOARD OF SUPERVISORS TO APPROVE DHS BUDGET ADJUSTMENTS

RESOLUTION NO. 287-10, moved by Mr. Mooney, seconded by Mr. Kubasik and adopted.

WHEREAS, on November 3, 2010, the NYS Office of Children and Family Services (OCFS) issued the 2nd Quarter 2010 Care and Maintenance Chargeback Bill, including current quarter charges as well as final billing rate charge-backs for the years 2002-2007, which represent Seneca County’s 50% of the non-federal share of the cost of care for youth placed in OCFS facilities; and

WHEREAS, these amounts were unknown at the time of the 2010 budget preparation, and legislation passed regarding the charge-backs requires that certain amounts be paid within 60 days, and amounts unpaid at March 30, 2011 will be seized as a bottom-line reduction to revenue payment; and

WHEREAS, there is availability of funds resulting from the change in FMAP in the MMIS Contractual Expense line and payment of this bill in the current year will eliminate the potential budgetary impact to 2011, the Commissioner is requesting a transfer of funds to cover the amount of the payment; and

WHEREAS, both budget items are funded at 100% local share, and therefore there will be no adjustment to revenue, the following adjustment is being requested in order to allow for payment of OCFS charges in the current year budget

10-125-5-6129-4700 St Training School Cont Expense +625,285.83
10-125-5-6102-4700 MMIS Contractual Expense -625,285.83; and

WHEREAS, these adjustments have been reviewed and approved by the Human Services Committee on December 14, 2010; now, therefore, be it

RESOLVED, that the Board of Supervisors approve the DHS Budget Adjustment.

**SENECA COUNTY SUBMITS APPLICATION FOR
STATE HOMELAND SECURITY PROGRAM GRANT**

RESOLUTION NO. 288-10, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted.

WHEREAS, the New York State Office of Homeland Security has published its annual State Homeland Security Program application to be due on December 30, 2010; and

WHEREAS, Seneca County has been awarded \$126,000 in SHSP funds for the purpose of specific homeland security, anti-terrorism, and health emergency preparedness projects pending submission of the application; and

WHEREAS, the grant has no local cash match requirement; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Committee on December 14th, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign any and all documents necessary to apply to the 2010 State Homeland Security Program from the New York State Office of Homeland Security.

**ANNUAL AGREEMENT WITH THE UNIFIED COURT SYSTEM (UCS) FOR COURT
CLEANING AND MINOR REPAIRS OF THE COUNTY COURTHOUSE**

RESOLUTION NO. 289-10, moved by Mr. Davidson, seconded by Mr. Same and adopted.

WHEREAS, Seneca County has an annual agreement with the Unified Court System (UCS) for court cleaning and minor repairs of the County Courthouse located at 48 West William Street, Waterloo, New York; and

WHEREAS, said agreement is required to receive reimbursements from the Unified Court System; and

WHEREAS, said agreement will allow for a maximum reimbursement of \$79,571 from the Unified Court System for the State fiscal year 2010 – 2011; and

WHEREAS, the Public Works Committee approved this resolution at its meeting on December 14, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the renewal agreement with the Unified Court System (UCS) and the County of Seneca for Court cleaning and minor repairs for the Seneca County Courthouse located at 48 West William Street, Waterloo, New York.

**SENECA COUNTY BOARD OF SUPERVISORS PROCLAIMS DECEMBER 27 AS SOIL AND
WATER CONSERVATION DISTRICT DAY IN THE COUNTY OF SENECA COUNTY**

RESOLUTION NO. 290-10, moved by Mrs. Amidon, seconded by Mr. Reynolds and adopted.

WHEREAS, the Seneca County Soil and Water Conservation District has been in existence in Seneca County for seventy years; and

WHEREAS, the Seneca County Soil and Water Conservation District helps farmers, landowner and municipalities make environmentally sound, cost-effective and science-based decisions that support farm businesses, save taxpayer dollars and protect the County's natural resources; and

WHEREAS, the farmers of Seneca County have long been regarded as stewards of the land and the Farmer's livelihood directly depends on the health and vitality of the soil and water resources; and

WHEREAS, a primary goal of the District is to protect and enhance the environment while maintaining the economic viability of agriculture in Seneca County; and

WHEREAS, the Seneca County Soil & Water Conservation District has established strong partnerships with landowners, farmers, municipal officials and cooperating agencies and associations in implementing a diversity of important conservation programs; and

WHEREAS, the implementation of conservation practices implemented by the District on public and private lands benefits every citizen of Seneca County and surrounding counties; now, therefore, be it

RESOLVED, in recognition of the important role of the Soil and Water Conservation District in Seneca County, the Seneca County Board of Supervisors, does hereby proclaim the 27th of December as Soil and Water Conservation District Day in the County of Seneca and urges all citizens to support District Conservation efforts that benefit our local farms and our communities.

Unfinished Business:

Mr. Kaiser stated that the Town Board of Romulus voted in opposition to plowing County roads this year.

New Business

Mr. Kaiser moved the suspension of the rules to introduce the following resolutions:

BOARD OF SUPERVISORS CHANGES TIME OF BOARD MEETING AND CANCELS COMMITTEE MEETINGS

RESOLUTION NO. 291-10, moved by Mr. Kaiser, seconded by Mr. Shipley and adopted.

RESOLVED, that the Seneca County Board of Supervisors does hereby cancel committee meetings for December 28, 2010; and be it further

RESOLVED, that the Seneca County Board of Supervisors Board meeting scheduled for December 28th, 2010 will begin at 5:30 p.m.

BOARD OF SUPERVISORS CHANGES APPROVE PRINTING OF THE ANNUAL PROCEEDINGS FOR THE YEARS 2005 THROUGH 2009

RESOLUTION NO. 292-10, moved by Mr. Kaiser, seconded by Mr. Davidson and adopted.

WHEREAS, the annual proceedings of the Board of Supervisors of Seneca County for the years 2005 through 2009 need to be printed; and

WHEREAS, a notice to bidders was advertised in the official newspapers of Seneca County; and

WHEREAS, one sealed bid was received and reviewed by the County Manager's Office and the Clerk to the Board's Office; and

WHEREAS, Two Brothers Printing of Moravia, Inc., was the lowest bidder at \$1.63 per face page; and meeting all insurance requirements; and

WHEREAS, funding for this project is available under line item 10-101-5-1040-4700 Clerk to the Board Contractual Expenses; and

WHEREAS, the Government Operations Committee approved this resolution on December 14, 2010; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby award the bid to print the Seneca County Board of Supervisors Annual Proceedings for the years 2005 through 2009 to Two Brothers Printing of Moravia, Inc., 6 Central Street, Moravia, New York; and be it further

RESOLVED, the Chairman of the Board of Supervisors is authorized and directed to sign all necessary documents and agreements to have Two Brothers Printing of Moravia, Inc., perform the printing of the annual proceedings of the Board of Supervisors of Seneca County for the years 2005 through 2009.

BOARD OF SUPERVISORS OPPOSES “CARCIERI FIX’ LEGISLATION

RESOLUTION NO. 293-10, moved by Mr. Shipley, seconded by Mr. Same and adopted.

WHEREAS, on December 8, 2010 the House of Representatives passed H. R. 3082 the Full-Year Continuing Appropriations Act, 2011; and

WHEREAS, this legislation included language which would overturn the Supreme Court’s decision in the Carcieri v. Salazar Case; and

WHEREAS, the language of this bill runs contrary to the history and purpose of the Indian Reorganization Act of 1934, the act which forms the basis for the Carcieri decision; and

WHEREAS, the so-called “Carcieri Fix” would unjustifiably expand the list of tribes qualified to have lands taken into trust resulting in substantial hardship on the citizens of this state by removing from its duly elected representative governments the ability to exercise jurisdiction over area subject to that jurisdiction for over 200 years; and

WHEREAS, adverse effects would include those on local zoning and other regulatory controls that protect all landowners in the area and local governments’ ability to collect taxes necessary to provide requisite and mandated services; 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 United States Senate, a letter expressing the opposition of the Board of Supervisors on behalf of the residents of Seneca County to H.R.3082 the Full-Year Continuing Appropriation Act, 2011 to the extent that the same contains language designed to overrule the Supreme Court decision in Carcieri v. Salazar, and/or to any other such legislation that may be proposed before the Senate.

Special Order of the Day

The meeting was adjourned at 10:23 p.m.