

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

February 11, 2011

6:00 p.m.

Call to Order

Chairman Lafler called the meeting to order at 6:12 p.m.

Roll Call of Members by the Clerk

Ten members were present. Mr. Kaiser, Mr. Same, Mrs. Amidon and Mr. Mooney were absent.

Presentations / Petitioners:

a. There were no presentations or petitions this evening.

Submission of Claims for Audit

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

Supervisors vouchers	# 193 - 438	totaling	\$ 650,242.33
OFA vouchers	# 58 - 121	totaling	\$ 66,520.62
Workforce Development vouchers	# 15 - 37	totaling	\$ 22,558.31
Self Insurance vouchers	# 1 - 4	totaling	\$ 4,833.86
Sheriff vouchers	# 123 - 174	totaling	\$ 153,798.19
County Airport vouchers	# 7 - 18	totaling	\$ 2,389.00
Highway Transportation vouchers			
Maintenance & State Snow	# 19 - 38	totaling	\$ 306,614.46
Highway Machinery	# 36 - 73	totaling	\$ 95,710.64
	Highway Total		\$ 402,325.10
Water & Sewer	# 1 - 28	totaling	\$ 50,026.46
Airport Capital vouchers	# 4 - 6	totaling	\$ 47,575.04
Veterans Cemetery Capital Voucher	# 3 - 4	totaling	\$ 1,890.82

Reports of Standing Committees

- a. Public Works Committee, Mr. Davidson, Chairperson, reported that his committee discussed the project status report at the Veterans Cemetery and approved awarding contract to the lowest bidder for building renovations; approved renewing the natural gas supply contract.
- b. Public Health Committee, Mr. Kubasik, Chairperson, reported that his committee approved a resolution accepting funds to stop underage drinking.

- c. Government Operations Committee, Mr. Hayssen, Acting Chairperson, reported that the committee approved certificates of recognition for two Seneca County Eagle Scouts.
- d. Indian Affairs Committee, Mr. Shipley, Chairperson, reported on his various meetings at NYSAC. NYSAC Indian Affairs Committee is forming a small core group and will have monthly reports and bi-monthly meetings; the Supervisors met with Sen. Nozzolio who will set up a meeting with Gov. Cuomo and Assemblyman Kolb; the meetings that were held in Albany were very positive. Chairman Shipley also spoke about the meeting at the SMS in Seneca Falls last evening. There were three Supervisors in attendance, and was well attended by the public. There is public confusion regarding the tax issue and the land-into-trust matter.

County Manager's Remarks

The County Manager reported that she went to Albany last Thursday to attend and speak at the NYS Public Welfare meeting, where Charles Schillaci was appointed President. Also spoke about all the good things that came from the NYSAC conference.

Chairman's Remarks

Chairman Lafler spoke about positive meetings at the NYSAC conference.

County Attorney's Remarks:

The County Attorney had nothing to add this evening.

Communications:

- 14. A copy of the Seneca County IDA January 6, 2011 meeting minutes.
- 15. A copy of the E-911 Board January 11, 2011 meeting minutes.
- 16. A copy of the Seneca County Sewer District #1 Advisory Board February 1, 2011 meeting minutes.
- 17. A copy of the Genesee Finger Lakes Regional Council December 9, 2011 meeting minutes.
- 18. From the Board of the Town of Fayette, a letter dated January 24, 2011, strongly encouraging Seneca county Board of Supervisors to restore funding to the Farmland Protection Program in order that the State meet its contractual agreements. Referred to the Planning Committee.
- 19. From Seneca County Soil & Water Conservation District, a recommendation for the reappointment of Paul Kronewetter as a member of the Fish & Wildlife Management Board re presenting the Seneca County SWCD for a one-year term. Referred to the Planning Committee.

Resolutions and Motions

**APPORTION FUNDS COLLECTED UNDER ARTICLE SEVEN OF THE NEW YORK STATE
AGRICULTURE AND MARKETS LAW**

RESOLUTION NO. 25-11, moved by Mr. Davidson, seconded by Mr. Kubasik and adopted by 548 ayes (Davidson, Kubasik, Reynolds, Garlick Lorenzetti, Serven, Prouty, Lafler, Churchill, Hayssen, Shipley) and 202 not present (Kaiser, Same, Amidon, Mooney).

WHEREAS, the Annual Report of the County Treasurer on funds received for dog licenses and other related fees under Article 7 of the New York State Agriculture and Markets Law; and

WHEREAS, there is a surplus of \$5,423.57 and pursuant to Section 111 of the New York State Agriculture and Markets Law, 75% of these funds (\$4,067.67) may be apportioned to the various towns; now, therefore, be it

RESOLVED, that the Seneca County Treasurer apportion said funds for payment to the towns as follows:

Covert	\$265.31
Fayette	\$856.48
Junius	\$89.55
Lodi	\$178.71
Ovid	\$177.87
Romulus	\$234.64
Seneca Falls	\$864.77
Tyre	\$384.68
Varick	\$295.99
Waterloo	\$719.67
TOTAL	\$4,067.67

AND BE IT FURTHER RESOLVED, pursuant to Agriculture and Markets Law §111(3), such money shall be used by the towns only for the purposes of controlling dogs and enforcing the provisions of Article 7 of the Agriculture and Markets Law of the State of New York and / or any rule, regulation, or local law or ordinance adopted pursuant thereto, including subsidizing the spaying or neutering of dogs and any facility, as authorized under section one hundred seventeen of said Article 7, used therefore, and subsidizing public humane education programs in responsible dog ownership.

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

RESOLUTION NO. 26-11, moved by Mr. Kubasik, seconded by Mr. Churchill and adopted by 548 ayes (Kubasik, Churchill, Reynolds, Garlick Lorenzetti, Serven, Davidson, Prouty, Lafler, Hayssen, Shipley) and 202 not present (Kaiser, Same, Amidon, Mooney).

WHEREAS, the New York State Office of Alcohol and Substance Abuse Services (OASAS) has awarded the Seneca County Substance Abuse Program (SCSAP) additional funds through the Enforcing Underage Drinking Law (EUDL) Grant, Contract #T001159, in the amount of \$10,000 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 2011 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 \$10,000 each; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors hereby accepts \$10,000 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 #T001159; and be it further

RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to amend the 2011 County Budget as follows:

Increase Revenue:	10-319-3-3488 by \$10,000
Increase Expense:	10-115-5-4210-4555 by \$10,000

LOCAL ENHANCED WIRELESS 911 REIMBURSEMENT PROGRAM

RESOLUTION NO. 27-11, moved by Mr. Davidson, seconded by Mr. Shipley and adopted by 548 ayes (Davidson, Kubasik, Reynolds, Garlick Lorenzetti, Serven, Prouty, Lafler, Churchill, Hayssen, Kubasik) and 202 not present (Kaiser, Same, Amidon, Mooney).

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 \$18,110.00 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.

SUPERVISORS AUTHORIZE RENEWAL OF NATURAL GAS SUPPLY CONTRACT

RESOLUTION NO. 28-11, moved by Mr. Davidson, seconded by Mr. Prouty and adopted by 548 ayes (Davidson, Prouty, Reynolds, Garlick Lorenzetti, Serven, Lafler, Churchill, Hayssen, Shipley, Kubasik) and 202 not present (Kaiser, Same, Amidon, Mooney).

WHEREAS, the existing contract for the County’s natural gas supply will expire on February 28, 2011; and

WHEREAS, Power Management Company currently brokers the natural gas supply contracts for Seneca County; and

WHEREAS, Power Management Company provides the brokerage service at no charge to the County; and

WHEREAS, the previous natural gas contract brokered by Power Management Company resulted in significant saving to the County; and

WHEREAS, the County Engineer recommends the County retain Power Management Company for their services; and

WHEREAS, the Public Works Committee approved this resolution on February 11, 2011; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors’ does hereby authorize the use of Power Management Company to broker the natural gas supply contract for the County; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign any and all necessary contracts for natural gas supply.

A RESOLUTION TO INTRODUCE LOCAL LAW “A” OF 2011 ENTITLED “SENECA COUNTY WATER DISTRICT CROSS CONNECTION CONTROL LAW”

RESOLUTION NO. 29-11, moved by Mr. Davidson, seconded by Mr. Prouty and adopted by 548 ayes (Davidson, Prouty, Reynolds, Garlick Lorenzetti, Serven, Lafler, Churchill, Hayssen, Shipley, Kubasik) and 202 not present (Kaiser, Same, Amidon, Mooney).

WHEREAS, a cross connection control ordinance is required within a municipal water district under §5-1.31 of the New York State Sanitary Code; and

WHEREAS, it has come to the attention of the County Water District that Seneca County does not currently have in effect, such a cross connection control ordinance; and

WHEREAS, this resolution has been reviewed and approved by the Public Works Committee; now, therefore, be it

RESOLVED, that Local Law number A of 2011 entitled “SENECA COUNTY WATER DISTRICT CROSS CONNECTION CONTROL LAW” be and the same is hereby introduced before the Board of Supervisors of Seneca County, New York to read in substantially the following form:

SENECA COUNTY WATER DISTRICT CROSS CONNECTION CONTROL LAW CROSS
CONNECTION CONTROL

1) PURPOSE

The purpose of the cross connection control program is to protect the public water system from the potential hazards originating on the premises of the customers and from temporary connections that may backflow into the public water system and impair or alter the water.

2) DEFINITIONS

- A) Backflow – the flow of water or other liquids, mixtures or substances, under positive or reduced pressure in the distribution pipes of a potable water supply from any source other than its intended source (approved potable water treatment plant or approved potable water supply interconnections).
- B) Cross Connections – any actual or potential connection between the public water supply and a source of contamination or pollution.

3) GENERAL REQUIREMENTS

- A) Cross connection control devices shall be installed on all water services which are not classified as residential.
- B) The design of all cross connection control devices shall be done by a Professional Engineer, licensed in the State of New York, in accordance with the requirements of the State Education Law.
- C) All cross connection control devices shall be approved by the Seneca County Water District and New York State Department of Health prior to construction.

4) LOCATION

- A) All installation locations shall be approved by the Seneca County Water District and NYS Department of Health prior to construction.
- B) Cross Connection Control Devices shall be installed at or near the property line of the facility if any one or more of the following conditions exist:
 - i) At facilities which have a large private internal distribution system;
 - ii) At facilities where the location of the underground piping arrangement is unknown or can not be verified;
 - iii) At facilities with combination fire and domestic (process) services with private hydrants or hydrant connections;
 - iv) At facilities where future building additions are planned, or likely, that would extend over the existing water service or through which the existing service would run; or
 - v) At locations deemed necessary by the Seneca County Water District.

- C) The Cross Connection Control Device shall be located such that it is not subject to flooding.
 - D) Cross Connection Control Devices shall be located at least one foot above the 100 year flood plain.
 - E) The Cross Connection Control Device shall be located downstream (after) of the water service meter and upstream (before) all taps including private hydrants.
- 5) SUBMITTALS & APPLICATION FEE
- A) Five set of the Engineer's Report as detailed in Section 6, NYS Department of Health (NYSDOH) Application for Approval Form DOH 347 or its equivalent successor, and Plans and Specifications for Cross Connection Control Device Installation as detailed in Section 7 shall be submitted to the Seneca County Water District for review and endorsement.
 - B) All submissions found to be in compliance with the Seneca County Water District requirements will be endorsed by the Seneca County Water District. Signature of the bottom half of NYSDOH Application for Approval Form DOH347 or its equivalent successor will signify the Seneca County Water District's endorsement of the project. Endorsed applications will be forwarded to the Seneca County Health Department, 31 Thurber Drive, Waterloo, New York 13165. Submissions that are not found to meet Seneca County Water District specifications will be returned to the Owner.
 - C) An application fee of seventy-five dollars (\$75.00) must accompany the submission.
- 6) ENGINEER'S REPORT
- A) The Engineer's Report shall be prepared by a Professional Engineer, licensed in the State of New York, in accordance with the requirements of the State Education Law.
 - B) The Engineer's report shall include the following information, additional information may be required to satisfy the New York State Department of Health requirements:
 - i) Detailed description of the project and proposed facility use(s);
 - ii) General use of water within the facility (domestic, process, fire);
 - iii) Size and description of water services (material type, location and use);
 - iv) Number of floors and approximate square footage of each floor within the facility;
 - v) Actual / Estimated average day and maximum day water demand;

- vi) Water pressures, before and after the Cross Connection Control Device and at the extremities of the facilities system (highest elevation and most remote fixture unit);
 - vii) Description of the fire fighting system including the AWWA classification of the sprinkler system;
 - viii) Detailed description of the proposed installation of the Cross Connection Control Device including but not limited to: location, accessibility, drainage, manufactures data (make, model and cut sheets), lighting and heating;
 - ix) Description of existing or proposed booster pump system including answers to the following questions:
 - a) Will the Net Positive Suction Head (NPSH) required for the proper operation of the booster pump system be adequate after the installation of the Cross Connection Control Device?
 - b) After the installation of the Cross Connection Control Device in the suction line of the booster pump system, will the booster pump system operate properly at peak demand to deliver adequate pressure to the highest elevation, the most remote fixture unit or any process requiring a specific pressure?
 - c) Does the booster pump system have a pressure cutoff switch in the suction line?
 - d) What is the pressure setting of the switch?
 - x) Documentation of a need for continuous water supply. A facility needing continuous water supply must install dual Cross Connection Control Devices.
 - xi) Documentation of the location of the 100 year flood plain. If applicable, the elevation of the 100 year flood plain shall be provided.
- 7) PLANS
- A) The Plans shall be prepared by a Professional Engineer, licensed in the State of New York, in accordance with the requirements of the State Education Law.
 - B) The Plans shall include the following information, additional information may be required to satisfy the New York State Department of Health requirements:
 - i) A General Location Map indicating the location of the site.
 - ii) A Site Plan of the facility containing location and size of existing utilities (water, sewer, gas, electric, etc), existing and proposed buildings, proposed water services (location, type and size), pumper connections, private fire hydrants and the location of the proposed Cross Connection Control Device. The Site Plan shall be drawn at a scale no larger than 1 inch = 50 feet.

- iii) A Plumbing Floor Plan or Partial Floor Plan (Plan View) indicating the water service, water meter layout, proposed Cross Connection Control Device(s), booster pump system, floor drain(s) and all nearby objects / obstructions (including, but not limited to, electrical panels, boilers, fire protection systems, water closets, etc.). The Floor Plan shall be drawn to scale no larger than ¼ inch = 1 foot. Dimensions to nearby walls and objects shall be included on the plan. Proposed materials of Construction shall be indicated on the plan view.
- iv) A Vertical Cross Section of the proposed installation including elevation from the floor to the centerline of the device, elevation from the centerline of the device to the ceiling, outside grade and nearby objects. Proposed materials of Construction shall be indicated on the section view.

8) INSPECTIONS / CERTIFICATIONS

Section 9 – Initial Inspection / Certification and Section 10 – Annual Inspection detail the inspection and certifications requirements for Seneca County Water District Cross Connection Control program. Additional inspections and certifications may be required to satisfy the New York State Department of Health requirements.

9) INITIAL INSPECTION / CERTIFICATION

- A) Upon completion of the installation, the Design Engineer must certify that the installation was completed in accordance with the approved plans and specifications. The appropriate sections of the NYS Department of Health form DOH 1013 Report on Test and Maintenance of Backflow Prevention Device or its equivalent successor shall be completed by the Design Engineer.
- B) Upon completion of the installation, a Certified Backflow Prevention Tester must make an initial test of each cross connection control device installed. The appropriate sections of the NYS Department of Health form DOH 1013 Report on Test and Maintenance of Backflow Prevention Device or its equivalent successor shall be completed by the Certified Backflow Prevention Tester.
- C) Copies of the completed NYS Department of Health Form DOH 1013 or its equivalent successor shall be forwarded to the Seneca County Water District and the Seneca County Health Department. A completed Works Approval will be issued by the Health Department upon successful completion.

10) ANNUAL INSPECTIONS

- A) All Cross Connection Control Devices are to be inspected and tested annually by a certified Backflow Prevention Tester. Copies of the inspection and test results

shall be forwarded to both the Seneca County Water District and the Seneca County Health Department.

- B) Failure to complete annual inspections and tests will result in the termination of water service to the non-complying property.

11) MATERIALS

- A) All materials shall meet the requirements of American Water Works Association (AWWA), shall be approved for use in a potable water supply system and shall comply with Seneca County Water District requirements.
- B) Only Cross Connection Control Devices approved by the NYS Department of Health are acceptable for installation.

And be it further

RESOLVED, that copies of the aforesaid proposed local law be laid upon the desks of each member of the County Board; and be it further

RESOLVED, that the County Board hold a public hearing on said proposed Local Law at the County Office Building, One DiPronio Drive, Waterloo, New York at or about 8:00 p.m. on March 08, 2011; and be it further

RESOLVED, that the Clerk to the Board publish or cause to be published a notice of said public hearing in the official newspapers of the County at least ten (10) days prior thereto.

BOARD OF SUPERVISORS AUTHORIZES CONTRACT FOR BUILDING RENOVATION AND CONSTRUCTION WORK AT SAMPSON VETERANS MEMORIAL CEMETERY SITE
RESOLUTION NO. 30-11, moved by Mr. Davidson, seconded by Mr. Reynolds, and adopted by 548 ayes (Davidson, Reynolds, Garlick Lorenzetti, Serven, Prouty, Lafler, Churchill, Hayssen, Shipley, Kubasik) and 202 not present (Kaiser, Same, Amidon, Mooney).

WHEREAS, Seneca County is the owner of 162 acres of land in the Town of Romulus; and

WHEREAS, the County is developing the property to be used as the Sampson Veterans Memorial Cemetery; and

WHEREAS, New York State has committed \$3.1 million in grant funding to support development of the cemetery; and

WHEREAS, the building renovation and construction work is necessary and consistent with the Adopted Master Plan and detailed design drawings for the site; and

WHEREAS, Seneca County solicited proposals from qualified firms to undertake base work and a series of alternate bids; and

WHEREAS, Seneca County received five (5) general construction proposals with the lowest responsible bidder for the Base Bid (Firehouse Building Shell Renovations), Add Alternate GC-03

(Committal Service Shelter Building), Deduct Alternate GC-04 (Manual Clutch Shades), Deduct Alternate GC-05 (Aluminum Storefront Entrance System) and Deduct Alternate GC-06 (Limited Masonry Restoration) being James & Son Construction of Skaneateles, NY in the amount of \$705,500.00, two (2) proposals for electrical work with the lowest responsible bidder being Callea Electric, Inc. of Rochester, NY in the amount of \$22,000.00 and one (1) proposal for plumbing work with the lowest responsible bidder being HMI Mechanical Systems, Inc. of Lyons, NY in the amount of \$11,678.00; and

WHEREAS, the Seneca County Board of Supervisors does hereby accept the proposal from James & Son Construction for general construction work in an amount not to exceed \$705,500.00, the proposal for electrical work from Callea Electric, Inc., in an amount not to exceed \$22,000.00, and the proposal from HMI Mechanical, Inc. for plumbing work in an amount not to exceed \$11,678.00; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Committee on February 11, 2011; now, therefore, be it

RESOLVED, the Chairman of the Seneca County Board of Supervisors be authorized and directed to sign all necessary documentation to enter into a contract with James & Son Construction for general construction, with Callea Electric for electrical work and HMI Mechanical, Inc. for plumbing work at the Sampson Veterans Memorial site.

BOARD OF SUPERVISORS RECOGNIZES SENECA COUNTY EAGLE SCOUTS
RESOLUTION NO. 31-11, moved by Mr. Hayssen, seconded by Mr. Kubasik and adopted by 548 ayes (Hayssen, Kubasik, Reynolds, Garlick Lorenzetti, Serven, Davidson, Prouty, Lafler, Churchill, Shipley) and 202 not present (Kaiser, Same, Amidon, Mooney).

WHEREAS, the Seneca County Board of Supervisors recognizes the contribution made by the Boy Scouts of America program to youth of Seneca County; and

WHEREAS, the Board is aware of the high level of accomplishment and dedication necessary to achieve the Boy Scouts highest level of achievement, promotion to the rank of Eagle Scout; and

WHEREAS, this resolution has been reviewed and approved by the Board of Supervisors Government Operations Committee; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors acknowledges the accomplishment of Eagle Scout Adam S. C. Jensen and Joshua L. Singlemann of Troop 80, Seneca Falls, New York.

Unfinished Business:

Mrs. Garlick Lorenzetti reported that a STS bus took someone to the Lakeside Trading. They should not be going there.

Mr. Shipley asked that the two eagle scouts that are being presented certificates from the Board be asked to attend a Board Meeting to be recognized publicly by the entire Board.

Mr. Davidson pointed out that there were envelopes on all the Supervisor's desks from the Sheriff regarding the purchase of vehicles before March 1. Please review before the next Board Meeting.

Mr. Churchill reminded the Board that Mr. Mooney, Mr. Same and himself would be attending the NYSAT conference on February 22.

New Business

There was no new business.

Special Order of the Day

Mr. Davidson made the motion, seconded by everyone to adjourn the meeting. Meeting was adjourned at 6:48 p.m. by Chairman Lafler.