

Seneca County Board of Supervisors

Regular Meeting

February 22, 2011

8:00 p.m.

Call to Order

Chairman Lafler called the meeting to order at 8:08 p.m.

Roll Call of Members by the Clerk

Ten members of the Board answered roll call. Mr. Churchill, Mrs. Amidon, Mr. Same and Mr. Mooney were not present.

Pledge of Allegiance and Moment of Silence

At the request of Chairman Lafler, Eagle Scouts Adam Jensen and Joshua Singlemann lead the pledge of allegiance.

Public Hearings

A. Public Hearing to solicit public comment on Seneca County's intention to apply to New York State Homes and Community Renewal for up to \$750,000 in Community Development Block Grant Program funding for Housing Rehabilitation projects.

Comments were heard from Linda Ochs, resident, Town of Waterloo who expressed her support to apply for the grant. Written comments were submitted and filed with the Office of the Clerk to the Board of Supervisors.

B. Public Hearing to solicit public comments on Seneca County's intention to apply for up to \$216,000 in Community Development Block Grant Innovative Projects Program funding from New York State Homes and Community Development Block Grant Innovative Projects Program funding from New York State Homes and Community Renewal for On the Job Training projects in Ontario, Seneca, Wayne, and Yates Counties.

Comments were heard from Linda Ochs, resident, Town of Waterloo, who stated the grant was a "win – win situation"; and Peter Eisenberg, resident, Town of Fayette, who also supported the County's application for the grant project.

Presentation / Petitioners:

A. Community Action Awareness Day - Jennifer Sutton, Marketing and Development Director, Cayuga / Seneca Community Action Agency, Inc. thanked the Board for their continuing support and bringing public attention by recognizing New York State Community Action Awareness Day on February 23.

B. Recognition of Adam Jensen and Josh Singlemann and their achievement for earning the rank of Eagle Scout, the Boy Scouts of America highest level of achievement.

Approval of Meeting Minutes

Board meeting minutes for January 5, 2011 and January 11, 2011 were approved.

Reports of Standing Committees

Planning, Development, Agriculture & Tourism Committee - Mr. Davidson, Vice Chairman. The committee referred the following items to the Board of Supervisors: (1) Application to FAA for a Grant for the Finger Lakes Regional Airport for \$170,000 to monitor the wetland project for five years as required by the Army Corp. of Engineers. The County match will be \$8,000, (2) Advertising amendments to the Disadvantaged Business Enterprise Plan for Finger Lakes Regional Airport. For 2011, Ontario and Wayne Counties are added to the "Local Market Area" of the Airport. (3) The Committee also approved hiring a temporary clerk position in Code Enforcement during medical leave for the current employee, (4) The Committee laid on the table the request to create and fill a position for Cemetery Director for the Sampson Memorial Veteran's Cemetery until additional information was submitted (i.e. business plan, operational costs to the county, salary of position and qualifications).\

Public Safety Committee - Mr. Davidson, Chairman. The Committee referred the following items to the Board of Supervisors: (1) Authorize the Chairman of the Board to sign the Alternatives to Incarceration Classification Funding contract #T490600 between New York State DCJS and Seneca County, (2) Approval an Intermunicipal Agreement for Forensic Services between Monroe County and Seneca County is for the period of January 1, 2011 to December 31, 2011. Seneca County is a county within the Genesee/Finger Lakes Region which is serviced by Monroe County Laboratory. The payment for said services for the above stated period is \$14,206.50, (3) authorize the Sheriff's Office to purchase three 2011 Ford Crown Victorias, one 2011 Chevrolet Tahoe and one 2011 Chevrolet 12 Passenger Express Van with installation of radio and emergency equipment under NYS OGS Contracts, (4) approve the refill of three correction officer positions as recommended by the Vacancy Committee

Public Works Committee - Mr. Davidson, Chairman. The Committee referred the following items to the Board of Supervisors: (1) Renew the contract with the Waterloo VFW Memorial Post #6433 for maintenance of the parking lot for one year, (2) Authorize the Chairman of the Board to write a letter to request the NYS DOT realign Seneca County to Region 4.

Indian Affairs Committee - Mr. Shipley, Chairman. The committee discussed what action it could take to prevent riders of the STS Public Transit system from using the buses Dial-a-Ride program to go to Lakeside Trading, a business owned by the Cayuga Indian Nation. The county attorney was asked to research the legality of options and report back to the committee.

Mr Shipley read a letter dated February 14, 2011 to Larry Echo Hawk, Assistant Secretary for Indian Affairs, from Congressman Richard Hanna, expressing his "strong opposition to the pending application before the Bureau of Indian Affairs regarding federal trust status for 129 acres of land that the

Cayuga Indian Nation has acquired in New York State.”.....“the Final Environmental Impact Statement (FEIS) released last year....did not appropriately include the legitimate and serious concerns of local leaders, residents, community groups, and businesses in the counties.”

Public Health Committee, Mr. Kubasik, Chairman. The committee referred the following issues to the Board of Supervisors: (1) A contract with Barton and Loguidice, P.C. for Engineering Services for the Public Health Department. The Public Health Department is required to have the availability of a Professional Engineer for the review and approval of plans for mobile home parks, reality subdivisions, new campgrounds, temporary residences, water systems and septic systems and for any activities that the County Engineer may be unable to perform. The contract is not to exceed \$5,000.00, (2) Contract with the S2AY Rural Health Network for Network Membership for \$16,000.00. The S2AY Rural Health Network is comprised of the Public Health Departments in the six contiguous counties (Schuyler, Steuben, Yates, Seneca, Ontario, and Wayne), (3) A resolution proclamation recognizing Community Action Awareness Day - February 23, 2011. The Cayuga / Seneca Community Action Agency was created in 1964 and celebrates its 45 year of promotion self-sufficiency for those with limited income, (4) The committee voted to lay on the table the issue relating to funding Animal Related Services in Seneca County so that language in the contract can be clarified.

Personnel & Technology Committee - Mrs. Garlick Lorenzetti, Vice Chairperson. The Committee referred the following issues to the Board of Supervisors: (1) Appointments to the Deferred Compensation Committee as required under Section 457 of the IRS Law.

Communications

20. A copy of the Seneca County Planning Board January 13, 2011 meeting minutes.
21. A copy of the Western and Adirondack InterCounty Associations February 9, 2011 joint meeting minutes; and a copy of a resolution adopted at the meeting urging the New York State legislature to enact meaningful relief from existing unfunded mandates prior to instituting a property tax cut.
22. A copy of the Seneca County Board of Health January 19, 2011 meeting minutes.
23. A copy of the Finger Lakes Regional Airport Advisory Committee meeting on December 8, 2010.
24. A copy of a letter dated February 4, 2011 to Stephen J. Acquario, Executive Director, NYSAC, from Lois Aronstein, Director, AARP New York State Office opposing the resolution concerning Complete Streets policies the NYSAC supported because “improving road design would lead to unfunded mandates”. AARP’s stand is that the Complete Streets bill addresses the issue that “the majority of pedestrian fatalities and injuries occur on county roads and the bill will help to create safer roads for all users”.

25. From the New York State Office of the Comptroller, a copy of a letter and information sent to the Seneca County Treasurer regarding reporting for the Indigent Legal Services Fund (ILFS) 2010 Annual Report.

Resolutions and Motions

**BOARD OF SUPERVISORS APPROVES INCREASE OF PROPERTY INSURANCE
DEDUCTIBLE AND AUTHORIZES RISK MANAGER TO MAKE CHANGES
TO THE 2011 INSURANCE POLICY**

RESOLUTION NO. 32-11, moved by Mr. Hayssen, seconded by Mr. Davidson and adopted by 528 ayes (Hayssen, Davidson, Reynolds, Garlick Lorenzetti, Serven, Prouty, Kaiser, Lafler, Shipley, Kubasik) and 222 not present (Same, Churchill, Amidon, Mooney).

WHEREAS, the County's Risk Manager has requested authority to increase the property deductible in an effort to lower annual premium expenditures; and

WHEREAS, the lack of any significant claim activity (claims in excess of \$5,000) over the past 5 years on the property insurance policy indicates that the current \$1,000 deductible is no longer necessary; and

WHEREAS, the Finance Committee has reviewed and approved this resolution at its February 22, 2011 meeting; now, therefore, be it

RESOLVED, that the Risk Manager is authorized and directed to order the increase in the property insurance deductible to \$25,000.00 in an effort to decrease annual premium.

**SUPERVISORS APPOINT DEFERRED COMPENSATION COMMITTEE
EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 33-11, moved by Mrs. Garlick Lorenzetti, seconded by Mr. Davidson and adopted by 528 ayes (Garlick Lorenzetti, Davidson, Reynolds, Serven, Prouty, Kaiser, Lafler, Hayssen, Shipley, Kubasik) and 222 not present (Same, Churchill, Amidon, Mooney).

WHEREAS, Seneca County has a need to appoint a new Deferred Compensation Committee; and

WHEREAS, the Committee will have seven employees on the committee; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors does hereby appoint the following employees to the Deferred Compensation Committee effective immediately: Frank Sinicropi, Keith Kubasik, Greg Pellicano, Carla Felice, Charles Schillaci, Melissa Killeleagh and Kathy Corona.

SENECA COUNTY BACHELOR'S IN SOCIAL WORK INTERNSHIP PROGRAM

RESOLUTION NO. 34-11, moved by Mr. Prouty, seconded by Mr. Kaiser and adopted by 528 ayes (Prouty, Kaiser, Reynolds, Garlick Lorenzetti, Serven, Davidson, Lafler, Hayssen, Shipley, Kubasik) and 222 not present (Same, Churchill, Amidon, Mooney).

WHEREAS, as part of the Division of Human Services (DHS) efforts to stem caseworker turnover in Seneca County, the Commissioner of DHS is requesting to participate in a statewide initiative to provide an internship for select students from approved colleges who are matriculated in a college degree program for their Bachelor's in Social Work; and

WHEREAS, as part of participation in the program, Seneca County would agree to hire the intern into a caseworker trainee position upon successful completion of their internship and would have up to two (2) years to hire them as a caseworker; and

WHEREAS, participating colleges agree to provide specific child welfare training which reduces the required training time and resources at the county level; and

WHEREAS, DHS would place intern into existing budgeted positions after their internship is completed; and

WHEREAS, the individual is required to take and pass the caseworker civil service exam and be hired under New York State Civil Service regulations; and

WHEREAS, individual students have a binding agreement with the State and are required to complete the internship and stay in their trainee positions for 6 months at the local district or pay back the scholarship; and

WHEREAS, if for some reason the local district is unable to hire the individual, at the end of internship or after 2 years in the position, they can accept a job in the private sector for up to 1 year; and

WHEREAS, this program has been reviewed and approved by the Human Services Committee on January 25, 2011; now, therefore, be it

RESOLVED, that the Board of Supervisors approve the participation in the Bachelor's in Social Work Internship Program; and further be it

RESOLVED, the Board of Supervisors approves the Commissioner to sign the letter of intent to participate in the Bachelor's of Social Work Internship Program.

RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT FOR FORENSIC SERVICES BETWEEN THE COUNTY OF MONROE AND COUNTY OF SENECA FOR PERIOD JANUARY 1, 2011 THROUGH DECEMBER 31, 2011

RESOLUTION NO. 35-11, moved by Mr. Davidson, seconded by Mr. Shipley and adopted by 528 ayes (Davidson, Shipley, Reynolds, Garlick Lorenzetti, Serven, Prouty, Kaiser, Lafler, Hayssen, Kubasik) and 222 not present (Same, Churchill, Amidon, Mooney).

WHEREAS, the County of Monroe Public Safety Laboratory operates a regional laboratory (herein referred to as a laboratory) that provides forensic services to counties within the Genesee / Finger Lakes Region; and

WHEREAS, the County of Seneca is desirous of receiving continued services from the laboratory; and

WHEREAS, this term appears in the 2011 County budget under line #10-110-5-3114-4390; and

WHEREAS, the County of Monroe has notified the Sheriff of Seneca County that the contract fee for 2011 will be \$14,206.50; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized and directed to execute the contract documents consistent with the terms hereof.

SHERIFF'S OFFICE AUTHORIZED TO PURCHASE VEHICLES

RESOLUTION NO. 36-11, moved by Mr. Davidson, seconded by Mr. Kaiser and adopted by 528 ayes (Davidson, Kaiser, Reynolds, Garlick Lorenzetti, Serven, Prouty, Lafler, Hayssen, Shipley, Kubasik) and 222 not present (Same, Churchill, Amidon, Mooney).

WHEREAS, the Seneca County Sheriff's Office requires the purchase of three vehicles under the NYS OGS Contract PC64893 #2 described as follows: three 2011 Ford Crown Victorias with dealer installed option, radio and computer equipment swaps, striping, new rhino bars, installation of striping and rhino push bar under Sheriff Road Patrol Vehicles (10-110-5-3113-2600); and

WHEREAS, the Seneca County Sheriff's Office requires the purchase of one vehicle under the NYS OGS Contract PC 64892 #5 described as follows: one 2011 Chevrolet Tahoe 4WD 4 DR 1500 SUV with the installation of radio and emergency equipment under Sheriff Road Patrol Vehicles (10-110-5-3113-2600); and

WHEREAS, the Seneca County Sheriff's Office requires the purchase of one vehicle under the NYS OGS Contract PC65026 #12 described as follows: one 2011 Chevrolet Express 12 passenger Van to be designed for transportation by Correction Division with dealer installed option, installation of radio equipment and safety equipment under Sheriff Office Correction Vehicle (10-110-4-3150-2600); and

WHEREAS, this resolution was approved by the Public Safety Committee February 22, 2011; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the Sheriff's Office to purchase three 2011 Ford Crown Victorias, one 2011 Chevrolet Tahoe and one 2011 Chevrolet 12 passenger Express Van with installation of radio and emergency equipment under NYS OGS Contracts PC64893 #2, PC 64892 #5 and PC 65026 #12 for a total cost of \$156,738.00 to be handled through appropriate budget lines; and be it further

RESOLVED, that the remaining funds contained under budget line 10-110-4-3150-2600 be returned to the County's General Fund Unappropriated Fund Balance.

**SUPERVISORS AUTHORIZE AND DIRECT THAT BIDS BE SOLICITED FOR DEMOLITION
OF A CERTAIN BUILDING LOCATED AT 8392 MAIN STREET IN THE VILLAGE OF
INTERLAKEN THAT HAS BEEN DETERMINED TO BE AN UNSAFE BUILDING**

RESOLUTION NO. 37-11, moved by Mr. Davidson, seconded by Mrs. Garlick Lorenzetti and adopted by 477 ayes (Davidson, Garlick Lorenzetti, Reynolds, Serven, Prouty, Lafler, Hayssen, Shipley, Kubasik) and 51 nays (Kaiser) and 222 not present (Same, Churchill, Amidon, Mooney).

WHEREAS, a report prepared by the Seneca County Building Inspector, appointed to enforce the provisions of Local Law No. 3 of 2003, Seneca County's Unsafe Buildings Law has been received and reviewed by the Board; and

WHEREAS, such report demonstrates the fact that a certain building located at 8392 Main Street in the Village of Interlaken, Seneca County, New York has become dangerous and unsafe to the public, is accessible to and an object of attraction to minors under the age of eighteen years of age as well as other trespassers, may become a place of rodent infestation and is unfit for the purposes for which it may lawfully be used; and

WHEREAS, the Building Inspector recommended that such building be ordered repaired or demolished and removed on the grounds that the same may or may not be safely repaired; and

WHEREAS, the Board of Supervisors gave due consideration to such Report and afforded the property owner with the opportunity to be heard on said matter on September 28, 2010; and

WHEREAS, the Board of supervisors determined that said building is unsafe and dangerous; and

WHEREAS, the Board of Supervisors ordered the commencement of said repair or demolition within thirty (30) days of September 4, 2010 and repair or removal of said structure within sixty (60) days thereafter; and

WHEREAS, the owner of said property has failed to complete demolition or otherwise initiate sufficient corrective action; and

WHEREAS, this resolution has been reviewed and approved by the Public Health Services Committee on January 25, 2011; now, therefore, be it

RESOLVED, that the Planning Director is authorized and directed to advertise and solicit bids for the demolition of said building.

**BOARD OF SUPERVISORS MEMORIALIZES STATE OF NEW YORK TO REALIGN
SENECA COUNTY TO DEPARTMENT OF TRANSPORTATION REGION FOUR**
RESOLUTION NO. 38-11, moved by Mr. Davidson, seconded by Mrs. Garlick Lorenzetti and adopted by 528 ayes (Davidson, Garlick Lorenzetti, Reynolds, Serven, Prouty, Kaiser, Lafler, Hayssen, Shipley, Kubasik) and 222 not present (Same, Churchill, Amidon, Mooney).

WHEREAS, Seneca County is currently served by the New York State Department of Transportation (NYSDOT) through its Region Three Office in Syracuse, New York; and

WHEREAS, Seneca County is a member of the Genesee Transportation Council, a Metropolitan Planning Organization which principally serves NYSDOT Region Four communities; and

WHEREAS, Seneca County is further aligned with the general NYSDOT Region Four area by its membership in the Genesee-Finger Lakes Regional Planning Council, Greater Rochester Enterprise and other similar organizations; and

WHEREAS, Seneca County is served by the Empire State Development Corporation's Finger Lakes Regional Office; and

WHEREAS, Seneca County desires to request realignment to NYSDOT Region Four so as to better integrate policy and planning decisions with project implementation in both public works and private development; and

WHEREAS, realignment to NYSDOT Region Four would be in the best interest of Seneca County; and

WHEREAS, this resolution has been reviewed and approved by the Public Works Committee on February 16, 2010; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors supports Seneca County's realignment within the New York State Department of Transportation to Region Four and authorizes and directs the Chairman to initiate said request.

**APPLICATION TO FAA FOR THE WETLAND MONITORING, DRAINAGE STUDY AND
LAND ACQUISITION TO REMEDIATE DRAINAGE PROBLEMS AT
THE FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 39-11, moved by Mr. Davidson, seconded by Mr. Prouty and adopted by 528 ayes (Davidson, Prouty, Reynolds, Garlick Lorenzetti, Serven, Kaiser, Lafler, Hayssen, Shipley, Kubasik) and 222 not present (Same, Churchill, Amidon, Mooney).

WHEREAS, the FAA has indicated that a grant will be made available for the wetland monitoring, drainage study and land acquisition to remediate drainage problems at the Finger Lakes Regional Airport; and

WHEREAS, the wetland monitoring is required by the U. S. Army Corp of Engineers and the drainage problem is prohibiting further economic development at the Airport; and

WHEREAS, the total grant would be for \$170,000 with the Seneca County Local Share at 2.5% or \$8,000 which has been budgeted for in the 2011 Airport Budget and NYSDOT will contribute 2.5% or \$8,000; and

WHEREAS, McFarland Johnson was approved by the Seneca Board of Supervisors to the engineering firm for the Finger Lakes Regional Airport; and

WHEREAS, the resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on February 22, 2011; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors approves the application to the FAA for Wetland Monitoring, Drainage Study and Land Acquisition to remediate drainage problems at the Airport and that the Chairman of the Board of Supervisors be authorized and directed to sign all necessary documentation to submit this application to the FAA; and further be it

RESOLVED, that McFarland Johnson is approved as the engineering firm for the grant.

Unfinished Business

Mrs. Garlick Lorenzetti spoke about the Town budgets being put on the County web site. There are 4 still to be added. She requested that they be given to Phil in IT to add.

Mr. Shipley reported on the Indian Tax Foreclosure Hearing in Rochester on March 11.

Sheriff Stenberg reported that the building security started today and will be located in the DHS reception area. They will primarily be looking at the DHS offices and the Tax Office, but will check in all the offices throughout the day to be sure everything is okay.

New Business:

Mr. Kubasik made a motion, seconded by Mr. Shipley and carried that under suspension of the rules, to introduce the following resolution:

NEW YORK STATE COMMUNITY ACTION AWARENESS DAY IN SENECA COUNTY
RESOLUTION NO. 40-11, moved by Mr. Kubasik, seconded by Mr. Hayssen and adopted by 528 ayes (Kubasik, Hayssen, Reynolds, Garlick Lorenzetti, Serven, Davidson, Prouty, Kaiser, Lafler, Shipley) and 222 not present (Same, Churchill, Amidon, Mooney).

WHEREAS, the Cayuga / Seneca Community Action Agency, Inc., was created when the Economic Opportunity Act of 1964 was signed into law; and

WHEREAS, Cayuga / Seneca Community Action Agency, Inc. has a 45 year history of promoting self-sufficiency for those with limited income; and

WHEREAS, those with limited income continue to need opportunities to improve their lives and their living conditions, thus ensuring that all citizens are able to live in dignity; and

WHEREAS, Community Action Agencies across the State of New York are celebrating Community Action Awareness Day on February 23, 2011; and

WHEREAS, Seneca County, New York State, and the entire United States must continue to wage war on poverty by providing support and opportunities for all citizens in need of assistance; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby proclaim February 23, 2011 as Community Action Awareness Day in Seneca County.

Special Order of the Day

The meeting adjourned at 8:53 p.m.