

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

March 08, 2011

8:00 p.m.

Call to Order

Chairman Lafler called the meeting to order at 8:07 p.m.

Roll Call of Members by the Clerk

Thirteen members of the Board were present. Mrs. Amidon was absent.

Public Hearings

The following public hearings were held. No comments were received or heard from the public.

a. NOTICE IS HEREBY GIVEN, that the Seneca County Board of Supervisors will hold a public hearings 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.

b. NOTICE IS HEREBY GIVEN, that the Seneca County Board of Supervisors will hold an initial 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 Renewal for On the Job Training projects in Ontario, Seneca, Wayne, and Yates Counties.

c. NOTICE IS HEREBY GIVEN, that the Seneca County Board of Supervisors will hold a public hearings to solicit public comment on the adoption of proposed Local Law A of 2011 titled, "SENECA COUNTY WATER DISTRICT CROSS CONNECTION CONTROL LAW"

Presentations

- a.** Employee 4th Quarter 2010 Award - Rose Barto, Public Health Department
- b.** Employee of the Year 2010 Award - Jennifer Bates, Environmental Health Department
- c.** Accreditation Award to the Sheriff's Civil Office - Peter Kehoe, Executive Director of the New York State Sheriff's Association, recognized Sheriff Stenberg, Undersheriff Sullivan and the Civil Office staff for achieving accreditation, one of two counties in New York State to earn this level of accreditation for its Civil Office.

Petitioner

Mary Anne Kowalski – urged the Board of Supervisors to establish a county-wide spay and neuter program for low-income county residents.

Submission of Claims for Audit

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

Supervisors vouchers	# 439 - 651	totaling	\$ 219,093.56
OFA vouchers	# 122 - 180	totaling	\$ 60,720.54
Workforce Development vouchers	# 38 - 60	totaling	\$ 25,325.12
Self Insurance vouchers	# 5 - 7	totaling	\$ 2,498.68
Sheriff vouchers	# 175 - 213	totaling	\$ 52,997.43
County Airport vouchers	# 19 - 32	totaling	\$ 10,851.97
Highway Transportation vouchers			
Maintenance & State Snow	# 39 - 56	totaling	\$ 330,572.99
Highway Machinery	# 74 - 110	totaling	\$ 65,384.10
	Highway Total		\$ 395,957.09
Water & Sewer	# 29 - 49	totaling	\$ 28,483.33
Airport Capital vouchers	# 7 & # 8	totaling	\$ 11,831.55
Highway Capital vouchers	# 3 & # 4	totaling	\$ 17,479.06
Veterans Cemetery Capital Voucher	# 5 - # 7	totaling	\$ 6,211.50

Reports of Standing Committees\

Planning, Development, Agriculture & Tourism Committee, Mr. Same, Vice-Chairman. The Committee approved (1) amending the Planning and Community Development Budget by adding account #10135508020-4-382 Snowmobile Grant for \$4,200.00 and increasing Revenue Account #1031933060 by \$4,200.00; and authorizing the Treasurer needs to send the \$2,940.00 that has been received from the State to the Twin Lakes Snowmobile Club; and (2) to appoint Supervisor Michael Reynolds and Supervisor Jim Mooney to the Soil & Water Conservation District Board for a term of one-year to expire on December 31, 2011.

Public Works Committee, Mr. Davidson, Chairperson. The Committee approved the following: (1) The adoption of a board resolution, requested by the Veterans Advisory Board, that establishes individuals requesting burial in the Sampson Veterans Memorial Cemetery must be an honorably discharged veteran or a member of their immediate family; and (2) authorization for the Chairman of the Board to send a letter to NYS DOT Commissioner McDonald, requesting that Seneca County be realigned with Region 4.

Human Services Committee, Mr. Mooney, Chairperson. The Committee approved the following: (1) Support the Southern Tier/Finger Lakes Technology & Broadband Alliance; (2) Authorization to

apply for Title 1 Workforce Investment Act Youth Program Funds; (3) Authorization to award bid to for the Weatherization temporary labor to Adecco, Auburn, NY at 64.9% over pay rate. Also at the Committee meeting, County Manager Sinclair explained the proposed move of the Veterans Affairs Office to the first floor of the county building; and the remodeling to accommodate the proposed security features to the building.

Personnel & Technology Committee, Mr. Same, Chairperson. The Committee approved the following: (1) a request from the Commissioner of Social Services and the Real Property Tax Director to have the part-time Welfare Investigator and Tax Map Technician receive paid time off credits; and (2) to move forward creating an RFP for vendors for a new county financial software system; (3) the purchase of a “Automon”, software system for the Probation Department.

Government Operations Committee, Mr. Kaiser, Chairperson. The Committee approved entering into a contract with Two Brothers of Moravia Inc. to print the proceedings for the years 2005 through 2009. The Committee also directed the Chairman of the Board to request statistical information from RGRTA relating to “dial-a-ride” usage of the STS system. The Committee also directed the County Attorney to contact RGRTA attorney to discuss legal details about signage on the RGRTA buses warning riders that purchasing untaxed cigarettes was against the law.

Finance, Assessment & Insurance Committee, Mr. Hayssen, Chairperson. The Real Property Mapping Technician, Mike Karlsen discussed the many uses and potential for the expanding in-house GIS capabilities. This capability is what has allowed the Real Property Department to produce the parcel maps showing the Cayuga Indian Nation land purchases, for instance. This mapping capability has many other uses – infrastructure, polling places, and cemetery plotting are a few examples. The Committee also approved requesting an extension of 1% sales tax under Home Rule Law.

County Attorney’s Remarks:

The County Attorney reported that the oral arguments in the Cayugas vs. Seneca County have been moved to May 05 and that he would advise the Board as more information became available.

Communications:

27. A copy of the Seneca County Board of Health meeting minutes February 16, 2011.
28. A copy of a report from Phyllis Motill called Bear Hugs from Ovid, Recording an Unfinished Seven Year Conversion of a local ICON, “The Three Bears”.
29. A copy of the western regional off-track betting corporation revenue summary for 1974 – 2010.
30. A copy of the Finger Lakes Resource Conservation & Development Council meeting minutes January 19, 2011.
31. A copy of the E-911 Board January 11, 2011 meeting minutes.

32. A copy of the Seneca County Sewer District #1 Advisory Board February 1, 2011 meeting minutes.
33. A copy of the Genesee Finger Lakes Regional Council December 9, 2011 meeting minutes.
34. A copy of the Western Regional Off-Track Betting Corporation Revenue Summary for the years 1974 – 2010.
35. From Karen R. DeMay, Clerk, Ontario County Board of Supervisors, notice of public comment period date ending March 2, 2011 regarding the Completion and acceptance of Final Environmental Impact Statement of Capital Project No. 7 of 2006, the New Ontario County Emergency Communication System. From Steuben County Legislature, a copy of Resolution No. 032-11 titled, “Opposing the State Takeover of the Western New York Off-Track Betting Corporation”.
36. From the Orleans County Legislature, a copy of Resolution No. 70-211 titled, Memorialization in Opposition to the Usurpation of the Assets of the Western Off-Track Betting Corporation.
37. From Richard E. Siebert, Chairman, Western Regional Off-Track Betting Corporation, a memorandum on behalf of the Corporation dated January 5, 2011 seeking support of its opposition to the consolidation advocated by Governor Cuomo of regional OTBs. Referred to the Government Operations Committee.

Resolutions and Motions

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED
TO SIGN A CONTRACT FOR ENGINEERING SERVICES**

RESOLUTION NO. 41-11, moved by Mr. Kubasik, seconded by Mr. Churchill and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, 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

WHEREAS, the County Engineer will be providing these services for most of the Departmental needs; and

WHEREAS, it is necessary to continue to have a contract with Barton and Loguidice, P.C. for any activities that the County Engineer may be unable to perform; and

WHEREAS, the cost of this contract is not to exceed \$5,000 per year; and

WHEREAS, the funds for these expenses are in the Public Health Budget 10-115-5-4011-4280; and

WHEREAS, the Public Health Committee has recommended renewing this contract; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with Barton and Loguidice, P.C. for engineering services for the Health Department.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A CONTRACT FOR MEMBERSHIP IN THE S2AY RURAL HEALTH NETWORK**

RESOLUTION NO. 42-11, moved by Mr. Kubasik, seconded by Mrs. Garlick Lorenzetti and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, the S2AY Rural Health Network is comprised of the Public Health Departments in the six contiguous counties (Schuyler, Steuben, Yates, Seneca, Ontario, and Wayne); and

WHEREAS, the network has been in existence since 1997 with Seneca County joining in January 2003; and

WHEREAS, the network's mission is to "integrate, promote, and expand appropriate components of the public health service delivery system to improve health outcomes for all residents of the network region; and

WHEREAS, the goal is to ensure coordinated services across a six county area and to streamline administrative processes, planning and funding activities; and

WHEREAS, the \$16,000 membership cost is included in the 2010 departmental budget 10-115-5-4010-4280; and

WHEREAS, the Public Health Committee has approved this membership; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract for membership in the S2AY Rural Health Network.

RESOLUTION TO PROVIDE ANIMAL SHELTER SERVICES IN SENECA COUNTY

RESOLUTION NO. 43-11, moved by Mr. Kubasik, seconded by Mr. Churchill and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, the Seneca County Board of Supervisors finds that there is a need to provide animal shelter services in Seneca County for the welfare of the public; and

WHEREAS, the Beverly Animal Shelter is a not-for-profit corporation whose main purpose is to provide animal sheltering and other ancillary services; and

WHEREAS, the Public Health Committee has reviewed the services provided and the requested payment terms; and

WHEREAS, the Public Health Committee recommends the services and terms of payment; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board of Supervisors to sign a contract with the Beverly Animal Shelter providing for such services and directing the payment of \$28,500 in equal monthly amounts of \$2,375 to the Beverly Animal Shelter.

**BOARD OF SUPERVISORS AUTHORIZATION TO APPLY FOR TITLE 1
WORKFORCE INVESTMENT ACT (WIA) YOUTH PROGRAM FUNDS**

RESOLUTION NO. 44-11, moved by Mr. Mooney, seconded by Mr. Kaiser and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, this is an Annual Competitive Request for Proposals grant through the Finger Lakes Workforce Investment Board for the Workforce Investment Act of 1998 funding; and

WHEREAS, this year Seneca County must apply individually for these funds, previously a consortium consisting of the four counties Seneca, Ontario, Wayne and Yates submitted a proposal;

WHEREAS, Seneca County is interested in applying for \$108,000 to service WIA eligible youth ages 16 – 21 for Workforce Programs; and

WHEREAS, the funding will cover the period of July 1, 2011 – June 30, 2012 and;

WHEREAS, this resolution has been approved by the Human Services Committee, and

WHEREAS, the application is due on March 25, 2011; now, therefore, be it

RESOLVED, the Board of Supervisors authorizes and directs the Seneca County Division of Human Services Department of Workforce Development to apply for WIA Youth Program funds.

AUTHORIZE PURCHASE OF FOAM TRAILER FOR EMERGENCY SERVICES

RESOLUTION NO. 45-11 moved by Mr. Davidson, seconded by Mr. Reynolds and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, in the FY2009 NYS Office of Homeland Security Grant the purchase of a Foam Trailer has been authorized at no cost to the County; and

WHEREAS, this purchase has been approved in the 2011 Budget and

WHEREAS, through a bid process; Cottrell associates Inc. 3738 Rawis Church Road, Fuquary Varina, N.C. 27526 was the low bidder; and

WHEREAS, the Public Safety Committee approved the purchase of said trailer at its meeting on January 25, 2011; now, therefore, be it

RESOLVED, the Director of Emergency Services is hereby authorized to purchase a Foam Trailer.

LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT FFY 2010

RESOLUTION NO. 46-11, moved by Mr. Davidson, seconded by Mr. Kubasik and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, the New York State Emergency Management Office (SEMO) administers the Local Emergency Management Performance Grant Program; and

WHEREAS, Seneca County will receive \$17,271.00 for Federal Fiscal Year 2010; and

WHEREAS, SEMO requires the signature of an authorized certifying official for Seneca County to receive the funding; and

WHEREAS, this resolution was approved by the Public Safety Committee on March 8, 2011; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board to sign all and any documents as required by the New York State Emergency Management Office for Seneca County to receive the funding of \$17,271.00 from the Local Emergency Management Performance Grant FFY 2010.

**MEMORANDUM OF AGREEMENT BETWEEN SENECA COUNTY AND
WAYNE COUNTY FOR NYS OFFICE OF HOMELAND SECURITY
2010 COMPANION ANIMAL SHELTERING GRANT**

RESOLUTION NO. 47-11, moved by Mr. Davidson, seconded by Mr. Prouty and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, the Wayne County Office of Emergency Management has been awarded a NYS Office of Homeland Security 2010 Companion Animal Sheltering Grant; and

WHEREAS, Seneca County and Ontario County are participating partners in the grant; and

WHEREAS, the grant will provide the needed equipment to shelter companion animals in the event of a disaster in each county; and

WHEREAS, the requirement of the NYS Office of Homeland Security is for the Memorandum of Agreements to be signed by the Chairman of the Board of Supervisors; and

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

RESOLVED, that the Seneca County Board of Supervisors authorizes the Chairman of the Board of Supervisors to sign the NYS Office of Homeland Security Memorandum of Agreement for the 2010 Companion Animal Sheltering Grant between Seneca County and Wayne County.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN GRANT
DOCUMENTS FOR ALTERNATIVES TO INCARCERATION CLASSIFICATION FUNDING**

RESOLUTION NO. 48-11, moved by Mr. Davidson, seconded by Mr. Mooney and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, the Director of the Seneca County Probation Department and the Chairperson of the Criminal Justice Advisory Board requests permission to submit an application to the New York State Division of Probation and Correctional Alternatives, in order to receive grant funds in the amount of \$6,345.00; and

WHEREAS, the Public Safety Committee approved this resolution at its meeting on February 22, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute and submit an application to the NYS Division of Probation and Correctional Alternatives, 80 Wolff Road, 5th Floor, Albany, NY 12205, for receipt of grant funds in the maximum amount of \$6,345 for Alternatives to Incarceration funding for a term commencing January 1, 2011 and terminating December 31, 2011; and be it

FURTHER RESOLVED, that upon notification of the award of said grant funds, the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to execute any and all grant documents on behalf of the County of Seneca relative to the above.

**BOARD OF SUPERVISORS APPROVES CONTRACT WITH ONEIDA COUNTY
FOR BOARDING OF INMATES**

RESOLUTION NO. 49-11, moved by Mr. Davidson, seconded by Mr. Prouty and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, the Seneca County Sheriff's Office has requested that the Board of Supervisors authorize the Chairman to sign an agreement between the Oneida County Sheriff's Office and Seneca County for the Oneida County Sheriff's Office to provide security at the Central New York Psychiatric Center in Marcy, New York; and

WHEREAS, the Central New York Psychiatric Center Forensic Unit provides services at the Central New York Psychiatric Center; and

WHEREAS, the forensic unit is capable of providing services for the Sheriff's Offices of surrounding counties which may have inadequate facilities for treating mentally ill inmates; and

WHEREAS, the Oneida County Sheriff's Office provides security services at the Central New York Psychiatric Center Forensic Unit; and

WHEREAS, Seneca County has, on occasion, been able to confine certain mentally ill inmates to this Unit; and

WHEREAS, this resolution has been reviewed and approved by the Public Safety Committee at its meeting on February 22, 2011; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby authorize the and direct the signing by the Chairman of the Board of Supervisors of this agreement between the Oneida County Sheriff's Office and Seneca County.

**SUPERVISORS AUTHORIZE LEASE AGREEMENT RENEWAL
SENECA COUNTY – VFW MEMORIAL POST, #6433**

RESOLUTION NO. 50-11, moved by Mr. Davidson, seconded by Mr. Mooney and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, a lease agreement between Seneca County and the VFW Memorial Post, #6433, with its principal offices at the corner of Chestnut Street and West Elisha Street, Village of Waterloo, New York has been in existence for several years and is in need of renewal; and

WHEREAS, it is agreed upon in the lease that the parking area used during the daytime hours between 8 a.m. to 5 p.m. on the days the Seneca County Courthouse is open for its employees and used by the general public will be kept in good order and repair including, but not limited to, striping and snow removal; and

WHEREAS, this resolution was reviewed and approved by the Public Works Committee at its meeting on February 22, 2011; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the renewal of the lease agreement between Seneca County and the VFW Memorial Post, #6433, with a beginning date of January 1, 2011 and will expire on December 31, 2011; and be it

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the lease renewal agreement along with the Commander of the VFW Post, #6433.

**TREASURER AUTHORIZED TO AMEND 2011 SENECA COUNTY HIGHWAY BUDGET
FOR OSHA TRAINING GRANT**

RESOLUTION NO. 51-11, moved by Mr. Davidson, seconded by Mr. Shipley and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, in 2010 the County received a grant of \$8,277 through OSHA for the purpose of training; and

WHEREAS, the amount of \$3,000 was expended in 2010 leaving a balance of \$5,277 in grant funds to be used by June 30, 2010; and

WHEREAS, the Highway Department wishes to amend the 2011 Highway Administration Budget to reflect these grant funds; and

WHEREAS, the Public Works Committee approved these amendments on 02/22/11; now, therefore, be it

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

Increase Revenue Account 40-3193-3506 Training Grant - \$5,277

Increase Account 40-120-5-5010-4450 Training - \$5,277

BOARD OF SUPERVISORS APPROVES COMPROMISE OF DISPUTED DEBT

RESOLUTION NO. 52-11, moved by Mr. Davidson, seconded by Mrs. Garlick Lorenzetti and adopted by 446 ayes (Garlick Lorenzetti, Prouty, Same, Lafler, Churchill, Hayssen, Shipley) and 284 nays (Davidson, Reynolds, Serven, Kaiser, Mooney, Kubasik) and 20 absent (Amidon).

WHEREAS, the Board of Supervisors has been made aware of a debt owed Seneca County Sewer District No. 2 by Varick Sewer District No. 2; and

WHEREAS, the Public Works Committee has reviewed the debt and determined that the Varick Sewer District appears to have suffered certain overcharges for sewer service provided by the County Sewer District during the period of service 2005 – 2010; and

WHEREAS, in order to avoid the uncertainty and expense of litigation regarding such alleged debt to the taxpayers of the County and the Town, the Public Works Committee has recommended a compromise of the debt owed the County Sewer District by the Varick Sewer District; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors directs that Seneca County Sewer District No. 2 discharge that portion of the debt owed the District by Varick Sewer District No. 2, represented by those payments heretofore withheld by the Varick District during 2009, 2010 and 2011; and be it further

RESOLVED, that Sewer District No. 2 shall, commencing with the payment due from Varick Sewer District No. 2 in April, 2011 charge and accept sewer rents from the Varick Sewer District in the amount of Forty-five Dollars per unit, per quarterly billing; and be it further

RESOLVED, that Sewer District No. 2 shall, commencing with the payment due from Varick Sewer District No. 2 in April, 2011 charge and accept sewer rents from the Varick Sewer District for One Hundred Ninety units, such number representing the respective Districts' good faith estimate of the total number of units served by the Varick Sewer District, adjusted for seasonal usage; and be it further

RESOLVED, that the Sewer District Administrator commence the process of re-establishing fair and equitable sewer rates throughout Sewer District Nos. 1 and 2 and for out-of-district users and for other municipal sewer districts served by the County Districts and which contract with the Districts for sewer service as provided under Article 5-A, New York State County Law; and be it further

RESOLVED, that the Administrator of Sewer District No. 2 enter into an agreement by means of a Memorandum of Agreement between Seneca County Sewer District No. 2 and the Varick Sewer District modifying the Agreement entered into by and between the respective Districts and dated March 4, 2003, consistent with the terms of this Resolution.

**A RESOLUTION ADOPTING LOCAL LAW NO. 1 OF 2011 ENTITLED
“SENECA COUNTY WATER DISTRICT CROSS CONNECTION CONTROL LAW”**

RESOLUTION NO. 53-11 moved by Mr. Davidson, seconded by Mr. Shipley and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, a resolution was duly adopted by the Board of Supervisors of the County of Seneca for a Public Hearing to be held by said County on March 8, 2011 at 8:00 p.m. at the Seneca County Office Building, Waterloo, NY, to hear all interested parties on a proposed Local Law entitled "Seneca County Water District Cross Connection Control Law"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspapers of the County of Seneca; and

WHEREAS, said public hearing was duly held on March 8, 2011 at 8:00 p.m. at the Seneca County Office Building, Waterloo, NY, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Supervisors of the County of Seneca, after due deliberation, finds it in the best interests of the County of Seneca to adopt said Local Law, Now, Therefore, Be it

RESOLVED, that the Board of Supervisors of the County of Seneca hereby adopts Local Law No. 1 of the year 2011, as follows:

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 Connection - 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 systems,

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 DOH 347 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 1/4 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.

12) EFFECTIVE DATE

This act shall take effect immediately upon filing with the Secretary of State in accordance with §27 of the Municipal Home Rule Law.

**AUTHORIZATION FOR CLERK TO PLACE PUBLIC NOTICE REGARDING REVIEW
OF DISADVANTAGED BUSINESS ENTERPRISE PLAN FOR
FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 54-11 moved by Mr. Same, seconded by Mr. Churchill and adopted by 730 ayes and 20 absent (Amidon).

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

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to place a Public Notice regarding Finger Lakes Regional Airport Disadvantaged Business Enterprise (DBE) Plan being available for 30-day public review in the Department of Planning and Community Development, until April 18, 2011 and comment period open until May 3, 2011.

**BOARD OF SUPERVISORS AUTHORIZES AMENDMENT TO DEPARTMENT OF
PLANNING AND COMMUNITY DEVELOPMENT BUDGET**

RESOLUTION NO. 55-11, moved by Mr. Same, seconded by Mr. Churchill and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, Seneca County has an agreement in place with the Twin Lakes Snowmobile Association to distribute the funds for Snowmobile Trail maintenance received from the New York State Office of Parks, Recreation and Historic Preservation, to the Twin Lakes Snowmobile Association; and

WHEREAS, a check in the amount of \$2,940 has been received from the New York State Department of Parks, Recreation and Historic Preservation for the 70% payment of anticipated funding for the 2010-2011 season; and

WHEREAS, up to an additional \$1,260 is anticipated to be received in late 2011; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on March 8, 2011; now, therefore, be it

RESOLVED, that the Seneca County Treasurer amend the Seneca County Department of Planning and Community Development 2011 Budget as follows:

Create and Add:

#10-135-5-8020-4382 Snowmobile Grants \$4,200

Increase Revenue Account:

#10-319-3-3060 \$4,200; and be it

FURTHER RESOLVED, that the Seneca County Treasurer is authorized and directed to pay the Twin Lakes Snowmobile Association, having offices at 2271 Kraft Road, Ithaca, New York 14850, \$2,940 from account #10-135-5-8020-4382, for initial payment on 2010 – 2011 season; and be it

FURTHER RESOLVED, that the Seneca County Treasurer is authorized and directed to pay the Twin Lakes Snowmobile Association an amount equal to the check to be received from the New York State Department of Parks, Recreation and Historic Preservation, snowmobile division up to \$1,260 from account #10-135-5-8020-4382, for final payment on 2010 – 2011 season, upon receipt of funds from the New York State Department of Parks, Recreation and Historic Preservation.

New Business

Mr. Kaiser made a motion, seconded by Mr. Same and Mr. Davidson and carried that under suspension of the rules, to introduce the following resolutions:

BOARD OF SUPERVISORS AUTHORIZES CHAIRMAN TO OBTAIN STATISTICAL RECORDS FROM RGRTA

RESOLUTION NO. 56-11, moved by Mr. Kaiser, seconded by Mrs. Garlick Lorenzetti and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, the County has reason to believe that persons have been abusing the STS bus system in Seneca County for purposes of circumventing New York State Tax Law by the purchase of untaxed cigarettes and failing to remit the excise and sales tax due on such purchase; and

WHEREAS, the County is a member of the Rochester-Genesee Regional Transit Authority, parent company to the STS bus system; and

WHEREAS, the County in its planning capacity and as such member is entitled to share in statistical information in possession of the RGRTA and/or its subsidiary, STS; now, therefore, be it

RESOLVED, that the Chairman is authorized and directed to demand of the RGRTA on behalf of the County of Seneca as a member of the RGRTA, such statistical information as may be in the possession of the RGRTA or its subsidiary as will permit the County to determine the extent to which the STS system may be or may have been used to violate New York State Tax Laws; and be it further

RESOLVED, that the Chairman is authorized and directed to request that such information be provided for the Board of Supervisors by the time of its next meeting on March 22, 2011; and be it further

RESOLVED, that the Chairman is authorized and directed to request that such information be provided to the Board of Supervisors in the future at or near six month intervals.

BOARD OF SUPERVISORS AUTHORIZES CHAIRMAN TO REQUEST COOPERATION OF RGRTA IN POSTING NOTICES ON STS BUSES WARNING RIDERS OF THE OBLIGATION TO PAY EXCISE AND SALES TAX ON THE PURCHASE OF UNTAXED CIGARETTES
RESOLUTION NO. 57-11, moved by Mr. Kaiser, seconded by Mrs. Garlick Lorenzetti and adopted by 730 ayes and 20 absent (Amidon).

WHEREAS, the County has reason to believe that persons have been abusing the STS bus system in Seneca County for purposes of circumventing New York State Tax Law by the purchase of untaxed cigarettes and failing to remit the excise and sales tax due on such purchase; and

WHEREAS, the County is a member of the Rochester-Genesee Regional Transit Authority, parent company to the STS bus system; and

WHEREAS, the County in its wishes to cooperate with the STS system and RGRTA in preventing this misuse of the STS system; now, therefore, be it

RESOLVED, that the Chairman is authorized and directed to request that RGRTA cooperate with Seneca County in formulating appropriate signage for posting on STS buses operating in Seneca County warning riders of their obligations under the New York State Tax Law to remit to the State of New York excise and sales tax on the purchase of untaxed cigarettes.

Mr. Shipley asked that the previous letters sent regarding opposition to the “Carciери Fix” be resent.

Special Order of the Day

The meeting was adjourned at 8:53 p.m.