

Seneca County Board of Supervisors

Regular Meeting

March 22, 2011

8:00 p.m.

Call to Order

Chairman Lafler called the meeting to order at 8:06 p.m.

Roll Call of Members by the Clerk

All members of the Board answered roll call.

Pledge of Allegiance and Moment of Silence

Presentation

Substance Abuse Prevention Grant: Speakers included Scott S. LaVigne, LCSW-R, MBA, Director of Community Services, Mental Health Department; Karen Beals, Executive Director-Seneca County United Way (who will administer the grant funds); Peter Brown, Seneca County Grant Writer; Mary Grace, Seneca County Substance Abuse Coalition, Rachel Williams, Seneca County Substance Abuse Coalition, and Mary Lou Lang. Also announced Mrs. Amidon is a Charter Member, along with Mike Whitley of the Youth Bureau. There were 31 applications, throughout the state sent from across the state. Seneca County was awarded \$450,000, to be used over the next three years.

Approval of Meeting Minutes

Minutes were approved for the January 25 board meeting and the February 11 and February 22 board meetings

Reports of Standing Committees

Public Safety Committee, Mr. Davidson, Chairman. The Committee referred the following items to the Board of Supervisors: (1) Application to Federal Emergency Management Administration for Smoke Detector Grant; (2) the NYS Division of Homeland Security and Emergency.

Mental Health Committee, Mr. Reynolds, Chairman. The Committee referred the following items to the Board of Supervisors: (1) 2011 Mental Health Services Agency Providers' Contract; (2) Purchase of a 2011 Ford Econoline E150XL

Indian Affairs Committee, Mr. Shipley, Chairman. The Committee had discussion of the ongoing Land-into-Trust issue

Human Services Committee, Mr. Mooney, Chairman. The Committee referred the following items to the Board of Supervisors: (1) recommendations from the Vacancy Committee from March 1<sup>st</sup>: to refill two vacant Social Welfare Examiner (Medicaid) positions; refill vacant Sr. Social Welfare Examiner (Medicaid) position by promotion; refill Social Welfare Examiner (Medicaid) position vacated due to above promotion; refill vacant Child Protective Caseworker position; and fill two Summer Youth

Counselor positions if funding is received. These were also to be approved by the Finance Committee and Standing Committee.

Public Health Committee, Mr. Kubasik, Chairman. The Committee referred the following items to the Board of Supervisors: (1) chairman of the Board of Supervisors Authorized and Directed to sign a contract with NYSDOH for the Lead Poisoning Prevention Program; and (2) Public Health Department to solicit bids for the Annual Household Hazardous Waste Collection Event.

Personnel & Technology Committee, Mr. Same, Chairman. The Committee went into executive session for discussion of employment history of a County employee.

Government Operations Committee, Mr. Kaiser, Chairman. The Committee had discussion regarding the STS statistics regarding usage of bus system to access Lakeside Trading.

Finance, Assessment & Insurance Committee, Mr. Hayssen, Chairman. The Committee referred the following items to the Board of Supervisors: (1) recommendations from the Vacancy Committee from March 1<sup>st</sup>: to refill two vacant Social Welfare Examiner (Medicaid) positions; refill vacant Sr. Social Welfare Examiner (Medicaid) position by promotion; refill Social Welfare Examiner (Medicaid) position vacated due to above promotion; refill vacant Child Protective Caseworker position; and fill two Summer Youth Counselor positions if funding is received. (2) A matter under Suspension of the Rules for the purchase of Caseload Explorer Software for the Probation Department.

#### Chairman's Remarks

Chairman Lafler spoke about the email from Sheriff Stenberg regarding File 525. Chairman Lafler congratulated the Sheriff and all of his fine department, again, for a fine job.

#### County Manager's Remarks

The County Manager reported that the latest sales tax figures were on each desk, along with a report from her on InterCounty last Friday (03/18) at Swain Ski Resort. At the meeting the tax cap was discussed. The next InterCounty meeting will be April 15 in Niagara County. Seneca County will be hosting InterCounty in October (October 21).

#### Communications

39. A copy of the Seneca County Federation of Sportsmen's Clubs, Inc. February 15, 2011 meeting minutes
40. A copy of the Seneca County Planning Board February 10, 2011 meeting minutes
41. A copy of the minutes of the Seneca County Water District public hearing on the District's intention to change the water rates for Seneca County Water District No. 1

42. From Schuyler County Legislature, a copy of Resolution No. 69 titled, "Resolution recognizing the Importance of County Sheriff's Marine Patrol and State Navigational Aid Funding for Services". Referred to the Public Safety Committee.

Resolutions and Motions

**RESOLUTION REQUESTING HOME RULE LEGISLATION FOR EXTENSION OF  
ADDITIONAL 1% SALES TAX**

RESOLUTION NO. 58-11, moved by Mr. Hayssen, seconded by Mr. Kaiser, and adopted by 710 ayes and 40 nays (Hayssen).

WHEREAS, the County of Seneca presently has authority to collect an additional one percent sales tax pursuant to §1210(1)(28) of the New York State Tax Law; and

WHEREAS, such authority expires November 30, 2011; and

WHEREAS, without said additional one percent sales tax, real estate taxes would be significantly further burdened; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors hereby requests our state legislators, Senator Michael Nozzolio and Assemblyman Brian Kolb, to prepare and introduce a Home Rule Statute amending §1210(1)(28) of the New York State Tax Law and giving the County of Seneca authority to extend the additional one percent sales tax to November 30, 2013.

**CONTRACT WITH TWO BROTHERS PRINTING FOR ANNUAL PROCEEDINGS  
OF THE BOARD OF SUPERVISORS**

RESOLUTION NO. 59-11 moved by Mr. Kaiser, seconded by Mr. Davidson and unanimously adopted.

WHEREAS, Two Brothers Printing of Moravia, Inc. was awarded the bid for the Seneca County Legislative proceedings for the years 2005, 2006, 2007, 2008 and 2009; and

WHEREAS, Seneca County reserves the right to extend the contract to include Legislative Proceedings for the years 1992 through 2004, 2010, 2011 and 2012; and

WHEREAS, the cost of the proceedings is \$1.63 per face page for 24 paper copies and 1 CD; and

WHEREAS, the Government Operations Committee approved this resolution at its March 8, 2011 meeting; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the Chairman of the Board to sign the contract between Seneca County and Two Brothers Printing of Moravia, Inc. for the printing of the annual proceedings for the Board of Supervisors for the years 2005, 2006, 2007, 2008 and 2009.

**BOARD OF SUPERVISORS APPROVES PERSONNEL POLICY ON NEPOTISM**

RESOLUTION NO. 60-11, moved by Mr. Same, seconded by Mrs. Amidon and unanimously adopted.

WHEREAS, the County of Seneca wishes to implement a policy designed to avoid the improprieties and appearance of improprieties which might be associated with persons serving in government position in a supervisory position over persons who are related to them; and

WHEREAS, the annexed amendment to the County Policy manual has been reviewed and approved by the Personnel Committee; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors adopts the following policy and directs the Personnel Office to distribute said policies to the employees.

#### Policy Regarding Nepotism

##### I. Purpose:

The employment of family members or persons in close personal relationships in the same area of an organization may cause conflicts and problems with favoritism or the perception of favoritism, and negatively impact morale. Personal conflicts from outside the work environment can be carried over into the day-to-day working relationships. In addition to claims of favoritism, such relationships may weaken or be perceived to weaken internal control procedures, resulting in impropriety or the appearance of impropriety as perceived by other employees or the public.

It is the policy of Seneca County to hire, promote, and transfer employees on the basis of individual merit. We strive to avoid any suggestion of favoritism or discrimination in making employment decisions. The employment of family members or persons in close personal relationships in positions where one has supervisory responsibility or influence over the other's status or job security is regarded as a violation of this policy.

##### II. Definitions:

A "family member" is a spouse (or domestic partner), child, step-child, parent (including foster or step-parent), mother-in-law, father-in-law, sibling, grandparent, grandchild, or other relative who is a member of the same household.

##### III. Policy:

Members of the Board of Supervisors and Administrative Staff (the County Manager, Department Heads, and Deputy Department Heads) are prohibited from influencing the employment (hire, supervision, promotion, transfer, termination, etc.) of anyone who is a family member.

Any employee tasked with interviewing, evaluating, or making hiring recommendations is prohibited from influencing the employment (hire, supervision, promotion, transfer, termination, etc.) of anyone who is a family member.

Administrative Staff are responsible for reviewing employment decisions within their unit and to take reasonable steps to ensure that family members do not occupy positions at any level, higher or lower, in

the same line of authority that might affect the employment decisions, supervision, or the internal controls of the organization.

Seneca County reserves the right to take prompt action if an actual or potential conflict of interest arises that involves family members who occupy positions at any level, higher or lower, in the same line of authority that might affect the employment decisions or the internal controls of the organization.

IV. Procedure:

This policy will be made part of the orientation and training of supervising personnel at the time of appointment or transfer to a supervising position.

Where exceptions are made in compliance with Civil Service Law, counseling will be provided to persons involved in the working relationship. This will include dealing with disciplinary issues and procedures established to prevent weakening internal controls, such as approving timecards, leave requests, and recording of sick leave.

V. Exceptions.

A. Elections Commissioners and their staff. Elections commissioners are nominated by the political parties' organizations, and appointed by the Board of Supervisors. Nothing in this policy should be construed to interfere with this process.

B. County Clerk, County Treasurer, District Attorney, and Sheriff. Elected officials who administer an office or department of Seneca County may appoint any person of their choosing, who is otherwise qualified, to be their deputy.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN A CONTRACT  
WITH CATHY BOND FOR EMERGENCY PREPAREDNESS PLANNING**

RESOLUTION NO. 61-11 moved by Mr. Kubasik, seconded by Mr. Same and unanimously adopted.

WHEREAS, Cathy Bond is a consultant who has been working with the Health Department on Emergency Preparedness Planning for five years; and

WHEREAS, under the Emergency Preparedness Grant (Aug. 10, 2010 to August 9, 2011) her duties include: the assessment of current plans, re-write and updating of local plans, the development of new plans per NYSDOH deliverable contract requirements, the facilitation of drills and exercises and the completion of After Action Reports. She also performs quarterly staff trainings and weekly surveillance at schools, local physician offices. Long Term Care Centers, child care centers and veterinary offices; and

WHEREAS, she will receive \$60 per hour, not to exceed \$35,000 per grant year; and

WHEREAS, the funds for these expenses are in the Public Health budget 10-115-5-4014-4370; and

WHEREAS, the Public Health Services Committee has approved 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 Cathy Bond for consulting work under the Emergency Preparedness Grant.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN  
A SERVICE AGREEMENT BETWEEN SENECA COUNTY HEALTH DEPARTMENT AND  
THE S2AY RURAL HEALTH NETWORK FOR FLPHA MEMBERSHIP**

RESOLUTION NO. 62-11, moved by Mr. Kubasik, seconded by Mrs. Garlick Lorenzetti and unanimously adopted.

WHEREAS, the Seneca County Health Department has been a member of the Finger Lakes Public Health Alliance since 2002; and

WHEREAS, this alliance is a consortium of nine county Health Departments: Seneca, Schuyler, Steuben, Wayne, Ontario, Yates, Chemung, Livingston, and Monroe; and

WHEREAS, this consortium allows the counties to perform emergency preparedness planning as well as the planning and execution of drills and exercises on a regional basis; and

WHEREAS, the funding for this membership is \$2,000 and is included in the Emergency Preparedness Grant 10-115-5-4014-4370; and

WHEREAS, the Public Health Services Committee has approved this service agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the service agreement between the Seneca County Health Department and the S2AY Rural Health Network for FLPHA membership.

**SENECA COUNTY BOARD OF SUPERVISORS APPROVES AND SUPPORTS THE  
SOUTHERN TIER / FINGER LAKES TECHNOLOGY & BROADBAND ALLIANCE**

RESOLUTION NO. 63-11, moved by Mr. Mooney, seconded by Mr. Reynolds and unanimously adopted.

WHEREAS, members of the Southern Tier / Finger Lakes Broadband Alliance and its Project Director attended the March 8, 2011 Seneca County Board of Supervisor's Human Services Committee meeting; and

WHEREAS, this Alliance requests the support of this Board of Supervisors for a project that will greatly expand the ability of counties' community anchor institutions, (Libraries and Workforce Development One Stop Career Centers) by improving their use of rural broadband connectivity and technology; and

WHEREAS, this Alliance consists of the workforce centers and libraries in the ten county region of Broome, Cayuga, Chenango, Cortland, Delaware, Otsego, Seneca, Sullivan, Tioga, Tompkins; and

WHEREAS, this proposed project will provide synergy and seamless integration with a currently funded broadband project of New York State Library and other counties, and support the work of the community anchor institutions in providing greater access to distance learning training and education benefiting the County and regional constituency, workforce, and businesses; and

WHEREAS, the project will also allow County constituents access to their electronic health records (EHR) in time for the federal mandate in 2014; and

WHEREAS, no funding is requested on behalf of the Alliance for this project and reports will be provided back to the committee as the project progresses towards its goals; and

WHEREAS, the Human Services Committee has reviewed and approved this request; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors hereby stands in support of the Southern Tier / Finger Lakes Technology and Broadband Alliance; and be it further

RESOLVED, that the Clerk to the Board of Supervisors send certified resolutions to the following persons in attendance at the meeting and in support of the project: Margaret A. (Peg) Birmingham, Deputy Commissioner, Seneca County Division of Human Services, Workforce Development / Seneca One Stop Career Center, John Vrabel, Deputy Director, Seneca County Workforce Development / Finger Lakes Works, Karen Springmeier Finger Lakes WIB, Kim Iraci, Executive Director, Finger Lakes Library System, Anne Stincie, Director of the Waterloo Library & Historical Society, Sally Eller, Board Member, Finger Lakes Library System, and Lynn Patti, past Board Member, Finger Lakes Library System, as well as Tony Ramos, the Project Leader from Washington, DC.

**SUPERVISORS ACCEPT BID FOR TEMPORARY LABOR FOR  
WEATHERIZATION PROGRAM**

RESOLUTION NO. 64-11 moved by Mr. Mooney, seconded by Mr. Davidson and unanimously adopted.

WHEREAS, the County, as part of the New York State Division of Housing and Community Renewal Weatherization Assistance Program, solicited bids for providing Temporary Labor for the Weatherization Assistance Program; and

WHEREAS, funds have been approved in the 2011 Seneca County Weatherization Program budget (100% Federal & State aid); and

WHEREAS, the Human Services Committee of the Seneca County Board of Supervisors has reviewed and approved this request; and

WHEREAS, one bid has been received from Adecco Employment Services, having principle offices at 101 Genesee Street, Auburn, NY; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby award the Weatherization Assistance Program bid for use of Temporary Labor for the period April 1, 2011 – March 31, 2012 to Adecco Employment Services, having principal offices at 101 Genesee Street, Auburn, New York as follows: 64.9% over pay rate; and be it further

RESOLVED, that the Chairman is authorized and directed to execute a contract with Adecco Employment Services consistent with the bid specifications.

**REPLACEMENT OF MENTAL HEALTH DEPARTMENT VAN**

RESOLUTION NO. 65-11, moved by Mr. Reynolds, seconded by Mr. Same and unanimously adopted.

WHEREAS, the Seneca County Mental Health Department recommends the purchase of a 2011 Ford Econoline E150XL through New York State Contract PC65030 at a cost of \$17,463; and

WHEREAS, the purpose of this purchase is to replace a 2003 Chevrolet Venture with 117,000 miles; and

WHEREAS, the van is used to transport clients to and from appointments at the Mental Health clinics in both Waterloo and Ovid; and

WHEREAS, there are funds available in 2011 Mental Health budget account 10-115-5-4320-2600 for this purchase; and

WHEREAS, eighty percent of this purchase will be offset by state aid; and

WHEREAS, the Board of Supervisors' oversight committee for Mental Health Services has reviewed and recommended the purchase of the aforementioned 2011 Ford Econoline E150XL; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the purchase of a 2011 Ford Econoline E150XL for the Mental Health Department through New York State Contract PC65030.

**BOARD OF SUPERVISORS APPROVES WATER RATES FOR  
SENECA COUNTY WATER DISTRICT NO. 1**

RESOLUTION NO. 66-11, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted by 639 ayes (Davidson, Amidon, Reynolds, Garlick Lorenzetti, Serven, Prouty, Same, Lafler, Churchill, Hayssen, Mooney, Kubasik) and 111 nays (Kaiser, Shipley).

WHEREAS, Seneca County Water District No. 1 currently purchases water from the Town of Varick Water District; and

WHEREAS, the Town of Varick recently passed a resolution increasing the cost of water by \$0.25 per 1,000 gallons (from \$3.09 / 1,000 gallons to \$3.34 / 1,000 gallons), as the result of the Village of Waterloo raising its water rate from \$2.59 / 1,000 gallons to \$2.83 / 1,000 gallons; and

WHEREAS, as a result of the increase in cost to purchase water from the Town of Varick, the Administrator of Seneca County Water District No. 1 proposes water rate increase to the users of the Water District; and

WHEREAS, such increased water rates were subject to a public hearing pursuant to §266 New York State County Law held on March 10, 2011; and

WHEREAS, such water rate increase is subject to approval by the Board of Supervisors under §266 County Law; and

WHEREAS, this resolution was reviewed and approved by the Public Works Committee on January 11, 2011; now, therefore, be it

RESOLVED, that the following water rate changes for users of Seneca County Water District No. 1 are approved, effective with the second quarter billing for 2011:

RESOLVED, that the following water rate changes for users of Seneca County Water District No. 1 are approved, effective with the second quarter billing for 2011:

User	Current Rate	Proposed Rate
SCWD No. 1	\$45.00 for the first 8,000 Gallons & \$5.64/1,000 Gallons After	\$47.00 for the first 8,000 Gallons & \$5.89/1,000 Gallons After
Hamlet of Romulus	\$3.85/1,000 Gallons	\$4.10/1,000 Gallons

And be it further

RESOLVED, that there will be no increases to the operation and maintenance fees at this time.  
New Business:

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

**BOARD OF SUPERVISORS AUTHORIZES HIRING OF CEMETERY REPRESENTATIVE  
AND AMENDS 2011 SENECA COUNTY BUDGET TO REFLECT OPERATIONS AT THE  
SAMPSON VETERANS MEMORIAL CEMETERY**

RESOLUTION NO. 67-11, moved by Mr. Davidson, seconded by Mr. Same and unanimously adopted.

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 \$3.17 million in grant funding to support development of the cemetery; and

WHEREAS, an operating budget must be adopted and staff hired to operate and manage the cemetery; and

WHEREAS, Seneca County desires to hire a Cemetery Representative to manage and oversee the cemetery operations; and

WHEREAS, the 2011 Seneca County Budget will be amended to reflect a newly established Sampson Veterans Memorial Cemetery Department with expenses not to exceed \$254,450 annually; and

WHEREAS, this resolution was reviewed and approved by the Public Works Committee on March 8, 2011 and the Finance, Assessment & Insurance Committee on March 22, 2011; now, therefore, be it

RESOLVED, that the position of Cemetery Representative is hereby established and that the Director of Planning & Community Development is authorized and directed to work with the Seneca County Treasurer to amend the 2011 Seneca County Budget to reflect departmental expenses of \$127,125 as outlined in the Revised Draft Operating Budget presented to the Board on March 22, 2011; and be it further

RESOLVED, that the Sampson Veterans Memorial Cemetery will open on May 21, 2011 with the anticipated internment at the cemetery of the remains of ten veterans of the United States Armed Forces on that date.

**RESOLUTION AUTHORIZES THE PURCHASE OF CASELOAD EXPLORER SOFTWARE**

RESOLUTION NO. 68-11, moved by Mr. Same, seconded by Mr. Davidson and unanimously adopted.

WHEREAS, Seneca County's Probation Department keeps records related to fines and collects restitution payments; and

WHEREAS, the current software program has outlived its useful life and the Information Technology Department has identified a replacement program used in most counties in New York State; and

WHEREAS, the resolution has been reviewed and approved by the Finance, Assessment & Insurance Committee; now, therefore, be it

RESOLVED, the Board authorizes the purchase of Caseload Explorer Software with one year support and associated hardware at an approximate cost of \$41,050.62; and be it further

RESOLVED, the Board authorizes the transfer of \$38,250 from account 10-101-5-1990-4700 to account 10-101-5-3140-2300.

Special Order of the Day

The meeting be adjourned at 8:33 p.m.