

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

May 10, 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

Eleven members of the Board were present. Mr. Kubasik, Mr. Same and Mr. Mooney were not present.

Presentations:

Seneca County Tourism Promotion Agency First Quarter 2011 Report – Jeff Shipley, Executive Director, Seneca County Chamber of Commerce.

Submission of Claims for Audit

Mr. Hayssen moved that the following vouchers having gone through the proper auditing process; that said bills be approved for payment.

Supervisors vouchers	# 953 - 1184	totaling	\$ 351,112.56
OFA vouchers	# 244 - 306	totaling	\$ 76,007.10
Workforce Development vouchers	# 97 - 120	totaling	\$ 39,450.48
Self Insurance vouchers	# 23 & 24	totaling	\$ 4,730.30
Sheriff vouchers	# 271 - 320	totaling	\$ 77,486.80
County Airport vouchers	# 47 - 54	totaling	\$ 10,462.82
Highway Transportation vouchers			
Maintenance & State Snow	# 79 - 103	totaling	\$ 34,659.97
Highway Machinery	# 152 - 190	totaling	\$ 207,428.88
	Highway Total		\$ 242,088.85
Water & Sewer	# 78 - 97	totaling	\$ 20,518.96
Airport Capital vouchers	# 10	totaling	\$ 2,941.14
Veterans Capital vouchers	# 8 - 11	totaling	\$ 36,818.07

Reports of Standing Committees

Planning, Development, Agriculture & Tourism Committee - Mrs. Amidon, Chairperson. The committee approved the (1) Phase III documents for the 2010-2011 snowmobile season and Phase I documents for the 2011-2012 season for Chairman Lafler's signature; and (2) a board resolution to solicit

bids and apply for a Use and Occupancy Permit from New York State to cross through the State's right-of-way for NYS Route 96A underpass for the Cayuga-Seneca Canal Trail project.

Human Services Committee - Mrs. Amidon, Vice-Chairperson. The committee voted to (1) lay on the table the issue of security renovations in the Division of Human Services Temporary Assistance area until the May 24 meeting; (2) approved a resolution proclamation by the Board of Supervisors declaring June 15, 2011 as Elder Abuse Awareness Day in Seneca County; and (3) approved the recommendation of the Vacancy Committee to refill a Caseworker position in the Division of Human Services.

Public Safety Committee - Mr. Davidson, Chairman. The committee approved authorization for the Director of Emergency Services to sign the Regional Partnership Agreement for the Area Rapid Deployment Kit through NYS Homeland Security. The Regional Partnership members in addition to Seneca County are Cayuga County, Schuyler County and Tompkins County.

Public Works Committee, - Mr. Davidson, Chairman. The committee approved (1) a bid proposal in the amount of \$11,556 to install underground sanitary and vent piping and a proposal in the amount of \$8,516 to supply and install domestic water service from HMI Mechanical Systems, Inc., with offices in Lyons, NY; (2) an offer from PLAN Architecture, Rochester, New York, to provide donated services to evaluate existing property conditions, recommend potential future uses, as well as schematic design concepts, for the former Steam Plant building at the Sampson Veterans Memorial Cemetery site. PLAN donates its services to a project each year and has offered to make the Steam Plant at Sampson this year's project. PLAN has been the architectural firm of record for the project to date; and the committee (3) met in executive session under §§105(1)(d) and 108(3) Public Officers Law in order to discuss possibility of litigation and to take advice of counsel in regard to the proposed reorganization of the Western Finger Lakes Solid Waste Authority.

Mental Health Services Committee - Mr. Reynolds, Chairman. The committee approved the recommendation of the Vacancy Committee to refill a vacant position for a Psychiatric Social Worker in the mental health department.

Indian Affairs Committee, - Mr. Shipley, Chairman. Phil Spellane, Esq., of Harris Beach, PLLC attended the meeting. A brief discussion took place regarding the decision by the U.S. Second Circuit Court of Appeals allowing New York State to begin collecting excise and sales taxes on cigarettes sold by the Cayuga Indian Nation, only to be blocked by State Supreme Court Justice Siweck of Buffalo who granted the Seneca Indian Nation a temporary injunction halting any tax collection efforts by the state. The committee entered executive session to discuss pending litigation with the supervisors, Mr. Spellane, the County Manager and the County Attorney, Executive Director of the Chamber of Commerce and members of the Indian Affairs Citizen Advisory Group.

Public Health Services Committee - Mr. Churchill, Committee member. The committee approved (1) a board resolution authorizing the Health Department to file an application for DEC assistance and authorizing the Chairman of the Board of sign the necessary documents; (2) approved authorization by the Board of Supervisors to release \$10,000 to New York State from the Emergency Preparedness Grant for H1N1 that will not expended by the end of the grant period; (3) approved authorization to accept \$95,207 for the period April 1, 2011 through March 31, 2012 for the Water Enhancement Grant.

Personnel & Technology Committee - Mr. Churchill, Committee member. The Personnel and Technology Committee met in executive session to discuss the employment history of county employees.

Finance, Assessment & Insurance Committee - Mr. Hayssen, Chairman. The committee approved (1) a contract to fund \$2,500 for Mercy Flight Central, Inc. for 2011; and (2) approved the recommendation of the Vacancy Committee to refill a Psychiatric Social Worker position in Mental Health and refill a Caseworker position in the Division of Human Services.

Chairman's Remarks

Chairman Lafler said a Roundtable Meeting was held on April 29, 2011 to gain insight from the private sector to help guide the economic development efforts of Seneca County Government and non-profit agencies. One of the issues discussed was development of sewer lines for the Rt. 318 / 414 corridor. Chairman Lafler said another meeting with all supervisors invited would be scheduled in the future. Mr. Churchill asked that copies of the minutes of the meeting be distributed to the supervisors.

Mr. Shipley was recognized by the Chairman. Mr. Shipley requested that Robert Aronson, Executive Director of the Seneca County IDA attend a meeting of the Board of Supervisors and give a report on the activity of the IDA on a regular basis.

A discussion about the IDA meetings concluded that the meetings are public and any supervisor has the option to attend. Although Seneca County partially funds the IDA, the IDA Board is a separate public body. If the meeting of the IDA Board is held in executive session, only the members of the IDA Board and those they invite into executive session are allowed to attend the executive session.

Communications:

The following communications were received and filed:

55. A copy of the Seneca County Board of Health April 20, 2011 meeting minutes.
56. A copy of the Seneca County IDA March 28, 2011 meeting minutes.
57. A copy of the Seneca County Soil & Water Conservation District March 28, 2011 meeting minutes.
58. A copy of the Seneca County Planning Board April 14, 2011 meeting minutes.
59. From Senator Michael Nozzolio, an email, subject: Update from Senator Nozzolio on U. S. Second Circuit Court of Appeals Decision Enforcing Equal Sales Tax Collection; with a statement from Governor

Cuomo's office, "As a result the U. S. Court of Appeals decision, the State Department of Taxation and Finance has posted the regulations governing collection of sales taxes on cigarettes sold to non-tribal members. The state will begin enforcing the regulations immediately."

60. A copy of the Seneca County Tourism Promotion Agency Report 2011 Program Year 1st Quarter.

61. From State Assembly Minority Leader, acknowledgement of receipt of Seneca County Resolution No. 84-11, urging the New York State Department of Environmental Conservation to maintain the Stormwater Management Specialist position for the five counties that comprise Region 8.

62. From Oswego County Legislature, a certified copy of Resolution No. 055, In Opposition to the Usurpation of the Assets of the Western Off Track Betting Corporation. Referred to the Government Operations Committee.

63. From Mary Anne Kowalski, an email with information and link to application process for State Animal Population Control Funding requesting that Seneca County will submit a letter of inquiry and work with Beverly Animal Shelter and other animal welfare groups and concerned citizens in the county to make Spay and Neuter services available and accessible to low income residents in Seneca County. Referred to the Public Health Services Committee.

RESOLUTIONS AND MOTIONS

SENECA COUNTY BOARD OF SUPERVISORS APPROVES CONTRACT WITH MERCY FLIGHT CENTRAL, INC.

RESOLUTION NO. 94-11, moved by Mr. Hayssen, seconded by Mr. Davidson and adopted.

WHEREAS, the Board of Supervisors is keenly aware of the need for rapid emergency response and transport for victims of serious accidents or who have otherwise received life-threatening injury; and

WHEREAS, Mercy Flight Central, Inc. is a not-for-profit corporation providing essential transport for victims of such accidents or injury in central New York; and

WHEREAS, it is the desire of the Board of Supervisors to maintain access by Seneca County residents to such vital emergency services; and

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

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to enter into a contract on behalf of the County for the services of Mercy Flight Central, Inc., consideration for which contract shall be payment by the Treasurer of the sum of \$2,500.00; and it is further

RESOLVED, that the Treasurer is authorized to pay such sums to Mercy Flight Central, Inc. on behalf of the County.

BOARD OF SUPERVISORS AUTHORIZES APPROPRIATIONS IN THE AMOUNT OF \$4,500 FOR SAMPSON VETERANS MEMORIAL CEMETERY ASSOCIATION AND TRANSFER OF

**FUNDS FROM PRIVATE ACCOUNT TO REIMBURSE CAPITAL ACCOUNT FOR WEBSITE
DEVELOPMENT (DEFEATED)**

RESOLUTION NO. 95-11, moved by Mr. Hayssen, seconded by Mrs. Amidon and defeated by 184 nays (Garlick Lorenzetti, Serven, Churchill), 375 ayes (Hayssen, Amidon, Reynolds, Davidson, Prouty, Kaiser, Lafler, Shipley) and 191 not present (Same, Mooney, Kubasik).

WHEREAS, Seneca County is currently holding in trust privately raised funds which have been donated to assist in the development of the Sampson Veterans Memorial Cemetery; and

WHEREAS, the Board of Supervisors has established a policy for appropriating these funds which provides for requests to be submitted by the Sampson Veterans Memorial Cemetery Association to the Seneca County Board of Supervisors; and

WHEREAS, the Association is requesting that the sum of \$4,500 be transferred to its account to support physical development of the cemetery; and

WHEREAS, private fund reimbursement in the amount of \$2,653.99 is necessary to provide for expenses associated with the development of the cemetery's website that were initially paid for out of the project's capital account; and

WHEREAS, this Resolution has been reviewed and approved by the Finance, Assessment & Insurance Committee on April 26, 2011; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the appropriation of \$4,500.00 for use by the Sampson Veterans Memorial Cemetery Association for physical development and the transfer of funds from the private account to the capital account in the amount of \$2,653.99 to cover the cost of website development.

During the discussion of the preceding resolution, Mr. Churchill stated that he would be voting nay because he had not seen a proposed budget for the cemetery.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A CONTRACT WITH DEC FOR FINANCIAL ASSISTANCE FOR HOUSEHOLD
HAZARDOUS WASTE COLLECTION DAY**

RESOLUTION NO. 96-11, moved by Mr. Churchill, seconded by Mr. Davidson and adopted.

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, Seneca County, herein called the Municipality, has examined and duly considered the applicable laws of the State of New York, and the Municipality deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between the People of the State of New York, herein called the State, and the Municipality be executed for such state-aid; now, therefore, be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed, as the official representative of the Municipality, to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if said application is approved by the State; and be it

FURTHER RESOLVED, that the County of Seneca agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the state share of such costs; and be it

FURTHER RESOLVED, that five (5) certified copies of this resolution will be forwarded to the New York State Department of Environmental Conservation together with a completed application; and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

**SUPERVISORS AMEND FEE SCHEDULE FOR SERVICES PROVIDED BY
SENECA COUNTY DEPARTMENT OF CODE ENFORCEMENT**

RESOLUTION NO. 97-11, moved by Mr. Churchill, seconded by Mr. Reynolds and adopted.

WHEREAS, Seneca County provides code enforcement services to all towns and villages within the County; and

WHEREAS, fees are charged for various permits which are required by New York State or by Seneca County Local Law; and

WHEREAS, adjustments to the fee schedule are necessary to reflect new requirements and changing needs; and

WHEREAS, the fee schedule is amended as follows:

Minor Commercial Remodeling, Cost of Project \$3,000 or less	\$ 75.00
Minor Commercial Remodeling, Cost of Project \$3,001 to \$6,000	\$150.00
Swimming Pool	\$ 25.00
Swimming Pool w/Deck over 140 sf	\$100.00
Accessory Buildings, over 140 sf to 200 sf	\$ 25.00
Lift Stop Work Order – Repeat Offender	\$200.00
A Occupancy Annual Operating Permit	\$ 25.00
B Occupancy Tri-Annual Operating Permit	\$ 25.00
F Occupancy Tri-Annual Operating Permit	\$ 50.00
H Occupancy Annual Operating Permit	\$ 50.00
I Occupancy Annual Operating Permit	\$No Fee
M Occupancy Tri-Annual Operating Permit	\$ 25.00
R Occupancy Tri-Annual Operating Permit	\$ 15.00

S Occupancy Tri-Annual Operating Permit

\$ 25.00

WHEREAS, this Resolution has been reviewed and approved by the Public Health Services Committee on October 12, 2010 and April 26, 2011; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors amends the Fee Schedule for permits issued by the Seneca County Department of Code Enforcement.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A BUDGET AMENDMENT WITH HEALTH RESEARCH, INC.**

RESOLUTION NO. 98-11, moved by Mr. Churchill, seconded by Mr. Serven and adopted.

WHEREAS, \$25,000 of the Emergency Preparedness Grant budget is specifically restricted to H1N1 related expenses only; and

WHEREAS, the Health Department will not be able to fully expend these funds prior to the end of the current grant period (through August 9, 2011); and

WHEREAS, the Health Department will be releasing \$10,000 of this grant back to New York State; and

WHEREAS, the Chairman of the Board of Supervisors must sign a budget amendment; and

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the budget amendment with Health Research, Inc.

**BOARD OF SUPERVISORS AUTHORIZES AND DIRECTS THAT BIDS BE SOLICITED FOR
THE DEMOLITION OF A CERTAIN BUILDING LOCATED AT 2121 ORCHARD STREET IN
THE VILLAGE OF LODI THAT HAS BEEN DETERMINED TO BE AN UNSAFE BUILDING**

RESOLUTION NO. 99-11, moved by Mr. Churchill, seconded by Mr. Davidson and adopted.

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 2121 Orchard Street in the Village of Lodi, 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 October 26, 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 October 18, 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 April 26, 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.

During the discussion of the preceding resolution, Mr. Kaiser asked if the owners of the property had made any effort to improve the property as they stated at the public hearing. Mr. Rowe, Director of Economic Planning and Community Development said that initial efforts were made on the part of the property owners however they ceased long before the snow and winter months.

SUPERVISORS RECOGNIZE COMPLETION OF SHARED SERVICES AGREEMENT WITH THE TOWN OF FAYETTE FOR LAND USE ENFORCEMENT AND AMEND THE 2011 DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT BUDGET TO ACCOUNT FOR REVENUES TO BE RECEIVED FROM TOWN OF FAYETTE
RESOLUTION NO. 100-11, moved by Mr. Churchill, seconded by Mrs. Garlick Lorenzetti and adopted.

WHEREAS, Seneca County and the Town of Fayette entered into an Inter-Municipal Agreement for the provision of Land Use Enforcement in 2009; and

WHEREAS, this Agreement was initiated in conjunction with a Shared Services Grant from the New York State Department of State to study the potential for County-wide land use enforcement; and

WHEREAS, the Shared Services Study has been completed and shared land use enforcement at the County level is not an appropriate service delivery model for Seneca County; and

WHEREAS, the Seneca County – Town of Fayette Agreement will end on or about May 12, 2011; and

WHEREAS, the County will be invoicing the Town of Fayette for services provided in 2010 and 2011; and

WHEREAS, Seneca County will provide reasonable and necessary support through the Town's transition to resuming land use enforcement for itself; and

WHEREAS, the 2011 Budget of the Seneca County Department of Planning and Community Development will be amended to reflect the revenue derived from the Town of Fayette for these services

(Account No. 10-135-5-8020-1200) and an equal amount will be amended in the Department's Contractual Services Account (Account No. 10-135-5-8020-4580); and

WHEREAS, this resolution has been reviewed and approved by the Public Health Services Committee on April 26, 2011; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors recognizes the completion of the Seneca County – Town of Fayette Land Use Enforcement Agreement and approves amendments to the Seneca County Department of Planning and Community Development 2011 Budget to reflect the revenues derived by the County in providing these services.

After the preceding resolution was adopted, Mrs. Amidon asked if the Town of Fayette had been billed for Mr. Rowe's time. Mr. Rowe answered that the resolution is for billable hours and he believes it will be an "even wash".

**BOARD OF SUPERVISORS TO PROCLAIM THE MONTH OF MAY
"ONE STOP MONTH" FOR SENECA COUNTY**

RESOLUTION NO. 101-11, moved by Mrs. Amidon, seconded by Mr. Davidson and adopted.

WHEREAS, the Workforce Investment Act of 1998 authorizes Local Workforce Investment Boards and Chief local elected officials to create One-Stop Career Centers within local Workforce Investment Areas; and

WHEREAS, Finger Lakes Works One-Stop Centers, including the Seneca County site, opened their doors on July 1, 2000 and provide valuable services to this community by connecting businesses with workers and job seekers with jobs; and

WHEREAS, the Finger Lakes Works One-Stop Centers help job seekers acquire skills, find jobs, find skilled workers for our businesses and helps our businesses upgrade the skills of their existing workforce; and

WHEREAS, in calendar year 2010, the Finger Lakes Works One-Stop Centers assisted 10,845 people in finding jobs and 490 businesses find skilled workers; and

WHEREAS, to acknowledge the achievements and the valuable services the Finger Lakes Works One-Stop Centers provide to the citizens of this community; and

WHEREAS, this proclamation has been reviewed by the Human Services Committees; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors proclaims the month of May as "One Stop Month" for the County of Seneca; and be it

FURTHER RESOLVED, that certified copies of this resolution be sent by the Clerk of this Board to the Finger Lakes Workforce Investment Board, Senator Charles Schumer, Senator Kirsten Gillibrand,

Congressman Richard Hanna, New York State Senator Michael Nozzolio and New York State Assembly Minority Leader Brian Kolb.

**BOARD OF SUPERVISORS TO APPROVE THE PURCHASE OF
16 DESKTOP COMPUTERS FOR THE DIVISION OF HUMAN SERVICES**

RESOLUTION NO. 102-11, moved by Mrs. Amidon, seconded by Mr. Shipley and adopted.

WHEREAS, the Division of Human Services requested authorization to purchase 16 Nexlink 3325 series Intel Desktop Computers at \$1,168.00 each for a total of \$18,688.00; and

WHEREAS, this purchase is currently budgeted in the 2011 budget; and

WHEREAS, these computers replace 16 computers that are in need of replacement per recommendation by the Information Technology Department (IT) in 2010 and will be paid from the following accounts:

Temporary Assistance	10-125-5-6001	\$15,184.00
Accounting / Administration	10-125-5-6020	\$ 3,504.00; and

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

RESOLVED, that the Seneca County Board of Supervisors approves the purchase of 16 Desktop Computers for the Division of Human Services.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN
IGNITION INTERLOCK MONITORING PROGRAM CONTRACT WITH
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES**

RESOLUTION NO. 103-11, moved by Mr. Davidson, seconded by Mr. Serven and adopted.

WHEREAS, to enhance public safety by engaging in Breath Alcohol Ignition Interlock Device monitoring activities for adult DWI offenders, New York State recognizes there is a cost to localities; and

WHEREAS, New York State Division of Criminal Justice Services has awarded contracts to each locality for providing monitoring activities; and

WHEREAS, for the grant period October 1, 2011 – September 30, 2011, New York State Division of Criminal Justice Services has awarded Seneca County up to \$14,103.00; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign the contract between New York State Division of Criminal Justice Services and Seneca County for the Ignition Interlock Monitoring Program.

During the discussion of the preceding resolution, it was clarified for the supervisors that the courts determine whether an individual is indigent based on facts and application made to the court by the individual. If the person is deemed indigent, payment of any type cannot be sought from the person. The \$14,103.00 is grant money and not tax money. This is a mandated program from New York State.

**SENECA COUNTY SUBMITS APPLICATION FOR
STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT**

RESOLUTION NO. 104-11, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted.

WHEREAS, the New York State Division of Homeland Security and Emergency Services (DHSES) has published the competitive 2011 Statewide Interoperable Communications Grant Program application due May 17, 2011; and

WHEREAS, the Seneca County Office of Emergency Services intends to apply for up to \$2,000,000 in funds for two projects: (1) to complete county-wide emergency service narrow-band communications upgrades to Seneca County and Town Highway Department radio equipment; and (2) to purchase simulcast transmitter / repeater equipment that will enhance emergency services radio communication and facilitate inter-agency radio communication with Yates and Cayuga County fire services; and

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

WHEREAS, this resolution was reviewed and approved by the Public Safety Committee on April 26, 2011; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign any and all documents necessary to apply for up to \$2,000,000 in funds to the 2011 Statewide Interoperable Communications Grant Program from the New York State Division of Homeland Security and Emergency Services (DHSES).

Mr. Davidson made a motion, seconded by Mr. Kaiser to adopt the following resolution.

Mr. Hayssen stated that he would not support the resolution because of several issues relating to the bathroom facilities remain unresolved, including but not limited to the completion of a Public Health report, cost to treat the water, can the work be done in-house.

Mr. Kaiser made a motion that the Main Motion be laid on the table. Mr. Prouty seconded the motion. The motion that the Main Motion be laid on the table was defeated by 275 nays (Reynolds, Garlick Lorenzetti, Serven, Churchill, Hayssen), 284 ayes (Kaiser, Prouty, Davidson, Lafler, Amidon, Shipley) and 191 not present (Same, Mooney, Kubasik).

**BOARD OF SUPERVISORS AUTHORIZES CONTRACT FOR ADDITIONAL BUILDING
RENOVATION AND CONSTRUCTION WORK AT SAMPSON
VETERANS MEMORIAL CEMETERY SITE (DEFEATED)**

RESOLUTION NO. 105-11, moved by Mr. Davidson, seconded by Mr. Kaiser and defeated by 284 nays (Garlick Lorenzetti, Serven, Churchill, Hayssen, Shipley), 275 ayes (Davidson, Kaiser, Reynolds, Prouty, Lafler, Amidon) and 191 not present (Same, Mooney, Kubasik).

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

WHEREAS, additional work to provide water and sanitary plumbing is necessary; and

WHEREAS, HMI Mechanical Systems, Inc. of Lyons, NY submitted a proposal for these services in the amount of \$20,072.00; and

WHEREAS, the Seneca County Board of Supervisors does hereby accept the proposal from HMI Mechanical Systems, Inc. for additional construction work in an amount not to exceed \$20,072.00; and

WHEREAS, this resolution has been reviewed and approved by the Public Works Committee and Finance, Assessment & Insurance Committee on May 10, 2011; now, therefore, be it

RESOLVED, the Chairman of the Seneca County Board of Supervisors is authorized and directed to sign all necessary documentation to enter into an amended contract with HMI Mechanical Systems, Inc., for additional construction work at the Sampson Veterans Memorial Site.

RESOLUTION AUTHORIZING COMMUNITY DEVELOPMENT

BLOCK GRANT (CDBG) LOAN TO LLOYD DEAL

RESOLUTION NO. 106-11, moved by Mrs. Amidon, seconded by Mr. Davidson and adopted.

WHEREAS, Seneca County has received Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development (HUD) to make development loans; and

WHEREAS, businesses to whom these monies have been loaned are repaying the loans, thereby establishing a revolving loan fund for business development and job creation and retention; and

WHEREAS, a loan application has been reviewed by the CDBG Revolving Loan Fund Committee and found to be satisfactory and in full compliance with regulations and guidelines applicable to the CDBG Revolving Loan Fund Program; and

WHEREAS, this \$90,000 loan will be used to purchase equipment which will assist in the retention of 20 full-time jobs at Deal's Food Land Store located at 20 East Bayard Street, Seneca Falls, New York; and

WHEREAS, this resolution has been approved by the Planning, Development, Agriculture & Tourism Committee on April 26, 2011; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors approves the proposed loan for the sum of ninety thousand dollars (\$90,000) under the CDBG Program from funds account no. 272017469

under the terms and conditions provided for such loans through the Department of Housing and Urban Development and the CDBG Revolving Loan Fund Committee and authorizes the Chairman of the Board of Supervisors to sign the closing documentation.

**RESOLUTION AUTHORIZING COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) LOAN TO NORBERT HAUSNER**

RESOLUTION NO. 107-11, moved by Mrs. Amidon, seconded by Mr. Churchill and adopted.

WHEREAS, Seneca County has received Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development (HUD) to make development loans; and

WHEREAS, businesses to whom these monies have been loaned are repaying the loans, thereby establishing a revolving loan fund for business development and job creation and retention; and

WHEREAS, a loan application has been reviewed by the CDBG Revolving Loan Fund Committee and found to be satisfactory and in full compliance with regulations and guidelines applicable to the Revolving Loan Fund Program; and

WHEREAS, this \$50,000 loan will help expand the business, River Park Commons owned by Norbert Hausner, and assist in the creation of 3 full-time and 8 part-time jobs at the business located at 1310 Waterloo-Geneva Road, Waterloo, New York; and

WHEREAS, this resolution has been approved by the Planning, Development, Agriculture & Tourism Committee on April 26, 2011; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors approves the proposed loan for the sum of fifty thousand dollars (\$50,000) under the CDBG Program from funds account no. 2720310840 under the terms and conditions provided for such loans through the Department of Housing and Urban Development and the CDBG Revolving Loan Fund Committee and authorizes the Chairman of the Board of Supervisors to sign the closing documentation.

New Business

The Clerk of the Board was directed to contact NYSAC regarding the errors relating to the contact information for Seneca County in its 2011 Directory and have them corrected.

Mr. Rowe was recognized by the Chairman. He asked how he could bring the two resolutions that were defeated (Resolution No. 95-11 and 105-11) back to the Board of Supervisors for reconsideration. He said he needed direction from the supervisors because they voted down for the County to be reimbursed \$2,653.99 for website development; and the other resolution was for bathrooms, which will be necessary if the cemetery opens.

Chairman Lafler directed Mr. Davidson, Chairman of the Public Works Committee to have both issues readdressed at the meetings on May 24.

A lengthy discussion about the cemetery ensued. Issues involved in the discussion included another proposed budget for the cemetery should be developed for the supervisors to review; the \$3.1 million grant money that was received for the veterans project and if it needed to be refunded to New York State if the project isn't completed. The County Attorney stated that he believed the money would need to be refunded; the operation of the cemetery and what agency would be responsible.

Following the discussion, it was agreed that a Task Force would be created for the purpose of addressing a budget for the cemetery. Those supervisors interested in serving on such a task force are Mr. Churchill, Mr. Hayssen, Mr. Shipley and Mrs. Garlick Lorenzetti.

Special Order of the Day

The meeting was adjourned at 9:50 p.m.