

Seneca County Board of Supervisors

Regular Meeting

June 28, 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

All members of the Board answered roll call.

Pledge of Allegiance and Moment of Silence

Presentation

a. The Seneca County Sheriff's Office Do the Right Thing Award was given to William F. Petrie, age 14 by Sheriff Stenberg for rescuing a woman from a burning car on June 21, 2011.

b. David Dresser, resident and former supervisors, Town of Ovid, urged the Board of Supervisors to charge for burials of veterans and dependents and to amend the resolution on the evening's agenda to state "burial fess in the amount of \$500 per veteran, and \$900 per dependent shall be charged."

Reports of Standing Committees:

Finance, Assessment & Insurance Committee - Mr. Hayssen, Chairman. The Committee approved (1) the distribution of \$5,400 to the Seneca County Agricultural Society to assist in the funding of the county fair.

Human Services Committee - Mr. Mooney, Chairman. The Committee approved (1) awarding the bid for temporary labor for the Weatherization Assistance ARRA Program to Adecco of Auburn, NY; (2) approved the agreement with the Youth Advocate Program, Inc. for Supervision and Treatment Services for Juveniles Program (STSJP). Seneca County was allocated \$40,304.00 to execute the program. The Division of Human Services would like to contract with the Youth Advocate Program, Inc. to serve up to 8 at-risk youth, PINS and juvenile delinquents referred by the Seneca County Probation Department in order to divert these youth from detention or residential care. The total cost for this agreement will not exceed \$30,000.00. The remaining \$10,304.00 will be used to purchase 3 monitoring bracelets and respite services.

The Committee also heard from the Commissioner of Human Services, Charles Schillaci, a summary of the Volunteer Income Tax Assistance (VITA) Program. For this year, the County partnered with the United Way. Three hundred twenty-eight returns were completed for a total refund (federal & state) of \$509,317.00.

Planning, Development, Agriculture & Tourism Committee - Mrs. Amidon, Chairperson. The Committee approved (1) awarding the bid for the Finger Lakes Regional Airport Utility Vehicle to Empire Tractor, with offices in Waterloo, NY for \$14,672.

Public Works Committee - Mr. Davidson, Chairman. The Committee (1) approved awarding the bid for seven dry suits and seven undergarments Safety Dive Team to Finger Lakes Scuba, Auburn, NY in amount of \$12,034.40, which is 100% reimbursable from the 2009 SLETPP Homeland Security Grant.

The Committee also held a brief discussion regarding the implementation of a \$ 0.30 surcharge for wireless phones. No action was taken. The Committee will readdress the issue at its next meeting.

Public Works Committee - Mr. Davidson, Chairman. The Committee approved (1) a proposal from HMI Mechanical, Inc. of Lyons, NY in the amount of \$29,396 to provide the work relating to HVAC, water service and sanitary plumbing to the Administration Building, which will be utilized in Phase One for Public Restrooms; approved (2) a proposal has been received from Suit-Kote Corporation of Cortland, NY in the amount of \$25,000 for applying a ground cover of oil, stone and fog the approximately 1.3 miles of roads within the Phase One area.

Indian Affairs Committee - Mr. Shipley, Chairman. The Committee did not meet due to lack of time. Mr. Shipley stated that the temporary restraining orders issued by the New York State Supreme Court, Appellate Division Fourth Department, on June 9, 2011 and June 10, 2011, were vacated and the motion for a preliminary injunction pending appeal was denied resulting in wholesalers being required to collect the cigarette excise tax and prepaid sales tax on all cigarettes sold for resale on an Indian reservation to non-Indians and non-members of an Indian nation or tribe.

Personnel & Technology Committee – Mr. Same, Chairman. The Committee approved advertising for the County Manager position. It also met in Executive Session in order to discuss collective negotiations pursuant to Article 14 of the Civil Service Law, and To discuss the employment and salary history of an individual. No action resulted.

Approval of Meeting Minutes:

The minutes of the May 10 and May 24 board meetings were approved.

County Manager's Remarks

County Manager Sinclair stated that budget workshops for the 2012 budget would be less formal as the previous year. Nick Sciotti will be available to assist with the budget preparation

Communications

81. From the Town of Varick, a copy of a letter dated June 9, 2011 to Joanne Davis, Hillside Family of Agencies, regarding the placement of a fence that once existed around the Hillside campus in order to help deter access to surrounding properties.

82. From Suzanne Sinclair, a letter of resignation effective July 22, 2011.

83. A copy of the Seneca County Board of Health June 15, 2011 meeting minutes.

84. A copy of the Seneca County Federation of Sportsmen's Clubs, Inc., May 17, 2011 meeting minutes.

85. From Melanie Wickham, Show Manager, Empire Farm Days, a letter dated June 14, 2011 requesting the requirements of the local law relating to mass gatherings be waived during the Empire Farm Days event August 9, 10 & 11, 2011. Referred to the Government Operations Committee.

RESOLUTIONS AND MOTIONS

TREASURER AUTHORIZED TO ISSUE FUNDING FOR 2011 COUNTY FAIR

RESOLUTION NO. 139-11, moved by Mr. Hayssen, seconded by Mr. Davidson, and adopted.

WHEREAS, the Board of Supervisors wishes to maintain the tradition of the Seneca County Fair; and

WHEREAS, the Seneca County Agricultural Society has organized and operated the Seneca County Fair annually for many years; and

WHEREAS, this resolution has been reviewed and approved by the Finance Committee on June 28, 2011; now, therefore, be it

RESOLVED, that the Treasurer is authorized to issue funding to the Seneca County Agricultural Society, from the County budget for 2011, the sum of \$5,400.00 toward the organization and operation of the 2011 Seneca County Fair; and be it further

RESOLVED, that the Seneca County Agricultural Society provide a report and accounting of the expenditure of said funds to the County Treasurer within ninety days following the conclusion of the 2011 Seneca County Fair.

BOARD OF SUPERVISORS ADVERTISE FOR POSITION OF SENECA COUNTY MANAGER

RESOLUTION NO. 140-11, moved by Mr. Same, seconded by Mr. Shipley and adopted.

WHEREAS, County Manager Suzanne Sinclair has submitted her resignation as County Manager, effective July 22, 2011; and

WHEREAS, it will be necessary for the Board to appoint a successor to the current County Manager; and

WHEREAS, this resolution has been reviewed and approved by the Personnel Committee on June 28, 2011; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby directs the Personnel Department to publish advertisements soliciting applications for the position of Seneca County Manager.

BOARD OF SUPERVISORS TO APPROVE THE 2011 RESOURCE ALLOCATION PLAN FOR STATE AID FUNDING FOR YOUTH PROGRAMS

RESOLUTION NO. 141-11, moved by Mr. Mooney, seconded by Mrs. Amidon and adopted.

WHEREAS, the Resource Allocation Plan is an annual plan that is submitted to the New York State Office of Children and Family Services to receive state aid funding for youth programs; and

WHEREAS, the Youth Bureau received their projected 2011 allocation and the Youth Board Resource Allocation Committee met on January 21, 2011 to allocate the funds; and

WHEREAS, the Seneca County Youth Board approved the projected 2011 Resource Allocation Plan for State Aid at their January 24, 2011; and

WHEREAS, in February these allocations were rescinded due to State budget negotiations; and

WHEREAS, in May, Seneca County received their revised allocations from New York State which included Seneca County receiving Quality Enhancement Funding, which increased the projected allocation; and

WHEREAS, the 2011 allocation for Seneca County is \$101,350.00; and

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

RESOLVED, the Seneca County Board of Supervisors authorizes the approval of the 2011 Resource Allocation Plan for State Aid Funding for Youth Programs; and be it

FURTHER RESOLVED, the Chairman of the Board is authorized and directed to sign the 2011 Resource Allocation Plan for State Aid Funding for Youth Programs.

CHAIRMAN OF THE BOARD TO SIGN AGREEMENT BETWEEN THE DIVISION OF HUMAN SERVICES AND THE YOUTH ADVOCATE PROGRAM, INC. FOR SUPERVISION AND TREATMENT SERVICES FOR JUVENILES PROGRAM (STSJP)

RESOLUTION NO. 142-11, moved by Mr. Mooney, seconded by Mrs. Amidon and adopted.

WHEREAS, the NYS Office of Children and Family Services (OCFS) allocated \$40,304.00 to Seneca County in order to execute the Supervision and Treatment Services for Juveniles Program (STSJP); and

WHEREAS, the Division of Human Services (DHS) was designated by the County Manager to be the lead agency; and

WHEREAS, DHS would like to contract with the Youth Advocate Program, Inc., to serve up to 8 at-risk youth, PINS and juvenile delinquents referred by the Seneca County Probation Department in order to divert those youth from detention or residential care; and

WHEREAS, the total cost for this agreement will not exceed \$30,000.00; and

WHEREAS, the remaining \$10,304.00 will be used to purchase 3 monitoring bracelets and respite services; and

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

RESOLVED, the Seneca County Board of Supervisors authorizes the approval the agreement between the Division of Human Services and Youth Advocate Program, Inc. for STSJP; and be it

FURTHER RESOLVED, the Chairman of the Board is authorized and directed to sign the agreement between the Division of Human Services and Youth Advocate Program, Inc., for STSJP.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH
IMMUNIZATION PROGRAM FOR THE IMMUNIZATION ACTION PLAN**

RESOLUTION NO. 143-11, moved by Mr. Kubasik, seconded by Mr. Mooney and adopted.

WHEREAS, the New York State Department of Health has awarded the Health Department \$30,000.00 for the administration of the Immunization Action Plan for Seneca County; and

WHEREAS, the grant period is April 1, 2011 through March 31, 2012; and

WHEREAS, in order to receive this funding it is necessary for the Chairman of the Board of Supervisors to sign the contract; and

WHEREAS, this funding is included in the Health Department budget 10-115-5-4012; and

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with the New York State Department of Health.

**CREATE AND FILL ONE PART-TIME LABORER POSITION FOR
THE SHERIFF'S LAW ENFORCEMENT CENTER**

RESOLUTION NO. 144-11, moved by Mr. Davidson, seconded by Mr. Mooney and adopted.

WHEREAS, the Seneca County Sheriff has requested the creation and filling of one part-time position for a Laborer at the Law Enforcement Center (LEC); and

WHEREAS, the LEC is four years old and has begun to show wear and tear of a 24 / 7 operating building; and

WHEREAS, presently two employees are responsible for the interior maintenance, equipment maintenance, lawn care, snow removal, floor care and all preventive maintenance as well as any special projects that may arise; and

WHEREAS, the Building Maintainer needs to be able to spend time training the Building Mechanic to become more familiar with the equipment that keeps the building operating as the building contains a lot of high tech equipment and it is critical that more than one person is familiar with the systems to be able to diagnose problems and proper steps to be taken to either repair or contact proper maintenance personnel; and

WHEREAS, this position would free up the Building Mechanic from outside duties such as snow removal and lawn care; and

WHEREAS, the creation and filling of this position was approved by the Vacancy Committee June 7, 2011 and the Public Safety and Finance Committees June 14, 2011; and

WHEREAS, this position will be funded by existing funds presently in the 2011 LEC Maintenance Budget for the remainder of 2011 and included in the regular employee lines in the 2012 proposed budget; therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the Sheriff's Office to create and fill one part-time Laborer position in the Maintenance Division at the LEC. The line item number will be 10-110-5-3152-1200.

**BOARD OF SUPERVISORS AUTHORIZES CONTRACT FOR SERVICES AT
SAMPSON VETERANS MEMORIAL CEMETERY SITE**

RESOLUTION NO. 145-11, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted by 475 ayes (Davidson, Amidon, Reynolds, Kaiser, Same, Lafler, Mooney, Shipley, Kubasik) and 275 nays (Garlick Lorenzetti, Serven, Prouty, Churchill, Hayssen).

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

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

WHEREAS, the Seneca County Economic Development Corporation has offered to provide day-to-day operations and maintenance services for the County in connection with the County's operation of the cemetery; and

WHEREAS, this resolution has been reviewed and approved by the Public Works Committee at a special meeting thereof held June 22, 2011; now, therefore, be it

RESOLVED, the Chairman of the Seneca County Board of Supervisors is authorized and directed to sign the proposed ten year Contract with the Seneca County Economic Development Corporation to provide the County with day-to-day management and maintenance operations at the Sampson Veterans Memorial Cemetery at no cost to the tax payers of Seneca County.

After the main motion to adopt the above resolution was seconded, Mr. Hayssen made a motion, seconded by Mrs. Garlick Lorenzetti to amend the main motion to include language in the contract that specifically states the cemetery will be open year-round, all grave markers will be upright monuments, and burials will follow within in hour of the ceremonial services. The motion to amend the main motion was defeated by 446 nays (Reynolds, Serven, Davidson, Same, Lafler, Amidon, Shipley, Kubasik) and 304 ayes (Hayssen, Garlick Lorenzetti, Prouty, Churchill, Mooney).

Mrs. Garlick Lorenzetti made a motion, seconded by Mr. Churchill to amend the main motion, to include language in the contract that states the charge for burial at Sampson Memorial Veterans Cemetery would be \$500 for veterans and \$900 for dependants. The motion was defeated by 415 nays (Reynolds,

Davidson, Kaiser, Same, Lafler, Amidon, Mooney, Shipley) and 335 ayes (Garlick Lorenzetti, Churchill, Serven, Prouty, Hayssen, Kubasik).

During the discussion of the resolution, it was questioned whether Mr. Kaiser, being a member of the Economic Development Corporation, should recuse himself from voting. The County Attorney, Mr. Fisher stated that the member position was not compensated and to the best of his knowledge, Mr. Kaiser has nothing to gain from the Veterans Cemetery and that it was not necessary for Mr. Kaiser to recuse himself.

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

RESOLUTION NO. 146-11, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted by 437 ayes (Davidson, Amidon, Reynolds, Serven, Prouty, Kaiser, Same, Lafler, Shipley) and 313 nays (Garlick Lorenzetti, Churchill, Hayssen, 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, additional work to provide HVAC, water service and sanitary plumbing, as well as road surfacing, is necessary to complete Phase One of the Project; and

WHEREAS, grant funding is available for the proposed work; and

WHEREAS, HMI Mechanical Systems, Inc. of Lyons, NY has submitted a proposal for \$29,396 to provide HVAC and plumbing services; and

WHEREAS, Suit-Kote Corporation of Cortland, NY has submitted a proposal for \$25,000 to provide road surfacing; and

WHEREAS, the Seneca County Board of Supervisors does hereby accept the proposals from HMI and Suit-Kote for additional construction work in amounts not to exceed \$29,396 and \$25,000 respectively; and

WHEREAS, this resolution has been reviewed and approved by the Public Works Committee on June 28, 2011; now, therefore, be it

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

During the discussion of this resolution, Mr. Hayssen stated that he would be voting against it. He was concerned that two issues are addressed in a single resolution and yet they were presented at committee as separate issues. He is primarily concerned with the road surfacing. He wants to know when the blacktop soft spots would be corrected. He stated that at this point, blacktop should be put down around the flagpole and sidewalks. Oil and stone and fog is not acceptable.

Special Order of the Day

The meeting was adjourned at 9:00 p.m.