

Seneca County Board of Supervisors

Regular Meeting

October 25, 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

All members of the Board answered roll call.

Pledge of Allegiance and Moment of Silence

Petitioner

Jim Mitchell, a resident of the Town of Fayette, spoke to the Board about the negative impact that clay mining may have on Seneca County and urged them to make Seneca County a better place to live, not by banning smoking on county property, but to see look into how the landfill and its odor affects the health of all county residents.

Presentation

Seneca County Cornell Cooperative Extension did a presentation on the Seneca GR & EEN (Generating Recycling and Energy Education Now) program. November 15 is to be recycling day and each of the schools will be collecting as many plastic bags as they can and bringing to the school for recycling.

Approval of Minutes

Mr. Davidson made the motion to approve the Meeting Minutes from the August 23<sup>rd</sup> and September 13<sup>th</sup> Board Meetings and carried.

Reports of Standing Committees:

Planning, Development, Agriculture & Tourism Committee, Mrs. Amidon, Chairperson. The Committee approved (1) the designation of the Seneca County Chamber of Commerce as Tourism Promotion Agency for 2011 and Commit Funds for Matching Funds Program. The Chamber will be applying for up to \$135,200 in matching funds, which requires support in an equal amount from Seneca County; (2) a proclamation resolution recognizing November 15, 2011 as America Recycles Day in Seneca County. Each year, the United States generates more than 240 million tons of municipal solid waste— that's more than 4 pounds per person per day. According to research conducted in 2011 for Seneca County Cornell Cooperative Extension by students from Hobart and William Smith Colleges, in 2009 Seneca County residents recycle approximately .71 pounds of waste per person per day while the national average was 1.09 pounds. The nation has reached an overall recycling rate of 33.8 percent.

To focus the nation's attention on the importance of recycling, businesses, industries, government agencies, nonprofit organizations, and individuals have joined together to celebrate America Recycles Day and are encouraging their friends, neighbors, and coworkers to pledge to learn more about recycling options in their community and commit to recycle more materials; (3) scheduling a public hearing to adopt the Agriculture Enhancement Plan for December 13, 2011.

Public Works Committee, Mr. Davidson, Chairman. The Committee approved moving forward with Phase II of the CR 132 / Indian Creek Bridge Replacement Project. A contract with Barton & Loguidice requires the Chairman of the Board signature. This contract is to determine and compensate property owners on Cty Rd 132.

Human Services Committee, Mr. Mooney, Chairman. The Committee approved (1) the Office for the Aging Four Year Plan for period April 1, 2012 – March 31, 2016 and to submit funding applications for the period April 1, 2012 – March 31, 2013. The Chairman's signature is required and authorization for the OFA Director to submit funding applications and enter into agreements and contracts described in the plan; (2) amendments to the DHS budget due for the Child Care Block Grant based on State Fiscal Year (SFY) 11-12 block grant allocation and Federal Fiscal Year (FFY) 11-12 FFFS allocation and for overtime in Child Protective Services Unit based on Enhanced CPS Staff Ratio funding awarded; (3) the agreement with Finger Lakes Community College for the Employee Education and Training Program and Education Coordinator Services. The contract with the community college supports both the education of individual workers and training within the organization. The Education Coordinator will provide assistance to the Division by facilitating registration into education and training opportunities to all DHS employees and other related agency staff; arrange for training that will help strengthen and develop workplace skills, community collaboration and efficiency; purchase training supplies and curriculum; and assist the Commissioner and Deputy Commissioner in identifying training resources for the Division. The 2012 Employee Education and Training Program provides DHS employees options to earn college credit toward completion of a College Certificate, Associate's, Bachelor's, or Master's degree, and attend in-service and non-credit training programs. This contract will not exceed \$57,179.00.

Public Health Committee, Mr. Kubasik, Chairman. The Committee met with Mr. Majewski, owner of a building in Interlaken that was declared unsafe and slated for demolition. Mr. Majewski requested assistance and not to demolish the building. He wanted to restore the building so that it is safe by Thanksgiving. The Committee voted against demolishing the building. The Committee also deferred a discussion on a moratorium on the unsafe building law until the next meeting in November.

Finance, Assessment & Insurance Committee, Mr. Hayssen, Chairman. The Committee (1) met with Dr. Daniel Lawson from Cayuga County Community College (CCCC) to hear an update on

establishing a CCCC presence in Seneca County; the Committee approved (2) the designation of the Seneca County Chamber of Commerce as Tourism Promotion Agency for 2011 and Commit Funds for Matching Funds Program. The Chamber will be applying for up to \$135,200 in matching funds, which requires support in an equal amount from Seneca County.

#### Communications

137. From Chris Furano, Seneca County employee, an email dated October 18, 2011, to the Board of Supervisors requesting reconsideration of the health plans offered for 2012 that would include Excellus and/or increase the dollar amount allowed by Beniversal.

138. From Otsego County Board of Representatives, a copy of Resolution no. 297-20111005, "In Support of Legislation to Amend Chapter 58 of the Laws of 2005 Authorizing Reimbursement for expenditures made by or on Behalf of Social Services for Medicaid Assistance for Needy Persons and the Administration Thereof, in Relation to Calculating the Social Services District Medical Assistance Amount.

139. A copy of the Seneca County Board of Health September 21, 2011 meeting minutes.

140. From Seneca County IDA, notice of a public hearing on November 2, 2011 at 10:00 a.m. at the Junius Community Center, 655 Dublin Road, Clyde, New York, regarding the application submitted by F/C Waterloo Development LLC (*the Company*) to the IDA requesting its assistance with a certain project consisting of the refinancing of indebtedness incurred by F/C Waterloo Development LLC, in connection with the acquisition, construction and equipping of the Company's existing approximately 420,000 square foot Waterloo Premium Outlets facility located at 655 Route 318 in the Town of Junius.

141. From Seneca County Soil & Water Conservation District, a copy of a letter dated October 25, 2011 to Bruce Maybury, Farm Bureau, stating that Elisabeth L. Freier is willing to serve as a member of the SWCD Board of Directors for another 3-year term commencing January 1, 2012 to December 31, 2014; and seeking prompt attention from the Farm Bureau to submit the names of any other interested party willing to serve as the Farm Bureau representative.

142. From Martin Teller, Chairperson, Finger Lakes Housing Consortium, a letter dated October 19, 2011 urging the Board of Supervisors to include affordable housing projects as both an element of the Vision Statement, and as one of the key strategies in the Finger Lakes Regional Economic Development Council Strategic Plan.

#### Resolutions and Motions

### **SUPERVISORS REVISE POLICY NO. 101.301 "BREAK PERIODS" FOR COUNTY EMPLOYEES EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 223-11, moved by Mr. Same, seconded by Mrs. Amidon, and adopted by 564 ayes (Same, Amidon, Garlick Lorenzetti, Davidson, Prouty, Lafler, Mooney, Shipley, Kubasik) and 186 nays (Reynolds, Serven, Kaiser, Churchill, Hayssen).

WHEREAS, the Board of Supervisors wishes to conform the County Policy manual to the policies regarding employee break periods that have been in place for many years; and

WHEREAS, this Resolution has been approved by the personnel Committee, now, therefore, be it RESOLVED, that Seneca County Board of Supervisors approves changes to the Seneca County Policy Manual, 101.301 to read as follows:

Scheduling of break periods is done by the employee's immediate supervisor / department head. Rest breaks shall be taken in the morning between the hours of 10:00 a.m. and 11:00 a.m. and in the afternoon between 2:00 p.m. and 3:00 p.m. for a maximum of 15 minutes. Employees shall take their rest breaks away from their own or their co-workers work station whenever there are facilities available.

When employees take their 15 minute break in the morning and afternoon, they are still on the County payroll. This causes the County to require that employees do not leave County property due to Workers' Compensation liabilities. All breaks MUST be taken on County property.

During the discussion of this resolution, in response to an inquiry from an employee, the County Attorney was charged with researching the possibility of using waivers for employees who wanted to walk off property during their breaks.

Mr. Same reported that he stopped by the Drop-In Center to see how the recently passed local law banning smoking on county property was affecting the patrons at the Center. They are adhering to the policy and they are smoking off property without incident. A roll call vote was taken after the Question was called by Mr. Kubasik and seconded by Mrs. Garlick Lorenzetti.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN A CONTRACT WITH CATHY BOND AS CONSULTANT UNDER THE OFFICE OF HOMELAND SECURITY GRANT**

RESOLUTION NO. 224-11, moved by Mr. Kubasik, seconded by Mr. Mooney and adopted.

WHEREAS, Cathy Bond is a consultant who has been working with the Health Department on Emergency Preparedness Planning for six years and under the Office of Homeland Security for two years; and

WHEREAS, under the Office of Homeland Security Grant (August 10, 2011 to August 9, 2012) her duties include: writing / rewriting plans or components of plans as stated in the OHS work plan; education and training; designing and facilitating drills or exercises and writing the After Action Report; and the management of volunteers; and

WHEREAS, she will receive \$60 per hour, not to exceed \$5,000 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 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 Office of Homeland Security Grant.

**COUNTY TREASURER AUTHORIZED TO TRANSFER FUNDS FROM THE CONTINGENCY  
FUND TO THE HIGHWAY ROAD MACHINERY FUND**

RESOLUTION NO. 225-11, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted.

WHEREAS, increased cost for gas and diesel fuel in 2011 reached a high of \$4.10 / gallon for  
diesel fuel and \$3.50 / gallon for gasoline; and

WHEREAS, because of the increase in cost the Seneca County Highway Department Budget has  
insufficient funds for fuel expenses for the remainder of the year, 2011; and

WHEREAS, the Highway Superintendent advised that \$60,000 should be a sufficient amount for  
gas and diesel fuel expenses until the end of the year; and

WHEREAS, the Public Works committee approved this resolution at the October 11, 2011  
committee meeting; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the County Treasurer to  
transfer \$60,000 from the General Fund Contingency to Highway Budget Line 50-120-5-5130-4420 (Gas  
and Diesel) to cover any fuel expenses for the remainder of 2011.

**SUPERVISORS AUTHORIZE ANNUAL AGREEMENT WITH THE UNIFIED COURT  
SYSTEM FOR COURT CLEANING AND MINOR REPAIRS**

RESOLUTION NO. 226-11, moved by Mr. Davidson, seconded by Mr. Kubasik and adopted.

WHEREAS, Seneca County has an annual agreement with the Unified Court System (UCS) for  
Court Cleaning and Minor Repairs of the County Courthouse located at 48 West William Street,  
Waterloo, New York; and

WHEREAS, said agreement is required to receive reimbursements from the Unified Court  
System; and

WHEREAS, said agreement will allow for a maximum reimbursement of \$74,870 from the  
Unified Court System for the State fiscal Year 2011-2012; and

WHEREAS, the Public Works Committee approved this resolution at its meeting on October 11,  
2011; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to  
sign the renewal agreement with the Unified Court System (UCS) and the County of Seneca for Court

Cleaning and Minor Repairs for the Seneca County Courthouse located at 48 West William Street, Waterloo, NY.

**RESOLUTION TO ESTABLISH NOVEMBER 15, 2011 AS AMERICA RECYCLES DAY IN  
SENECA COUNTY**

RESOLUTION NO. 227-11, moved by Mrs. Amidon, seconded by Mr. Shipley and adopted.

WHEREAS, each year the United States generates more than 240 million tons of municipal solid waste – that’s more than 4 pounds per person per day. According to research conducted in 2011 for Seneca County Cornell Cooperative Extension by students from Hobart and William Smith Colleges, in 2009 Seneca County residents recycle approximately .71 pounds of waste per person per day while the national average was 1.09 pounds. The nation has reached an overall recycling rate of 33.8 percent. Each year, our national recycling rate:

- Saves the energy equivalent of the annual energy consumption of nearly 13.3 million U. S. households
- Saves America approximately \$24.4 billion in avoided costs for barrels of crude oil
- Avoids greenhouse gas emissions equivalent to removing more than 35 million cars from the road

But, much more can be done; and

WHEREAS, to focus the nation’s attention on the importance of recycling, businesses, industries, government agencies, nonprofit organizations, and individuals have joined together to celebrate America Recycles Day and are encouraging their friends, neighbors, and coworkers to pledge to learn more about recycling options in their community and commit to recycle more materials; and

WHEREAS, participating in America Recycles Day 2011 is one way citizens can help raise awareness about the need to reduce waste by reusing, recycling, and buying recycled-content products; and

WHEREAS, Seneca County leaders and recycling educators can also use this as an opportunity to spread the word about the excellent recycling programs that have been established, the growth of markets for recyclable materials, and the importance of buying recycled products; and

WHEREAS, the Seneca County Board of Supervisors wishes to support the recycling education efforts of the Seneca County Cornell Cooperative Extension and its Seneca GR & EEN (Generating Recycling & Energy Education Now) peer recycling education group: We Care and other organizations and businesses involved in recycling and recycling education in Seneca County; now, therefore, be it

RESOLVED, by the Seneca County, New York Board of Supervisors that Tuesday, November 15, 2011 is hereby proclaimed as America Recycles Day in Seneca County.

**BOARD OF SUPERVISORS DESIGNATES SENECA COUNTY CHAMBER OF COMMERCE  
AS COUNTY TOURISM PROMOTION AGENCY (TPA) AND AUTHORIZES APPLICATION  
FOR MATCHING FUNDS PROGRAM IN 2012**

RESOLUTION NO. 228-11, moved by Mrs. Amidon, seconded by Mr. Shipley and adopted.

WHEREAS, the Seneca County Board of Supervisors desires to enhance the general economy of Seneca County through the promotion and marketing of tourism attractions, conventions, trade shows, special events and other activities directly related to and in support of tourism assets; and

WHEREAS, the Seneca County Board of Supervisors supports the designation of the Seneca County Chamber of Commerce as the County's Tourism Promotion Agency (TPA); and

WHEREAS, Seneca County commits up to \$135,250.00 in support of the Matching Funds Program; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on October 25, 2011; now, therefore, be it

RESOLVED, that the New York State Department of Economic Development be requested to designate the Seneca County Chamber of Commerce as Seneca County's Tourism Promotion Agency for 2012; and be it

FURTHER RESOLVED, that Seneca County will commit up to \$135,250.00 from the County's Room Tax in 2010 to provide the County's share of the 2012 Matching Fund Program.

Unfinished Business

Mr. Churchill reported that the Search Committee for the County Manager position has interviewed seven candidates for the position. The committee will meet again this Thursday evening (10/27) to discuss the next steps. They would like to bring the names of three or four to the full Board.

Special Order of the Day

The meeting adjourned at 8:50 p.m.