

Seneca County Board of Supervisors

Regular Meeting

November 22, 2011

8:00 p.m.

Call to Order

Chairman Lafler called the meeting to order at 8:03 p.m.

Roll Call of Members by the Clerk

Twelve members of the Board answered roll call. Mrs. Amidon and Mr. Churchill were not present.

Pledge of Allegiance and Moment of Silence

Presentation

Melissa Taylor, Deputy Director of Emergency Services was awarded the Employee of the Third Quarter.

Approval of Minutes

Meeting minutes were approved for September 27, October 11, and October 25 board meetings.

Reports of Standing Committees:

Planning, Development, Agriculture & Tourism, Mrs. Amidon, Chairperson. The Committee approved for board resolution the following: (1) Authorize the Treasurer to Pay Twin Lakes Snowmobile Association. During the 2011-2012 calendar year, Seneca County should receive \$4,200.00 for the State approved and recognized snowmobile trails in Seneca County which are maintained by the Twin Lakes Snowmobile Association. This payment will come in two checks: the first one toward the start of the season for 30% and the remainder once final action on the season is completed. The County of Seneca has approved a contract with the Twin Lakes Snowmobile Association so that the funds may be transmitted to them. The Treasurer's office should be authorized to forward these payments to the club – upon the Department of Planning and Community Development affirming that all necessary documentation is in place; (2) appointment two individuals to the Seneca County Agriculture Enhancement Board, Chris Tarr and Doug Frier to be reappointed for a three year term.

Public Safety Committee, Mr. Davidson, Chairman. The Committee approved for board resolution the following: (1) The Inter-municipal Agreement for Forensic Services between Monroe County and Seneca County is for the period of January 1, 2012 to December 31, 2012. Seneca County is a county within the Genesee/Finger Lakes Region which is serviced by Monroe County Laboratory. The payment for said services for the above stated period of time is \$14,206.50. The Seneca County Sheriff requests the Seneca County Board of Supervisors authorizes the Chairman to sign said agreement; (2) a change in the work plan for the Homeland Security Grant. The Office of Emergency Services has

received approval from the NYS Office of Homeland Security to change the work plan for the FY 08 & FY 10 grants, to host the "Agricultural Emergencies" course and the "Agricultural Emergency Rescue" course delivered by Penn State University; (3) to create and fill a Psychiatric Social Worker position for the Law Enforcement Center.

The Committee also approved the recommendation by the Vacancy Committee to refill a part-time cleaner position at the Law Enforcement Center.

Mental Health Services Committee, Mr. Reynolds, Chairman. The Committee approved for board resolution the following: (1) Acceptance of additional state aid funding from NYS Office of Alcoholism and Substance Abuse Services (OASAS). The Mental Health Department received notification that the Department's Substance Abuse Prevention Program has been approved to receive an additional \$12,000 from the NYS OASAS in order to purchase the evidence-based alcohol/drug prevention program called "Positive Action."; (2) the appointment of Susan Ganser to serve on the Seneca County Community Services Board; (3) the creations of a Psychiatric Social Worker position to work at the Seneca County Jail.

Human Services Committee, Mr. Mooney, Chairman. The Committee approved the recommendation by the Vacancy Committee to refill two vacant Social Welfare Examiner positions in the Department of Human Services.

Public Health Services, Mr. Kubasik, Chairman. The Committee approved for board resolution the following: (1) a Contract with Virginia DeJohn as a Service Provider for the 3-5 Program. The money for this contract is in the Public Health budget line 2960.470. The payment rates are \$50.00/30 minutes and \$60.00/45 minutes.

The Committee was updated on the building in Interlaken that is slated for demolition. It was confirmed that Mr. Majewski was sent letters regarding timelines and deadlines to bring the building to code.

Government Operations Committee, Mr. Kaiser, Chairman. The Committee discussed an incident in which Chairman Lafler observed a vehicle with a Seneca County seal at the Skydancer establishment. It was decided that a policy would be created prohibiting the patronization of illegal businesses by county employees during work hours.

Finance, Assessment & Insurance Committee, Mr. Hayssen, Chairman. The Committee approved the recommendations by the Vacancy Committee to refill the part-time cleaner position and the two vacant Social Welfare Examiner Positions, and to create a Psychiatric Social Worker position to serve at the Law Enforcement Center; (2) charges to be added to 2012 County Tax Bill in response to uncorrected code violations and unsafe conditions, the County undertook the demolition and removal of an accessory building at 59 Ovid Street in the Village of Seneca Falls in April 2011. The property has been vacant for

a number of years and the owner has effectively abandoned the property. The total amount to be added to the 2012 County Tax Bill is \$773.90; (3) to set the date for the public hearing on the Seneca County 2012 budget for December 13 at 8:00 p.m.

Chairman's Remarks

Chairman Lafler wished everyone a happy holiday and said how thankful he was to have worked with everyone during this extremely hectic year.

Communications

- 148. A copy of the Seneca County Tentative Budget for the year 2012.
- 149. A copy of the Town of Covert Adopted Budget for the year 2012.
- 150. A copy of the Town of Ovid Adopted Budget for the year 2012.
- 151. A copy of the Town of Varick Adopted Budget for the year 2012.
- 152. A copy of the Town of Tyre Adopted Budget for the year 2012.
- 153. A copy of the Town of Fayette Adopted Budget for the year 2012.
- 154. A copy of the Strategic Plan by the Finger Lakes Regional Economic Development Council, "New York Open for Business – Accelerating Our Transformation".
- 155. From David Dresser, a letter dated November 22, 2011 requesting that the Board of Supervisors request that an annual report / audit of the finances of the Sampson Veterans Memorial Cemetery be due from the IDA / EDC by June 30 of each year. Referred to the Planning, Development, Agriculture & Tourism Committee.

Resolutions and Motions

**SUPERVISORS ACCEPT CONTRACT WITH THE
BONADIO GROUP FOR AUDITING SERVICES**

RESOLUTION NO. 237-11, moved by Mr. Hayssen, seconded by Mr. Shipley, and adopted.

WHEREAS, Federal and New York State Law requires Seneca County to undergo a financial audit, single audit, New York State Department of Transportation audit and CFR certification on an annual basis; and

WHEREAS, the Bonadio Group, Seneca County's current auditors, will perform said audits at a 1.93% annual increase; and

WHEREAS, the cost per fiscal year is 2011 - \$51,920; 2012 - \$53,550; 2013 - \$55,000; now, therefore, be it

RESOLVED, that Seneca County Board of Supervisors does hereby approve a contract with The Bonadio Group to perform the financial audit, single audit, New York State Department of Transportation

audit and the CFR certification for the fiscal years 2011, 2012 and 2013 at the cost of \$51,920, \$53,550, and \$55,000 respectively; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to sign the necessary documents for said contract.

**CLERK OF THE BOARD AUTHORIZED AND DIRECTED TO ADVERTISE FOR
PUBLIC HEARING RE: 2012 SENECA COUNTY BUDGET**

RESOLUTION NO. 238-11, moved by Mr. Hayssen, seconded by Mr. Mooney and adopted.

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for a public hearing for all interested residents of Seneca County to offer oral and written comments regarding the Tentative 2012 Seneca County Budget; and said public hearing to be held on December 13, 2011 at or about 8:00 p.m.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO
SIGN A CONTRACT EXTENSION FOR THE HOMELAND SECURITY GRANT
FOR THE HEALTH DEPARTMENT**

RESOLUTION NO. 239-11, moved by Mr. Kubasik, seconded by Mr. Mooney and adopted.

WHEREAS, the Health Department has received a one year contract extension for the Homeland Security Grant; and

WHEREAS, this period of time will be utilized to expend remaining grant dollars; and

WHEREAS, the contract extension expires July 31, 2012; and

WHEREAS, the original grant amount was \$27,778 with \$10,892 in remaining funds; and

WHEREAS, it is necessary for the Chairman of the Board of Supervisors to sign the contract extension; and

WHEREAS, the Public Health committee has authorized the contract extension; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract extension for the Homeland Security Grant.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
CONTRACTS WITH SERVICE PROVIDERS FOR THE EARLY INTERVENTION PROGRAM**

RESOLUTION NO. 240-11, moved by Mr. Kubasik, seconded by Mr. Davidson and adopted.

WHEREAS, the Health Department must maintain contracts with service providers for the evaluation and provision of services to children enrolled in the Early Intervention Program; and

WHEREAS, the following individuals contracts will expire December 31, 2011 and will need to be renewed for a two year period so that services can continue to be provided:

Jennifer Balliette, 16 Ridge Street, Seneca Falls

Joanne Corey, 2932 Route 96, Waterloo
Beverly Feindt, 7504 McCarringer Road, Ovid
Finger Lakes United Cerebral Palsy, Inc., 731 Pre-Emption Road, Geneva
Franziska Rackers Center, 3226 Wilkins Road, Ithaca
Lisa Glasner, 4260 South Street Ext, Trumansburg
Kelly Jackson-Doebler, 6 Johnston Street, Seneca Falls
Wayne County ARC, 150 Van Buren Street, Newark
Andy Russell, 1661 Lodi Pt. Road, Lodi
Seneca Cayuga ARC, 1083 Waterloo Geneva Road, Waterloo
Christine Toner, 127 Maxwell Avenue, Geneva
Amanda King, 723 Iradell Road, Trumansburg

WHEREAS, the money for these contracts is in the Public Health Budget 4145-470; and
WHEREAS, the Public Health Committee has approved the execution of these contracts; now,
therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to
sign the contracts with service providers for the Early Intervention Program.

**CHAIRMAN OF THE BOARD TO SIGN AGREEMENT WITH BONADIO & CO
FOR ACCOUNT AND FRAUD-RELATED SERVICES WITH THE
DIVISION OF HUMAN SERVICES**

RESOLUTION NO. 241-11, moved by Mr. Kubasik, seconded by Mr. Prouty and adopted.

WHEREAS, the Division of Human Services would like to enter an agreement with Bonadio &
Co., LLP, Certified Public Accountants; and

WHEREAS, Bonadio and Co., LLP are certified public accountants who specialize in accounting
and fraud-related issues; and

WHEREAS, the agreement will have a rate of pay of \$150.00 per hour, up to \$10,000.00; and

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

RESOLVED, the Board authorizes the approval of the 2012 Bonadio & Co. agreement; and be it

FURTHER RESOLVED, the Chairman of the Board is authorized and directed to sign the 2012
Bonadio & Co agreement.

**SUPERVISORS APPROVE MENTAL HEALTH DEPARTMENT ACCEPTANCE OF
ADDITIONAL OASAS STATE FUNDS IN 2011 BUDGET**

RESOLUTION NO. 242-11, moved by Mr. Reynolds, seconded by Mr. Same and adopted.

WHEREAS, on November 10 the NYS Office of Alcohol and Substance Abuse Services (OASAS) approved an additional \$12,000 in state funding for the Seneca County Mental Health Department's Substance Abuse Prevention program to purchase the evidence based "Positive Action" program; and

WHEREAS, the Board of Supervisors' Mental Health Committee supports and approves the acceptance of this additional \$12,000 in state funding with no county match for the purchase of the "Positive Action" program; and

WHEREAS, the acceptance of these funds would require a change in the 2011 budget to Increase revenue account 10-319-3-3488 by \$12,000 and to Increase Expense account 10-115-5-4210-4280 by \$12,000; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the acceptance of this additional NYS OASAS funding for the purchase of the "Positive Action" program.

**SUPERVISORS APPOINT SUSAN GANSER TO THE
SENECA COUNTY COMMUNITY SERVICES BOARD**

RESOLUTION NO. 243-11, moved by Mr. Reynolds, seconded by Mr. Mooney and adopted.

WHEREAS, there are vacancies on the Community Services Board; and

WHEREAS, the Community Services Board has moved to recommend the appointment of Susan Ganser to the Community Services Board; and

WHEREAS, the Board of Supervisors Mental Health Committee supports and approves the Community Services Board recommendation; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint Susan Ganser, of 215 Fall Street, Seneca Falls, NY 13148, to a four-year term on the Community Services Board, to expire November 22, 2015.

**APPROVE HOMELAND SECURITY GRANT WORK PLAN CHANGE AND AUTHORIZE
CHAIRMAN OF THE BOARD TO SIGN DOCUMENTS**

RESOLUTION NO. 244-11, moved by Mr. Davidson, seconded by Mr. Shipley and adopted.

WHEREAS, the Office of Emergency Services has received approval from the NYS Office of Homeland Security (NYS OHS) to change the work plan for the FY 08 & FY 10 grants, to host the "Agricultural Emergencies" course and the "Agricultural Emergency Rescue" course delivered by Penn State University; and

WHEREAS, the Public Safety Committee approved the change in the work plan at its meeting on November 22, 2011; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does approve this work plan change; and be it

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign NYS OHS work plan change documents.

**RESOLUTION APPOINTING MEMBER TO THE
FINGER LAKES REGIONAL AIRPORT ADVISORY COMMITTEE**

RESOLUTION NO. 245-11, moved by Mr. Same, seconded by Mr. Mooney and adopted.

WHEREAS, the Finger Lakes Regional Airport Advisory Committee has recommended that Jeff Shipley be appointed to the Finger Lakes Regional Airport Advisory Committee; and

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

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint the recommended Jeffrey Shipley to the Finger Lakes Regional Airport Advisory Committee effective October 1, 2011 to September 30, 2014.

**RESOLUTION OF THE SENECA COUNTY BOARD OF SUPERVISORS, AS THE ELECTED
LEGISLATIVE BODY OF SENECA COUNTY, NEW YORK, IN ACCORDANCE WITH
SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1996, AS AMENDED (THE
“CODE”), APPROVING THE ISSUANCE BY THE SENECA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY OF UP TO \$5,000,000 PRINCIPAL AMOUNT INDUSTRIAL
DEVELOPMENT REVENUE BONDS (BRUCE HENRY PROPERTIES, LLC D/B/A
BONADENT PROJECT), SERIES 2011**

RESOLUTION NO. 246-11, moved by Mr. Same, seconded by Mrs. Garlick Lorenzetti and adopted.

WHEREAS, the Seneca County Board of Supervisors (the “Board of Supervisors”), as the official elected legislative body of Seneca County, New York (the “County”), has been advised by the Seneca County Industrial Development Agency (the “Issuer”) that, in order to assist in the financing of a certain Project (as defined below) for the benefit of Bruce Henry Properties, LLC d/b/a BonaDent (the “Company”), the Issuer proposes to issue, contingent upon the adoption of this Resolution, its Industrial Development Revenue Bonds (Bruce Henry Properties, LLC d/b/a BonaDent Project), Series 2011, in a principal amount not to exceed \$5,000,000 (the “Bonds”); and

WHEREAS, the project (the “Project”) shall consist of: (A) the issuance by the Issuer of its tax-exempt Industrial Development Revenue Bonds (Bruce Henry Properties, LLC Project), Series 2011 in a principal amount not to exceed \$5,000,000 (the “Bonds”) for the purpose of financing the costs of and/or refinancing certain taxable indebtedness of the Company the proceeds of which were used to finance (i) the acquisition by the Issuer of fee title to or a leasehold interest in certain property located at 1855 Routes 5 & 20, Seneca Falls, New York, consisting, in the aggregate, of approximately 11 acres (the “Land”) and the existing approximately 77,200 – square foot building located thereon, known as the

former Wal-Mart building (the “Existing Improvements”); (ii) the reconstruction, renovation and equipping of the Existing Improvements for use by the Company in manufacturing custom dental pieces (collectively, the “Improvements”); (iii) the acquisition by the Company in and around the Improvements and Existing Improvements of certain items of equipment, machinery and other tangible personal property (the “Equipment”, and collectively with the Land, the Existing Improvements and the Improvements, the “Facility”); and (B) funding a debt service reserve fund, if any, and certain other costs incidental to the issuance of the Bonds (as hereinafter defined)(the costs associated with items (A) and (B) above being hereinafter collectively referred to as the “Project Costs”); and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), interest on the Bonds will not be excluded from gross income for Federal income tax purposes unless the issuance of the Bonds is approved by the Board of Supervisors after a public hearing to consider both the issuance of the Bonds and the nature and location of the facilities financed therewith has been conducted following reasonable public notice; and

WHEREAS, on October 31, 2011, the Issuer held such a public hearing upon proper notice in compliance with the Code; and

WHEREAS, to aid the Board of Supervisors in its deliberations, the Issuer has made available to the members of the Board of Supervisors prior to this meeting (a) the Company’s application to the Issuer for financial assistance; (b) the notice of public hearing published by the Issuer in the Finger Lakes Times, along with the affidavit of publication of such newspaper; (c) the minutes of such public hearing held on October 31, 2011 and (d) a copy of the Bond Resolution of the Issuer, adopted by the Issuer on November 3, 2011, wherein the Issuer, among other things, authorized the Issuance of the Bond and the execution and delivery of all documents necessary in incidental thereto; and

WHEREAS, the Board of Supervisors, after due consideration of the foregoing, as the “applicable elected representative” of Seneca County, New York, within the meaning of Section 147(f)(2)(E) of the Code, desires to approve the issuance of the Bonds, provided the principal, premium, if any, and interest on the Bonds shall be special obligations of the Issuer and shall never be a debt of the State of New York (the “State”) or any political subdivision thereof, including without limitation the County, and neither the State nor any political subdivision thereof, including without limitation the County, shall be liable thereon; now, therefore, be it

RESOLVED, by the Board of Supervisors of Seneca County:

Section 1. For the purpose of satisfying the approval requirement of Section 147(f) of the Code, the Board of Supervisors hereby gives its approval of the issuance by the Issuer of its Bonds and related acts to be taken by the Issuer as part of the Project, provided that the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State or any

political subdivision thereof, including without limitation Seneca County, and neither the State nor any political subdivision thereof, including without limitation Seneca County, shall be liable thereon. This approval is given pursuant to Section 147(f) of the Code for the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income for Federal income tax purposes pursuant to the provisions of Section 103 and 141 – 150 of the Code.

Section 2. This Resolution shall be deemed to be made for the benefit of Issuer and the holders of the Project indebtedness.

Section 3. This Resolution shall take effect immediately.

New Business:

Mr. Davidson announced that the Public Works Committee would meet to discuss the water in Varick on December 03 at 10:00 a.m. and that Margaret Li would advertise the same.

Chairman Lafler announced that the phone interviews were completed for the County Manager position. They have 6 names that will be presented to the entire Board.

Special Order of the Day

The meeting adjourned at 8:24 p.m.