

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

December 13, 2011

8:00 p.m.

Call to Order

Chairman Lafler called the meeting to order at 8:04 p.m.

Roll Call of Members by the Clerk

Thirteen members of the Board of Supervisors answered roll call. Mr. Mooney was not present.

Public Hearing:

Seneca County Agriculture Plan - The Board of Supervisors of the County of Seneca held a public hearing for the purpose of soliciting public comment prior to the adoption of the Seneca County Agriculture Plan. There were no comments heard.

Tentative 2012 Budget for Seneca County - The Board of Supervisors of the County of Seneca held a public hearing on the tentative budget of said County for the fiscal year beginning January 1, 2012. The maximum amount of compensation that may be fixed and payable for said fiscal year to each member of the Board of Supervisors of said County and to the Chairman thereof is as follows: 13 members - \$10,252, Chairman - \$13,962.

Mr. Kubasik was given the floor. He gave a summary of the budget and said the goal was to make spending as accurate as possible and eliminate contingency funds within departmental budgets. The 2012 tax levy is about the same as it was in 2007. There is a decrease in the tax levy - \$6.21 per \$1,000 of assessed value to \$5.56.

Jeff Shipley, Executive Director of the Seneca County Chamber of Commerce, appealed for an increase in funding for tourism efforts rather than keeping the amount the same as the previous year.

Larry Yehle, resident, Ovid, NY, stated that salaries for management should be based on merit and the county should be tougher in negotiations for raises with unions.

Submission of Claims for Audit

The following vouchers, having gone through the proper auditing process, were approved for payment.

Supervisors vouchers	# 2636 - 2901	totaling	\$	213,389.03
OFA vouchers	# 679 - 728	totaling	\$	75,010.07
Workforce Development vouchers	# 1319 - 1342	totaling	\$	21,904.45
Self Insurance vouchers	# 62 - 76	totaling	\$	58,177.34

Sheriff vouchers	# 646 - 702	totaling	\$ 204,084.57
County Airport vouchers	# 125 - 139	totaling	\$ 11,927.67
Highway Transportation vouchers			
Maintenance & State Snow	# 237 - 258	totaling	\$ 140,390.49
Highway Machinery	# 394 - 437	totaling	\$ 264,472.01
	Highway Total		\$ 404,862.50
Water & Sewer	# 262 - 295	totaling	\$ 34,339.12
Airport Capital vouchers	20 & 21	totaling	\$ 28,031.63
Veterans Capital vouchers	# 40 - 43	totaling	\$ 52,287.10

Reports of Standing Committees

Planning, Development, Agriculture & Tourism Committee, Mrs. Amidon, Chairwoman. The Committee approved the following: (1) a \$100,000 guarantee through the Seneca Falls Savings Bank at 5% for five years renewable after review. This project will save 31 full-time jobs. The collateral will be a second mortgage on property at 291 Gravel Road, Seneca Falls, New York, and first position on equipment. The Seneca County Loan will be disbursed when the terms and conditions of the Revolving Loan Fund Committee are met; (2) support for the creation of a new snowmobile club in Seneca County known as the Seneca Sledders. The purpose of this club is to take over the responsibility for the development of the proposed trail which will proceed north from the loop trail in Seneca, Tompkins, and Schuyler Counties that is maintained by Twin Lakes Snowmobile Association. Support for the Club is required for it to receive recognition by New York Snowmobile Association, and receive funding from the New York State Office of Parks, Recreation, and Historic Preservation Snowmobile Program.

Human Services Committee, Mrs. Amidon, Vice-Chair. The Committee approved the following: (1) refill a Part-time Typist position in the accounting department of the Department of Social Services.

Public Safety Committee, Mr. Davidson, Chairman. The Committee approved the following: (1) authorization to apply for the New York State Division of Homeland Security and Emergency Services State Homeland Security Program (SHSP) Grant for \$79,440 for specific Emergency Services projects; (2) authorization to apply for the New York State Division of Homeland Security and Emergency Services 2011 HazMat Grant for \$125,000, which would cover one hundred percent of the cost to purchase a mass fatality indecent trailer to be shared with five counties (Cayuga, Ontario, Wayne, Yates Seneca); (3) authorization for the County Treasurer to transfer money (\$50,700) within the E-911 budget for Holiday salary pay; (4) authorization to apply for the NYS Law Enforcement Terrorism Prevention Program grant for \$40,560 for the purchase of terrorism prevention equipment for the Seneca County Dive Team and wireless law enforcement data communications; (5) authorization to contract with SeWall

Mapping to update the E911 map software necessary because of the dissolution of the village of Seneca Falls. The contract is not to exceed \$20,700.

Public Works Committee, Mr. Davidson, Chairman. The Committee approved the following: (1) authorization to renew the annual contract with the Waterloo VFW for use of its parking lot. In lieu of rent, the County maintains the parking lot including, but not limited to, striping and snow removal during the county work days; (2) authorization for the purchase from State Contract, a wheel saw for the skidster in the Highway Department. The cost is \$10,848. The highway department has been renting this equipment for \$400 a day; (3) refilling a vacant position of a part-time Building Maintainer at \$14.75 per hour; (4) the preparation of a Request for Proposals for work that will include a new roof, gutters and downspouts, as well as restoration of the bell tower at the former Seneca County Courthouse structures in Ovid, NY; (5) authorization to move forward with the restroom build out in the former firehouse building at Sampson Veterans Memorial Cemetery. Rather than in-kind effort by the Sampson Veterans Memorial Cemetery Association, the Seneca County Facilities staff will do the work. Materials are expected to exceed \$10,000, which is reimbursable from grant money received for the cemetery project.

The Committee heard from Jason McCormick, County Engineer, and Roy Gates, Highway Superintendent, regarding the traffic count on Burgess Road for the purpose of gathering data regarding the frequency of public traffic on Burgess Road and the impact of truck traffic crossing the road for clay mining.

Mental Health Services Committee, Mr. Reynolds, Chairman. The Committee approved the following: (1) refill the temporarily vacant position of Typist to fill in for two consecutive Family Medical Leave Absences.

Indian Affairs Committee, Mr. Shipley, Chairman. The committee discussed the U.S. Census Bureau's designation of land in Seneca and Cayuga counties, on its map as a "Tribal Designated Statistical Area" for the Cayuga Indian Nation. The area is larger than the land claim area of 64,015 acres of former reservation land in Seneca and Cayuga counties.

County Attorney Frank Fisher said the Harris Beach Law Firm, on behalf of the counties, filed a Freedom of Information Law request for information about the map designation. The attorney from Cayuga County and Mr. Fisher also will be sending a request for information.

The Committee discussed a letter from U.S. Senators Schumer and Gillibrand to Senator Inouye, urging him not to push for a "Carcieri fix" in the omnibus appropriations bill, claiming significant additional study is required before Congress takes any action on this issue.

Public Health Committee, Mr. Kubasik, Chairman. The Committee approved the following: (1) authorization for the County Treasurer to make the necessary amendments (\$25,000) to the Public Health

budget for outstanding expenses for transportation services for the 3-5 Program; (2) a contract with NYSDOG for the Children with Special Health Care Needs grant for \$50,667.

The Committee held a discussion regarding the enforcement of the Unsafe Buildings local law and potential funding opportunities available to assist with the cost of enforcing the law, as well as establishing a moratorium on the unsafe building law.

The Committee also discussed the status of the building at 8392 Main St. in the Village of Interlaken. The owner started improvements to the building but there has not been any activity for several weeks. A final notice needs to be given to the owner stating that the building needs to be brought up to code or it will be demolished needs to be served to the owner.

Personnel & Technology Committee, Mr. Same, Chairman. The Committee approved the following: (1) that all full-time management employees receive a salary increase of \$1,200 dollars for the year 2012 and full-time management employees participating in the health insurance plan provided by the County pay 15% of the total premium for the year 2012, and all management part-time and all non-management part-time employees not covered by a contract receive a 1.5% increase to their salary or hourly rate.

The Committee also met in executive session for the purpose of discussing the filling of the vacant position for County Manager and to review a current disciplinary issue and discuss the employment history of a county employee.

Government Operations Committee, Mr. Kaiser, Chairman. The Committee approved the following: (1) the date and time of the Organizational Meeting for 2012 will be Tuesday, January 3, 2012 at 5:00 p.m. and the regular board meeting for Tuesday, December 27, 2011 will be at 7:00 p.m.

Finance, Assessment & Insurance Committee, Mr. Hayssen, Chairman. The Committee approved the following: (1) distribution of the Mortgage Tax for the period April 1, 2011 through September 31, 2011; (2) refill the vacant positions for Part-time Building Maintainer, Part-time Typist in the accounting department, and Typist position for six months to cover the workload of two employees on Family Medical Leave.

Chairman's Remarks

Chairman Lafler thanked Nick Sciotti, Mr. Kubasik, Mr. Hayssen and others for the fine work they did on the 2012 budget preparation.

Communications:

156. A copy of the Seneca County Planning Board meeting minutes for November 10, 2011.
157. A copy of the Seneca County IDA meeting minutes for November 3, 2011.
158. A copy of the Town of Seneca Falls 2012 Adopted Budget.
159. A copy of the Town of Romulus 2012 Adopted Budget.

160. A copy of the Town of Junius 2012 Adopted Budget.

161. A copy of the Town of Lodi 2012 Adopted Budget.

Resolutions and Motions

BOARD OF SUPERVISORS AUTHORIZES CHARGES TO BE ADDED TO 2012 TAX BILL

RESOLUTION NO. 247-11, moved by Mr. Hayssen, seconded by Mr. Davidson and adopted.

WHEREAS, the property at 59 Ovid Street in the Village of Seneca Falls is vacant and not being actively maintained; and

WHEREAS, an accessory building on the subject property had fallen into disrepair and in the opinion of the County Code Enforcement Department was unsafe; and

WHEREAS, the owners failed to respond to this unsafe condition; and

WHEREAS, the Seneca County Highway Department responded to this unsafe condition by removing the accessory building; and

WHEREAS, the costs of this removal shall be borne by the property owner; and

WHEREAS, the cost of said removal was \$773.90; and

WHEREAS, this resolution has been reviewed and approved by the Finance, Assessment & Insurance Committee on November 22, 2011; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes and directs that charges in the amount of \$773.90 be added to the 2012 County Tax Bill for the property at 59 Ovid Street in the Village of Seneca Falls.

SUPERVISORS ADOPT 2012 COUNTY BUDGET

RESOLUTION NO. 248-11, moved by Mr. Hayssen, seconded by Mr. Reynolds and adopted by 471 ayes (Hayssen, Reynolds, Garlick Lorenzetti, Same, Lafler, Churchill, Hayssen, Kubasik), 220 nays (Davidson, Prouty, Kaiser, Amidon, Shipley) and 59 not present (Mooney).

WHEREAS, the heads of Seneca County Departments have made their estimates of revenues and expenditures for Fiscal Year 2012; and

WHEREAS, the Proposed 2012 Seneca County Budget has been duly filed and presented to the Board of Supervisors by the Budget Officer and a duly advertised public hearing has been held on December 8, 2011; now, therefore, be it

RESOLVED, that pursuant to Section 269 of the County Law said proposed budget, as changed, altered, revised and amended, be and hereby is adopted as the budget for Seneca County for the year 2012; and it is further

RESOLVED, that the several amounts specified in the 2012 County Budget be and hereby are appropriated for the objects and purposes enumerated therein.

Most of the discussion portion of this resolution focused on salary increases for management employees.

Mr. Kaiser stated that he agreed with Mr. Yehle. He said that New York State froze pay increases, and a large portion of his constituents were employed by the State. He said he thought it was irresponsible for the Board to give management pay increases when the economy is suffering.

Mrs. Amidon pointed out that a 3% increase in management salaries would not change the final numbers in the tentative budget.

Mr. Churchill, who supported the budget, stated that the union employees were receiving a pay increase as stated in their contract; however, management employees would not receive a pay increase for the second year in a row.

Mr. Same said several years ago, the Board adopted a policy for management employees' salaries. If the it wasn't being adhered to, he suggested an consultant be hired to review the policy.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A CONTRACT FOR SERVICE PROVIDER FOR THE 3-5 PROGRAM**

RESOLUTION NO. 249-11, moved by Mr. Kubasik, seconded by Mr. Reynolds and adopted.

WHEREAS, the health department is required to maintain contracts with individuals or agencies to provide professional services for the 3 – 5 Program; and

WHEREAS, Virginia DeJohn, 27 Tall Oaks Drive, Seneca Falls has many years of experience providing services to children in Seneca County; and

WHEREAS, Ms. DeJohn's contract with Seneca County to provide these services must be renewed; and

WHEREAS, the funding for this contract is in the Public Health Budget 2960.470; 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 the contracts with Ms. DeJohn for the provision of services for the 3 – 5 Program.

BOARD OF SUPERVISORS AUTHORIZES BUDGET TRANSFER FOR PUBLIC HEALTH

RESOLUTION NO. 250-11, moved by Mr. Kubasik, seconded by Mr. Reynolds and adopted.

WHEREAS, in order to meet the anticipated expenses in the December warrant for transportation services in the 3 – 5 Program a budget transfer will need to be completed; and

WHEREAS, Public Health Account 10-115-5-4145-4700 Early Intervention Services needs to be decreased by \$25,000 and Public Health Account 10-105-5-2960-4701 3-5 Transportation needs to be increased by \$25,000; and

WHEREAS, the County Treasurer needs authorization to complete this transfer; and

WHEREAS, the Public Health committee has approved this budget transfer; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the \$25,000 transfer in the Public Health budget; and be it

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to make a budget transfer for \$25,000.

SENECA COUNTY SUBMITS APPLICATION FOR STATE HOMELAND SECURITY GRANT

RESOLUTION NO. 251-11, 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 its annual State Homeland Security Program application to be due on January 6th, 2012; and

WHEREAS, Seneca County has been awarded \$79,440 in SHSP funds for the purpose of specific homeland security preparedness projects pending submission of the application; and

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

WHEREAS, this resolution was reviewed and approved by the Public Safety Committee on December 13th, 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 to the 2011 State Homeland Security Program from the New York State Division of Homeland Security and Emergency Services.

SENECA COUNTY SUBMITS APPLICATION TO NEW YORK STATE HAZARDOUS MATERIALS REGIONAL GRANT PROGRAM

RESOLUTION NO. 252-11, moved by Mr. Davidson, seconded by Mr. Kaiser and adopted.

WHEREAS, the New York State Division of Homeland Security and Emergency Services has published the competitive 2011 HazMat Grant Program application due December 21, 2011; and

WHEREAS, the Seneca County Office of Emergency Management HazMat Team, in partnership with Cayuga and Ontario Counties' HazMat Teams, and with Wayne and Yates Counties' Decon Teams, intends to apply for \$50,000 in funds to purchase a mass fatality incident trailer; and

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

WHEREAS, this resolution was reviewed and approved by the Public Safety Committee on December 13th, 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 for Seneca County to submit an application to the 2011 HazMat Grant Program from New York State Division of Homeland Security and Emergency Services.

RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT FOR FORENSIC SERVICES BETWEEN THE COUNTY OF MONROE AND COUNTY OF SENECA FOR PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012

RESOLUTION NO. 253-11, moved by Mr. Davidson, seconded by Mr. Kaiser and adopted.

WHEREAS, the County of Monroe Public Safety Laboratory operates a regional laboratory that provides forensic services to counties within the Genesee / Finger Lakes Region; and

WHEREAS, the County of Seneca is desirous of receiving continued services from the laboratory; and

WHEREAS, the County of Monroe has notified the Sheriff of Seneca County that the contract fee for 2012 will be \$14,206.50 and will be taken from the Sheriff's Office 2012 budget line 10-110-5-3114-4390; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized and directed to execute the contract documents consistent with the terms hereof.

**BOARD OF SUPERVISORS AUTHORIZE TREASURER TO PAY TWIN LAKES
SNOWMOBILE ASSOCIATION**

RESOLUTION NO. 254-11, moved by Mrs. Amidon, seconded by Mr. Davidson and adopted.

WHEREAS, the funds received from the NYSPRHP Snowmobile Program are to support the snowmobile trail maintenance by the Twin Lakes Snowmobile Association within Seneca County; and

WHEREAS, Seneca County should receive the payments from NYSPRHP for the 2011-2012 season in the amount of \$4,200.00 which will come in two checks; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on November 22, 2011; now, therefore, be it

RESOLVED, that the Seneca County Treasurer is authorized and directed to pay Twin Lakes Snowmobile Association, upon review by the Department of Planning and Community Development, amounts equal to monies received from the New York State Snowmobile Program for the 2011-2012 season.

APPOINTMENTS TO THE SENECA COUNTY AGRICULTURE ENHANCEMENT BOARD

RESOLUTION NO. 255-11, moved by Mrs. Amidon, seconded by Mr. Churchill and adopted by 658 ayes (Amidon, Churchill, Reynolds, Garlick Lorenzetti, Serven, Prouty, Kaiser, Same, Lafler, Hayssen, Shipley, Kubasik), 33 nays (Davidson) and 59 not present (Mooney).

WHEREAS, two terms on the Agriculture Enhancement Board will expire on December 31, 2011; and

WHEREAS, Christopher Tarr has actively served, attended regularly and brought insight to the Board regarding the value of farmland and the influences on that value; and

WHEREAS, Douglas Freier has actively served as Chairman to the Board, attended regularly, and brought insight as a grain farmer and the process of the Purchase of Development Rights Program; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee at the November 22, 2011 meeting; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby reappoint Christopher Tarr of the Town of Junius to the Agriculture Enhancement Board to an additional four-year term to expire on December 31, 2015; and be it

FURTHER RESOLVED, that the Board of Supervisors does hereby appoint Douglas Freir of the Town of Fayette, to a four-year term on the Agriculture Enhancement Board to expire on December 31, 2015.

New Business

Suspension of the Rules was moved Mr. Davidson to introduce the following resolutions:

**SUPERVISORS AMEND THE RULES OF THE BOARD FOR 2012 ORGANIZATION
MEETING AND DECEMBER 27, 2011 MEETING**

RESOLUTION NO. 256-11, moved by Mr. Kaiser, seconded by Mr. Same and adopted.

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the Rules of the Board as follows: Organization Meeting for the year 2012 of the Seneca County Board of Supervisors to be held January 3, 2012 at 5:00 p.m.; and be it further

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the Rule of the Board as follows: the regular board meeting for the Tuesday, December 27, 2011 will be at 7:00 p.m.

**RESOLUTION SETTING SALARIES OF CERTAIN INDIVIDUALS AT THE MARKET RATE
AS PROVIDED FOR IN THE MANAGEMENT SALARY REPORT**

RESOLUTION NO. 257-11, moved by Mr. Same, seconded by Mr. Davidson and adopted by 625 ayes (Same, Davidson, Reynolds, Garlick Lorenzetti, Serven, Prouty, Lafler, Churchill, Hayssen, Shipley, Kubasik), 66 nays (Kaiser, Amidon), 59 not present (Mooney).

WHEREAS, the Personnel & Technology Committee reviewed this resolution at its December 13, 2011 meeting; now, therefore, be it

RESOLVED, that the employee holding the following job title and completed five years in their current title be moved on the salary schedule to the market rate as provided for in the management salary report:

Confidential Secretary to the Commission of DHS
Systems Administrator
Program Director of Clinical Services

**RESOLUTION SETTING SALARIES FOR
PART-TIME MANAGEMENT EMPLOYEES FOR THE YEAR 2012**

RESOLUTION NO. 258-11, moved by Mr. Same, seconded by Mr. Hayssen and adopted by 586 ayes (Same, Hayssen, Reynolds, Garlick Lorenzetti, Serven, Davidson, Prouty, Lafler, Churchill, Amidon, Kubasik), 105 nays (Kaiser, Shipley), and 59 not present (Mooney).

WHEREAS, the Personnel & Technology Committee reviewed this resolution at its December 13, 2011 meeting; now, therefore, be it

RESOLVED, that all management part-time and all non-management part-time employees not covered by a contract receive a 1.5% increase to their salary or hourly rate, which ever is appropriate.

**RESOLUTION SETTING THE MANAGEMENT SALARIES AND
CONTRIBUTION FOR HEALTH INSURANCE FOR 2012**

RESOLUTION NO. 259-11, moved by Mr. Same, seconded by Mr. Hayssen and adopted by 494 ayes (Same, Hayssen, Reynolds, Garlick Lorenzetti, Serven, Prouty, Lafler, Churchill, Amidon), 197 nays (Davidson, Kaiser, Shipley, Kubasik), and 59 not present (Mooney).

WHEREAS, the Personnel & Technology Committee of the Board of Supervisors has reviewed and discussed proposed salary increases for management employees at its December 13, 2011 meeting; now, therefore, be it

RESOLVED, that all full-time management employees receive a salary increase of \$1,200 dollars for the year 2012; and be it further

RESOLVED, that full-time management employees participating in the health insurance plan provided by the County pay 15% of the total premium for the year 2012.

Prior to the adoption of this resolution, Mr. Churchill made a motion, seconded by Mrs. Amidon to Amend the Main Motion by inserting text that stated a 3% increase for management salaries. The Motion to Amend the Main Motion received 255 aye votes (Churchill, Amidon, Davidson, Prouty, Same), thus it was defeated.

Mr. Churchill made a motion to Lay on the Table the Main Motion, Mrs. Amidon seconded the motion, which received 123 aye votes (Churchill, Amidon, Davidson), thus the motion was defeated.

Special Order of the Day

The meeting was adjourned at 9:48 p.m. by Chairman Lafler.