

Seneca County Board Of Supervisors

Regular Meeting

December 9, 2014

Call to Order

Chairman Hayssen called the meeting to order at 6:00 p.m.

Roll Call of Members by the Clerk

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

Pledge of Allegiance and Moment of Silence

Special Presentation

Kuneytown Sportmens Club was presented a Certificate of Recognition by the Board of Supervisors. Kuneytown representatives in attendance: Keith Tidball, Eric Riegal, and Robert Stuck. Kuneytown worked with the Wounded Warriors in Action Foundation, whose mission is to serve our Nation's combat wounded Purple Heart recipients by providing outdoor sporting activities as a means to recognize and honor their sacrifice, encourage independence and connections with communities, and promote healing and wellness through camaraderie and a shared passion for the outdoors. Five veterans were hosted by Kuneytown, who came from different states, four of whom are Purple Heart recipients. A four day itinerary included water fowl and deer hunts, dinners at local restaurants and lodging on Cayuga Lake.

Public Hearings:

Cyber Bullying Local Law - to receive public comment on proposed Local Law C of 2014 entitled "Seneca County Cyberbullying Law ". A motion by Mr. Reynolds, seconded by Mr. Earle was carried, to open the floor to accept public comment. No comments were received. A motion was made by Mr. Davidson, seconded by Mr. Lazzaro and carried to close the public hearing.

2015 Tentative Budget the Board of Supervisors of the County of Seneca - to receive public comment on the tentative budget of said County for the fiscal year beginning January 1, 2015. A motion was made by Mr. Kaiser, seconded by Mr. Lazzaro to open the floor to accept public comment.

Shannon O'Connor, representing the five libraries in Seneca County, thanked the Board of Supervisors for its continued support of the libraries and looks forward to its 2015 partnership with the county. No other comments were received. A motion was made by Mr. Kubasik, seconded by Mr. Westfall, to close the public hearing.

Presentation

2014 Tourism Promotion Agency 3rd Quarter Report - Jeff Shipley, Executive Director, Seneca County Chamber of Commerce. In addition to local, regional and statewide events, Seneca County's tourism industry received significant exposure from a variety of media events/public relations successes

during the third quarter. Seneca County was a featured partner and travel destination for I love NY's international tourism efforts. As part of the Responsible Travel campaign, the Chamber hosted nine international travel writers on a day-long visit that included a tour of the Finger Lakes National Forest and a through Montezuma National Wildlife Refuge.

The quarterly matching funds expenditures total: \$10,560 and year to date total: \$981,778.

Petitioners:

a. Wendy Marsh, Esq., Hancock Estabrook, LLP - Water / Sewer & Spring Meadows Apartments regarding the billing policy for water & sewer and maintenance in the winter and working with the county department on invoicing the tenants vs management of the apartments. She requested to be allowed to attend meetings of the Water & Sewer advisory boards. She requested to be a participant when the plan for master metering is developed and to be considered as a member of the advisory board.

Fred Smith, President of Safe Harbors of the Finger Lakes - Safe Harbors provides services, at no charge, for individuals, children, and families who have experienced sexual assault, sexual abuse, and interpersonal violence in Ontario, Seneca, and Yates Counties.

James Dawley III, resident, Town of Waterloo - Proposed Casino in Tyre. Expressed his opposition to the casino believing that the Board of Supervisors is supporting a business that will harm far too many, not just in Seneca county, but for surrounding counties as well including an increased number of pathological and problematic gamblers if a casino is built. He thought it was contradictory for the Board of Supervisors to oppose the storage of liquid gases in Seneca Lake because of its harmful effect the environment and population, and simultaneously support a casino, that also is harmful to the population. He asked that members of the Board of Supervisors should step down if they are not sincerely looking out for the best interests of the citizens of Seneca County.

Prior to Mr. Dawley speaking, Chairman Hayssen objected to a letter to the editor written by Mr. Dawley in the Syracuse Post Standard because it contained untrue, misleading, incorrect information. Chairman Hayssen denied ever holding secret meetings with Mr. Wilmot with an idea to build a casino, stating he never knew him before. Chairman Hayssen stated he was the one that was approached by the Wilmots; and after the plans were already being developed without any input from him. Mr. Dawley apologized.

Later in the meeting, Mr. McGreevy read a statement accusing Mr. Dawley for making false allegations, bullying and intimidation. Mr. McGreevy said that Mr. Dawley is not a resident of Tyre. He further stated that his Town Board considered all the impacts, negative and positive, and they stand by their decision to support the casino. The casino will benefit more people than the small group that opposes it, and the majority of local people support it.

Mike Davis, Finger Lakes Trades Council - Desperate Need for Jobs in Area. Mr. Davis thanked the Board of Supervisors for its efforts to bring the casino to Seneca County. It will produce a lot of jobs for his men that are currently out of work. There is a massive lack of job opportunity. Fifty-four men are out of work. That is ten percent of his workforce. So much of the opposition is based on “what ifs”, but for his men there is a “certain”, and that is two contracts already in place that guarantee jobs when the casino begins building.

Submission of Claims for Audit

WHEREAS, the following vouchers having gone through the proper auditing process; now, therefore be it

RESOLVED, that said bills be approved for payment.

Supervisors vouchers	totaling	\$	889,729.43
Workforce Development vouchers	totaling	\$	22,102.94
Self-Insurance vouchers	totaling	\$	12,501.50
County Airport vouchers	totaling	\$	32,960.06
Highway Department vouchers			
Maintenance & County Road (Fund 40)	totaling	\$	318,371.13
Road Machinery (Fund 50)	totaling	\$	354,305.27
	Highway Total	\$	672,676.40
Water	totaling	\$	138,457.95
Sewer 1	totaling	\$	80,684.24
Sewer 2	totaling	\$	53,373.68
Airport Capital	Totaling	\$	473,325.00

Approval of Meeting Minutes

The minutes were approved for the board meeting of November 11, 2014.

Reports of Standing Committees

Public Health Services, Mr. McGreevy, Chairman. At its meeting on November 25, 2014, the committee approved and referred the following issues for consideration by the Board of Supervisors: (1) authorize a the Chairman of the Board of Supervisors to sign a contract with The Network for Children’s Speech, Occupational, and Physical Therapy PLLC. (DBA: Children’s Therapy Network) to provide services for the Pre-School Program. The reimbursement rate is \$26.50 to \$40 per group session or \$60 to \$70 per individual session; (2) Authorization and approval of revision of roofing permit fees by charging a Commercial Roofing permit with at a flat fee of \$ 300. If the job price is under \$ 6,000, it would qualify as “Light Commercial Renovation” with a reduced fee of \$150. If the job price is under \$

3,000, it would qualify as “Very Light Commercial Renovation” with a fee of \$75; (3) Authorization for the Public Health Department to purchase a vaccine freezer. The refrigerator/freezer that the Health Department has been using for vaccine storage is no longer working. The committee approved the purchase of a vaccine freezer from Fisher Health Care for \$4,729.74. Fisher is under State Contract. Partial funding (\$2,406) will be achieved through COLA funding from the Immunization Grant.

Public Safety Committee, Mr. Reynolds, Chairman. At its meeting on November 25, 2014, the committee approved and referred the following issues for consideration by the Board of Supervisors: (1) authorize the Chairman of the Board to sign a grant amendment from the New York State Division Homeland Security & Emergency Services to purchase a SMARTBOARD for the County EOC for \$8,737.00, and has created an amendment to the grant; (2) authorize the Chairman of the Board to e-sign the FY 2014 Homeland Security Technical Rescue Grant for \$69,700 and authorize the County Treasurer to create a Expense Line in the State Homeland Security Budget (103642) and increase the revenue line by \$69,700 in the 2014 & 2015 budget; (3) accepts William J. Clark Management Services of Olcott, New York for \$62,327.00 and authorizes and directs the Chairman of the Board to sign the contract with William J. Clark Management Services for revise the existing Seneca County Multi-Jurisdictional Hazard Mitigation Plan. All expenses are 100% payable by grant funds; (4) authorize the Chairman of the Board to execute a \$20,000 grant contract with New York State Division of Criminal Justice Services. Through the efforts of State Senator Michael F. Nozzolio, the New York State Division of Criminal Justice Services has awarded the Seneca County District Attorney’s Office a \$20,000 grant to assist with anti-drug, anti-violence and anti-crime efforts of the District Attorney’s Office. The grant does not require any matching funds.

Human Services Committee - Mr. Lazzaro, Chairman. At its meeting on November 25, 2014, the committee approved and referred the following issues for consideration by the Board of Supervisors: (1) authorize the Chairman of the Board to sign 2015 Seneca County Reintegration Project agreement with the Youth Advocate Programs, Inc. The proposed operating budget for the proposed program is not to exceed \$240,620.00. The committee approved refilling a position for Data Consolidation Specialist effective January 1, 2015, and a Data Entry Machine Operator position. This action does not require a board resolution.

Planning, Development, Agriculture & Tourism - Mr. Earle, Chairman. At its meeting on November 25, 2014, the committee approved and referred the following issues for consideration by the Board of Supervisors: (1) Seneca County Land Bank - to authorize the hiring of Wladis Law Firm to create and file for the Land Bank corporation with New York State Empire State Development for a fee of \$25,000. In addition, the County will hire the Wladis Law Firm for \$30,000 to draft and submit applications on the County’s behalf to the New York State Attorney General’s Office for grant funding to

provide start-up capital for the Land Bank; (2) authorization to purchase a Fuel Truck from GSA List for the Finger Lakes Regional Airport. Seneca County was awarded a NYSDOT grant to purchase a fuel truck to service jets at the Finger Lakes Regional Airport. NYSDOT is requiring Seneca County to approve a resolution to purchase the fuel truck from the General Services Administration (GSA) list. The cost of the truck, up to \$298,000, is covered under the grant.

Environmental Affairs Committee - Mr. Churchill, Chairman. At its meeting on December 9, 2014, the committee approved a resolution for board consideration to appoint the Chairman of the Environmental Affairs Committee, Mr. Churchill as its representative for a meeting of municipal leaders of the towns, cities, village and counties adjacent to, served by, and/or with jurisdiction over the Seneca Lake watershed for the purpose of discussion the issues arising from proposed gas storage.

Public Works Committee - Mr. Kaiser, Chairman. At its meeting on November 25, 2014, the committee approved and referred the following issues for consideration by the Board of Supervisors: (1) to renew the lease agreement between Seneca County and the VFW Memorial Post, #6433, beginning January 1, 2015 through December 31, 2016. The lease provides court employees and the general public parking between the hours of 8:30 a.m. to 5 p.m. on the days the Seneca County Courthouse is open. The parking lot is plowed and maintained by the Facilities Department making the area accessible and safe; (2) to re-new the Preventative Maintenance Agreement contract between Seneca County and ThyssenKrupp Elevator Corporation for monthly comprehensive maintenance and inspection program to ensure performance and safety of the elevators located at the Seneca County Office Building, and Seneca County Courthouse.; (3) to re-new a Preventative Maintenance Agreement with Emerson Network Power/Liebert Services for the Data Wave Equipment used as back-up for our computer and network systems located at the Seneca County Office Building; (4) to increase the hourly rate to \$13.53 for the position of Temporary/Seasonal Motor Equipment Operator-Light; (5) to renew the lease with Regional Transit Service (RTS) for office and parking space at the County office building for a term of one year.

Mental Health Services Committee - Mr. Serven, Chairman. At its meeting on November 25, 2014, the committee approved and referred to the Board of Supervisors a recommendation for a board resolution authorizing the Chairman of the Board to sign the service provide contracts with Mental Health for the year 2015.

Government Operations Committee - Mr. Westfall, Chairman. At its meeting on November 25, 2014, the committee approved and referred the following issues for consideration by the Board of Supervisors: (1) setting the date for the 2015 Organizational Meeting of the Board for January 6, 2015 at 5:30 p.m.; (2) to revise Seneca County Policy 101.601 Sexual Harassment to include other types of unlawful harassment and discrimination as defined by federal and state laws; (3) to introduce a local law adopting "best value" provisions of §103 General Municipal Law and to advertise for a public hearing.

Finance, Assessment & Insurance Committee - Mr. Prouty, Chairman. At its meeting on November 25, 2014, the committee approved and referred the following issues for consideration by the Board of Supervisors; (1) to approve the Mortgage Tax Computation and Distribution for the period April 1, 2014 through September 30, 2014; (2) to adopt the 2015 tentative county budget upon receiving comments at the scheduled public hearing on December 9, 2014;

Communications

126. A copy the Seneca County Planning Board November 13, 2014 meeting minutes.
127. A copy of the Seneca County IDA November 6, 2014 meeting minutes.
128. A copy of the Finger Lakes Regional Airport Advisory Committee September 10, 2014 meeting minutes.
129. A copy of the Seneca County Board of Health October 15, 2014 meeting minutes.
130. A copy of the Inter County Association of Western New York November 21, 2014 meeting minutes.
131. A copy of Fulton County Resolution No. 370, "Resolution Supporting Repeal of the New York State "Scaffold Law".
132. A copy of Delaware County Resolution No. 210, "Resolution calling on the State to develop a 100 Percent State Funder Indigent Legal Defense System as a way to Provide Mandate Relief and Lower Property Taxes".
133. A copy of Yates County Resolution No. 394-14, "Resolution Calling on the State to Develop a 100% State Funded Indigent Legal Defense System as a way to Provide Mandate Relief and Lower Property Taxes".
134. A copy of Tompkins County Resolution NO. 2014-195, "Resolution Opposing Underground Hydrocarbon Storage Adjacent to Seneca Lake".
135. A copy of the adopted 2015 Budget for the Town of Covert.
136. A copy of the adopted 2015 Budget for the Town of Fayette.
137. A copy of the adopted 2015 Budget for the Town of Junius.
138. A copy of the adopted 2015 Budget for the Town of Lodi.
139. A copy of the adopted 2015 Budget for the Town of Ovid.
140. A copy of the adopted 2015 Budget for the Town of Romulus.
141. A copy of the adopted 2015 Budget for the Town of Seneca Falls.
142. A copy of the adopted 2015 Budget for the Town of Tyre.
143. A copy of the adopted 2015 Budget for the Town of Varick.
144. A copy of the adopted 2015 Budget for the Town of Waterloo.

RESOLUTIONS & MOTIONS

TREASURER AUTHORIZED TO PAY MORTGAGE TAX

RESOLUTION NO. 261-14, moved by Mr. Prouty, second by Mr. Kubasik and adopted.

WHEREAS, the mortgage tax report for the period April 1, 2014 through September 30, 2014 has been filed; now, therefore be it

RESOLVED, that the County Treasurer is hereby authorized and directed to pay to the municipalities of Seneca County the amount apportioned as follows:

TOWN	AMOUNT ALLOCATED	VILLAGE SHARE	TOWN SHARE
Covert	\$ 16,735.00	\$ 994.33	\$ 15,740.67
Fayette	32,050.25	2,061.80	29,988.45
Junius	3,940.50	0	3,940.50
Lodi	14,297.50	600.59	13,696.91
Ovid	12,288.50	856.30	11,432.20
Romulus	19,175.50	93.64	19,081.86
Seneca Falls	60,993.70	0	60,993.70
Tyre	7,782.00	0	7,782.00
Varick	20,325.25	0	20,325.25
Waterloo	40,014.72	14,925.69	25,089.03
TOTAL	227,602.92	\$19,532.35	208,070.57

**BOARD OF SUPERVISORS AUTHORIZE AMENDMENTS TO
2014 SENECA COUNTY BUDGET**

RESOLUTION NO. 262-14, moved by Mr. Prouty, second by Mr. Earle and adopted.

WHEREAS, amendments to the 2014 Seneca County Budget are necessary and appropriate; and

WHEREAS, funding is available in the object codes identified herein; and

WHEREAS, these amendments have been reviewed and approved by the Finance, Assessment and Insurance Committee at its meeting on November 25, 2014; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes the following amendments to the 2014 Seneca County Budget:

COUNTY ATTORNEY

Decrease: 101420-51100 (County Attorney Salaries) \$4,455.86
Increase: 101420-51100 (County Attorney Severance) \$4,455.86

DIVISION OF HUMAN SERVICES

Decrease: 1016010-51100-SS20 (DHS Salaries) \$2,296.71
Increase: 1016010-51100-SS20 (DHS Severance) \$2,296.71

SUPERVISORS ADOPT 2015 COUNTY BUDGET (amended)

RESOLUTION NO. 263-14, moved by Mr. Prouty, second by Mr. Kubasik and adopted.

WHEREAS, the heads of Seneca County departments have made their estimates of revenues and expenditures for Fiscal Year 2015; and

WHEREAS, the Proposed 2015 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 9, 2014; and

WHEREAS, this Board of Supervisors is desirous of amending this Tentative Budget; now, therefore be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2015 Tentative County Budget as follows:

HIGHWAY FUND:

40-999-4-9999	Appropriated Reserve	Increase	\$200,000.00
40-5110-4-5031	Inter-fund Transfer	Decrease	\$200,000.00

GENERAL FUND:

10-9522-5-9000	Inter-fund Transfer County Road	Decrease	\$200,000.00
10-9998-4-1110	Sales & Use Tax	Decrease	\$200,000.00;

and be it further

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 2015, and it is further

RESOLVED, that the several amounts specified in the 2015 County Budget be and hereby are appropriated for the objects and purposes enumerated therein.

**SUPERVISORS REPLACE POLICY NO. 101.601 "SEXUAL HARASSMENT"
WITH "DISCRIMINATORY HARASSMENT POLICY" FOR
COUNTY EMPLOYEES EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 264-14, moved by Mr. Westfall, second by Mr. Davidson and adopted.

WHEREAS, Seneca County would like to further emphasize its commitment to proper treatment of employees in the workplace and to set clear guidelines; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors approves changes to the Seneca County Policy Manual, 101.601 to read as follows:

Policy:

The Discriminatory Harassment Policy has been established to further emphasize Seneca County's commitment to proper treatment of employees in the workplace and to set clear guidelines.

Policy Statement:

It is the policy of Seneca County to provide and maintain a work environment which is free from unlawful discrimination based on sex (with or without sexual conduct), race, color, religion, national origin, age, disability, sexual orientation and any other class protected by law (collectively referred to as “discriminatory harassment” or “harassment”). Harassment based on these characteristics is a form of unlawful discrimination and is prohibited in each and every work environment and each and every situation which directly impacts the work environment.

Seneca County will take appropriate steps to prevent and correct unlawful harassment and discrimination as defined by both federal and state law. The federal laws include Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, and the Americans with Disabilities Act. The state law is the New York State Human Rights Law.

Seneca County considers discriminatory harassment to be a form of employee misconduct and considers this type of misconduct to be a serious offense, which will not be tolerated. Allegations of harassment will be investigated thoroughly and if substantiated, will be met with appropriate corrective and/or disciplinary action commensurate with the seriousness of the offense(s), and in accordance with the parameters of applicable collective bargaining agreements and/or state law.

This policy applies to all applicants and employees of the Seneca County and prohibits harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the County (e.g., an outside vendor, consultant or citizen). Conduct prohibited by this Policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

All information gathered during an investigation of a harassment complaint will be handled in a confidential manner, to the extent possible.

Retaliation against any individual making a harassment complaint or assisting in the investigation of such a complaint is forbidden. Retaliation is a serious violation of this policy, which may result in disciplinary action.

This Policy does not preclude the filing of discriminatory harassment complaints with either the New York State Division of Human Rights or the Federal Equal Employment Opportunity Commission, or the pursuing of any other remedies as permitted by law.

Definitions:

1. “Sexual Harassment” is defined as:

Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment (e.g., promotion, training, assignments, etc.);
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions (e.g., hiring, evaluation, promotion) affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of specific behaviors that may be considered sexual harassment include, but are not limited to:

- Spoken or written words related to an employee's sex
- Any sexual advance that is unwelcome
- Sexually oriented comments
- Showing or displaying pornographic or sexually explicit objects or pictures in the workplace
- Offensive touching, patting or pinching
- Requests for sexual acts or favors
- Abusing the dignity of an employee through insulting or degrading sexual remarks or conduct-3-
- Threats, demands or suggestions that an employee's work status is contingent upon her/his toleration of or acquiescence to sexual advances
- Subtle pressure for sexual activities
- Leering at a person

Sexual harassment is gender neutral and may involve members of the same or different gender.

2. Other unlawful harassment:

Harassment on the basis of any other protected characteristic is also prohibited. Under this policy, prohibited harassment is verbal or physical conduct that is offensive to or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, age, disability, sexual orientation or marital status (and any other class protected by law) , and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace (including through e-mail) of written or graphic material that denigrates or shows hostility or aversion toward an individual or group, based on an individual's protected class.

3. Other Unacceptable Conduct:

This policy also prohibits conduct of one employee toward another that may not rise to the level of discrimination or harassment in violation of the law, but nonetheless creates a degree of hostility or intimidation that adversely affects the work environment. Teasing, ridicule, and other conduct intended to annoy, personally attack, belittle or embarrass another individual is inappropriate and also unacceptable in the workplace. Therefore, the County encourages the use of its complaint procedure by employees who believe they have been subject to inappropriate conduct by another employee, even if such conduct may not be harassment or discrimination per se. The County endeavors to create an environment in which employees may feel free to raise concerns and are confident that those concerns will be addressed.

Responsibilities

1. Managerial and Supervisory Personnel

All managerial and supervisory personnel of Seneca County shall be responsible for enforcing this Policy and shall have particular responsibility for ensuring that the work environment under their supervision is free from discriminatory harassment and its effects. Failure of a manager or supervisor to comply with this responsibility may result in disciplinary action.

All managerial and supervisory personnel who receive discriminatory harassment complaints will be responsible for immediately forwarding such complaints to the Department Head. The Department Head shall forward the complaint to the Personnel Officer.

2. The County

Seneca County will conduct periodic training for managerial and supervisory personnel in each Department of the County on the issues surrounding discriminatory harassment, its effects and its appearances, and the role and responsibility of managerial/supervisory personnel in preventing incidents of harassment complaints.

Seneca County shall distribute this Policy to all County employees and all others covered by its parameters. Copies of this Policy will be distributed to new employees as they are hired.

This Policy will be included in the Seneca County Policy Manual, which is available on the intranet.

Reporting and Resolution Procedures

1. If an individual is subjected to a situation which he/she believes constitutes discriminatory harassment in violation of this Policy, the County recommends that the employee confront the harasser directly and advise the harasser that his/her behavior is not welcomed and will not be tolerated. Note that neither this policy nor state/federal law requires that an individual tell an alleged harasser to stop his/her actions. Employees should feel free to keep written records of any alleged discriminatory harassment incidents, including the date, time, location, names of people involved, witnesses (if any), and who said or did what to whom.

2. A written or verbal complaint should be filed by the affected employee with the employee's immediate supervisor. In the event the employee does not believe it would be appropriate to file the complaint with the immediate supervisor, it may be filed directly to the appropriate Department Head or to the County's Personnel Officer.

Complaint Investigation

1. Harassment complaints should be investigated as promptly as possible and resolved within a reasonable time after the receipt of the complaint. The Personnel Officer and/or his/her designee(s) will coordinate an investigation of the complaint. Following the investigation, the Personnel and/or his/her designee(s) may issue a written report of findings and conclusions. Thereafter, any conclusions may be issued from the Personnel Officer and/or his/her designee(s), in writing, back to the complainant.

3. Retaliation against any individual making a harassment complaint or assisting in the investigation of such a complaint is strictly forbidden. Retaliation, like discrimination and harassment, is against the law and is a serious violation of this Policy. Employees who retaliate against other employees who complain about harassment and/or participate in investigation of harassment may be subject to disciplinary action.

Response Procedures

1. In the event a complaint of discriminatory harassment is determined to be founded, the County may take disciplinary action in accordance with the provisions of applicable collective bargaining agreements and/or state law, if applicable.

2. If disciplinary charges are filed against an employee on the grounds that the County has determined the employee is guilty of unlawful harassment, the accused employee may exercise his/her rights through the disciplinary procedure provided for in his/her labor contract and/or state law, if applicable.

3. Reporting of a false complaint is a serious act. In the event it is found that the individual bringing the complaint has knowingly made false accusations, the County will take action in accordance with the provisions of the applicable collective bargaining agreement and/or state law, if applicable.

A RESOLUTION TO INTRODUCE LOCAL LAW "A" OF 2015 ENTITLED "A LOCAL LAW AUTHORIZING THE USE OF A BEST VALUE AWARD METHODOLOGY FOR PURCHASE CONTRACTS"

RESOLUTION NO. 265-14, moved by Mr. Westfall, second by Mr. Churchill and adopted.

WHEREAS, the State has amended §103 of the New York State General Municipal Law to provide for a "best value" analysis in regard to municipal purchases requiring competitive bidding, and

WHEREAS, a local law is required in order to take advantage of the benefits of this change over existing competitive bidding requirements; and

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

RESOLVED, that Local Law A of 2015 entitled "A Local Law Authorizing the Use of a Best Value Award Methodology for Purchase Contracts" is and the same is hereby introduced before the Board of Supervisors of Seneca County, New York to read in substantially the following form:

Section 1. Name of local law

This law shall be known as "A Local Law Authorizing the Use of a Best Value Award Methodology for Purchase Contracts"

Section 2. Findings and Intent

The State Legislature and Governor amended General Municipal Law, §103 in 2012 to provide local governments greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work on the basis of best value. The state legislation requires County's with a population of less than one million to pass a local law authorizing the use of the best value award process.

Enactment of this legislation provides additional procurement options to localities in ways that may expedite the procurement process and result in cost savings. The "best value" standard for selecting goods and services vendors, including janitorial and security contracts, is critical to efforts to use strategic sourcing principles to modernize the supply chain and ensure that taxpayers obtain the highest quality goods and services at the lowest potential cost, while also ensuring fairness to all competitors.

The Federal government, approximately half of the states and many localities have added best value selection processes to their procurement options, in recognition of these advantages. With the increased complexity of the goods and services that municipalities must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense.

Taxpayers are not well served when a public procurement results in low unit costs at the outset, but ultimately engenders cost escalations due to factors such as inferior quality, poor reliability and difficulty of maintenance. Best value procurement links the procurement process directly to the municipality's performance requirements, incorporating selection factors such as useful lifespan, quality and options and incentives for more timely performance and/or additional services.

Even if the initial expenditure is higher, considering the total value over the life of the procurement may result in a better value and long-term investment of public funds. Best value procurement also encourages competition and, in turn, often results in better pricing, quality and customer service. Fostering healthy competition ensures that bidders will continue to strive for excellence in identifying and meeting municipalities' needs, including such important goals as the participation of small, minority and women-

owned businesses, and the development of environmentally preferable goods and service delivery methods. Best value procurement will provide much-needed flexibility in obtaining important goods and services at favorable prices, and will reduce the time to procure such goods and services.

Section 3. Definitions

"Best value" means the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority- or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the Executive Law to be used in evaluation of offers for awarding of contracts for services.

Section 4. Requirements

A. Where the basis for award is the best value offer, the Purchasing Director shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.

B. The Purchasing Director shall select a formal competitive procurement process in accordance with guidelines established by the state procurement council and document its determination in the procurement record. The process shall include, but is not limited to, a clear statement of need; a description of the required specifications governing performance and related factors; a reasonable process for ensuring a competitive field; a fair and equal opportunity for offerers to submit responsive offers; and a balanced and fair method of award. Where the basis for the award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.

C. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the County in its determination of best value.

D. The Purchasing Director shall develop procedures that will govern the award of contracts on the basis of best value. These procedures shall be included in the Seneca County Procurement Policy and reviewed annually by the County Board of Supervisors in conjunction with its annual review and approval of the County's Procurement Policy.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. Effective Date

This local law shall take effect immediately upon filing with the New York State Secretary of State.

And be it further

RESOLVED, that copies of the aforesaid proposed local law be laid upon the desks of each member of the County Board of Supervisors; and, be it further

RESOLVED, that the Board hold a public hearing on said proposed Local Law at the County Office Building, 1 DiPronio Drive, Waterloo New York at or about 6:00 P.M., on January 13, 2015; and, be it further

RESOLVED, that the Clerk to the Board publish or cause to be published a notice of said public hearing in the official newspapers of the County at least ten (10) days prior thereto.

**A RESOLUTION TO ADOPT LOCAL LAW 3 OF 2014 ENTITLED
“SENECA COUNTY CYBERBULLYING LAW”**

RESOLUTION NO. 266-14, motion by Mr. Westfall, second by Mr. Earle and adopted.

WHEREAS, a resolution was duly adopted by the Board of Supervisors of the County of Seneca for a Public Hearing to be held by said County on December 9, 2014 at 6:00 p.m. at the Seneca County Office Building, Waterloo, New York, to hear all interested parties on a proposed Local Law entitled “Seneca County Cyberbullying Law”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspapers of the County of Seneca; and

WHEREAS, said public hearing was duly held on December 9, 2014 at 6:00 p.m. at the Seneca County Office Building, Waterloo, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Supervisors of the County of Seneca, after due deliberation, finds it in the best interests of the County of Seneca to adopt said Local Law; now, therefore be it

RESOLVED, that the Board of Supervisors of the County of Seneca hereby adopts Local Law 3 of the year 2014, as follows:

- 1) Findings, legislative intent: the Seneca County Board of Supervisors finds that:

- A. Bullying is a long-standing problem among school-aged children in Seneca County and throughout the nation. With increasing accessibility to electronic means of communication, bullying has transformed from a predominately school-based issue into a broader societal problem.
- B. Recent studies indicated cyberbullying affects about one in five students today.
- C. A bullied child can no longer count on respite from attacks upon returning home from school. Cyberbullying can be a twenty-four-hour, seven-day-a-week problem.
- D. Several states have enacted laws criminalizing cyberbullying. To date, the New York State Legislature has failed to take action on this problem. Seneca County should not wait for New York State to act and should implement legislation to discourage and prevent cyberbullying from occurring.

2) Purpose: the purpose of this chapter is to ban cyberbullying against minors in Seneca County.

3) Definitions: as used in this chapter, the following terms shall have the following meanings:

A. COMPUTER NETWORK

The interconnection of hardware or wireless communication lines with a computer through remote terminals, or a complex consisting of two or more interconnected computers.

B. COUNTY

The County of Seneca, New York.

C. CYBERBULLYING

With intent to harass, annoy, threaten, or place another in fear of personal injury, engaging in a course of conduct or repeatedly committing acts of abusive behavior over a period of time by communication or causing a communication to be sent by mechanical or electronic means, posting statements or images on the Internet, through a computer network, or via cell or smart phone. Acts of abusive behavior shall include, but not be limited to: taunting; threatening; intimidating; insulting; tormenting; humiliating; disseminating sexually explicit photographs, either actual or modified, of a minor; disseminating the private, personal or sexual information, either factual or false, of a minor without lawful authority.

D. MINOR

Any natural person or individual under the age of 18.

E. PERSON

Any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association, or other entity or business organization of any kind.

- 4) Prohibited acts: it shall be unlawful for a person to engage in cyberbullying against any minor in Seneca County.
- 5) Penalties for offenses: any person violating the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding \$1,000 per offense and/or up to one year's imprisonment.
- 6) Severability: if any clause, sentence, paragraph, section or article of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the proceeding in which such adjudication shall have been rendered.
- 7) Reverse preemption: this chapter shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this chapter or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by Seneca County. The County Legislature may determine via mere resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section
- 8) Effective date: this local law shall take effect thirty days after filing in the Office of the Secretary of State pursuant to section 27 of the Municipal Home Rule Law.

And be it Further

RESOLVED, that copies of the aforesaid proposed local law be laid upon the desks of each member of the County Board of Supervisors; and, be it further

RESOLVED, that the Board hold a public hearing on said proposed Local Law at the County Office Building, 1 DiPronio Drive, Waterloo New York at or about 6:00 P.M., on December 9, 2014; and, be it further

RESOLVED, that the Clerk to the Board publish or cause to be published a notice of said public hearing in the official newspapers of the County at least ten (10) days prior thereto.

**SUPERVISORS AMEND THE RULES OF THE BOARD FOR 2015 ORGANIZATION
MEETING AND DECEMBER 30, 2014 MEETING**

RESOLUTION NO. 267-14, motion by Mr. Westfall, second by Mr. Davidson 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 2015 of the Seneca County Board of Supervisors to be held Tuesday, January 6, 2015 at 5:30 p.m.; and be it further

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the Rule of the Board as follows: A special meeting of the Board of Supervisors shall be held Tuesday, December 30, 2014 will be at 6:00 p.m.

2015 MENTAL HEALTH SERVICES PROVIDER-AGENCY CONTRACTS

RESOLUTION NO. 268-14, moved by Mr. Serven, second by Mr. McGreevy and adopted.

WHEREAS, the Department of Mental Health enters into services contracts each year with: the New York State Office of Mental Health (OMH); Lakeview Mental Health Services, Inc.; Finger Lakes Parent Network; Unity House of Cayuga County; Glove House; Hillside Children's Center; the Franziska Racker Centers; Seneca-Cayuga ARC; and the Council on Alcoholism and Other Chemical Dependencies of the Finger Lakes, Inc., to provided mental health and alcoholism services to the residents of Seneca County; and

WHEREAS, the funds used for these contracts are passed though state aid monies from New York State Office of Mental Health and New York State Office of Alcoholism and Substance Abuse Services; and

WHEREAS, the total state dollars-invested amount for these contracts is \$1,008,000 (revenue account 10.4300.43000 and expense account 10.4300.54700) with no local mandated share; and

WHEREAS, these contracts have been approved by the Mental Health Committee of the Seneca Board of Supervisors; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the 2015 services contracts for: the New York State Office of Mental Health (OMH); Lakeview Mental Health Services, Inc.; Finger Lakes Parent Network; Unity House of Cayuga County; Glove House; Hillside Children's Center; the Franziska Racker Centers; Seneca-Cayuga ARC; and the Council on Alcoholism and Other Chemical Dependencies of the Finger Lakes, Inc.

**SUPERVISORS APPROVE THE HOURLY RATE INCREASE FOR
TEMPORARY/SEASONAL MOTOR EQUIPMENT OPERATOR**

RESOLUTION NO. 269-14, motion by Mr. Kaiser, second by Mr. Davidson and adopted by 411 ayes (Kaiser, Davidson, Reynolds, Serven, Prouty, Earle, McGreevy, Hayssen, Westfall); 282 nays (Garlick Lorenzetti, Churchill, Lazzaro, Kubasik) and 57 not present (Shipley).

WHEREAS, the Seneca County Highway Department Superintendent is requesting to increase the hourly rate for temporary/seasonal Motor Equipment Operator-Light; and

WHEREAS, the request is to increase the current hourly pay rate of \$12.43 to the hourly pay rate of \$13.53 and is based on the amount of responsibility exercised and the value of the snow removal

equipment utilized by these employees; and

WHEREAS, the Vacancy Committee has approved the requested increase to the hourly pay rate by increasing the current hourly pay rate of \$12.53, to the hourly rate pay rate of \$13.53, which is one grade below the current CSEA starting rate for MEO-Light; and

WHEREAS, at its meeting on November 23, 2014 the Public Works Committee approved this resolution; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize increasing the hourly rate to \$13.53 for the position of Temporary/Seasonal Motor Equipment Operator-Light.

**BOARD OF SUPERVISORS RENEWS LEASE WITH
ROCHESTER-GENESEE REGIONAL TRANSIT AUTHORITY**

RESOLUTION NO. 270-14, motion by Mr. Kaiser, second by Mr. Lazzaro and adopted.

WHEREAS, the Board of Supervisors recognizes the important service provided by Rochester Regional Transit Authority through the RTS bus system (formerly referred to as STS) operated in Seneca County; and

WHEREAS, the Board further recognizes the importance of promoting mass transit to both the economy and the environment; and

WHEREAS, in furtherance of that recognition, the Board in 2010 entered into a lease whereby the STS system has rented office space within the Seneca County office building as well as exclusive use of a portion of the County office building parking lot as a base for their Seneca County transit routes, and

WHEREAS, this resolution has been approved by the Public Works Committee; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes and directs the Chairman of the Board of Supervisors to execute an extension of the County's lease with the Rochester-Genesee Regional Transit Authority for office and parking space at the County office building upon the terms contained in the lease dated November 1, 2010 for an additional period of one year from the termination date thereof, to December 31, 2015 together with an option to renew such lease for an additional term of one year.

**BOARD OF SUPERVISORS REQUESTS STATE OF NEW YORK REALIGN
SENECA COUNTY TO DEPARTMENT OF TRANSPORTATION REGION FOUR**

RESOLUTION NO. 271-14, motion by Mr. Kaiser, second by Mr. Davidson and adopted by 636 ayes (Kaiser, Davidson, Reynolds, Garlick Lorenzetti, Serven, Prouty, Earle, Churchill, Lazzaro, McGreevy, Hayssen, Kubasik), 57 nays (Westfall) and 57 not present (Shipley).

WHEREAS, Seneca County is currently served by the New York State Department of Transportation (NYSDOT) through its Region Three Office in Syracuse, New York; and

WHEREAS, Seneca County is a member of the Genesee Transportation Council, a Metropolitan

Planning Organization which principally serves NYSDOT Region Four communities; and

WHEREAS, Seneca County is further aligned with the general NYSDOT Region Four area by its membership in the Genesee-Finger Lakes Regional Planning Council, Greater Rochester Enterprise and other similar organizations; and

WHEREAS, Seneca County is served by the Empire State Development Corporation's Finger Lakes Regional Office; and

WHEREAS, Seneca County desires to request realignment to NYSDOT Region Four so as to better integrate policy and planning decisions with promote implementation in both public works and private development; and

WHEREAS, realignment to NYSDOT Region Four would be in the best interest of Seneca County; and

WHEREAS, the County has previously and repeatedly expressed the need for such realignment, and

WHEREAS, this resolution has been reviewed and approved by the Public Works Committee on November 25, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors repeats its continued support for Seneca County's realignment within the New York State Department of Transportation to NYSDOT Region Four and authorizes and directs the Chairman to reinstate said request to the Department and to the County's legislative representatives.

BOARD OF SUPERVISORS AUTHORIZES TREE MANAGEMENT

AT OVID THREE BEARS COMPLEX

RESOLUTION NO. 272-14, motion by Mr. Kaiser, second by Mr. Prouty and adopted.

WHEREAS, it is necessary to do a root treatment for weakened maple trees located at the Three Bears Complex in Ovid, NY, in order to build root systems rather than to push growth into the following spring season; and

WHEREAS, this care involves only root building, and is performed during the fall season, which is the best time for generating new root and root vascular tissues; and

WHEREAS, this particular type of treatment will aid protection against root death and winter dieback that commonly occurs; and

WHEREAS, this resolution was reviewed and approved by the Public Works Committee at its meeting on October 28, 2014; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby authorize securing the services of Dr. Daniel F. Marion, Tree Specialist/Pathologist, Plant Health LTD for professional services to perform root treatment only on maple trees at the Three Bears Courthouse Complex located in Ovid, NY for an amount

not to exceed \$865.00, paid from the Buildings and Grounds budget line item 101620-54220, Repairs and Maintenance.

BOARD OF SUPERVISORS AUTHORIZES VFW LEASE RENEWAL

RESOLUTION NO. 273-14, motion by Mr. Kaiser, second by Mr. Reynolds and adopted.

WHEREAS, the lease between the VFW Memorial Post #6433, Waterloo, NY and Seneca County for use and maintenance of the VFW parking lot will expire at the end of 2014; and

WHEREAS, the agreement provides for the use of the parking lot in exchange for plowing and maintenance by the county Facilities Department, making the parking area accessible and safe for court employees and the general public, between the hours of 8:30 a.m. to 5:00 p.m. on the days the Seneca County Courthouse is open; and

WHEREAS, the Public Works Committee reviewed and approved the renewal of the VFW Lease at its meeting on November 25, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisor does hereby authorize the renewal of the VFW Lease Agreement between the County of Seneca and the VFW Memorial Post #6433, effective January 1, 2015 through December 31, 2016, for the use of the parking lot in exchange for plowing and maintenance for parking accessibility and safety by the Seneca County Facilities Department.

**BOARD OF SUPERVISORS AUTHORIZES CONTRACT RENEWAL WITH
THYSSENKRUPP ELEVATOR CORPORATION**

RESOLUTION NO. 274-14, motion by Mr. Kaiser, second by Mr. Davidson and adopted.

WHEREAS, the Preventative Maintenance Agreement between Seneca County and ThyssenKrupp Elevator Corporation will expire on December 31, 2014; and

WHEREAS, the Preventative Maintenance Agreement provides a monthly comprehensive maintenance and inspection program to ensure performance and safety of the one elevator located at the Seneca County Office Building, 1 DiPronio Drive, Waterloo, NY, 13165 and the one elevator located at the Seneca County Courthouse, 48 W. Williams St., Waterloo, NY, 13165; and

WHEREAS, the Seneca County Facilities Department has secured an extended long-term contract beginning January 1, 2015 through December 31, 2024, at a reduced cost based on the longevity of the contract; and

WHEREAS, the annual amount for each elevator described in the Platinum Service Agreement contract is \$2,366.88 per elevator each year; and

WHEREAS, this resolution was reviewed and approved by the Public Works Committee at its meeting on November 25, 2014; now, therefore be it

RESOLVED, that the Board of Supervisors does hereby authorize and direct the Chairman of the Board to execute the renewal of the Platinum Service Agreement between Seneca County and ThyssenKrupp Elevator Corporation.

**BOARD OF SUPERVISORS AUTHORIZES CONTRACT RENEWAL WITH
EMERSON NETWORK POWER/LIEBERT SERVICES**

RESOLUTION NO. 275-14, motion by Mr. Kaiser, second by Mr. Earle and adopted.

WHEREAS, Emerson Network Power/Liebert Services maintains and services the Data Wave equipment used as backup for our computer and network systems located at the Seneca County Office Building at an annual cost of \$3,141.60; and

WHEREAS, Emerson Network has extended the same pricing on the renewal contract as was quoted in 2012; and

WHEREAS, the Public Works Committee reviewed and approved the renewal of the contract between Seneca County and Emerson Network Power/Liebert Services at its meeting on November 25, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes the Chairman of the Board to execute the renewal agreement between Seneca County and Emerson Network Power/Liebert Services beginning January 1, 2015 through December 31, 2017.

**2015 SENECA COUNTY REINTEGRATION PROJECT AGREEMENT WITH THE
YOUTH ADVOCATE PROGRAMS, INC.**

RESOLUTION NO. 276-14, moved by Mr. Lazzaro, second by Mr. Serven and adopted.

WHEREAS, the Division of Human Services would like to renew the agreement with the Youth Advocate Program, Inc. (YAP) for the Seneca County Reintegration Project; and

WHEREAS, the agency is proposing to serve up to 10 youth at any one time with up to 12.5 youth receiving services annually; and

WHEREAS, YAP will successfully return 85% of the youth back into the community; and

WHEREAS, the proposed operating budget for the proposed program is not to exceed \$240,620.00; and

WHEREAS, this funding is currently available in the 2014 budget, under project account 106070 54700 POS47, and planned for in the 2015 budget; and

WHEREAS, this agreement has been reviewed and approved by the Human Services Committee at its meeting on November 25, 2014; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors authorizes the agreement with Youth Advocate Programs, Inc. and the Chairman of the Board of Supervisors is hereby authorized and directed to sign the agreement with Youth Advocate Programs, Inc.

AMEND FY 2014 STATE HOMELAND SECURITY GRANT

RESOLUTION NO. 277-14, moved by Mr. Reynolds, second by Mr. McGreevy and adopted.

WHEREAS, Seneca County Office of Emergency Services was awarded a FY 2014 State Homeland Security Grant; and

WHEREAS, New York State Division Homeland Security & Emergency Services has approved the purchase of a SMARTBOARD for the County EOC for \$8,737.00, and has created an amendment to the grant. This amendment needs to be signed by the Chairman of the Board; and

WHEREAS, the Public Safety Committee approved the amendment at its meeting on November 25, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board to sign the amended contract documents.

AUTHORIZE SENECA COUNTY TO CONTRACT WITH WLADIS LAW FIRM TO ESTABLISH A LAND BANK AND TO PURSUE GRANT FUNDING

RESOLUTION NO. 278-14, motion by Mr. Earle, second by Mr. McGreevy and adopted by 551 ayes Earle, McGreevy, Reynolds, Garlick Lorenzetti, Davidson, Kaiser, Churchill, Lazzaro, Hayssen, Westfall, Kubasik), 142 nays (Serven, Prouty), and 57 not present (Shipley).

WHEREAS, New York State has provided through legislation for the creation of up to twenty Land Banks across the State; and

WHEREAS, a Land Bank is a not-for-profit corporation authorized under Section 16 of Not-for-Profit Corporation Law to purchase, hold, develop, remediate, and sell real property; and

WHEREAS, there are currently 400+ properties that Seneca County may be able to foreclose upon because of delinquent taxes and 600 vacant commercial and residential properties, some of which pose both a blighting presence and a hazard to the public; and

WHEREAS, the creation of a Land Bank to acquire, hold, develop, remediate, and sell some of these properties would provide Seneca County with another tool to address these difficult challenges; and

WHEREAS, Seneca County anticipates that after an initial transfer and/or purchase of tax lines on approximately a dozen delinquent properties, the Land Bank will likely acquire and/or sell a half dozen properties a year for the first few years of its existence; and

WHEREAS, Seneca County anticipates that ultimately the Land Bank will be self-sufficient; and

WHEREAS, in New York State, all new Land Banks must be created through an application filed with the New York State Empire State Development; and

WHEREAS, the New York State Office of the Attorney General has grant programs available to provide capital seed funding and operational costs to new Land Banks; and

WHEREAS, the cost for hiring the Wladis Law Firm of 6312 Fly Road, East Syracuse, New York 13057 to draft and file the Land Bank corporation documents and to draft the grant application is \$55,000; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on November 25, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County staff to contract with the Wladis Law Firm of 6312 Fly Road, East Syracuse, New York 13057 not to exceed \$55,000 for the purpose of establishing a Land Bank with the potential for future expansion and the application of grant funding; and be it

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to transfer up to \$55,000 from 2014 County Contingency to account line # 8020-54371 to cover the costs associated with the creation of the Land Bank and for the application for grant funding.

**PURCHASE OF FUEL TRUCK FROM THE GENERAL SERVICES ADMINISTRATION LIST
FOR THE FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 279-14, motion by Mr. Earle, second by Mr. Churchill and adopted.

WHEREAS, the New York State Department of Transportation (NYSDOT) has approved a grant for the purchase of a fuel truck for the Finger Lakes Regional Airport in the amount of \$298,000; and

WHEREAS, NYSDOT is requiring that Seneca County purchase the fuel truck from the General Services Administration (GSA) list; and

WHEREAS, the NYSDOT is requiring a resolution from the County to purchase the fuel truck from the GSA list; and

WHEREAS, a resolution has been reviewed and approved by the Planning, Community Development, Agriculture and Tourism Committee on November 25, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the resolution to purchase the fuel truck from the GSA list not to exceed a cost of \$298,000, to be expensed from the Capital Account #80-50-56-56-5610-000-000-000-52000. The Chairman of the Seneca County Board of Supervisors be authorized and directed to sign all necessary documentation to the GSA.

ACCEPT THE FY 2014 TECHNICAL RESCUE GRANT

RESOLUTION NO. 280-14, motion by Mr. Reynolds, second by Mr. Davidson and adopted.

WHEREAS, the New York State Division of Homeland Security & Emergency Services has awarded the Seneca County Office of Emergency Services a FY 2014 Technical Rescue Grant for \$69,700.00 with no local match; and

WHEREAS, this grant will provide equipment to enhance the response to Swift Water & Flood Water Rescues and to improve FEMA Type I Response, and purchase equipment for Confined Space Rescue and Grain Bin Rescue; and

WHEREAS, the Public Safety Committee approved the acceptance of said grant at its meeting on November 25, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board to sign any and all documents as required by the New York State Division of Homeland Security & Emergency Services for Seneca County to receive the funding of from the FY 2014 Technical Rescue Grant, and be it further

RESOLVED, that the County Treasurer is authorized to amend the 2015 Budget, State Homeland Security Program:

Technical Rescue Grant 4708:	\$69,700
Increase Revenue Line: 43005 State Aid:	\$69,700

**AWARD CONTRACT FOR MULTI-JURISDICTIONAL HAZARD
MITIGATION PLANNING GRANT REVISION**

RESOLUTION NO. 281-14, motion by Mr. Reynolds, second by Mr. Earle and adopted.

WHEREAS, the New York State Division of Homeland Security and Emergency Services, has awarded Seneca County a Multi-Jurisdictional Hazard Mitigation Planning Grant to revise the County's existing plan; and

WHEREAS, an RFP was advertised for the project and William J. Clark Management Services of Olcott, New York submitted the only response for \$62,327.00; and

WHEREAS, this response meets the requirements of the New York State Division of Homeland Security and Emergency Services and FEMA and is 100% funded from the grant; and

WHEREAS, the Public Safety Committee approved the purchase at its meeting on November 25, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors accepts William J. Clark Management Services of Olcott, New York for \$62,327.00 and authorizes and directs the Chairman of the Board to sign the contract with William J. Clark Management Services of Olcott, New York.

**SUPERVISORS ACCEPT \$20,000 NEW YORK STATE
DIVISION OF CRIMINAL JUSTICE SERVICES GRANT**

RESOLUTION NO. 282-14, motion by Mr. Reynolds, second by Mr. Davidson and adopted.

WHEREAS, through his efforts, State Senator Michael F. Nozzolio has secured \$20,000 through the New York State Division of Criminal Justice Services to assist with anti-drug, anti-violence and anti-crime efforts of the District Attorney's Office; and

WHEREAS, the grant covers 100% of the cost of the project with no additional cost to the County; and

WHEREAS, this request was reviewed and approved by the Public Safety Committee on November 25, 2014; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign any and all necessary contract documents with the New York State Division of Criminal Justice Services; and be it further

RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to amend the proposed 2015 Seneca County Budget as follows:

Create budget account for DCJS LG14 Grant

Add Revenue: 101165-43097 +\$ 20,000

Increase Expense: 101165-54701 +\$ 20,000

**BOARD OF SUPERVISORS AMENDS 2014 FEE SCHEDULE TO ESTABLISH FEE FOR
SIMPLE COMMERCIAL RE-ROOFING PROJECTS**

RESOLUTION NO. 283-14 moved by Mr. McGreevy, second by Mr. Reynolds and adopted.

WHEREAS, Seneca County provides New York State Uniform Building Code and Energy Code enforcement services to all towns and villages within the County; and

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

WHEREAS, Resolution 207-14 amended the 2014 Fee Schedule creating the category of Commercial Roofing projects with a flat fee of \$1; and

WHEREAS, the cost of administering the application for the commercial roofing permit, and then the necessary site inspections varies between \$75 and \$ 300 depending on the size and scope of the commercial roofing project and assuming no structural changes requiring additional review and inspections; and

WHEREAS, staff recommends that the commercial roofing permit be set as a \$300 flat fee, recognizing that commercial projects under \$6,000 in cost have a separate, lower fees; and

WHEREAS, this amendment makes the following changes:

DELETE LINES:

COMMERCIAL ALTERATIONS, REPAIRS, AND RENOVATIONS

Very light: Estimated Cost (labor and materials) \$3,000 or less	\$ 75
Light: Estimated Cost between \$3,001 and \$ 6,000	\$ 150
Simple commercial re-roofing projects (no structural work)	\$1 flat fee.

REPLACE DELETED LINES as follows:

COMMERCIAL ALTERATIONS, REPAIRS, AND RENOVATIONS

Projects with an estimated cost (labor and materials) of \$3,000 or less	\$ 75
Projects with an estimated cost between \$3,001 and \$ 6,000	\$ 150
Simple Commercial re-roofing projects (no structural work)	\$300 flat fee.

WHEREAS, there are no other changes to the adopted 2014 Fee Schedule for permits issued by the Seneca County Department of Building and Fire Code Enforcement at this time; and

WHEREAS, this resolution has been reviewed and approved by the Public Health Services Committee on November 25, 2014; and now, therefore, be it

RESOLVED, that the Board of Supervisors hereby amends the 2014 Fee Schedule for permits issued by the Seneca County Department of Building and Fire Code Enforcement as described above.

CHAIRMAN OF THE BOARD AUTHORIZED TO SIGN A CONTRACT WITH THE NETWORK FOR CHILDREN'S SPEECH, OCCUPATIONAL, AND PHYSICAL THERAPY, PLLC, DBA: CHILDREN'S THERAPY NETWORK FOR THE PRE-SCHOOL PROGRAM

RESOLUTION NO. 284-14 motion by Mr. McGreevy, second by Mr. Reynolds and adopted.

WHEREAS, the Health Department is required to contract with professionals to provide services for the children enrolled in the Pre-School Program; and

WHEREAS, there is a need for Therapists to meet the demands in this program; and

WHEREAS, the Network for Children's Speech, Occupational, and Physical Therapy PLLC, 171 Intrepid Lane, Syracuse, New York 13205 would like to contract with Seneca County to provide these services; and

WHEREAS, the money is in the Public Health Budget 104149; and

WHEREAS, the Public Health Committee has authorized this contract at its meeting on November 25, 2014; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with the Network for Children's Speech, Occupational and Physical Therapy, PLLC, DBA: Children's Therapy Network to provide services for the Pre-School Program..

PUBLIC HEALTH DEPARTMENT AUTHORIZED TO PURCHASE A VACCINE FREEZER

RESOLUTION NO. 285-14 motion by Mr. McGreevy, second by Mr. Davidson and adopted.

WHEREAS, the refrigerator / freezer that the Health Department has been using for vaccine storage is no longer working; and

WHEREAS, this has resulted in the loss of vaccine; and

WHEREAS, it is necessary to purchase a replacement freezer; and

WHEREAS, Fisher Health Care has a vaccine freezer for \$4,729.74 which is under state contract; and

WHEREAS, partial funding (\$2,406) will be achieved through COLA funding from the Immunization Grant, with the remainder of the funding from accounts 104015-54550 (\$1,451.92) and 104017 (\$871.82) and; and

WHEREAS, the Public Health Committee has approved this purchase at its meeting on November 25, 2015; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby authorize the Seneca County Health Department to purchase a vaccine freezer from Fisher Health Care for \$4,729.74.

New Business

Mr. Churchill made a motion, second by Mrs. Garlick Lorenzetti, to suspend the rules of order to consider adoption of the following resolution:

**BOARD OF SUPERVISORS APPOINTS REPRESENTATIVE TO
INTERMUNICIPAL MEETING ON GAS STORAGE**

RESOLUTION NO. 286-14 motion by Mr. Churchill, second by Mr. Lazzaro and adopted.

WHEREAS, the storage of natural gas immediately adjacent to Seneca Lake has been proposed; and

WHEREAS, the Board of Supervisors is aware of the potential environmental consequences to the Seneca Lake water shed that would result from any accidental leakage or mishandling of such storage; and

WHEREAS, the Board of Supervisors approved Seneca County Resolution No. 34-13 opposing such a proposal in early 2013 and has since joined in opposition by 12 neighboring municipalities in the Finger Lakes region; and

WHEREAS, the Board of Supervisors Environmental Affairs Committee recommends appointment of the Committee Chairman as representative of the Board of Supervisors to a meeting to be called between municipalities adjoin and who have interests in the Lake and its watershed; now, therefore be it; and

RESOLVED, that the Board of Supervisors reaffirms the commitment made in Resolution No. 34-13; and be it further

RESOLVED, that the Seneca County Board of Supervisors calls for a meeting of municipal leaders of the towns, cities, village and counties adjacent to, served by, and/or with jurisdiction over the Seneca Lake watershed for the purpose of discussion the issues arising from proposed gas storage at, under or near the lake; and be it further

RESOLVED, that the Board of Supervisors hereby appoints Stephen J. Churchill as representative of the Board to participate in such discussions.

Special Order of the Day

The meeting adjourned at 8:30 p.m.