

Seneca County Board of Supervisors

Regular Meeting

February 12, 2013

6:00 p.m.

Call to Order

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

Roll Call of Members by the Clerk

Twelve members of the Board of Supervisors answered roll call. Mr. Kaiser and Mr. Lafler were present shortly after the Pledge of Allegiance and Moment of Silence.

Pledge of Allegiance and Moment of Silence

Presentation

- a. Employee of the 4th Quarter 2012 Award - Laura Granger, Personnel Technician
- b. Scott LaVigne, Director of Mental Health Services, gave a brief overview of mental illness and violence, stating that the behavioral health research and practice over the last 20 years reveal that most people who are violent do not have a mental disorder, and most people with a mental disorder are not violent. In fact, studies indicate that people with mental illnesses are more likely to be the victims of violent attacks than the general population. Misconceptions about mental illness can cause discrimination and unfairly hamper the recovery of the nearly 20% of all adult Americans who experience a mental illness each year.

Submission of Claims for Audit

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

RESOLVED, that said vouchers be approved for payment.

Supervisors vouchers	totaling	\$	657,667.42
Workforce Development vouchers	totaling	\$	21,361.74
Self-Insurance vouchers	totaling	\$	26,894.65
County Airport vouchers	totaling	\$	2,386.28
Highway Transportation vouchers			
Maintenance & State Snow	totaling	\$	136,234.50
Highway Machinery	totaling	\$	40,256.78
	Highway Total	\$	109,111.76
Sewer 1	totaling	\$	24,966.75
Sewer 2	totaling	\$	35,590.50

Water 1	totaling	\$	86,312.31
Airport Capital vouchers	totaling	\$	29,512.00
Finance Capital vouchers	totaling	\$	7,185.16
Veterans Cemetery Capital vouchers	totaling	4	3,168.00

Approval of Board Meeting Minutes:

The following were approved as printed: November 23, 2012 minutes of a special meeting & public hearing for the 2013 Tentative Budget; December 11, 2012 minutes of a regular board meeting; December 23, 2012 minutes of the Year-end Board Meeting; January 8, 2013 minutes of the Re-Organizational Meeting; and January 8, 2013 minutes of a regular board meeting

Reports of Standing Committees

Public Health Committee - Mrs. Garlick Lorenzetti, Chairwoman. The following issues were approved by the Committee and recommended for a board resolution: (1) to apply for up to \$27,000 in funding to purchase equipment and a PT Clerk to process the scanning; (2) to accept the new fee schedule for Building and Fire Code Enforcement.

Public Safety Committee - Mr. Reynolds, Chairman. The following issue was approved by the Committee and recommended for a board resolution: authorize the BoS Chairman to sign the necessary documents to receive the funding award; and authorizing the Treasurer to amend the 2013 Homeland Security Program Budget to reflect the funding.

The Committee also approved the refill of four positions at the Sheriff's Office.

The Committee also heard from Tracy Maybury and Kelly Ryan, owners of Kountry Stop in Varick, NY, are seeking any assistance the County can give regarding the numerous break-ins their store has experienced in the past few months. The break-ins are by residents at Hillside which is about 3 miles away.

Mental Health Services Committee - Mr. Serven, Chairman. The Committee recommended refilling the position of Psychiatric Social Worker; to abolish the position of Senior Alcoholism Counselor; and create and fill an Alcoholism Counselor position

Public Works Committee - Mr. Kaiser, Chairman. The Committee approved and recommended a board resolution to move forward with recommendations by Larsen Engineers on the design of the facility and the application of funding sources (i.e. Environmental Facilities Corporation Financing at 1.57% / 30 years) and (NYSEG Grant Award application for \$37,890).

The Committee also approved refilling two seasonal positions in the Highway Department for snow plowing.

Mr. Ram Shirvastava from Larsen Engineers discussed the NY-Sun Competitive PV Program with the Committee and gauge the County's interest in participating in the program. The New York Sun Competitive PV Program is part of the New York State RPS Customer-Sited Tier Program. NYSERDA is inviting proposals for the installation of customer-sited PV projects. Essentially, private developers are looking for host sites with large power consumption and available land area to invest. A host municipality would sign a letter of intent allowing a developer to bid on their behalf and agree to long term power purchase agreement upon receipt of the grant award. The County would not have any financial obligation during the bid process.

Indian Affairs Committee - Mr. Shipley, Chairman. The Committee voted in favor of a board resolution authorizing Chairman Hayssen to send a letter to NYS Attorney General Schneiderman asking why the ATF did not raid the CIN Lakeside store; and if the ATF is aware of the selling of untaxed cigarettes at that store. Assembly Minority Leader Kolb sent correspondence to NYS AG Schneiderman asking for the same information. This letter will "piggyback" Kolb's letter. Copies of the letter will go to Scott Heagney, resident agent in charge of ATF in Rochester and US Attorney Hochel, for the Western NYS District.; and Richard S. Hartunian, United States Attorney for the Northern District of NYS.

Finance, Assessment & Insurance Committee - Mr. Prouty, Chairman. The Committee approved and recommended a board resolution authorizing the Treasurer to pay \$14,000 to America's Servicing Co.

Planning, Development, Agriculture & Tourism Committee - Mr. Earle, Chairman. The Committee passed a motion recommending a board resolution approving the fidelity bond and payment of \$6,647 to GFLRPC. The budget for Seneca County, fiscal year 2013 included the sum of \$6,647.00 as the County's share of the operating funds of the Genesee/Finger Lakes Regional Planning Council. The New York State General Municipal Law (Section 119-00) requires counties participating in regional planning agencies to annually approve an "official undertaking" which can consist of a Public Employees Fidelity (Blanket) Bond for that officer of the agency designated to receive monies appropriated by member counties. This bond is to provide faithful performance blanket bond coverage for the designated officer in the amount of the funds being managed. In 2013, the total amount of funds being managed by the Regional Planning Council at any point during the calendar year will be approximately \$500,000.

The Committee also approved and recommended a board resolution to make appointments to various boards. Mike Reynolds and Ron McGreevy to the Soil & Water Conservation Board for a 1-year term; Ken Poorman as the Landowner Representative on the DEC Region 8 Fish & Wildlife Management Board Region 8; and John Hunt to serve as the Grange representative on the Soil & Water Conservation Board.

Government Operations Committee - Mr. Westfall, Chairman. The Committee approved and recommended a board resolution for the following issues: (1) authorizing the use of County Roads for the bike portion of the Musselman Race in July 2013 and for the Board Chairman to send a letter; (2) authorizing the recommended revisions to the Part-time Employment Policy; and the creation and adoption of an Attendance Management Program Policy

Communications

8. A copy of a letter from Robert McKeveny, Superintendent, Seneca Falls Central School District to the Second Circuit Court of Appeals, supporting the efforts of Seneca County to appeal the August 20, 2012 ruling of Western District Court Judge Charles Siragusa. The ruling prevents Seneca County the ability to foreclose on Native American properties and collect unpaid taxes.

9. From NYS Homes & Community Renewal, notification that Seneca County was awarded \$750,000 NYS Community Block Grant (NYS CDBG) to assist in the expansion of Gould's Pumps, Inc.

10. A copy of the Application for Real Property Tax Exemption on Form RP-412-a with attached Payment in Lieu of Tax Agreement for Gould's Pumps, Inc.

11. A copy of the Seneca County E-911 Center's Annual Report.

12. A copy of the Finger Lakes Regional Airport Advisory Committee December 12, 2012 meeting minutes.

13. A copy of the Seneca County Board of Health December 19, 2012 & January 16, 2013 meeting minutes.

14. A copy of the Genesee/Finger Lakes Regional Planning Council December 13, 2012 meeting minutes.

15. A copy of the Seneca County Federation of Sportsmen's Club, Inc. October 16, 2012 & December 18, 2012 meeting minutes.

14. A copy of the Seneca County Planning Board January 10, 2013 meeting minutes.

15. A copy of the Annual Financial Report Jan 1, 2012 - December 3, 2012 for the Seneca County Probation Department.

16. From the Genesee/Finger Lakes Regional Planning Council, a request for a resolution approving the official undertaking of Public Employees Fidelity Bond for GFLRPC and Seneca County's 2013 funding share for \$6,647.00.

17. A Notice Letter of a public hearing on January 28, 2013 at the Seneca Falls Town Hall, regarding the Seneca County IDA and Generations Bank: 2013 Straight Lease Transaction.

18. From Chemung County Legislature & Tioga County Legislature, a copy of Resolution No. 13-049 & Resolution No. 16-13 respectively, "Calling for the Governor and State Legislature to Compensate Counties for State-Mandated District Attorney's Salaries".

19. From Cortland County Legislature, a copy of Resolution No. 32-13, petitioning the Governor of the State of New York and State Representatives demanding that the NYS Division of Budget authorize the application process for grants through the Local Government Records Management Improvement Fund for the grant cycle 2013-2014. Referred to the Government Operations Committee.

20. From Orleans County Legislature, a copy of Resolution No. 49-113, supporting Senate Bill S2026-2013 to amend the lien law in relation to filing false liens against public officials and provide equivalent state protections to public officers, including elected leaders and law enforcement officials. Referred to the Government Operations Committee.

21. From Inter-County Association of Western New York, a copy of a resolution Calling for the Repeal of the New York Safe Act of 2013. Referred to the Government Operations Committee.

**BOARD OF SUPERVISORS AUTHORIZES TREASURER TO PAY SETTLEMENT TO
AMERICA’S SERVICING COMPANY REGARDING
AMERICA’S SERVICING CO. V. MUELLER AND SENECA COUNTY**

RESOLUTION NO. 03-13, moved by Mr. Prouty, second by Mr. Westfall and unanimously adopted.

WHEREAS, as directed by the Board of Supervisors, the County Attorney has entered into a stipulation with the parties in the New York State Supreme Court action entitled America’s Servicing Co. v. Mueller and Seneca County to settle the Plaintiff’s claims against the County through payment of \$14,000 to the Plaintiff; and

WHEREAS, the stipulation has been executed by all parties and the Treasurer requires authorization to make the necessary payment in settlement; and

WHEREAS, the Finance Committee has approved this resolution on January 22, 2013; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the Treasurer to issue a check in the amount of \$14,000 to America’s Servicing Co. in settlement of their claims against the County, such check to be drawn upon settlement account #1910-4281 with funds transferred from Contractual Expenses account #1910-8100 from the liability fund.

**BOARD AUTHORIZES ABOLISHING (1) FULL-TIME SENIOR ALCOHOLISM COUNSELOR
POSITION AND CREATING/FILLING (1) ALCOHOLISM COUNSELOR POSITION
EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 04-13, moved by Mr. Serven, second by Mr. Reynolds and unanimously adopted.

WHEREAS, the Mental Health Services Committee has approved abolishing (1) full-time Senior Alcoholism Counselor position at their committee meeting on January 22, 2013; and

WHEREAS, the Mental Health Services Committee has approved the creation/hiring of (1) full-time Alcoholism Counselor position at their committee meeting on January 22, 2013; now therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby abolish (1) full-time Senior Alcoholism Counselor position effective immediately; and be it further

RESOLVED, the Seneca County Board of Supervisors does hereby authorize the creation and filling of (1) full-time Alcoholism Counselor position effective immediately.

**PERMISSION GRANTED FOR MUSSELMAN TRIATHLON TO USE
SENECA COUNTY ROADS FOR BIKE RACE**

RESOLUTION NO. 05-13, moved by Mr. Westfall, second by Mr. Shipley and unanimously adopted.

WHEREAS, the Musselman Triathlon event is scheduled for the second weekend in July 2013; and

WHEREAS, the course mapped out for the bicycle race portion of the triathlon uses roads located in Seneca County; and

WHEREAS, part of the permit process for the event requires that the New York State Department of Transportation receives written permission from the municipalities authorizing the use of its roads for the bicycle race; and

WHEREAS, this resolution was approved by the Government Operations Committee at its meeting on January 22, 2013; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board to send a copy of this resolution and a letter to the New York State Department of Transportation permitting the Musselman Triathlon to use public roads within Seneca County for the Musselman Triathlon bicycle race on July 13 and 14, 2013.

**SUPERVISORS ADOPT POLICY NO. 510.100 "ATTENDANCE MANAGEMENT PROGRAM"
FOR COUNTY EMPLOYEES EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 06-13, moved by Mr. Westfall, second by Mr. Prouty and unanimously adopted.

RESOLVED, the Seneca County Board of Supervisors adopt the creation of Seneca County Policy Manual, 510.100 to read as follows:

Purpose:

Seneca County recognizes that regular attendance promotes higher staff morale and fair workload allocation. Consistently unplanned absenteeism/tardiness is costly, affects productivity and customers/clients, and creates conflict between co-workers and departments. It impacts scheduling, turnover, training, overtime, and morale. The ability to make best efforts to attend work punctually and in good mental and physical condition is a condition of employment. The support of Department Head/Supervisors in recognizing and addressing attendance and tardiness issues is critical.

Policy:

To serve customers, be responsive to clients, complete required work duties, and contribute to a work environment free of undue stressors, it is Seneca County's intent that the Attendance Management Program provide a framework for a consistent and equitable approach toward the management of attendance. The Seneca County Attendance Management Program addresses issues of tardiness/lateness, sickness, family and medical leave, personal business that cannot be conducted outside scheduled work hours, and disability. The intent is to establish objective criteria for use when disciplinary action is required.

Absence

Absenteeism is defined as the state of not being present that occurs when an employee is absent or not present at work during a normally scheduled work day. All absences from work must be in accordance with the Seneca County Policy Manual and/or Collective Bargaining Agreements.

"Innocent Absenteeism" refers to employees absent for reasons beyond their control, such as injury, and personal or family sickness.

"Culpable Absenteeism" refers to absence from work where the employee bears some to all of the responsibility. Examples: old fashioned skipping; habitual lateness without an excuse; and abuse of leave.

"Pattern Absenteeism" refers to missing work regularly. Examples: An employee misses Mondays or Fridays regularly, regularly misses the day after a holiday weekend; is one hour late every Tuesday morning. Pattern absenteeism may be culpable if, for example, the employee is clearly creating long weekends for himself/herself.

If the employee requires medical treatment such as kidney dialysis or psychotherapy on a scheduled basis, it falls under innocent absenteeism or disability management, and possibly Family Medical Leave Act (FMLA).

"Excessive Absenteeism" means an employee's absenteeism exceeds a benchmark set by the employer. This is often an organization-or department-wide average.

Employees are not to leave work prior to their designated ending time without prior written or verbal approval from their direct Department Head/Supervisor.

Confidentiality

Employees are required to state whether they are unable to attend work for reasons of health and whether they are seeking medical attention. Employees are not required to reveal to their Department Head/Supervisor the exact nature of their illness or disability; this is designed to preserve the dignity and privacy of each employee, particularly for those suffering from ailments which might be the subject of gossip or discrimination.

Tardiness

Tardiness is defined as failing to report to work at one's designated start time or failing to return to work promptly at any point during his/her work schedule. Employees are required to be at work on time, ready to perform their assigned work responsibilities.

If an employee is late for work at any time of the day following any type of relief from work, personal or compensatory leave time must be taken in 15 minute increments. Working past an employee's designated end time is not acceptable to make up for tardiness.

Lateness Leave (personal or compensatory leave) to be taken:

- Less than 5 minutes: 0 minutes
- 5 minutes to 15 minutes: 15 minutes
- 16 minutes to 30 minutes: 30 minutes

An employee that has no available personal or compensatory leave balances will be required to take this time without pay. Lateness leave is not based on a single occurrence, but on a cumulative basis. For instance, if a person is 4 minutes late on more than one occasion, those occurrences will accumulate to a level at which the employee must use lateness leave or take the time without pay. Employees are not required to work during lateness leave time.

Counseling and Progressive Discipline

Employees who demonstrate repeated tardiness (notwithstanding usage of lateness leave), innocent absenteeism, pattern absenteeism, or repeated culpable absenteeism will be counseled by their Department Head/Supervisor and given feedback regarding their attendance, setting expectations, and encouraging those expectations to be met. The steps taken to counsel employees shall begin with an informal meeting and followed up with a counseling memo. In accordance with Seneca County's Progressive Discipline Policy 101.605, progressive discipline steps up to and including termination will be implemented if the behavior is not corrected through counseling.

If, in the course of counseling and/or progressive discipline, an employee's medical condition prevents them from performing the essential duties of their position even with reasonable accommodation, the Department Head/Supervisor should immediately refer the employee to Seneca County Personnel Department for further review of their absence.

Roles and Responsibilities

Employees:

- To attempt best efforts to be physically and mentally fit for work;
- To attend work on time for every scheduled day of work;
- To provide reasons for absence, tardiness, or leaving early;
- To contact their Department Head/Supervisor if unable to attend work;
- To seek medical care when necessary; and,

- To provide doctor's notes as per Seneca County Policy and Collective Bargaining Agreements.

Department Heads or Designees:

- To maintain attendance records, and to record reasons given for absences, lateness, and leaving early;
- To request doctor's notes in accordance with this policy;
- To counsel employees regarding attendance; and,
- To report absenteeism concerns, including absences that may be addressed under the Family Medical Leave Act, to the Personnel Department.

SUPERVISORS REVISE POLICY NO. 101.213 "PART-TIME EMPLOYMENT" FOR COUNTY EMPLOYEES EFFECTIVE IMMEDIATELY

RESOLUTION NO. 07-13, moved by Mr. Westfall, second by Mr. Davidson and unanimously adopted.

RESOLVED, the Seneca County Board of Supervisors approves changes to the Seneca County Policy Manual, 101.213 to read as follows:

Policy:

The policy of Seneca County is to comply with the Civil Service law and Collective Bargaining Agreements with regard to restrictions on part-time employment. This policy also provides for a consistent and rational manner for the establishment of salaries for part-time personnel.

Guidelines:

- I. Collective Bargaining Agreements and Seneca County policies address the standard work week for full time employees. When an employee is working less than the standard work week, they are considered to be part time employees.
- II. Part time employees shall not work in excess of an average of 30 hours per week. When it is found that an employee's average hours per month and/or per quarter have exceeded 30 hours per week his/her hours must be reduced for the remainder of the month and/or quarter in order to reduce the average hours accordingly.
- III. The starting salary for part time CSEA members is included in the Collective Bargaining Agreement. Other part time position salaries are as assigned in the non-union part time salary schedule.
- IV. For Civil Service purposes, Seneca County Civil Service Rules define part-time employment as any employment or combination of one or more employments in a civil division in which an individual works fifty percent or less of the time prescribed as the standard work week by the governing body, or wherein the employee earns not more than one half (1/2) of the rate assigned to the position if the position has been allocated to a graded salary schedule. Those positions working outside of these guidelines will

be placed in the competitive class and subject to appointment from a Civil Service Eligible List unless otherwise stated in the Seneca County Civil Service Rules.

Procedures:

- I. Department Head, or designee, should monitor the employment of part-time staff to ensure compliance with the part-time definition.
- II. Department Head, or designee, should monitor the part-time payroll accounts to ensure the department stays within budget and/or maximum hour standard.

**BOARD OF SUPERVISORS AUTHORIZES DESIGN SERVICES AND PROJECT SCOPE
FOR THE WILLARD WASTEWATER TREATMENT FACILITY IN
SENECA COUNTY SEWER DISTRICT NO. 1**

RESOLUTION NO. 08-13, moved by Mr. Kaiser, second by Mr. Lafler and unanimously adopted.

WHEREAS, the Willard Wastewater Facility is in need of repairs and improvements; and

WHEREAS, the Seneca County Board of Supervisors has authorized borrowing in an amount not to exceed \$400,000; and

WHEREAS, grant funding in the amount of \$37,890 has been secured from New York State Electric and Gas; and

WHEREAS, design services for facility improvements will be provided by Larsen Engineers, with offices at 700 W. Metro Park, Rochester, NY, 14623; and

WHEREAS, the project's scope will include removal and replacement of the existing roof, replacement of existing blowers with high efficiency turbo blowers, removal and replacement of existing sludge drying beds, as well as other miscellaneous repairs and improvements in an amount estimated to total \$395,000; and

WHEREAS, the project will not have an adverse impact on the environment and a Negative Declaration for SEQR purposes is appropriate; and

WHEREAS, the design fees for the project will not exceed \$42,890; now therefore be it

RESOLVED, that Larsen Engineers will provide design services for the project in an amount not to exceed \$42,890; and be it further

RESOLVED, that the project scope involves work estimated to total \$395,000; and be it further

RESOLVED, that the project will not have an adverse impact on the environment.

**BOARD OF SUPERVISORS AUTHORIZES AN APPLICATION WITH NEW YORK STATE
ARCHIVES FOR LOCAL GOVERNMENT RECORDS MANAGEMENT INFORMATION
GRANT FOR DOCUMENT ARCHIVING**

RESOLUTION NO. 09-13, moved by Mrs. Garlick Lorenzetti, second by Mr. Westfall and adopted by 693 ayes and 57 nays (Kubasik).

WHEREAS, the Seneca County Department of Building Code Enforcement is running out of physical space needed to store their plans and paper files; and

WHEREAS, the acquisition and deployment of a digital document archival system would allow the digitization of paper files required to be stored in accordance with New York State Records Retention Schedule MU-1 and reduce the physical space needed for storage by roughly half; and

WHEREAS, the acquisition of a digital document archival system and the hiring of a temporary part-time records clerk to expedite the digitization of paper files in accordance with New York State Records Retention Schedule MU-1 within the grant period will have a total estimated cost of \$30,000; and

WHEREAS, said grant application requires a local cash match contribution by the applicant; and

WHEREAS, county staff have recommended a local cash match contribution not to exceed \$3,000 from Seneca County Contingency fund in the event the grant is awarded; and

WHEREAS, this resolution was reviewed and approved by the Public Health Committee on January 22, 2013; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be hereby authorized and directed to sign all necessary grant application documents requesting \$27,000 from the New York State Archives Local Government Records Management Information Grant Program, with a local cash match contribution not to exceed \$3,000 from Seneca County Contingency fund in the event the grant is awarded.

Mrs. Garlick Lorenzetti made a motion, seconded by Mr. Kaiser introducing the following resolution for consideration: "Board of Supervisors Adopts a Revised Fee Schedule for Servicers Provided by Seneca County Department of Building and Fire Code Enforcement".

Mr. Kubasik made a motion to return the resolution to the Public Health Committee, seconded by Mr. Lafler and carried, for additional information and consideration.

**BOARD OF SUPERVISORS APPROVES THE OFFICIAL UNDERTAKING OF
PUBLIC EMPLOYEES FIDELITY BOND FOR GENESEE/FINGER LAKES
REGIONAL PLANNING COUNCIL**

RESOLUTION NO. 10-13, moved by Mr. Earle, second by Mr. Shipley and unanimously adopted.

WHEREAS, the County of Seneca has appropriated the sum of \$6,647.00 as its share of the Year 2013 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

WHEREAS, pursuant to §119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000; and

WHEREAS, this resolution was reviewed and approved by the Planning, Development, Agriculture & Tourism Committee at a meeting on January 22, 2013; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law; and be it further

RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to pay the Genesee/Finger Lakes Regional Planning Council the sum of \$6,647.00 as the County's share of operating funds for the year 2013 as appropriated in the Department of Planning and Community Development account 10-135-5-8020.4380 Other Fees and Services.

**APPOINTMENTS TO SOIL AND WATER CONSERVATION BOARD, COOPERATIVE
EXTENSION BOARD AND THE FISH AND WILDLIFE MANAGEMENT BOARD**

RESOLUTION NO. 11-13, moved by Mr. Earle, second by Mr. Davidson and unanimously adopted.

WHEREAS, these appointments were reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on January 22, 2013; now, therefore be it

RESOLVED, that the Board of Supervisors does hereby appoint Ronald McGreevy, Supervisor from the Town of Tyre, and Michael Reynolds, Supervisor from the Town of Covert, to serve on the Soil and Water Conservation District Board as Board of Supervisors representatives for a one-year term to expire December 31, 2013; and be it further

RESOLVED, that the Board of Supervisors does hereby appoint John Hunt of the Town of Covert to be the Grange Representative recommended by the Grange to the Soil and Water Conservation Board for a three-year term to expire December 31, 2015; and be it further

RESOLVED, that County Supervisor Steve Churchill is appointed to serve on the Cornell Cooperative Extension Board for a term to expire on December 31, 2013; and be it further

RESOLVED, that the Board of Supervisors does hereby reappoint Ken Poorman as the representative to the Department of Environmental Conservation's Region 8 Fish and Wildlife Management Board, for a term to expire on December 31, 2014.

**BOARD OF SUPERVISORS REAFFIRMS THE MONTH OF MARCH TO RECEIVE
APPLICATIONS FOR VIABLE AGRICULTURAL LAND TO BE INCLUDED WITHIN
A CERTIFIED AGRICULTURAL DISTRICT**

RESOLUTION NO. 12-13, moved by Mr. Earle, second by Mr. Shipley and unanimously adopted.

WHEREAS, New York State Agriculture and Markets Law Section 303-b states that “the legislative body of any county containing a certified agricultural district shall designate an annual thirty-day period within which a landowner may submit to such body a request for inclusion of land which is predominantly viable agricultural land within a certified agricultural district”; and

WHEREAS, traditionally this has been for Seneca County the month of March; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on January 22, 2013; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby reaffirm that the month of March shall serve as the time period during which landowners may apply to have property included within a certified Agricultural District; and be it

FURTHER RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to advertise this action; and be it

FURTHER RESOLVED, the Clerk of the Board is hereby directed to forward any application received during that time period to the Seneca County Agriculture Enhancement Board for their review and recommendation as per New York State Agriculture and Markets Law Section 303-b.

**CLERK OF BOARD AUTHORIZED TO ADVERTISE FOR PUBLIC COMMENT PERIOD
REGARDING RE-CERTIFICATION OF AGRICULTURAL DISTRICT #12**

RESOLUTION NO. 13-13, moved by Mr. Earle, second by Mr. Serven and unanimously adopted.

WHEREAS, Seneca County has received from the New York State Department of Agriculture and Markets the 300 Day Notice that the Seneca County Agricultural District #12 which includes parcels within the Towns of Covert, Lodi, Ovid, and Romulus is due for review and re-certification; and

WHEREAS, notice of a Public Comment Period must be advertised and posted as directed in Agriculture and Markets Law; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on January 22, 2013; now therefore be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for a Public Comment Period to be the Month of March 2013 to provide an opportunity for citizens to offer comments and input on the re-certification of Agricultural District #12; and be it further

RESOLVED, that said notice shall also be posted in at least five places within Agricultural District #12.

**SUPERVISORS ACCEPT REGIONAL HAZMAT GRANT, CHAIRMAN OF THE BOARD
AUTHORIZED TO SIGN GRANT DOCUMENTS, TREASURER AUTHORIZED TO
AMEND STATE HOMELAND SECURITY GRANT BUDGET**

RESOLUTION NO. 14-13, moved by Mr. Reynolds, second by Mr. Lafler and unanimously adopted.

WHEREAS, Seneca County and our regional partners (Wayne, Ontario and Yates Counties) have been awarded the NYS Office of Homeland Security's FY 2012 HazMat Grant; and

WHEREAS, the grant award is \$55,000, (with no local match) and must be used for the sustainment of existing equipment and for the purchase of REHAB equipment and Interoperable Communications Equipment for the four counties; and

WHEREAS, Seneca County is the Submitting Partner; and

WHEREAS, the Public Safety Committee has approved this grant at its meeting on January 22, 2013; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors accepts this grant and authorizes the Chairman of the Board to sign all grant documents; and be it further

RESOLVED, that the Board of Supervisors authorizes the County Treasurer to amend the 2013 State Homeland Security Program Grant budget 10-110-5-3642:

Increase Expense Line:	4706	Regional HazMat Grant	\$55,000.00
Increase Revenue Line:	3005	State Aid: SHSP:	\$55,000.00

In accordance with Rule 29 of the Rules of Order of the Seneca County Board of Supervisors, Resolutions 15-13 and 16-13 were brought to the floor without committee review by two-thirds majority vote of the board members present.

BOARD OF SUPERVISORS AUTHORIZES AGREEMENT FOR CONSULTING SERVICES BETWEEN SENECA COUNTY AND THE SENECA COUNTY CHAMBER OF COMMERCE

RESOLUTION NO. 15-13, moved by Mr. Earle, second by Mr. Lafler and unanimously adopted.

WHEREAS, the Seneca County Chamber of Commerce, Inc., is a not-for-profit corporation organized under the laws of the State of New York; and

WHEREAS, the Board of Supervisors of Seneca County has appointed the Seneca County Chamber of Commerce as the Tourism Promotion Agency (“TPA”); and

WHEREAS, the Chamber has made a proposal to the Board of Supervisors regarding the performance of certain duties related to tourism promotion of Seneca County; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the Chairman of the Board of Supervisors to sign a contract memorializing the terms of the proposal in a form and content approved by the County Attorney, the term to commence January 1, 2013, through December 31, 2013; and be it further

RESOLVED, that the Treasurer is authorized to release funds to the Chamber according to the terms of Schedule B of said Contract.

Schedule B

Seneca County Chamber of Commerce Contract NYS Matching Funds Program and Tourism Services
 Payment Schedule for 2013

		<u>Matching Funds Program</u>	<u>Tourism Services</u>
Payment 1	February 2013	\$ 60,143.00	\$ 39,964.25
Payment 2	April 2013	0.00	39,964.25
Payment 3	July 2013	0.00	39,964.25
Payment 4	October 2013	0.00	39,964.25
Total		\$ 60,143.00	\$ 159,857.00

**SENECA COUNTY ACCEPTS GRANT CONTRACT FOR 2012 STATE
 LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT**

RESOLUTION NO. 16-13, moved by Mr. Reynolds, second by Mr. Davidson and unanimously adopted.

WHEREAS, the New York State Division of Homeland Security and Emergency Services (DHSES) has awarded Seneca County \$17,750 in State Law Enforcement Terrorism Prevention Program grant funds for the purpose of provide wireless connection service to the Sheriff’s Department’s vehicle-s wireless data modems; and

WHEREAS, the grant provides 100% of the funding for project equipment and associated costs with no local cash match requirement; and 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 the 2012 State Law Enforcement Terrorism Prevention Program grant from the New York State Division of Homeland Security and Emergency Services, subject to approval of the Seneca County Attorney.

Unfinished Business

Chairman Hayssen appointed Frank Sinicropi to replace Mr. Churchill to represent Seneca County on the DEC Region 8 Open Space Advisory Committee. Mr. Churchill was unable to complete his term due to the location and time of the meetings.

New Business

Communication #21 was referred to the Government Operations Committee for consideration, “A resolution calling for the repeal of the New York SAFE Act of 2013 adopted by the Inter-County Association of Western New York.

Mr. Kaiser expressed his displeasure with the City of Geneva Council making statements at its recent meeting that the Town of Romulus was being pressured by Northeast Freight Transfer to amend the zoning codes to allow a transfer station at the depot for Hurricane Sandy debris. Mr. Kaiser stated for the record that the he, any of the staff, and any members of the town board were never contacted by the company.

A discussion ensued regarding a transfer station at the depot. Mr. Kaiser felt that the issue was a “dead” and was a local issue. Mrs. Garlick Lorenzetti and Mr. Churchill disagreed with Mr. Kaiser. They both felt that the issue was one or regional concern.

Special Order of the Day

The meeting adjourned at 7:20 p.m.