

Seneca County Board of Supervisors
Regular Meeting
September 10, 2013

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 Supervisor answered roll call. Mr. Reynolds was absent.

Pledge of Allegiance and Moment of Silence

For the moment of silence, Chairman Hayssen recognized the anniversary of the 9/11 tragedy twelve years ago in New York City.

Petitioners

a. Shannon O'Connor, Seneca County Libraries - "Libraries Support Economic Growth of our County" (Attachment A)

b. Gary Drake, NYS Office of Real Property - "STAR Exemption Registration". New legislation requires all homeowners receiving a Basic STAR exemption to register with the New York State Tax Department in order to receive STAR exemptions in 2014 and subsequent years.

There are two types of STAR exemptions: Basic STAR, which is available for owner-occupied, primary residences where the resident owners' and their spouse's income is less than \$500,000. Basic STAR exempts the first \$30,000 of the full value of a home from school taxes.

Enhanced STAR provides an increased benefit for the primary residences of senior citizens (age 65 and older) with qualifying incomes and exempts the first \$63,300 of the full value of a home from school taxes as of 2013-14 school tax bills.

STAR exemptions apply only to school district taxes. They don't apply to property taxes for other purposes, such as county, town or city. (Attachment B)

c. Don Gentilcore, Area Manager, Seneca Meadows, Inc. (Attachment C)

d. Glen Silver, Concerned Citizens of Seneca County - spoke in opposition to the rail spur proposed by Seneca Meadows, Inc.

e. Karen Rothfus - spoke in opposition to the rail spur proposed by Seneca Meadows, Inc.

f. Steve Wadhams, Board Chairman, Seneca County Chamber of Commerce - "Pro-Business Advocacy". Mr. Wadhams stated that the Seneca County Chamber of Commerce adopted a resolution "...supporting the development of rail facilities, along with a rail spur, to serve the Seneca Meadows Landfill and future businesses, and which further urges the Town of Seneca Falls to approve the project as a positive investment in our community and its infrastructure."

When Mr. Wadhams objected to two resolutions adopted by the Board of Supervisors that opposed the rail spur project by Seneca Meadows, citing that the legislative process was not transparent, Chairman Hayssen stated that the same legislative process, sometimes referred to as Rule 29, was used when the Board of Supervisors adopted a resolution opposing toll increases for trucks on the New York State Thruway. That resolution resulted from a request made by Mr. Wadhams. This is one example of how the Board of Supervisors are pro-business in Seneca County.

Submission of Claims for Audit

Mr. Prouty moved that the following claims, having gone through the proper auditing process be approved for payment.

Supervisors vouchers	totaling	\$	374,654.85
Workforce Development vouchers	totaling	\$	42,847.46
Self-Insurance vouchers	totaling	\$	5,211.25
County Airport vouchers	totaling	\$	22,972.85
Highway Transportation vouchers			
	Maintenance & State Snow	totaling	\$ 217,602.47
	Highway Machinery	totaling	\$ 37,928.50
	HIGHWAY TOTAL	\$	255,530.97
Sewer 1	totaling	\$	9,770.41
Sewer 2	totaling	\$	37,229.87
Water 1	totaling	\$	6,283.44
Financial Software Capital vouchers	totaling	\$	7,305.35
Airport Capital vouchers	totaling	\$	40,460.00
County Road 132 Capital vouchers	totaling	\$	58,908.31

Approval of Board Meeting Minutes

Mr. Kaiser moved the approval of the August 13, 2013 board meeting minutes.

Reports of Standing Committees

Human Services Committee - Mr. Davidson, Chairman. At its meeting on August 27, 2013, the Committee approved referring the following items to the Board of Supervisors for a resolution (1) authorizing the renewal of the agreement with the Youth Advocate Program, Inc. (YAP) for the Seneca County Reintegration Project. The agency is proposing to serve up to 10 youth at any one time with up to 12.5 youth receiving services annually. YAP will successfully return 85% of the youth back into the community. The proposed operating budget for the proposed program is not to exceed \$240,620. This funding is currently available in the 2013 budget, under project account 106070 54700 POS47, and planned for in the 2014 budget; (2) authorizing an agreement with Bonadio & Co., LLP, CPA. Bonadio

and Co. specialize in accounting and fraud-related issues. The agreement will have a rate of pay at \$150.00 per hour, up to \$10,000.00 and is budgeted under project account 106070 54700 POS52.

The Human Services Committee also approved refilling the following positions as recommended by the Vacancy Committee: Heating/Weatherization Technician position; Aging Services Aide (HEAP) temporary; Typist position; Account Clerk position; and a Caseworker position. A resolution by the Board of Supervisors is not required to refill said positions.

Public Safety Committee - Mr. Shipley, Vice-Chairman. The Committee approved the following items and referred them to the Board of Supervisors for a resolution: (1) authorizing the Chairman of the Board of Supervisors to sign documents to accept the NYS Office of Homeland Security's FY 2013 HazMat Grant for \$55,000 and no local match, to be used for the sustainment of existing equipment and for the purchase of Decontamination Equipment and On Scene Communications Equipment. The grant in addition to Seneca County is shared with the counties of Yates, Wayne and Ontario; (2) authorizing the Chairman of the Board of Supervisors to sign documents to accept the State Homeland Security (SHSP 13) Grant, for \$45,000, with no local match. This grant will be used for Sustainment of Equipment, provide the Penn State Agricultural Emergencies Training courses to local First Responders as well as purchase Tech. Rescue tools & equipment for agricultural incidents, and acquire Mass Casualty Incident (MCI) supplies and host a MCI Exercise; (3) authorizing the Chairman of the Board of Supervisors to sign documents to submit an application for the NYS Homeland Security 2013 Technical Rescue Grant, for \$150,000, with no local match. This grant will be used to enhance the Swift Water/Flood Rescue capabilities of 5 Fire Department Teams as well as the County Public Safety Dive Team; (4) authorizing the Chairman of the Board of Supervisors to sign documents to submit an application for the NYS Division of Homeland Security and Emergency Services Round 3 Statewide Interoperable Communications Grant. The grant is a competitive grant for 23 counties. The total amount per county is \$6,000,000.00 with no local match. If awarded this grant it will be used to improve radio communications by moving to a five tower, UHF, digital, trunking P-25 compliant repeater system for all users of the current system; (5) to amend 2010 State Law Enforcement Terrorism Prevention Program Grant contract in order to spend down the remaining award monies (\$9,711.23) ear-marked for wireless data connection services.

The committee also voted favorably to pre-pay 48 months of wireless data service for all marked Sheriff Patrol Vehicles at a fixed rate of \$ 39.99 per month per vehicle. Existing and executed New York State Homeland Security and Emergency Services State Law Enforcement Terrorism Prevention Program (SLETPP) Grants will provide 100% of the funding for the wireless data services. The main concern was although information received allowed that the State will make reimbursements, would the County be

reimbursed by New York State without spending funds for four years? The County Attorney advised to obtain this information in writing. There is not a resolution concerning this issue at this time.

Under Unfinished Business, Public Safety Committee Chairman Reynolds stated that efforts to claim the radio tower offered to us by Cayuga County have ceased due to the proposed Montezuma radio tower, which will provide better service than the Cayuga County tower.

Indian Affairs Committee - Mr. Shipley, Chairman. A letter from Philip Spellane, Esq. of Harris Beach notified Chairman Shipley that the United States Court of Appeals for the Second Circuit postponed oral argument originally scheduled for Friday, September 13, 2013. The hearing will address two questions: (1) whether tribal sovereign immunity from suit applies to in rem proceedings; and (2) whether tribal sovereign immunity from suit applies to actions to enforce real property taxes on tribe owned land over which the tribe concedes it does not exercise sovereign power pursuant to the decision in Sherrill. Both the Department of Interior and the New York Attorney General have asked for an extension to file their respective briefs to and including September 30, 2013. The Court did not indicate when the argument would be rescheduled.

Planning, Development, Agriculture & Tourism - Mr. Earle, Chairman. The Committee met on August 27, 2013 and approved (1) the Disadvantage Business Enterprise (DBE) Plan, which is needed in order to receive FAA funding for Finger Lakes Regional Airport; (2) introducing and scheduling proposed local law C of 2013 to extend the imposition of the hotel/motel occupancy tax.

The county manager gave an update to the Committee on the Seneca County Comprehensive Plan. Of the seven sections included in the plan, four are completed: Introduction; Seneca County Overview; Housing & Communities; and Agricultural & Rural Resources. In progress are Sections 4-Infrastructure, Jobs & Development; Section 6-The Environment; and Section 7-Implementation and Impact Analysis.

The final item discussed by the Committee was about opening the road on the depot that divides the towns of Romulus and Varick. The road was closed when the depot was developed. Committee Chairman Earle asked that the town of Romulus and Varick put together a proposal and present it to the Committee at a future meeting.

Earlier in the evening, the Planning, Agriculture, Development & Tourism Committee met with the law firm of Edward Sheats and Jason Bailey of Syracuse, a construction law firm dedicated to serving the construction industry. This was prompted by the recent financial situation that resulted in subcontractors not being compensated on projects funded by the Seneca County IDA. The discussion led to support for the IDA to implement Labor and Materials Performance Bonds. These bonds are issued usually with performance bonds, and cover payment for all equipment, labor, materials, and services in the event the contractor fails to pay for them under to the terms of the contract.

Public Health Services Committee - Mrs. Garlick Lorenzetti, Chairwoman. At its meeting on August 27, 2013, the Committee approved the contract with New York State Department of Health for the Lead Poisoning Prevention Program. The amount of funding from the NYS grant is \$26,082 for the period October 1, 2013 - September 30, 2014.

Public Works Committee - Mr. Kaiser, Chairman. At its meeting on August 27, 2013, the Committee voted in favor of referring the following issues to the Board of Supervisors for a resolution: (1) To extend the contract with WeCare for curbside recycling pickup from November 1, 2013 – October 31, 2014. The cost for the first renewal year is \$419,998 in accordance with the terms of the contract. The initial three year contract with WeCare Recycling for curbside recycling pickup expires on October 31, 2013; (2) Awarding Silverline Construction as the lowest bidder at \$19,854 for the rehabilitation of CR 131/ Sixteen Falls Creek Bridge. This project is 100% reimbursed through CHIPS; (3) Awarding Leclair-Fleming Mechanical Contractors, Inc. as the lowest bidder at \$16,967 for the installation of the new Turbo Aeration Blower and D.O. Control System at the Willard Wastewater Treatment Facility; (4) Awarding Seneca Pipe & Paving Co. at \$17,850 for work at Colonel's Drive. The project is subject to Prevailing Wage Rate; (5) authorizing the solicitation of bids for Phase Two improvements at Colonel's Drive involving relocation and upgrading of an existing pump station. The estimated project cost is \$125,000.00; (6) purchasing a surplus excavator from the Water & Sewer Districts for the Seneca County Highway Department for \$62,201.

Members of the Public Works Committee and members of the Board of Supervisors were given a copy of the 318 Sewer Feasibility Study conducted by Barton & Loguidice, P.C. A discussion about the 318 Sewer Project and the draft feasibility study will be addressed at the next committee meeting.

Mental Health Services Committee - Mr. Serven, Chairman. The Mental Health Committee approved the following issues for referral to the Board of Supervisors for a resolution: (1) renewing the Crime Victims' Services Grant for a one year extension for \$56,994; (2) applying for a New York State Division of Criminal Justice Services Grant which would assist in providing for in-jail and community-based programs for offenders charged with variety of penal felony and misdemeanor charges. The grant is being jointly submitted by the Mental Health Department and the Sheriff's Office; and (3) authorizing the County Treasurer to transfer \$99,015 from the contingency fund to be used towards court-ordered inpatient services clients.

Government Operations Committee - Mr. Westfall, Chairman. The Committee reviewed two items at its August 27, 2013 meeting. The first item was to schedule the annual board meeting in Ovid, NY. The committee approved referring the item to the Board of Supervisors for a resolution authorizing the amendment of the Rules of Order to allow for a board meeting in Ovid, NY on October 8, 2013.

The second item was for classes to be held in satellite locations in Seneca County that are offered by Finger Lakes Community College. The committee approved referring the item to the Board of Supervisors for a resolution authoring permission to hold classes in Seneca County.

Finance, Assessment & Insurance Committee - Mr. Prouty, Chairman. The Committee approved the reappointment of Jim Bastian as Director of Real Property Tax for a 6-year term effective October 1, 2013 and expires September 30, 2019; and approved budget amendments over \$1,000 as recommended by the County Manager. A resolution for each item is on this agenda for consideration by the Board of Supervisors.

The Committee also discussed a suggestion by Board Chairman Hayssen, to establish a unit charge as a mechanism for funding the E911 Communications Center. Hayssen said charging each household an annual fee like the unit charge for recycling is better than having it come from the county budget and tax levy. The 911 system costs \$1.6 million and receives about \$100,000 annually from surcharges imposed for land line phones and mobile phones. Mr. Kubasik objected to the suggestion stating that property tax is the main source of funding for government services and the county budget and it is fair - if the property owner has more, than he / she pays more. The Committee did not take action on this issue.

Chairman's Remarks

Seneca County Historian Walter Gable and Carolyn Zogg, Director of the Seneca Falls Historical Society co-authored a book, "The Seneca Army Depot - Fighting Wars from the New York Home Front". Chairman Hayssen praised the book, saying it was interesting reading about the development of the depot before World War II; how families had to be relocated so the depot could be built; and photos are included that help the reader visualize the history of the Seneca Army Depot. He commended Mr. Gable and Ms. Zogg for writing the book.

County Manager Remarks

County Manager Rowe asked the members of the Board of Supervisors to contact him about the Route 318 sewer feasibility study that was distributed at the August committee meetings.

Preparation is underway for the 2014 budget. All the departments have submitted their budget requests for next year. Mr. Rowe is in the process of scheduling budget meetings with the staff. He will be meeting with Mr. Prouty, Finance Director, in the near future to discuss the proposed budget.

County Attorney's Remarks

County Attorney Fisher referred to a communication from a former employee of Seneca County. He said if any of the supervisors received a copy, they should refrain from responding to the former employee because the case continues to be in litigation.

Communications

115. From Cornell University College of Agriculture and Life Sciences, a letter dated August 21, 2013, announcing a partnership between the College of Agriculture and Life Sciences (CALS) and the College of Engineering (ENG) that creates a pathway forward for the Local Roads Program to continue at Cornell University and will be reflected in the upcoming application for the contract from New York State and, if that application is successful, would commence on October 1, 2014.

116. From David R. Odiorne, Seneca Falls, an email dated August 22, 2013 to the Seneca County Board of Supervisors expressing his support for the Seneca Meadows, Inc. proposed rail project.

117. From Cathy Jordan, an email dated September 5, 2013 to the Seneca County Board of Supervisors expressing her support for the Seneca Meadows, Inc. proposed rail project.

118. From Roger Simolo, Seneca Falls, NY, an email dated August 30, 2013 to the Seneca County Board of Supervisors, expressing his support for the Seneca Meadows, Inc. proposed rail project.

119. A copy of an email from Philip G. Spellane to Supervisor Robert Shipley dated August 20, 2013 stating that the “United States Court of Appeals for the Second Circuit that the oral argument, scheduled for Friday, September 13, 2013, has been postponed. The Court has not yet scheduled the new date.”

120. From the Tioga County Legislature, a copy of Resolution No. 202-13, “Resolution to Support Assembly Bill A07588 known as the Rural Broadband Deployment Act which Promotes Rural Broadband Deployment by providing Residents and Small Businesses with Tax Credits for Broadband Deployment”.

121. From the Town Board of Covert, a copy of Resolution 7-13, “Reaffirm Town of Covert Board’s Position - Governor and Legislature Set Aside and Annul the “NY SAFE ACT””.

122. From the Essex County Board of Supervisors, a copy of Resolution No. 231, “Resolution Urging New York State to Amend the New York State Transportation Laws to Allow Signage on Exit and Entrance Ramps on the Adirondack Northway within the Adirondack Park”.

123. A copy of the Seneca County Planning Board August 8, 2013 meeting minutes.

124. A copy of the Finger Lakes Regional Airport Advisory Committee June 12, 2013 meeting minutes.

125. From Steve Wadhams, Chairman of the Board, Seneca County Chamber of Commerce, a letter dated September 9, 2013 stating support for the development of a rail facility and spur to serve Seneca Meadows Landfill; and a copy of a resolution passed by the Chamber of Commerce Board of Directors stating the same.

RESOLUTIONS & MOTIONS

APPOINT JAMES BASTIAN DIRECTOR OF REAL PROPERTY TAX SERVICES

RESOLUTION NO. 163-13 moved by Mr. Prouty; second by Mr. Shipley and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the term of office for the Director of Real Property Tax Services expires on September 30, 2013, pursuant to Section 1530 (1) of the Real Property Tax Law; and

WHEREAS, the current Director, James Bastian, is a New York State Office of Real Property Tax Services certified County Tax Director and has maintained the State mandated continuing education requirements to continue to hold office; and

WHEREAS, it would be in the best interest of Seneca County to reappoint an experienced and certified County Tax Director; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint James Bastian to the position of Director of Real Property Tax Services for the statutory term of office which commences October 1, 2013 and expires September 30, 2019.

SUPERVISORS AUTHORIZE AMENDMENTS TO 2013 SENECA COUNTY BUDGET

RESOLUTION NO. 164-13 moved by Mr. Prouty; second by Mr. Kubasik and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, amendments to the 2013 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 August 27, 2013; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes the following amendments to the 2013 Seneca County Budget:

DMV

From: 1411-51100 (DMV Salaries)	\$3,627.75
To: 1411-51400 (DMV Severance)	\$3,627.75

Sheriff's Office

From: 3150-51100 (Sheriff Correctional Facility Salaries)	\$1,093.29
To: 3150-51400 (Sheriff Correctional Facility Severance)	\$1,093.29

Weatherization

From: 6550-51100 (Weatherization Salaries)	\$1,861.16
To: 6550-51400 (Weatherization Severance)	\$1,861.16

Emergency Services

From: 103410-54280 (Haz Mat Team)	\$4,000.00
To: 103410 54231 (Cell Phone)	\$1,000.00
To: 103410 54420 (Gas & Oil)	\$3,000.00

DHS

From: 6002-51100 (DHS Family & Child Services Salaries)	\$491.12
To: 6002-51400 (DHS Family & Child Services Severance)	\$491.12
From: 6020-51100 (DHS Administration Salaries)	\$827.58
To: 6020-51400 (DHS Administration Severance)	\$827.58
From: 106010-54700 (SSWF4)(Workforce MOU-TANF/Svs)	\$130,000
To: 106010-54700 (SSWF2)(Workforce MOU-DSS/TANF)	\$130,000
From: 106192-54700 (Comm on Spec Ed-Cont)	\$130,000
To: 106123-54700 (Juvenile Care-Contractual)	\$130,000
From: 106129-54700 (OCFS Chargebacks)	\$210,000
To: 106140-54700 (Safety Net-DSS)	\$210,000
From: 106141-54700 (HEAP-Contractual)	\$3,000
To: 106142-54700 (Emer Aid Adults-Contractual)	\$3,000
Increase: 106101-43601 (State Aid-Medical Assistance)	\$90,000
Increase: 106101-54700 (Medical Assistance)	\$90,000

Sewer 2

From: 33-101-5-8110-4380 (Other Fees & Services)	\$ 6,500
From: 33-101-5-8110-4220 (Repairs & Maintenance)	\$10,000
From: 33-101-5-8110-4550 (Other Supplies)	\$ 3,500
To: 33-101-5-8110-4140 (Utilities)	\$20,000

**SUPERVISORS AMEND RULES OF THE BOARD TO HOLD
OCTOBER BOARD MEETING IN OVID**

RESOLUTION NO. 165-13 moved by Mr. Westfall; second by Mr. Davidson and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, traditionally the Seneca County Board of Supervisors meets annually for a board meeting in the former County Seat of Ovid, NY; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby amend its Rules of Order to hold its board meeting on October 8, 2013 at 6:00 p.m. at the former county courthouse, known as Papa Bear, in Ovid, New York.

**CHAIRMAN OF THE BOARD AUTHORIZED TO SIGN AGREEMENT BETWEEN SENECA
COUNTY AND FINGER LAKES COMMUNITY COLLEGE TO OFFER
COLLEGE LEVEL COURSES IN SENECA COUNTY**

RESOLUTION NO. 166-13 moved by Mr. Westfall; second by Mr. Prouty and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, Finger Lakes Community College (FLCC) offers college-Level courses in satellite locations in Seneca County; and

WHEREAS, no cost shall incur to Seneca County for the operation of these courses except for the normal operational charge backs per credit hour specified under community college law; and

WHEREAS, this resolution was approved by the Board of Supervisors Government Operations Committee on August 27, 2013; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign an agreement with the Finger Lakes Community College to offer college-level courses in satellite locations in Seneca County for the 2013 - 2014 year.

RESOLUTION ALLOWING SENECA COUNTY BOARD OF SUPERVISORS' CHAIR TO SIGN A ONE-YEAR EXTENSION OF THE MENTAL HEALTH DEPARTMENT'S CURRENT CRIME VICTIMS BOARD (CVB) "VICTIMS OF CRIME" GRANT CONTRACT

RESOLUTION NO. 167-13 moved by Mr. Serven; second by Mr. Churchill and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the Seneca County Community Counseling Center of the County Mental Health Department has received grant funding from the NYS Crime Victims Board (CVB) with no local cash match required to provide services to individuals under the Victims of Crime Grant; and

WHEREAS, the grant has funded a large portion of the salary and fringe benefits of the county's Coordinator of Victims Witness Domestic Violence Services since 1997; and

WHEREAS, the NYS Crime Victims Board (CVB) has issued a one year extension of our current grant contract with funds that are already stipulated in the Mental Health Department budget; and

WHEREAS, services provided through this funding include: Criminal Justice and Personal Advocacy; In-person Counseling (with follow-up); Group Support/Treatment; Information and Referral; Telephone Counseling; and Home Visits; and

WHEREAS, this grant's original contract had been reviewed and approved by the Mental Health Committee of the Seneca County Board of Supervisors; was accepted by the full Seneca County Board of Supervisors, and was previously signed by the Chairman of the Seneca County Board of Supervisors; and

WHEREAS, on August 27, 2013 the Seneca County Board of Supervisors' Mental Health Committee reviewed and approved authorizing the Board Chairman to sign a one year extension of that contract; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors' Chairman is authorized to sign the one year extension of the Mental Health Department's current contract with the Crime Victims Board as detailed above.

**BOARD OF SUPERVISORS AUTHORIZE TRANSFER OF FUNDS FROM
CONTINGENCY FUND INTO MENTAL HEALTH DEPARTMENT**

RESOLUTION NO. 168-13 moved by Mr. Serven; second by Mr. Prouty and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the Mental Health Department is obligated to cover 50% of the hospitalization expense for all individuals referred from Seneca County under CPL730 for commitment to a NYS Office of Mental Health and/or Office of People with Developmental Disabilities Forensic Facility; and

WHEREAS, there have been more individuals committed under CPL 730 than in years past, and given the severity of these individuals' conditions, the department has exceeded the amount budgeted for this item in the 2013 budget, and will continue to do so until year-end 2013; and

WHEREAS, a transfer from the contingency fund is requested in the amount of Ninety-Nine Thousand Fifteen Dollars (\$99,015) to cover the current deficit in this line (based on utilization that has exceeded budget) and for the known CPL730 expenses that the department is projected to incur in the remainder of 2013; and

WHEREAS, these actions have been reviewed and approved by the Board of Supervisors' Mental Health Services Committee on August 27, 2013; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the transfer of \$99,015 from the Seneca County Contingency fund into the 2013 Mental Health Department Budget Account: 104320.54351 – State MH Hosp. Bills, and allows for the 2013 Mental Health Department budget to be accordingly amended as stipulated above to accept and then disburse these funds in payment of CPL 730 expenses.

**BOARD OF SUPERVISORS APPROVE SENECA COUNTY MENTAL HEALTH
DEPARTMENT & SHERIFF'S OFFICE TO APPLY FOR NYS DIVISION OF CRIMINAL
JUSTICE SERVICES (DCJS) GRANT**

RESOLUTION NO. 169-13 moved by Mr. Serven; second by Mr. Earle and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the Seneca County Mental Health Department and Sheriff's Office seek to apply for an 18-month grant from the NYS DCJS to provide for in-jail and community-based programs for offenders charged with variety of penal felony and misdemeanor charges, utilizing evidence-based interventions shown to reduce recidivism in those that successfully complete the program; and

WHEREAS, this 18-month DCJS grant requires no county match, and (as envisioned) would be able to generate revenue (within the community-based program) after the grant is finished in order to sustain its on-going operation, at no additional county expense; and

WHEREAS, the Seneca County Board of Supervisors' Mental Health Committee approved the two departments (working together) to apply for this grant, which has a submission deadline of September 16, 2013; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the Seneca County Mental Health Department and Sheriff's Office to apply for this grant.

**EXTEND CONTRACT FOR THE FIRST RENEWAL YEAR WITH
WECARE FOR RECYCLING PICKUP**

RESOLUTION NO. 170-13 moved by Mr. Kaiser; second by Mr. Davidson and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the initial three year contract with WeCare Recycling expires on October 31, 2013; and

WHEREAS, there are two – one year renewal options at the sole discretion of Seneca County; and

WHEREAS, where WeCare has done a very good job in providing curbside recycling pickup to the residents of Seneca County; and

WHEREAS, it would be in the best interest of Seneca County to extend the first renewal year to provide recycling pickup in Seneca County; now, therefore be it

RESOLVED, that the Board of Supervisors extends the first renewal year to WeCare for recycling pickup in Seneca County at a contract cost of \$419,000 for the term November 1, 2013 through October 31, 2014.

**SUPERVISORS AWARD BID FOR REHABILITATION OF
BRIDGE PROJECT ON COUNTY ROAD 131**

RESOLUTION NO. 171-13 moved by Mr. Kaiser; second by Mr. Shipley and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, three bids for the rehabilitation of the bridge project on County Road 131 were opened at 2:00 pm on August 15, 2013; and

WHEREAS, Silverline Construction from Burdett, New York presented the lowest bid of \$19,854.00; and

WHEREAS, on August 27, 2013 the Public Works Committee of the Seneca County Board of Supervisors recommended accepting the bid from Silverline Construction from Burdett, New York; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby award the bid for the rehabilitation project on County Road 131 to Silverline Construction from Burdett, New York at a cost

not to exceed \$19,854.00 on the condition that the County Road 131 project is satisfactorily completed ; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute a contract with Silverline Construction from Burdett, New York consistent with such bid for the rehabilitation project for County Road 131 bridge. The funding is from Consolidate Highway Improvement Project (CHIPS) which is 100% reimbursed.

**BOARD OF SUPERVISORS AUTHORIZES
PURCHASE AND SALE OF SURPLUS EXCAVATOR**

RESOLUTION NO. 172-13 moved by Mr. Kaiser; second by Mr. Davidson and adopted by 659 ayes, 42 nays (Hayssen), and 49 absent (Reynolds).

WHEREAS, Seneca County Water District No. 1 and Sewer District No. 2 are the owner of certain property that has been purchased for district operations; and

WHEREAS, the Board of Supervisors has the general care and control of the corporate real and personal property of the districts; and

WHEREAS, the Board of Supervisors concurs that certain property within the Seneca County Water District No. 1 (SCWD #1) and Seneca County Sewer District No. 2 (SCSD #2) is no longer necessary for these operations; and

WHEREAS, the districts will receive the proceeds from these sales and deposit said funds in the fund accounts of each district in equal amounts; and

WHEREAS, the Seneca County Highway Department desires to purchase a 2007 Linkbelt 160 x 2 Excavator from the County Districts; and

WHEREAS, a sale price of \$62,201 has been established; and

WHEREAS, funding is available in Account No. 50-120-5-5130-2600; and

WHEREAS, this resolution was recommended for approval by the Public Works Committee on August 27, 2013; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the sale and purchase of a 2007 Linkbelt 160 x 2 Excavator in the amount of \$62,201.

**SUPERVISORS AUTHORIZE BID SOLICITATIONS FOR PHASE TWO WORK AT THE
COLONELS DRIVE SECTION OF SENECA COUNTY SEWER DISTRICT NO. 2**

RESOLUTION NO. 173-13 moved by Mr. Kaiser; second by Mr. Serven and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, improvements have been designed and planned for the Colonel's Drive section of Seneca County Sewer District No. 2; and

WHEREAS, Phase Two improvements will involve the relocation and upgrading of an existing pump station; and

WHEREAS, funding for the project will be appropriated from the Fund Balance of Seneca County Sewer District No. 2; and

WHEREAS, the purchase and installation of the new pump station will require the services of a mechanical contractor; and

WHEREAS, this resolution was recommended for approval by the Public Works Committee on August 27, 2013; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the solicitation of bids for Phase Two improvements at the Colonel's Drive section of Seneca County Sewer District No. 2.

SUPERVISORS AMEND RESOLUTION NO. 140-13

RESOLUTION NO. 174-13 moved by Mr. Kaiser; second by Mr. Churchill and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, improvements have been designed and initiated in the Colonel's Drive section of Seneca County Sewer District No. 2; and

WHEREAS, the District desires to engage the services of a private contractor to assist in completing the Phase One improvements in this area; and

WHEREAS, quotes were solicited from three qualified firms for assistance with said work; and

WHEREAS, said quotes were re-solicited to ensure that NYS Prevailing Wage Rates were being utilized; and

WHEREAS, the re-solicitation resulted in a new low bid; and

WHEREAS, Seneca Pipe & Paving Co., Inc., submitted the lowest revised quote in the amount of \$17,850; and

WHEREAS, Seneca County Sewer District No. 2 fund balances are sufficient to finance said work; and

WHEREAS, Seneca County Sewer District No. 2 desires to award said work to Seneca Pipe & Paving Co., Inc.; and

WHEREAS, this resolution was recommended for adoption by the Public Works Committee on August 27, 2013; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby amends Resolution 140-13; and be it further

RESOLVED, that the Seneca County Board of Supervisors authorizes work to be completed at the Colonel's Drive section of Seneca County Sewer District No. 2 by Seneca Pipe & Paving Co., Inc. in an amount not to exceed \$17,850; and be it further

RESOLVED, that \$17,850 from the Fund Balance of Seneca County Sewer District No. 2 is appropriated for completion of said work.

**SUPERVISORS AUTHORIZE BID AWARD FOR INSTALLATION OF
AERATION BLOWERS AT WILLARD WASTEWATER TREATMENT FACILITY**

RESOLUTION NO. 175-13 moved by Mr. Kaiser; second by Mr. Serven and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, improvements are necessary at the Willard Wastewater Treatment Facility, located within Seneca County Sewer District No. 1; and

WHEREAS, funding has been appropriated for the purchase and installation of energy efficient aeration blowers as the initial phase of improvements to the facility; and

WHEREAS, bids were solicited for installation of the blowers; and

WHEREAS, the lowest responsible bid was from Leclair-Fleming Mechanical Contractors, Inc., with offices at 8479 Ridge Road, Sodus, NY 14451, in the amount of \$16,967.00; and

WHEREAS, this resolution was recommended for approval by the Public Works Committee on August 27, 2013; now, therefore be it

RESOLVED, that the Board of Supervisors awards an installation contract for aeration blowers at the Willard Wastewater Treatment Facility to Leclair-Fleming Mechanical Contractors, Inc., with offices at 8479 Ridge Road, Sodus, NY 14451, in the amount of \$16,967.00.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE
CHILDHOOD LEAD POISONING PREVENTION PROGRAM**

RESOLUTION NO. 176-13 moved by Mrs. Garlick Lorenzetti; second by Mr. McGreevy and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the Health Department is receiving a grant from the NYSDOH for the Childhood Lead Poisoning Prevention Program; and

WHEREAS, the period covered by this grant is October 1, 2013 to September 30, 2014; and

WHEREAS, the amount of the grant is \$26,082; and

WHEREAS, the money is included in the Public Health Department budget 10-115-5-4013; and

WHEREAS, the Public Health Committee has recommended approval of this grant at a meeting on August 27, 2013; and

WHEREAS, it is necessary for the Chairman of the Board of Supervisors to sign this contract to receive the funds; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the Childhood Lead Poisoning Prevention Program Grant with the New York State Department of Health.

**APPROVE DISADVANTAGED BUSINESS ENTERPRISE PLAN
FOR FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 177-13 moved by Mr. Earle; second by Mr. Churchill and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the proposed Disadvantaged Business Enterprise (DBE) Plan for the Finger Lakes Regional Airport for fiscal years 2014-2016 has been on file for review in the Seneca County Department of Planning and Community Development, and on the department website; and

WHEREAS, no significant comments have been received; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Committee on August 27, 2013; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is directed to sign the amendment to the Disadvantaged Business Plan for FAA fiscal year 2014-2016 for the Finger Lakes Regional Airport.

Laid on the Table

Mr. Earle made a motion, second by Mr. Prouty to adopt a resolution introducing proposed local law C of 2013, "The Seneca County Hotel or Motel Occupancy Tax".

Mr. Earle made a motion, second by Mr. Shipley, to lay the resolution on the table until the next board meeting in order for the county attorney to review suggested amendments to the SCACOT bylaws to see if they are in compliance with §1202-o of the New York State Tax Law.

The motion to lay the resolution on the table carried by 476 ayes (Earle, Shipley, Prouty, Kaiser, Lafler, McGreevy, Hayssen, Westfall, Kubasik), and 225 nays (Garlick Lorenzetti, Serven, Davidson, Churchill), and 49 not present (Reynolds).

AUTHORIZE ACCEPTANCE OF THE HOMELAND SECURITY GRANT (SHSP 13)

RESOLUTION NO. 178-13 moved by Mr. Shipley; second by Mr. Earle and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the Seneca County Office of Emergency Services has been awarded a FY13 State Homeland Security Grant (SHSP); and

WHEREAS, the grant award is for \$45,000, with no local match; and

WHEREAS, this grant will be used for Sustainment of Equipment, provide the Penn State Agricultural Emergencies Training courses to local First Responders as well as purchase Tech Rescue tools & equipment for agricultural incidents, and acquire Mass Casualty Incident (MCI) supplies and host a MCI Exercise; and

WHEREAS, the Public Safety Committee approved acceptance of the grant at its meeting on August 27, 2013; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors approves the acceptance of this grant and authorizes the Chairman of the Board of Supervisors to sign all grant paperwork.

SENECA COUNTY AGREES TO AMEND CONTRACT T839002 WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

RESOLUTION NO. 179-13 moved by Mr. Shipley; second by Mr. Davidson and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the New York State Division of Homeland Security and Emergency Services (DHSES) has awarded Contract T839002 to Seneca County in the amount of \$35,167 as part of the 2010 State Law Enforcement Terrorism Prevention Program (SLETPP); and

WHEREAS, SLETPP grant funds are to be used for the purpose of providing wireless mobile data connection service to the Seneca County Sheriff's patrol vehicles; and

WHEREAS, the grant provides 100% of the funding for project equipment and associated costs with no local cash match requirement; and

WHEREAS, due to the results of bidding and state contracts the specific dollar amounts to acquire the equipment and provide wireless service require an amendment to the Contract showing the exact amounts within each contract budget line; and

WHEREAS, there has been no change in either the total amount to be granted to Seneca County in this contract nor any change in the amount Seneca County is required to match the contract; and

WHEREAS, DHSES is extending the contract period six months to February 28, 2014; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Committee on August 27, 2013; 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 amend the New York State Division of Homeland Security and Emergency Services' 2010 State Law Enforcement Terrorism Prevention Program grant contract T839002, subject to approval of the Seneca County Attorney.

SENECA COUNTY SUBMITS APPLICATION FOR STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT

RESOLUTION NO. 180-13 moved by Mr. Shipley; second by Mr. Churchill and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the New York State Division of Homeland Security and Emergency Services (DHSES) has published its competitive 2013 Statewide Interoperable Communications Grant Program application due September 30, 2013; and

WHEREAS, the Seneca County Office of Emergency Services intends to apply for up to \$6,000,000 in funds to implement a county-wide emergency service communication upgrade to facilitate interregional radio communication, including new P25 digital base station and mobile radio equipment, software upgrades, and, and tower enclosures; and

WHEREAS, the grant, if awarded, will require no local cash match; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Committee on August 27, 2013; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign any and all documents necessary to apply for up to \$6,000,000 in funds to the 2013 Statewide Interoperable Communications Grant Program from the New York State Division of Homeland Security and Emergency Services (DHSES).

**AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO APPLY FOR THE
HOMELAND SECURITY TECHNICAL RESCUE GRANT 2013**

RESOLUTION NO. 181-13 moved by Mr. Shipley; second by Mr. Davidson and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the Seneca County Office of Emergency Services wishes to apply for a FY 13 State Homeland Security Technical Rescue Grant; and

WHEREAS, the grant is for \$150,000, with no local match and will be used to enhance the Swift Water/Flood Rescue capabilities of five Fire Department Teams as well as the County Public Safety Dive Team; and

WHEREAS, the goal of the grant is to improve the capabilities of these teams from a NIMS Type III to a Type II; and

WHEREAS, the grant will be used to purchase Zodiac Boats and trailers, and related equipment, as well as provide for training at the New York State Fire Academy; and

WHEREAS, the Public Safety Committee approved the grant at its meeting on August 27, 2013; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors approves submitting an application for this grant and authorizes the Chairman of the Board of Supervisors to sign all grant paperwork.

**AUTHORIZE ACCEPTANCE OF THE
HOMELAND SECURITY REGIONAL HAZMAT GRANT FY13**

RESOLUTION NO. 182-13 moved by Mr. Shipley; second by Mr. Serven and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the Seneca County Office of Emergency Services has been awarded a FY13 State Homeland Security Regional 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 Decontamination Equipment and On Scene Communications Equipment for the four counties; and

WHEREAS, the Public Safety Committee approved the grant at its meeting on August 27, 2013; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors approves the acceptance of this grant and authorizes the Chairman of the Board of Supervisors to sign all grant paperwork.

**CHAIRMAN OF THE BOARD TO SIGN 2014 SENECA COUNTY REINTEGRATION
PROJECT AGREEMENT WITH THE YOUTH ADVOCATE PROGRAMS, INC.**

RESOLUTION NO. 183-13 moved by Mr. Davidson; second by Mr. McGreevy and adopted by 701 ayes and 49 absent (Reynolds).

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; and

WHEREAS, this funding is currently available in the 2013 budget under project account 10607054700 POS47, planned for in the 2014 budget and contingent upon the adoption of the 2014 budget; and

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

RESOLVED, the Board of Supervisors authorizes the approval of the 2014 Youth Advocate Programs, Inc. - Reintegration Project agreement and authorizes the Chairman of the Board of Supervisors to sign the 2014 Youth Advocate Programs, Inc. - Reintegration Project agreement.

**CHAIRMAN OF THE BOARD TO SIGN 2014 AGREEMENT
WITH BONADIO & CO. FOR ACCOUNT AND FRAUD-RELATED SERVICES
WITH THE DIVISION OF HUMAN SERVICES**

RESOLUTION NO. 184-13 moved by Mr. Davidson; second by Mr. Prouty and adopted by 701 ayes and 49 absent (Reynolds).

WHEREAS, the Division of Human Services would like to enter an agreement with Bonadio & Co., LLP, Certified Public Accountants who specialize in accounting and fraud-related issues; and

WHEREAS, the agreement will have a rate of pay of \$150.00 per hour up to \$10,000.00 and is budgeted under project account 106070 54700 POS52 for 2014 and contingent upon adoption of the 2014 budget; and

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

RESOLVED, the Board of Supervisors authorizes the approval of the 2014 Bonadio & Co. agreement and authorizes the Chairman of the Board of Supervisors to sign the 2014 Bonadio & Co. agreement.

Special Order of the Day

The meeting was adjourned at 7:26 p.m.