

Seneca County Board of Supervisors
Regular Meeting
July 11, 2017

Call to Order

Chairman Shipley 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. Sprvr. Kaiser arrived at the beginning of the Brightest Star award presentation. Sprvr. Prouty was not present.

Pledge of Allegiance and Moment of Silence

Public Hearings

a) To receive public comment on proposed Local Law C of 2017 entitled, "A Local Law to Establish Residency Requirements for the Positions of Assistant County Attorney and Deputy Commissioner of Social Services in Seneca County". Sprvr. Lazzaro moved the floor open to receive public comment.

Sprvr. Wadhams stated that he was against waiving the NYS residency requirement because the purpose of the requirement is so people not only work for the county, they live in the county – and become an integral part of the community. Waiving the requirement gives the wrong message – that it is okay to work with us, but not to live with us. No other comments were received. Sprvr. Westfall moved the floor closed to receive public comments, thus the public hearing was closed.

b) To receive public comment on proposed Local Law D of 2017 entitled, "A Local Law of the County of Seneca, Repealing Local Law 4 of 2011 - The Wireless Communications Surcharge Authorized by Article Six of the County Law of the State of New York; And Imposing the Wireless Communications Surcharges Pursuant to the Authority of New York State Tax Law §186-G".

Sprvr. Trout moved the floor open to receive public comment. No comment was received. Sprvr. Trout moved the floor closed to receive public comment, thus the public hearing was closed.

Presentation

The Brightest Star Award recognizes Seneca County students who consistently reflect the 5 Points of Light: Academics, Involvement in School or Community Activities, Responsibility, Respect, and Compassion. Student nominations are made by school personnel and agencies that serve our youth. This year three Seneca County students were recognized.

**2017 WORKFORCE DEVELOPMENT YOUTH BUREAU/BOARD'S
BRIGHTEST STAR RECOGNITION**

RESOLUTION NO. 150-17 moved by Sprvr. Lazzaro, second by Sprvr. Hayssen and adopted.

WHEREAS, the Brightest Star Award recognizes two females and one male 6th grade student in Seneca County; and

WHEREAS, nominations are received from school personnel and other youth serving agencies; and

WHEREAS, students were nominated and chosen for consistently reflecting the 5 Points of Light: Academics, Involvement in School or Community Activities, Responsibility, Respect, and Compassion; now, therefore be it

RESOLVED, that the Seneca County Youth Bureau and Youth Board and the Seneca County Board of Supervisors recognize and congratulate the following students for being selected for the 2017 Brightest Star Award.

Luke Dendis
South Seneca Middle School
Village of Interlaken

Mackenzie Howard
Seneca Falls Middle School
Town of Seneca Falls

Gabrielle Wirth
Seneca Falls Middle School
Town of Seneca Falls

Open Privilege of the Floor

Kyle Black, District Manager, Seneca Meadows, Inc. reported on the continuing efforts for odor mitigation. Odor complaints significantly decreased in the past twelve months. The odor hotline they contract with is independently operated. They are willing to share any data requested by the county.

Rachel Weil, resident, Seneca Falls offered comments in favor of a website created and operated by the county to receive complaints regarding offensive odors saying an independent entity; neither side of the landfill issue should be collecting the data.

Doug Avery, resident, Seneca Falls offered comments in support of a county operated complaint hotline for offensive odors believing the odor complaints have decreased because of the lack of response and results by the inspectors.

Valerie Sandlas, resident, Seneca Falls offered comments in support of a county operated odor complaint hotline. She stated that of the ten complaints she made to the hotline, all ten were found by the landfill as no odor detected. The reports from the landfill on odor complaints are biased.

John Dendis, resident, Junius offered comments in support of a county operated odor website as it will force the landfill to be accountable.

Joseph DiCicco, resident, Waterloo offered comments in support of a county operated odor complaint unbiased website. The landfill complaint hotline is like the fox watching the hen house.

Jean Gilroy, resident, Seneca Falls offered comments in support of a county operated odor complaint hotline saying she believes the landfill poses a health danger, any complaint she has made comes back as no odor detected, and she wants uncompromised data collected, not data collected by SMI.

Approval of Meeting Minutes

The meeting minutes for the June 13, 2017 board meeting and the June 27, 2017 special board meeting were approved.

Submission of Claims for Audit

Sprvr. Westfall moved the following vouchers, having gone through the proper auditing process are approved for payment.

Supervisors vouchers	totaling	\$	915,770.69
Workforce Development vouchers	totaling	\$	28,731.95
Self-Insurance vouchers	totaling	\$	5,281.00
County Airport vouchers	totaling	\$	4,165.00
Highway Transportation vouchers			
Maintenance & State Snow	totaling	\$	81,340.73
Highway Machinery	totaling	\$	33,770.11
	Highway Total	\$	115,110.84
Water 1	totaling	\$	169,633.12
Sewer 1	totaling	\$	16,822.09
Sewer 2	totaling	\$	21,360.77
Capital Project - Airport	totaling	\$	2,810.78
Capital Project – 318 Sewer	totaling	\$	216,107.76
Capital Project – BonaDent Building	totaling	\$	15,010.00
Capital Project – County Road Projects	totaling	\$	6,267.80
Capital Project – Sampson Vet Cemetery	totaling	\$	2,067.36
Capital Project – Water & Sewer Projects	totaling	\$	54,222.25

Reports of Standing Committees

Planning, Development, Agriculture & Tourism Committee – Sprvr. Kaiser, Chairman. At the July committee meetings, the PDAT committee approved a board resolution awarding Blue Heron Construction for additive bid items, designed to provide additional conveyance capacity for potential sewer users and economic development along the project corridor in the amount of \$965,530.00; the committee approved a CDBG loan for John Stoughtenger for printing services for \$50,000 at five percent (5%) interest for seven (7) years; and a GAIN loan to Ashly Lynn Winery for \$18,726 at one percent (1%) for five (5) years; the committee approved the Disadvantaged Business Enterprise (DBE) Plan for the Finger Lakes Regional Airport, which will establish a 11.7% goal for funding from October 1, 2016 through September 30, 2018; and the last resolution on tonight’s agenda will authorize a grant application

for the construction of a Pedestrian walkway between the County Office Building and the Health and Senior Services (HSS) Building not to exceed \$40,000.

Public Works Committee – Sprvr. Trout, Chairman. The Public Works Committee referred five resolutions for tonight’s board meeting. Two resolutions will authorize the execution of contracts. One is with the Unified Court System for the 2017-2018 contract for cleaning and minor repairs, and the other is a contract with Finger Lakes Railroad, which paves the way for Seneca County to assist Waterloo in completing the Seneca Cayuga Trail connection to Seneca Lake State Park by using Seneca Tobacco Asset Securitization funds, not to exceed \$50,000. Another resolution will authorize the Superintendent of Facilities to send out an RFP to repair the sidewalk and back porch at the Three Bears property; And the fifth resolution will create two positions for Part-time Laborer in the Facilities Department.

Mental Health Services Committee – Sprvr. Wadhams, Chairman. The committee referred a resolution for tonight’s meeting to proceed forward with an external audit for the community services clinic.

Government Operations Committee – Sprvr. Garlick Lorenzetti, Chairwoman. The committee referred several resolutions for tonight. One is the Standard Workday Resolution required by the NYS Comptroller’s office; one is to amend the cancer screening policy back to the original policy that only covers breast cancer screenings and prostate cancer screenings; one is waiving the mass gathering local law for the Empire Farm Days event in August, and one will appoint Carl Same as the Democrat Commissioner of Elections for a four year term effective January 1, 2018. Our current Commissioner of Elections (D) Ruth Same will retire at the end of this year. The committee discussed the use of the county building by outside agencies. A GOC meeting will be scheduled in the near future with key personnel for the purpose of developing a policy.

Public Health Services Committee – Sprvr. McGreevy, Chairman. The committee referred a resolution for tonight’s meeting for a Memorandum of Understanding with participating municipalities that adopt the Seneca County Unified Solar Permit for residential and small commercial solar array installations under 25kW; a contract with NYS DOH for the Early Intervention Grant for \$18,0888, for the period October 1, 2016 through September 30, 2017; a contract with Clean Harbors Environmental Services for the Household Hazardous Waste Day Collection event in the Fall. The committee also approved refilling a position for Registered Nurse in the Public Health Department.

Finance, Assessment & Insurance Committee – Sprvr. Westfall, Chairman. There was property that didn’t have a completed sale at the tax auction. The property is in the Village of Waterloo. There has been an offer to buy the property. There is a resolution on the agenda approving the sale. Another issue the committee reviewed is a resolution to override the state imposed tax cap for next year’s budget.

Environmental Affairs Committee – Sprvr. Churchill, Chairman. The committee referred a resolution on the agenda tonight to take \$5,000 from the county contingency fund to create a website with Fingerlakes1 to accept complaint calls about offensive odors. Sprvr. Churchill urged support from his fellow supervisors, reminding them that last year, every supervisor complained about the stink coming from the dump.

Human Services Committee – Sprvr. Lazzaro, Chairman. The committee approved reimbursing Seneca County Transportation Corps (SCTC) drivers for mileage at the federally authorized rate per mile during calendar year 2018, not to exceed \$5,400.00; and also contracting with the Wayne County Action Program for mileage reimbursement for SCTC drivers who serve that area. Resolutions are on tonight's agenda. We also authorized a contract with Finger Lakes Community College for classes at satellite locations within Seneca County, and we approved the appointment of Dan Maloney to the Finger Lakes Workforce Investment Board for the term July 1, 2017 through June 30, 2019.

Public Safety Committee – Sprvr. Davidson, Chairman. There was a public hearing earlier tonight on a proposed local law to repeal Seneca County Local Law 4 of 2011, authorizing surcharges on cell phones, and replacing it with a new local law authorizing surcharges on prepaid cell phones. There were no comments, oral or written heard on the subject. A resolution will come up later tonight to adopt this proposed local law.

County Manager's Remarks

County Manager Sheppard reported that the New York Senate and Assembly returned to session and passed the one percent extenders for the county sales and use tax. The legislation also extended the request by the counties every three years rather than two. The governor has yet to sign the legislation. The Board of Supervisors has a resolution on the agenda to override the tax cap which was recommended by the Finance Committee when the sales / use tax extenders had yet to be passed by the Senate.

The boilers at the county building need to be replaced. The county manager requested consideration by the Board of Supervisors, to authorize the issuance of a Request for Proposal for the design and engineering to replace the boilers by invoking Rule 29 under New Business.

County Attorney's Remarks

County Attorney Fisher appointed David Ettman as the Assistant County Attorney. He is a resident of Varick. Mr. Ettman has been in private law practice since 1992. He has invaluable experience with municipal law, having served as the attorney for the towns of Fayette and Junius, as well as assistant district attorney and as assistant public defender.

Recess (6:52 p.m. – 7:06 p.m.)

Chairman Shipley recessed the meeting for fifteen minutes, in order for the Republican supervisors to convene in caucus as requested by Sprvr. Davidson, Majority Leader.

When Chairman Shipley called the meeting to order, Sprvr. Garlick Lorenzetti said she asked County Attorney Fisher to research the validity of the board chairman calling a recess of a board meeting lacking a vote of the governing body.

Communications

94. From the U.S. Department of the Interior, a letter dated June 26, 2017 notifying the county that on June 27, 2017 payments were issued under the Payments in Lieu of Taxes (PILT) program with \$7,842 appropriated for Seneca County.

95. A copy of the Edith B. Ford Memorial Library Summer 2017 news booklet.

96. From the Seneca County Democratic Committee, notice dated June 15, 2017, that Carl J. Same, residing in Seneca Falls, NY, was elected by majority of the committee as a suitable and qualified person for appointment to the office of Seneca County Commissioner of Elections for the four year term commencing January 1, 2018. Referred to the Government Operations Committee.

97. From Finger Lakes Community College, request dated June 13, 2017, for an agreement with Seneca County allowing FLCC to offer satellite classes located in Seneca County. Referred to the Human Services Committee.

98. A copy of the Sheriff's Office June 2017 Snapshot report.

99. From Schoharie County Board of Supervisors, a copy of Resolution No. 28, "Encouraging Respect for All", encouraging all public officials, all community, institutional and organization leaders in the county affirm the importance of speaking out, in clear and firm language, against any and all harassment of county residents and visitors based merely on group identity.

100. From David S. Zorn, Executive Director, Genesee/Finger Lakes Regional Planning Council, a copy of a Preliminary Budget for the 2018 Calendar Year (January – December) to permit review within the normal budget timetable of each county.

RESOLUTIONS AND MOTIONS

ACCEPT BID TO SELL COUNTY OWNED TAX SALE PROPERTY

LOCATED IN THE VILLAGE OF WATERLOO

RESOLUTION NO. 151-17 moved by Sprvr. Westfall, second by Sprvr. Wadhams and adopted.

WHEREAS, certain premises located in the Village of Waterloo Seneca County and identified by tax map number 12-2-03 has been duly subject to public auction under New York State Real Property Tax Law Article Eleven; and

WHEREAS, no sale resulted from public auction; and

WHEREAS, said parcel was thereafter offered for sale by sealed bid pursuant to §507 New York State General Municipal Law; and

WHEREAS, the County has received a single bid for the purchase of said parcel; and

WHEREAS, this resolution was approved by the Finance, Assessment & Insurance Committee on June 27, 2017; now, therefore be it

RESOLVED, that the bid for the foregoing property received from Wolf Security, LLC, POB 142 Spencer, NY, 14883 after review and approval by the county attorney, is accepted and the Seneca County Treasurer is authorized and directed to accept the bid and convey by deed to the parties names below in the manner provided by law all the right, title, and interest on the County of Seneca in the describe tax sale parcel held by the County of Seneca upon payment of the amount of \$100.00, which satisfies the past due taxes in the amount of \$27,628.68:

Purchaser: Wolf Security, LLC
Former owner: Joshua Norcott
Village: Waterloo
Tax Map No.: 12-2-03 Containing: .25 acre

Motion to Override Property Tax Cap Limit for FY2018

Earlier in the agenda, the county manager said the NYS Senate and Assembly returned to Albany and passed the tax extenders for the counties. Based on this information, Sprvr. Westfall hesitated to move the proposed resolution overriding the tax cap for next year's budget. Sprvr. Garlick Lorenzetti said she would make the motion so that it was in place in case the governor does not sign the legislation, or in case we do end up going over the tax cap.

Sprvr. Westfall offered the motion, second by Sprvr. Garlick Lorenzetti, that the Board of Supervisors will override the State Property Tax Cap for FY2018.

Sprvr. Kaiser offered a motion to table the main motion, a second offered by Sprvr. Hayssen saying it would not be necessary, they expressed confidence that the county budget for 2018 will be under the tax cap.

The motion to table the main motion carried by 506 ayes (Kaiser, Hayssen, Reynolds, Wadhams, Churchill, Kronenwetter, McGreevy, Westfall, Shipley, and Trout), and 192 nays (Garlick Lorenzetti, Davidson, and Lazzaro) and 52 not present (Prouty).

**AUTHORIZE AND FUND AN EXTERNAL AUDIT OF THE
COUNTY MENTAL HEALTH CLINIC**

RESOLUTION NO. 152-17 moved by Sprvr. Wadhams, second by Sprvr. Westfall and adopted.

WHEREAS, the Director of Community Services (DCS) accomplished an internal audit of the Mental Health Clinic's documentation for MEDICAID billing purposes, and

WHEREAS, the DCS's internal audit revealed sufficient discrepancies that she has requested an external audit be accomplished, and

WHEREAS, the Community Services Board (CSB) concurs with the DCS's assessment and made the request of the BOS, through resolution on June 20, 2017, to accomplish an external audit of the Mental Health Clinic; now, therefore be it

RESOLVED, that the BOS authorizes and directs the County Manager to coordinate the accomplishment of an external audit of the Mental Health Clinic funded within the FY2017 appropriation and compliant with the County Purchasing Policy.

Under discussion of Resolution No. 152-17, Sprvr. Kaiser said he wanted the public to be clear, that the audit is not due to any impropriety discovered. County Manager Sheppard said we are obligated to report any discrepancy over \$5,000 to the Office of Medical Inspector General. An internal audit revealed sufficient discrepancies to merit an external audit.

CONTRACT WITH UNIFIED COURT SYSTEM FOR CLEANING AND MINOR REPAIRS

RESOLUTION NO. 153-17 moved by Sprvr. Trout, second by Sprvr. Wadhams and adopted.

WHEREAS, Seneca County has an annual agreement with the Unified Court System (UCS) for Court cleaning and Minor Repairs of the Courthouse located at 48 West Williams Street, Waterloo, New York; and

WHEREAS, said agreement is required to receive reimbursements from the United Court System; and

WHEREAS, said agreement will allow for maximum reimbursement of \$85,955 from the Unified Court System for the State Fiscal year 2017-2018; and

WHEREAS, the Public Works Committee approved this resolution at its meeting on June 27, 2017; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign the renewal agreement with the Unified Court System (UCS) and the County of Seneca for Court Cleaning and Minor Repairs for the Seneca County Courthouse located at 48 West Williams St., Waterloo, NY.

AUTHORIZE SUPERINTENDENT OF FACILITIES TO SEND OUT REQUESTS FOR PROPOSAL FOR THE REPAIR OF THE SIDEWALKS AND BACK PORCH AT THE THREE BEARS COMPLEX IN OVID

RESOLUTION NO. 154-17 moved by Sprvr. Trout, second by Sprvr. Kaiser adopted.

WHEREAS, the Public Works Committee has recommended that the sidewalk replacement and restoration of the back porch at the Three Bears Complex should be completed as one project and;

WHEREAS, the Public Works Committee authorized the Superintendent of Facilities to send out RFP's for the project at their June 27, 2017 meeting, now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the Superintendent of Facilities to consolidate both projects as directed by the Seneca County Board of

Supervisors; and authorize the Superintendent of Facilities to send out Requests for Proposal for the repair of the sidewalks and back porch at the Three Bears Complex in Ovid, NY.

Motion to Amend Main Motion – Resolution No. 154-17

Sprvr. Trout offered a motion to amend the main motion by inserting all that text in the Resolved clause following the text, “...as directed by the Seneca County Board of Supervisors;...”. Sprvr. Lazzaro seconded the motion to amend the main motion, which was carried.

**AUTHORIZE THE ISSUANCE OF REQUESTS FOR PROPOSAL (RFP) FOR A
PRELIMINARY ENGINEERING REPORT OF SPECIAL DISTRICTS**

RESOLUTION NO. 155-17 moved by Sprvr. Trout, second by Sprvr. Lazzaro adopted.

WHEREAS, the New York State Department of Environmental Conservation has issued an Interim State Pollution Discharge Elimination System (SPDES) permit for the Five Points and Hillside Waste Water Treatment Facilities (WWTF) being operated under Seneca County Sewer District #2 (SCSD2); and

WHEREAS, said Interim SPDES permit includes a compliance schedule to study potential options and alternatives which include the consolidation of the three Waste Water Treatment Facilities (Five Points, Hillside and Willard WWTFs) of SCSD1 and SCSD2; and

WHEREAS, Seneca County has applied to the Northern Borders Regional Commission (NBRC) for a \$52,000 Economic & Infrastructure Development Investments grant to fund a Preliminary Engineering Report (PER) of SCSD1 and SCSD2; and

WHEREAS, NBRC expects to announce grant awards in September 2017; and

WHEREAS, Seneca County will need a completed PER by April 2018 to competitively position itself for 2018 infrastructure improvements grant opportunities and to remain consistent with the DEC compliance schedule; and

WHEREAS, the Public Works Committee has reviewed and approved this resolution at its June 27, 2017 meeting; now, therefor be it

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes and directs the County Manager to issue a RFP for the accomplishment of a PER of the SCSD1 and SCSD2 special districts.

ADOPT FINGER LAKES RAILROAD (FLRR) TRAIL CROSSING AGREEMENT

RESOLUTION NO. 156-17 moved by Sprvr. Trout, second by Sprvr. Westfall adopted.

WHEREAS, the BOS adopted resolution 59-17 directing the County Manager to assist the Town of Waterloo in completing the Seneca-Cayuga Canal Trail connection between the existing trail head and Seneca Lake State Park; and

WHEREAS, it is the intention of the County Manager to coordinate the use of Seneca Tobacco Asset Securitization Corporate (STASC) funds, not to exceed \$50,000, already approved through the STASC Board of Directors; and

WHEREAS, the FLRR, Trail Crossing Agreement has been made available to all members of the BOS; and

WHEREAS, the Public Works Standing Committee reviewed and approved this resolution on June 27, 2017; now, therefore be it

RESOLVED, that the BOS authorizes and directs the County Manager to join Seneca County with FLRR by signing the Trail Crossing Agreement.

**AUTHORIZE THE CREATION AND FILLING OF TWO (2) POSITIONS FOR
PART-TIME LABORER IN THE FACILITIES DEPARTMENT**

RESOLUTION NO. 157-17 moved by Sprvr. Trout, second by Sprvr. Davidson and adopted.

WHEREAS, the Facilities Department has indicated a need to create two (2) part-time laborer positions; and

WHEREAS, the Vacancy Committee met on June 20, 2017 and approved the action of creating and filling of two (2) positions for Part-time Laborer at a Grade 2 of the CSEA salary schedule effective July 11, 2017 in the Facilities Department; and

WHEREAS, the funds to support this action would require a budget transfer of \$15,658.00 as follows:

DECREASE	101990-54700 (Contingency)	\$	15,658.00
INCREASE	101620-51200 (Salary PT)	\$	13,164.00
INCREASE	101620-58100 (Retirement)	\$	\$1,224.00
INCREASE	101620-58300 (Social Security)	\$	816.00
INCREASE	101620-58400 (Worker's Comp)	\$	263.00
INCREASE	101620-58700 (Medicare)	\$	191.00

WHEREAS, the Public Works Committee has reviewed and approved this resolution at its June 27, 2017 meeting; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the creation and filling of two (2) positions for Part-time Laborer in the Facilities Department and authorizes the Finance Director to make the necessary budget transfers.

**RESCIND RESOLUTION NO. 36-17 WHICH REVISED POLICY 506.100 "BREAST AND
PROSTATE CANCER SCREENING POLICY" BY ENCOMPASSING ALL CANCER
SCREENING EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 158-17 moved by Sprvr. Trout, second by Sprvr. Westfall and adopted.

WHEREAS, County Policy 506.100, which allows paid leave time for breast cancer screening and prostate cancer screening, was revised by the Board of Supervisors by Resolution No. 36-17 by offering paid leave time for any cancer screening; and

WHEREAS, we have been advised that amending the policy for breast cancer screening and prostate cancer screening is contrary to Civil Service Law; and

WHEREAS, the Government Operations Committee met on June 27, 2017 and approved rescinding Resolution No. 36-17; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby rescind Resolution No. 36-17, thus resulting in the county policy allowing paid leave time for only breast cancer screening, and prostate cancer screening.

APPOINTMENT TO THE OFFICE OF SENECA COUNTY COMMISSIONER OF ELECTIONS
RESOLUTION NO. 159-17 moved by Sprvr. Garlick Lorenzetti, second by Sprvr. Westfall and adopted.

WHEREAS, the Chairman of the Democratic Committee has filed with this Board of Supervisors, pursuant to Section 31 of the Election Law, a certificate recommending the appointment of Carl J. Same to the office of Commissioner of Elections; now, therefore be it

RESOLVED, that Carl J. Same is hereby appointed Commissioner of Elections in and for the County of Seneca with term of office to commence January 1, 2018 for a four-year term to expire December 31, 2021.

WAIVE LOCAL LAW REQUIREMENTS FOR EMPIRE FARM DAYS

RESOLUTION NO. 160-17 moved by Sprvr. Garlick Lorenzetti, second by Sprvr. Kronenwetter and adopted.

WHEREAS, the sponsors of Empire Farm Days have requested from the Board of Supervisors a waiver of the provisions of Local Law No. 2 of 1979; and

WHEREAS, Local Law No. 2 of 1979 assures traffic safety for mass gatherings; and

WHEREAS, all necessary state permits involving health emergencies, crowd control, and food and health code regulations will be secured before the Empire Farm Days begins; and

WHEREAS, the Government Operations Committee approved this resolution at its meeting on June 27, 2017; now, therefore be it

RESOLVED, that the requirements of Local Law No. 2 of 1979 be and hereby are waived by the Seneca County Board of Supervisors for the Empire Farm Days event on August 8, 9 and 10, 2017.

**STANDARD WORK DAY AND REPORTING RESOLUTION FOR
ELECTED AND APPOINTED OFFICIALS FOR RETIREMENT PURPOSES**

RESOLUTION NO. 161-17 moved by Sprvr. Garlick Lorenzetti, second by Sprvr. Kaiser and adopted.

RESOLVED, that the Board of Supervisors of the County of Seneca / Location Code 10045 hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min.6 hrs Max. 8 hrs.	Name (First and Last)	Tier 1 (Check Only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-Mm/dd/yy)	Record of Activities Result	Not Submitted (Check only if official did not submit their Record of Activities)
Board Supervisor	6	Robert W. Hayssen	<input type="checkbox"/>	01-01-16/ 12-31-19	9.61	<input type="checkbox"/>
County Clerk	7.5	Christina L. Lotz	<input type="checkbox"/>	01-01-17/ 12-31-20	23.87	<input type="checkbox"/>

A RESOLUTION ADOPTING PROPOSED LOCAL LAW C OF 2017 ESTABLISHING RESIDENCY REQUIREMENTS FOR THE POSITIONS OF ASSISTANT COUNTY ATTORNEY AND DEPUTY COMMISSIONER OF SOCIAL SERVICES (DEFEATED)

RESOLUTION NO. 162-17 moved by Sprvr. Garlick Lorenzetti, second by Sprvr. Trout and defeated by 661 nays and 89 ayes (Garlick Lorenzetti).

WHEREAS, a resolution was duly adopted by the Board of Supervisors of the County of Seneca directing a Public Hearing to be held by said County to hear all interested parties on a proposed Local Law entitled “a Local Law Establishing Residency Requirements for the Positions of Assistant County Attorney and Deputy Commissioner of Social Services”; and

WHEREAS, said public hearing has been duly held on July 11, 2017 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 proposed Local Law C of 2017 entitled, "A Local Law to Establish Residency Requirements for the Positions of Assistant County Attorney and Deputy Commissioner of Social Services in Seneca County" be and the same is hereby adopted to read as follows:

SECTION 1: The provisions of §3 New York State Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions

are required to be exercised, shall not prevent a person from holding the office of Assistant County Attorney for the County of Seneca, provided that such person resides in Seneca County or in an adjoining county within the state of New York.

SECTION 2: The provisions of §3 New York State Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of Deputy Commissioner of Social Services for the County of Seneca, provided that such person resides in Seneca County or in an adjoining county within the state of New York.

SECTION 3: This local law shall take effect immediately upon filing with the Secretary of State in accordance with §27 of the Municipal Home Rule Law.

And be it Further

RESOLVED, that this local law shall take effect upon filing with the Secretary of State pursuant to the New York State Municipal Home Rule Law.

Discussion - Resolution No. 162-17

Sprvrs. Churchill, Kaiser and Wadhams expressed their opposition to this resolution. Residency requirement is beneficial to communities. Employees are more committed to their jobs if they live in the county, and were more likely to contribute to the economy by spending money in the county and paid taxes.

Sprvr. Garlick Lorenzetti said we do not have any means of enforcing the residency requirement. An employee can claim a PO Box or a family member's address – to prove they are residents of the county, but how do we really know if they are. If the resolution does not pass, she requested the creation of a county policy that will enforce NYS residency requirement be discussed at the Government Operations Committee meeting in July.

Motion to Appropriate \$5,000 to create a system to receive complaints of offensive odors

A motion was offered by Sprvr. Churchill, second by Sprvr. Garlick Lorenzetti, to authorize the county manager to amend the 2017 county budget by appropriating \$5,000 to fund the development of a webpage with Fingerlakes1.com to receive and track complaints of offensive odors.

Sprvr. Trout offered a motion to lay the main motion on the table, seconded by Sprvr. Reynolds.

Discussion

Sprvr. Lazzaro expressed his opposition to the motion stating that the effort is redundant as SMI, Inc. provides monthly reports to the Seneca Falls Town Board for complaints about odors. The DEC and EPA monitor the landfill activity. Odor complaints are down. He believes the town board and SMI have a good partnership and he wants to work with them to solve the issues, not against them. It is not

necessary to create a separate website for complaints. He will share the complaint reports with the county board.

Sprvr. Wadhams pointed out that during committee discussions, he thought agricultural odors would not be included as an offensive odor – and the current motion on the floor does not specify the definition of offensive odor. He commented that if the DEC and the EPA and the towns of Seneca Falls and Waterloo have not been able to control the operation of the landfill, what will a website for complaints do?

Sprvrs. Churchill and Lorenzetti were disappointed with the comments made. The same time last year, every supervisor complained about how bad the odor was from the landfill. When the board hired legal counsel to come up with a local odor ordinance, every supervisor voted favorably. Sprvr. Churchill challenged the statements regarding decreased complaints for odors, saying he suspects one reason complaints are down is because the landfill denies there is an odor when they send out inspectors responding to a complaint. People are tired of calling and being told there is no odor when clearly there is.

Sprvr. Lorenzetti said she doesn't want the data collected by the landfill. She wants unbiased information about odors from the landfill. She said she does not trust the landfill. She wants our own data. What if there is ever some type of law suit, and the county was depending on reports generated by SMI, then we would be denied the information citing litigation. She urged Sprvr. Lazzaro to vote in favor of an independent and unbiased hotline especially when his constituents are so torn over this issue.

Sprvr. Churchill added that the republican members of the Board of Supervisors should be ashamed – caucusing in the middle of a board meeting – presumably to discuss opposing this resolution. The website would be real time reporting, with a map showing the location of the complaints. This would be the first step for instituting an odor ordinance that everyone wanted a year ago. He said the republican supervisors were hiding behind the motion to table and not having the transparency to show the public how they really feel about the landfill.

Chairman Shipley called for a vote. The motion to lay the main motion on the table was carried by 461 ayes (Trout, Reynolds, Wadhams, Davidson, Kaiser, Lazzaro, Kronenwetter, Hayssen, and Shipley) and 237 nays (Garlick Lorenzetti, Churchill, McGreevy, and Westfall) and 52 not present (Prouty).

AUTHORIZE ADDITIVE BID ITEMS - SENECA COUNTY ROUTE 318 CORRIDOR SEWER IMPROVEMENT PROJECT – CONTRACT NO. 1A GENERAL CONSTRUCTION
RESOLUTION NO. 163-17 moved by Sprvr. Kaiser, second by Sprvr. Trout and adopted.

WHEREAS, the Seneca County Board of Supervisors, by Resolution 71-17, authorized advertisement for bids for the Seneca County Route 318 Corridor Sewer Improvement District (Project) with the assistance of the county's engineer, Barton & Loguidice, D.P.C. (B&L); and

WHEREAS, pursuant to New York State Municipal Law, bids for the Project were received, publicly opened and Base Bids were read aloud on May 9, 2017 at the Seneca County Office Building, 1 DiPronio Drive, Waterloo, New York, 13165; and

WHEREAS, B&L tabulated and analyzed the bids received, and by letter dated May 12, 2017, recommended awarding the Seneca County Route 318 Corridor Sewer Improvement District Contract No. 1A – General Construction to Blue Heron Construction, the low bidder, in the Base Bid amount of \$5,313,679.50; and

WHEREAS, based on the recommendation of B&L, the Seneca County Board of Supervisors, by Resolution 138-17, awarded Contract No. 1A – General Construction for the Route 318 Corridor Sewer Improvement Project to Blue Heron Construction in the Base Bid amount of \$5,313,679.50; and

WHEREAS, the Seneca County Route 318 Corridor Sewer Improvement Contract No. 1 A – General Construction bid included several Additive Bid Items, designed to provide additional conveyance capacity for potential sewer users and economic development along the project corridor, and these Additive Bid Items would be awarded at the discretion of the Seneca County Board of Supervisors; and

WHEREAS, the B&L has tabulated the price of these Additive Bid Items from Blue Heron Constructions contract and prioritized items in order of importance to the overall project to be:

Additive Bid Item No. 1	\$411,835.00
Additive Bid Item No. 2	\$57,000.00
Additive Bid Item No. 3	\$90,000.00
Additive Bid Item No. 4	\$83,795.00
Additive Bid Item No. 5	\$55,000.00
Additive Bid Item No. 6	\$62,900.00
Additive Bid Item No. 7	\$65,000.00
Additive Bid Item No. 8	\$85,000.00
Additive Bid Item No. 9	\$55,000.00
Additive Bid Item No. 10	\$186,610.00

WHEREAS, the County is unable to obtain all necessary property easements along Additive Bid Item No. 10; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on June 27, 2017; now, therefore be it

RESOLVED, Additive Bid Item No. 10 is eliminated from consideration by the Board; and be it further

RESOLVED, that based on the recommendation of Barton & Loguidice, D.P.C.; the Seneca County Board of Supervisors hereby awards Blue Heron Construction \$965,530.00 for construction of the following Additive Bid Items:

Additive Bid Item No. 1	\$411,835.00
Additive Bid Item No. 2	\$57,000.00
Additive Bid Item No. 3	\$90,000.00
Additive Bid Item No. 4	\$83,795.00
Additive Bid Item No. 5	\$55,000.00
Additive Bid Item No. 6	\$62,900.00
Additive Bid Item No. 7	\$65,000.00
Additive Bid Item No. 8	\$85,000.00
Additive Bid Item No. 9	\$55,000.00

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) LOAN AUTHORIZED
FOR JOHN STOUGHTENGER**

RESOLUTION NO. 164-17 moved by Sprvr. Kaiser, second by Sprvr. Wadhams and adopted.

WHEREAS, Seneca County has received Community Development Block Grant (CDBG) funds from New York State Micro Fund to make development loans; and

WHEREAS, businesses to whom these monies have been loaned are repaying the loans, thereby establishing a revolving loan fund for business development and job creation and retention; and

WHEREAS, a loan application reviewed and approved by the CDBG Loan Review Committee on June 20, 2017 has been found to be satisfactory and in full compliance with regulations and guidelines applicable to the Revolving Loan Fund Program; and

WHEREAS, the \$50,000 loan will help purchase equipment for John Stoughtenger's print service located at 5 Walnut Street South, Waterloo, New York; and

WHEREAS, this resolution has been approved by the Planning, Development, Agriculture & Tourism Committee on June 27, 2017; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the proposed loan to John Stoughtenger for the sum of fifty thousand dollars (\$50,000) at five percent (5%) interest for seven (7) years under the CDBG Program from funds account no. 272310840 under the terms and conditions provided for such loans through the Department of Housing and Urban Development and the CDBG Loan Committee, and authorizes the County Manager to sign all necessary closing documents.

SENECA COUNTY "GAIN" LOAN AUTHORIZED FOR ASHLEY LYNN WINERY

RESOLUTION NO. 165-17 moved by Sprvr. Kaiser, second by Sprvr. Kronenwetter and adopted.

WHEREAS, a loan program, “GAIN” (Growing the Agriculture Industry Now!), has been established through the New York State Urban Development Corporation d/b/a New York State Empire Development Corporation (NYS ESD); and

WHEREAS, a Consolidated Funding application was submitted in 2014 by the Genesee/Finger Lakes Regional Planning Council (G/FLRPC) to implement the “GAIN” revolving loan fund and was awarded \$3,000,000 in 2016 of which Seneca County was awarded \$218,729 under a sub-recipient agreement; and

WHEREAS, Seneca County has received a “GAIN” Revolving Loan Fund application from Ashley Lynn Winery, and the application has been reviewed by the “GAIN” Loan Review Committee on June 20, 2017, and was found to be satisfactory and in full compliance with regulations and guidelines applicable to the “GAIN” Agriculture-related Revolving Loan Program; and

WHEREAS, this \$18,726 equipment loan will allow Ashley Lynn Winery, located at 827 State Route 318, Waterloo, New York to respond to increased product demand; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on June 27, 2017; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the proposed loan to Ashley Lynn Winery for the sum of Eighteen Thousand Seven Hundred Twenty Six Dollars (\$18,726) at one percent (1%) for five (5) years under the NYS ESD “GAIN” Loan Program from funds account no. 60000965297 under the terms and conditions provided for such loans established by the NYS ESD and administered through the Genesee/Finger Lakes Regional Planning Council, and authorizes the County Manager to sign all necessary closing documents.

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) PLAN ADOPTED FOR
FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 166-17 moved by Sprvr. Kaiser, second by Sprvr. Wadhams and adopted.

WHEREAS, to receive Federal Aviation Administration (FAA) Funds for the Finger Lakes Regional Airport, Seneca County must have a Disadvantaged Business Enterprise (DBE) Program that meets U.S. Department of Transportation (DOT) requirements; and

WHEREAS, the Federal Aviation Administration (FAA) have modified how the Annual Goal for the percentage of work done by Disadvantaged Enterprises on FAA grants is calculated; and

WHEREAS, Seneca County previously by Resolution 13-17 and Resolution 107-17 adopted Disadvantaged Business Enterprise Plans for the time period of October 1, 2016 to September 30, 2018 which now need to be changed to meet new modified Federal Aviation Administration requirements; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Committee on June 27, 2017; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors adopt the Finger Lakes Regional Airport Disadvantaged Business Enterprise Plan which will establish a 11.7% goal for funding from October 1, 2016 through September 30, 2018; and be it further

RESOLVED, that the Seneca County Manager is hereby authorized to sign the Disadvantaged Business Enterprise Plan for the Finger Lakes Regional Airport.

**GRANT APPLICATION AUTHORIZED FOR CONSTRUCTION OF PEDESTRIAN
WALKWAY BETWEEN COUNTY OFFICE BUILDING AND THE HEALTH AND SENIOR
SERVICES (HSS) BUILDING**

RESOLUTION NO. 167-17 moved by Sprvr. Kaiser, second by Sprvr. Wadhams and adopted.

WHEREAS, Seneca County has purchased the former BonaDent property, now known as the Health and Senior Services Building, which will be housing the Seneca County Office of the Aging, the Seneca County Health Department, as well as a day care service; and

WHEREAS, a need has been demonstrated and discussed to provide pedestrian access between the Seneca County Office Building and the HSS Building; and

WHEREAS, the American Association of Retired Persons (AARP) has created a grant program entitled the Community Challenge that will fund quick actions that enhance quality of life for people of all ages; and

WHEREAS, the proposed pedestrian pathway between the two county owned buildings will provide the first and most important component of any pedestrian walkway system and will be the only portion funded by this grant opportunity; and

WHEREAS, a pedestrian walkway connecting the two buildings has been drawn by Jason McCormick PE; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on June 27, 2017; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors supports the grant application to the AARP Community Challenge grant program for general construction services for the pedestrian walkway project between the County Office Building and the Health and Senior Services Building and authorizes the County Manager to sign all necessary documents to apply for and accept grant funds in an amount not to exceed \$40,000.

**AUTHORIZE MILEAGE REIMBURSEMENT FOR
SENECA COUNTY TRANSPORTATION CORPS**

RESOLUTION NO. 168-17 moved by Sprvr. Lazzaro, second by Sprvr. Davidson and adopted.

WHEREAS, the Seneca County Board of Supervisors (BOS), at its December 13, 2016 meeting, authorized the County Manager to enter into a contract with the Cayuga-Seneca Community Action

Agency, Inc. (CSCAA) for payment of volunteer drivers in a South County Transportation Corps (SCTC) during calendar year 2017; and

WHEREAS, at the same meeting the BOS authorized the County Treasurer to reimburse the CSCAA monthly for miles driven by SCTC drivers at a rate of 54 cents per mile, not to exceed \$5,400 during calendar year 2017; and

WHEREAS, the Greater Rochester Health Foundation (GRHF) extended its 2016 Community Health Grant to the CSCAA through June 2017 and at this writing (April 2017) is considering a similar grant application from the CSCAA to cover the cost of driver background checks, volunteer liability and excess automobile liability insurance, publicity, and other expenses through June 2018; and

WHEREAS, the SCTC has been operating smoothly and successfully with a volunteer dispatcher and eleven volunteer drivers since July 1, 2016, providing rides to residents of the towns of Covert, Lodi, Ovid and Romulus, who needed transportation to medical and dental appointments and other health-related destinations and were not eligible for transport by the Retired and Senior Volunteer Program (RSVP) or the Medicaid Answering Service, and as of January 1, 2017, also to residents of the towns of Fayette and Varick; and

WHEREAS, the CSCAA would like to continue the SCTC program through calendar year 2018 and extend it to include the residents of all ten towns in Seneca County, thereby having the SCTC acronym stand for the Seneca County Transportation Corps; and

WHEREAS, the SCTC dispatcher has indicated his willingness to continue his service on a volunteer basis through 2018, and the CSCAA has indicated its intention to seek and vet more volunteer drivers for the SCTC; and

WHEREAS, current records of the SCTC indicate that \$5,400 should cover the mileage cost of a full year of service of the SCTC serving residents of all towns of Seneca County; and

WHEREAS, the Seneca County Manager has indicated his intention to include in the FY2018 Tentative Budget a sum of \$5,400 in anticipation of a contract with the CSCAA for the SCTC in calendar year 2018; and

WHEREAS, said contract will follow standard Seneca County contractor insurance requirements for Comprehensive General Liability and Business Auto Liability coverage, including an endorsement stating that the County of Seneca shall be an additional named insured; and

WHEREAS, the Human Services Committee reviewed and approved this resolution at its meeting on June 27, 2017 and recommends adoption by the BOS; now, therefore be it

RESOLVED, the BOS directs the County Manager to contract with the Cayuga-Seneca Community Action Agency, Inc. (CSCAA) for the payment of mileage to volunteer drivers in a Seneca County Transportation Corps (SCTC) during calendar year 2018; and be it further

RESOLVED, the BOS authorizes the reimbursement to the CSCAA monthly for certified mileage driven by SCTC drivers at the federally authorized rate per mile during calendar year 2018, not to exceed \$5,400.00.

**AUTHORIZE MILEAGE SUBSIDY FOR
RETIRED AND SENIOR VOLUNTEER PROGRAM DRIVERS**

RESOLUTION NO. 169-17 moved by Sprvr. Lazzaro, second by Sprvr. Trout and adopted.

WHEREAS, the Retired and Senior Volunteer Program (RSVP) operated by the Wayne County Action Program serves residents of Ontario, Seneca and Wayne counties who need rides to medical and dental appointments and other health related destinations if they are 55 years of age or older; and

WHEREAS, the South County Transportation Corps (SCTC), which is expected to become the Seneca County Transportation Corps in 2018, serves residents of Seneca County who need rides to medical and dental appointments and other health-related destinations if they are under 55 years of age or are otherwise ineligible for RSVP rides; and

WHEREAS, the RSVP program pays its drivers mileage reimbursement at the rate of 29 cents per mile, while the SCTC program pays its drivers mileage reimbursement at the federal mileage rate of 53.5 cents per mile in 2017; and

WHEREAS, a number of drivers provide transportation for both programs, receiving 29 cents per mile for RSVP trips and 53.5 cents per mile for SCTC trips; and

WHEREAS, the SCTC program often serves Seneca County residents over 55 years of age because the RSVP program requires two weeks' notice before a ride can be scheduled and allows only one RSVP ride per week, whereas the SCTC program requests but does not require advance notice and has no limitation on the number of rides per week; and

WHEREAS, Ontario County pays drivers in the RSVP program the full federal mileage rate of 53.5 cents per mile in 2017; and

WHEREAS, RSVP drivers were reimbursed for a total of 7,353 miles driven during calendar year 2015, and if that number of miles were driven in 2018 and the RSVP mileage rate of 29 cents per mile were subsidized 24.5 cents per mile, the annual cost to Seneca County would be \$1,801.49; and

WHEREAS, the \$5,400 being requested for the SCTC program in 2018 is sufficient to cover the mileage reimbursement of its drivers and the subsidy of 24.5 cents per mile for RSVP drivers; and

WHEREAS, as a matter of equity, drivers in the RSVP and SCTC programs in Seneca County ought to receive the same mileage reimbursement because they are performing the same service for the residents of the County; and

WHEREAS the Human Services Committee reviewed and approved this resolution at its June 27, 2017 meeting and recommends full BOS adoption; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors directs the County Manger to contract with the Wayne County Action Program, whereby drivers serving Seneca County residents in the RSVP program will be provided mileage reimbursement at the current federal rate and Seneca County will reimburse the Wayne County Action Program monthly for the total miles driven by those drivers at the current federal rate less 29 cents per mile; and be it further

RESOLVED, that as a condition of this subsidy to the RSVP program, said contract with the Wayne County Action Program shall follow standard Seneca County contractor insurance requirements for Comprehensive General Liability and Business Auto Liability coverage, including an endorsement stating that the County of Seneca shall be an additional named insured.

APPOINT MEMBER TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD

RESOLUTION NO. 170-17 moved by Sprvr. Lazzaro, second by Sprvr. Wadhams and adopted.

WHEREAS, the Seneca County Board of Supervisors has authorized the creation of the Finger Lakes Workforce Investment Board for the counties of Ontario, Wayne, Seneca and Yates in compliance with the Workforce Innovation and Opportunity Act (WIOA); and

WHEREAS, the appointment of the Partner/Public Sector Workforce Investment Board Members must be endorsed by the four counties of Ontario, Wayne, Seneca and Yates; and

WHEREAS, per the NYS WIOA requirements, the Seneca County Board of Supervisors must endorse the following Partner/Public Sector representative to the Finger Lakes Workforce Investment Board for the term noted below:

Partner/Public Sector

Dan Maloney Term: July 1, 2017 through June 30, 2019
President of UAW 1097
UAW local 1097
221 Dewey Avenue
Rochester, New York 14608

WHEREAS, this resolution has been reviewed and approved by the Human Services Committee on June 27, 2017; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint the individuals listed above to the Finger Lakes Workforce Investment Board; and be it further

RESOLVED, that the Clerk to the Board of Supervisors send a certified copy of this resolution to the Finger Lakes Workforce Investment Board and to the Clerks of the Boards of Ontario, Wayne and Yates Counties.

CONTRACT 2017-2018 AUTHORIZED WITH FINGER LAKES COMMUNITY COLLEGE

RESOLUTION NO. 171-17 moved by Sprvr. Lazzaro, second by Sprvr. Wadhams and adopted.

WHEREAS, there is a need for the access and availability for college courses for the constituents of Seneca County; and

WHEREAS, Finger Lakes Community College (FLCC) offers college courses and programs at several locations throughout Seneca County; and

WHEREAS, there is no cost to Seneca County for the use of any of the facilities or for the operations of these courses except for the normal operational chargebacks per credit hour specified under community college law; and

WHEREAS, this contract will allow FLCC to offer courses and programs in Seneca County during the period of September 1, 2017 to August 31, 2018; and

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

RESOLVED, that the County Manager is hereby authorized and directed to sign a contract with Finger Lakes Community College for the offering of college courses in Seneca County.

**CONTRACT WITH MOTOROLA SOLUTIONS FOR
RADIO EQUIPMENT AND 911 BACKUP CENTER REDUNDANCIES**

RESOLUTION NO. 172-17 moved by Sprvr. Davidson, second by Sprvr. Trout and adopted.

WHEREAS, the New York State Division of Homeland Security and Emergency Services (DHSES) awarded Seneca County \$476,901 in grant funds through the 2016 Statewide Interoperable Communications Grant Program for the purpose of upgrading Seneca County's radio equipment to better facilitate interregional radio communication; and

WHEREAS, the purchase of triband portable radios for public safety personnel along with the reprogramming of existing portable radios would facilitate greater interoperability; and

WHEREAS, the purchase of an antenna system for the backup 911 center would allow for redundancy should a failure occur with the existing single fiber line; and

WHEREAS, the equipment and installation pricing is per the New York State Office of General Service State Contract, and site development/civil work of the Niagara County Contract; and

WHEREAS, the cost of this contract is \$574,428.95; and

WHEREAS, the cost of this contract is covered by the FY 2016 Statewide Interoperable Communication Grant of \$476,901 and the remaining balance of the FY 2013 Statewide Interoperable Communications Grant of \$100,514.26; and

WHEREAS, this resolution was reviewed and approved by the Public Safety Committee on June 27, 2017; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign applicable paperwork related to the aforementioned contract.

**A RESOLUTION TO ADOPT LOCAL LAW 3 OF 2017 ENTITLED
“A LOCAL LAW OF THE COUNTY OF SENECA, REPEALING LOCAL LAW 4 OF 2011, THE
WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE
COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS
COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF
NEW YORK STATE TAX LAW §186-G”**

RESOLUTION NO. 173-17 moved by Sprvr. Davidson, second by Sprvr. Wadhams and adopted.

WHEREAS, a resolution was duly adopted by the Board of Supervisors of the County of Seneca directing a Public Hearing to be held by said County to hear all interested parties on a proposed Local Law entitled, “A Local Law of The County of Seneca, Repealing Local Law 4 of 2011, The Wireless Communications Surcharge Authorized by Article Six of the County Law of the State of New York; And Imposing the Wireless Communications Surcharges Pursuant to the Authority of New York State Tax Law §186-G”; and

WHEREAS, said public hearing was duly held on July 11, 2017 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 Local Law 3 of 2017 entitled, "A Local Law of the County of Seneca, Repealing Local Law 4 of 2011, The Wireless Communications Surcharge Authorized by Article Six of the County Law of the State of New York; And Imposing the Wireless Communications Surcharges Pursuant to the Authority of New York State Tax Law §186-G", be and the same is hereby enacted by the Board of Supervisors of Seneca County, New York to read as follows: A Local Law of the County of Seneca, Repealing Local Law 4 of 2011, The Wireless Communications Surcharge Authorized By Article Six of the County Law of the State of New York; and Imposing the Wireless Communications Surcharges Pursuant to the Authority of New York State Tax Law §186-G, be it enacted by the Seneca County Board of Supervisors, as follows:

SECTION 1. Seneca County Local Law 4 of 2011 is hereby REPEALED.

SECTION 2. Imposition of wireless communications surcharges: (a) Pursuant to the authority of Tax Law §186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Seneca on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of

prepaid wireless communications service sold within such County, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3. Administration of surcharges: The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law §186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. Applicability of State law to surcharges imposed by this Local Law: All the provisions of Tax Law §186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5. Net collections received by this County from the surcharges imposed by this Local Law shall be expended only upon authorization of the Seneca County Board of Supervisors and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such County, as provided in paragraph (9) of Tax Law §186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. Effective date. This Local Law shall take effect December 1, 2017.

And be it Further

RESOLVED, that this local law shall take effect December 1, 2017 following filing with the Secretary of State pursuant to the New York State Municipal Home Rule Law.

MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN SENECA COUNTY AND PARTICIPATING MUNICIPALITIES THERE WITHIN ADOPTING THE SENECA COUNTY UNIFIED SOLAR PERMIT

RESOLUTION NO. 174-17 moved by Sprvr. McGreevy, second by Sprvr. Hayssen and adopted.

WHEREAS, the Seneca County Board of Supervisors voted to adopt the New York State Unified Solar Permit on April 11th, 2017; and

WHEREAS, Seneca County is in the process of establishing the Unified Solar Permit as the single application process for residential and small commercial solar array installations under 25kW; and

WHEREAS, municipalities in Seneca County have separate and unique land use and zoning ordinance standards; and

WHEREAS, the Seneca County Department of Code Enforcement enforces the New York State Unified Building and Fire Prevention Code for the entire county; and

WHEREAS, it is necessary and appropriate to have an agreement between the County of Seneca and any town or village within the county seeking to adopt the Unified Solar Permit; and

WHEREAS, this resolution has been reviewed and approved by the Public Health Services Committee on June 27, 2017; now, therefore be it

RESOLVED, that the Seneca County Manager is authorized and directed to sign a Memorandum of Understanding (MOU) between the County of Seneca and participating municipalities there within, and any additional documents necessary to effectuate the purpose of this agreement.

CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION ADMINISTRATION GRANT

RESOLUTION NO. 175-17 moved by Sprvr. McGreevy, second by Sprvr. Wadhams and adopted.

WHEREAS, the New York State Department of Health has awarded the Seneca County Health Department \$18,088.00 for the period October 1, 2016 through September 30, 2017 for the administration of the Early Intervention Program; and

WHEREAS, it is necessary for the County Manager to sign the contract to receive the funding; and

WHEREAS, the Public Health Committee has reviewed and approved this resolution at its June 27, 2017 meeting; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign the contract with the New York State Department of Health for the Early Intervention Administration Grant.

CONTRACT WITH CLEAN HARBORS ENVIRONMENTAL SERVICES

RESOLUTION NO. 176-17 moved by Sprvr. McGreevy, second by Sprvr. Wadhams and adopted.

WHEREAS, the Health Department solicited bids for the Annual Household Hazardous Waste Collection Event; and

WHEREAS, two (2) sealed bids for this event were received; and

WHEREAS, Clean Harbors Environmental Services, 42 Longwater Drive, Norwell, MA 02061-1612 submitted a bid for the following rates: Set-up Fee - \$1,740.00; Charge per household - \$43.50; and

WHEREAS, Clean Harbors Environmental Services was determined to be the lowest responsible and responsive bid; and

WHEREAS, Clean Harbors Environmental Services has provided Seneca County’s Annual Household Hazardous Waste Collection Event for the past several years; and

WHEREAS, the money for this contract is appropriated in the Public Health 2017 budget line 104011-54801; and

WHEREAS, the Public Health Committee has reviewed and approved this resolution at its June 27, 2017 meeting; now, therefore be it

RESOLVED, that the County Manager is authorized and directed to sign a contract with Clean Harbors Environmental Services for the Annual Household Hazardous Waste Collection Event.

FINANCE DIRECTOR AUTHORIZED AND DIRECTED TO AMEND PUBLIC HEALTH BUDGET TO RECEIVE 2017 PERFORMANCE INCENTIVE AWARD

RESOLUTION NO. 177-17 moved by Sprvr. McGreevy, second by Sprvr. Wadhams and adopted.

WHEREAS, the New York State Department of Health has awarded the Seneca County Health Department a Performance Incentive award for 2017; and

WHEREAS, the amount of this award is \$12,000.00; and

WHEREAS, the award recognizes the department’s ability to maintain high standards of communicable disease reporting; and

WHEREAS, when the 2017 budget was created, the amount of this award was not known and therefore not included in the departmental budget; now, therefore be it

RESOLVED, that the Finance Director is hereby authorized and directed to make the following changes to the Public Health Department budget for acceptance of this performance incentive:

Increase	104010-43447 (Performance Improvement Grant Revenue)	\$12,000.00
Increase	104010-54708 (Performance Improvement Grant Expense)	\$12,000.00

New Business

Rule 29: In accordance with the Board of Supervisors Rule of Order No. 29, the following resolution was introduced to the Board by 2/3 majority vote of members present; Sprvr. Churchill

objected to the resolution being submitted without going through the proper oversight committee and voted nay.

SUPERVISORS AUTHORIZE COUNTY MANAGER TO ISSUE AN RFP FOR THE DESIGN AND ENGINEERING OF REPLACEMENT BOILERS FO THE COUNTY OFFICE BUILDING

RESOLUTION NO. 178-17 moved by Sprvr. Trout, second by Sprvr. Westfall and adopted.

WHEREAS, the Board of Supervisors appropriated funds in the FY2017 budget to replace the boilers of the County Office Building; and

WHEREAS, the replacement of the boilers should be professionally designed and engineered; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors authorized the county manager to issue a Request for Proposal for the design and engineering of replacement boilers for the county office building.

Special Order of the Day

The meeting adjourned at 7:49 p.m.