

Seneca County Board Of Supervisors
Regular Meeting
August 12, 2014

Call to Order

Chairman Hayssen called the meeting to order at 6:05 p.m.

Roll Call of Members by the Clerk

Eleven members of the Board of Supervisors answered roll call. Absent were Supervisor Churchill, Supervisor Serven, and Supervisor Kubasik.

Pledge of Allegiance and Moment of Silence

Petitioners:

William Breen, resident, Town of Waterloo is concerned that there is not sufficient security for the county building after 5:00 p.m. Chairman Hayssen informed him that at the next meeting of the Public Works Committee, a proposal for security at the county building will be considered. Current security is provided by part-time deputies. A recent decision by the Public Employee Relations Board (PERB) states that only full-time deputies with benefits could provide security. The new proposal is a result of meetings between the Sheriff's union (PBA) and county management. The purpose of the meetings was to agree on a solution that would continue to provide security to the county building and be cost efficient to the taxpayers without hiring two full-time deputies. As for security after 5:00 p.m., there is security until 6:45 p.m. on Thursday evenings because the Department of Motor Vehicle's office is open late that night.

Charles Stahl, resident, Town of Seneca Falls petitioned the Board of Supervisors to waive the current restriction in Local Law 2-2006 that prevents the issuance of building permits to a property owner who is delinquent in taxes. Mr. Stahl received several citations from the Codes Enforcement Department, one of which included repairing the roof. Mr. Stahl is not able to repair the roof now because he is delinquent in his property tax.

Casey McDonald, resident, Town of Romulus, petitioned the Board of Supervisors to repeal Section 4 (d)(6) of Local Law 2-2006 which prohibits the issuance of building permits to a property owner who is delinquent in taxes. Mr. McDonald owns several rental properties in Seneca County. He feels the law is unjust and likened it to the same concept of the debtor's prison. Section 4(d)(6) prevents owners from improving their property and this eventually leads to properties that are condemned, but because he is over 30 days delinquent with property taxes

A discussion ensued regarding the permit issue. County Treasurer Nicholas Sciotti said that a tax bill that is 30 days past the due date is considered delinquent and thus a building permit would not be issued. Of the counties in New York State that enforce codes for its municipalities, Seneca County is the

only county that prevents a building permit for delinquent taxes. The intent of the local law is to prevent the property owner from making improvements on their property and yet continue being delinquent in their taxes (i.e. certain property owned by Cayuga Nation). However, if a property is deteriorating, and the owner is 30 days or more delinquent in their taxes, the local law also prevents the owner from obtaining a permit to improve the property.

This clause in the local law can lead to a deteriorating property being eventually condemned because improvements cannot be made because a permit cannot be obtained because the taxes are delinquent 30 days plus.

Suggestions made to amend the local law during the discussion included extending the delinquency period to greater than 30 days or decide on permits for tax delinquent properties on a case by case basis using specified guidelines.

There was opposition to making changes to the local law from some board members. The opposition stemmed from the concern of encouraging poorly maintained rental property, but also, because if we amend the local law it will “punish” those property owners that are on time with payments.

Mr. Westfall, Chairman of the Government Operations Committee agreed to review the request to amend Local Law 2-2009 at the next committee meeting.

Approval of Meeting Minutes

The minutes were approved for the June 10, 2014 board meeting and the July 8, 2014 board meeting.

Submission of Claims for Audit

RESOLVED, that said bills having gone through the proper auditing process are approved for payment:

Supervisors vouchers	totaling	\$	537,601.36
Workforce Development vouchers	totaling	\$	38,016.18
Self-Insurance vouchers	totaling	\$	3,260.70
County Airport vouchers	totaling	\$	21,670.95
Highway Department vouchers			
Maintenance & County Road (Fund 40)	totaling	\$	176,407.35
Road Machinery (Fund 50)	totaling	\$	54,622.70
	Highway Total	\$	231,030.05
Water	totaling	\$	121,814.65
Sewer 1	totaling	\$	29,917.98
Sewer 2	totaling	\$	45,915.10

Airport Capital Project	totaling	\$	4,294.00
E911 CAD Capital Project	totaling	\$	764,771.00
Radio Contract Capital Project	totaling	\$	574,798.80

Reports of Standing Committees:

Public Safety Committee - Mr. Reynolds, Chairman. The committee recommended the following issues be referred to the Board of Supervisors for consideration of a resolution: (1) authorizing the execution of all contracts related to the Public Safety Answering Point Consolidation, Improvements and Enhancements grant for \$496,000 and no local match; (2) authorizing the advertisement and solicitation of bids, together with Yates County, for a new phone solution for E911 Communications; (3) authorizing the county manager to electronically sign the Aid to Prosecution Grant for \$29,2000 for 2014-2015 for the District Attorney’s Office; (4) the creation of one Senior Mental Health Clinical Therapist position for the county jail and abolish the position of the mental health clinical therapist.

Indian Affairs Committee - Mr. Shipley, Chairman. Mr. Shipley reported that the Second Circuit COrt of Appeal did not enforce Seneca County’s right to foreclose on tax delinquent Cayuga Nation owned properties. The Court has chosen to decline any action or decision, which allows any exceptions and opting to “defer” to the plenary power of Congress. Seneca County has two options: first, to have Harris Beach petition the Supreme Court to hear our issue and (2) request Congress to legislate a means to resolve tribal sovereign immunity and/or force a resolution binding Indian Tribes to pay for services received included in property and school taxes.

Human Services Committee - Mr. Lazzaro, Chairman. The committee approved for a resolution by the Board of Supervisors: (1) for the Clerk of the Board to submit notice of public hearings for the Seneca County Office of the Aging Annual Plan; (2) the committee approved refilling the position of Typist in Office for the Aging, which became vacant due to resignation. It also approved a board resolution eliminating an Account Clerk position in DHS and creating one Clerk position in DHS. Mr. Lazzaro informed the Board that he had met with Ralph Calabrese, who petitioned the Board of Supervisors to urge the Department of Veterans Affairs to authorize appropriations, which fully fund and maintain the integrity and enhancement of veterans benefit programs and health care systems. The intent was to include a resolution for this evening’s meeting resolving to do just that, however, there are more details that Mr. Calabrese would like to include in a resolution, thus, Mr. Lazzaro will introduce one at a later meeting.

Planning, Development, Agriculture & Tourism Committee - Mr. Earle, Chairman. The Committee voted in favor of a board resolution authorizing County staff to hire an engineering firm to conduct a feasibility study at a cost not to exceed \$5,000 (contingency fund) for the purpose of

determining the best route for Section 1 of the Cayuga-Seneca Canalway Trail; (2) authorizing an application for and acceptance of the FAA grant for Taxiway and Drainage Improvements Phase II at the Airport in an amount up to \$2,266,484.24, and New York State Grant up to \$125,915.79. Zoladz Construction is the company awarded the project, and McFarland Johnson is the engineering firm; (3) authorizing application to the New York State Snowmobile Grant Program for the 2014-2015 Season; (4) authorization of a Seneca County Revolving loan for \$75,000 at 5% interest for 10 years for the business, Italian Kitchen, Ovid, NY owned by Joseph Seamon; (5) authorize the abolishing the part-time position of Airport Manager and create the position as full-time effective January 1, 2015.

Technology Committee - Mr. Churchill, Chairman. The Committee recommended a board resolution authorizing an agreement with FingerLakes1.com, Inc. to redevelop Seneca County's websites in an amount not to exceed \$11,659.00 using funds from the county's contingency account 101990-54700 and an initial down payment of 30% of the total development cost.

Public Works Committee - Mr. Kaiser, Chairman. The Committee approved a (1) board resolution accepting the low bid of \$149,000 submitted by T. Bell Construction to install a new chiller for the county office building; (2) a board resolution authorizing the renewal of the contract with the New York State Unified Court System for reimbursement to the county for cleaning services and maintenance for the fiscal year 2014-2015 for an amount estimated at \$73,307; (3) a board resolution authorizing the County Manager to enter into an agreement with the Village of Waterloo and its Water District to provide maintenance and oversight for the County Sewer & Water Districts.

Mental Health Services Committee - Mr. Serven, Chairman. The Committee recommended a board resolution authorizing a 2014 services provider contract enabling Seneca-Cayuga ARC to provide Ongoing Integrated Supported Employment services to eligible Seneca County residents for the remainder of calendar year 2014.

Government Operations Committee - Mr. Westfall, Chairman. The committee approved a resolution by the Board of Supervisors (1) to waive the mass gathering requirement by Local Law 2-1979 during the Empire Farm Days event. They also discussed making changes to the committee-meeting format. The recent suggestion is to add another night, the fourth Wednesday, of the month for committees to meet. To accommodate those supervisors who object to attending both nights, Chairman Hayssen reassigned membership on some of the standing committees. Mr. Westfall announced that the next meeting of the Government Operations Committee would be August 19 at 10:30 a.m.

Finance, Assessment & Insurance Committee - Mr. Prouty, Chairman. The committee approved a resolution by the Board of Supervisors (1) authorizing the transfer of funds over \$1,000 between accounts; (2) the Worker's Compensation budget for 2015. Mr. Prouty reported that there was a request by the Seneca County Agricultural Society for additional funding for this year's fair due to fees charged

by the Village of Waterloo Police for certain events. The total amount requested \$3,713. Mr. Prouty said that County Manager Smith recently met with Village of Waterloo Mayor Young, thus the issue is moot and was not discussed.

Chairman's Remarks

Chairman Hayssen recapped the opening event, at which several local and state officials spoke, of a new addition at ITT Goulds Pumps for large, high-energy pump packages. It features a new 8,000-horsepower performance test facility and was custom designed for testing and final configuration of complex pump packages that can be up to 30 feet long and weigh more than 25 tons. It features a modular floor design for project flexibility and can test pump flows of up to 150,000 gallons per minute. The facility is equipped with a customer observation booth with test gauges and read-outs, computer analysis equipment and video capabilities for customer witness testing.

Chairman Hayssen recognized Rose Frances, resident and business owner of Seneca Falls. The nonagenarian is the owner and operator of the Rose Frances dress shop in downtown Seneca Falls for sixty-three years. Chairman Hayssen recommended that the Board of Supervisors recognize Rose Frances as a leading business owner who has weathered tough economic times throughout the sixty-three years and continues to remain open to date.

Communications:

88. From Wendy H. Lamoy, resident, Junius, NY, a letter dated July 23, 2014 to Thomas C. Wilmot, developer for the proposed casino in Tyre, NY, stating her opposition to a casino in Seneca County.

89. From William J. Hochul, Jr., U.S. Attorney, a letter dated July 9, 2014 to Chairman Robert W. Hayssen and Indian Affairs Committee Chairman Robert Shipley regarding the settlement reached between the U.S. Department of Justice and the Seneca-Cayuga Tribe regarding the sum of approximately \$554,058.18 seized from Community Bank, NA under the name of Seneca-Cayuga of Oklahoma Skydancer Convenience Store, \$4,928.38 in United States Currency, et al.

90. A letter from BME Associates, dated July 28, 2014, reporting that they reviewed the capacity of the existing sanitary sewer along NYS Route 414 and determined that there is capacity for the discharge of flows for the proposed Lago Resort & Casino in Tyre, NY.

91. A copy of the Seneca County IDA minutes of its July 10, 2014 meeting.

92. A copy of the Inter-County Association of Western New York June 20, 2014 meeting minutes.

93. A copy of the Seneca County Planning Board July 10, 2014 meeting minutes.

94. Notice of a Public Hearing on August 21, 2014, to Amend the Town of Ulysses Zoning Law by reducing the number of members on its planning board; revising the definition of 'group camp

ground; add a definition of ‘Mean High Water Elevation’; revising the lot area requirements for the Park & Recreation District .

95. From Ralph Calabrese, advocate for Veterans of the Armed Forces, information on an event to raise awareness about the delay in healthcare provided to our veterans, Hear the Thunder Roll for out Deserving Warriors on September 13, 2014.

RESOLUTIONS & MOTIONS

SUPERVISORS ADOPT 2015 WORKERS COMPENSATION BUDGET

RESOLUTION NO. 171-14, moved by Mr. Prouty, second by Mr. Earle and adopted.

WHEREAS, the Finance, Assessment & Insurance Committee approved the 2015 Workers Compensation Budget on July 22, 2014; and

WHEREAS, the Workers Compensation Budget must be filed with the Board of Supervisors by August 15 of each year per Article 5, Section 67 of the New York State Workers Compensation Law; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby adopt the Seneca County Workers Compensation Budget for the Year 2015 as follows:

1710 ADMINISTRATION

.1100	Personal Service Administrator	\$28,000.00
.1110	Employee Benefits Assistant	\$24,000.00
	Longevity	0.00
.1200	Legal Services Director	0.00
.1400	Severance	0.00
.2200	Equipment	500.00
.2300	Computer Equipment	1,500.00
.4200	Supplies	800.00
.4240	Postage	1,600.00
.4260	Books and Periodicals	200.00
.4270	Membership and Dues	300.00
.4280	State Assessment	110,000.00
.4440	Mileage	400.00
.4450	Hotels and Meals	600.00
.4560	Excess Insurance	88,000.00
.4700	Investigation	3,000.00
.4701	Training	500.00
.4702	Legal Services	17,000.00

.4703	Rehabilitation Services		5,000.00
.8100	Retirement		7,900.00
.8300	Social Security		3,300.00
.8600	Hospitalization		14,000.00
.8700	Medicare		760.00
	TOTAL ADMINISTRATION		\$307,360.00
1720	NON-ADMINISTRATION		
.4100	Indemnification/Benefits & Award	\$	400,000.00
.4110	Long Term Indemnity Liabilities		68,000.00
.4200	Medical		280,000.00
.4210	Long Term Medical Liabilities		50,000.00
.4220	Independent Medical Examinations		8,000.00
.4440	Mileage/Claimants		5,000.00
.4700	Reserve		0.00
	TOTAL NON-ADMINISTRATION		\$811,000.00
	GRAND TOTAL		\$1,118,360.00

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

RESOLUTION NO. 172-14, moved by Mr. Prouty, second by Mr. Kaiser and adopted.

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

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

WHEREAS, these amendments have been reviewed and approved by the Finance, Assessment and Insurance Committee at its meeting on July 22, 2014; now, therefore be it

RESOLVED, that the Board of Supervisors does hereby authorize the following amendments to the 2014 Seneca County Budget:

IT:

Decrease: 101680-52300 (Computer Equipment)	\$10,000.00
Decrease: 101680-54230 (Phone System Expense)	\$12,000.00
Increase: 101680-54220 (Repairs & Maintenance)	\$22,000.00

DHS:

Decrease: 106010-51100-SS01 (DHS Temporary Assistance Salaries)	\$1,022.11
Increase: 106010-51400-SS01 (DHS Temporary Assistance Severance)	\$1,022.11

**SENECA COUNTY BOARD OF SUPERVISORS CHAIRMAN AUTHORIZED TO SIGN
2014 MENTAL HEALTH SERVICES PROVIDER-AGENCY**

CONTRACT WITH SENECA-CAYUGA ARC

RESOLUTION NO. 173-14, moved by Mr. McGreevy, second by Mr. Davidson and adopted.

WHEREAS, the service contract between the Department of Mental Health Services and Challenge Industries to provide Ongoing Integrated Supported Employment (OISE) services in Seneca County is scheduled to end; and

WHEREAS, Seneca-Cayuga ARC has agreed to provide said OISE services in Seneca County; and

WHEREAS, the funds used for this contract are passed through state aid monies from New York State Office of Mental Health, with no local match; and

WHEREAS, this contract has been approved by the Mental Health Committee of the Seneca Board of Supervisors on July 22, 2014; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a 2014 services provider contract enabling Seneca-Cayuga ARC to provide Ongoing Integrated Supported Employment services to eligible Seneca County residents for the remainder of calendar year 2014.

BOARD OF SUPERVISORS AUTHORIZES CONTRACT WITH UNIFIED COURT SYSTEM FOR COURT CLEANING AND MINOR REPAIRS

RESOLUTION NO. 174-14, moved by Mr. Kaiser, second by Mr. McGreevy and adopted.

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

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

WHEREAS, said agreement will allow for a maximum reimbursement of \$73,307 from the Unified Court System for the State Fiscal Year 2014-2015; and

WHEREAS, the Public Works Committee approved this resolution at its meeting on July 22, 2014; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors 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 William Street, Waterloo, NY.

SUPERVISORS AUTHORIZE CHILLER REPLACEMENT AT SENECA COUNTY OFFICE BUILDING AND TREASURER AUTHORIZED TO TRANSFER FUNDS

RESOLUTION NO. 175-14, moved by Mr. Kaiser, second by Mr. Shipley and adopted.

WHEREAS, it is recommended to replace the existing 25-year old chiller located at the Seneca County Office Building, 1 DiPronio Drive, Waterloo, NY 13165; and

WHEREAS, sealed bids were solicited for the project and T. Bell Construction was the lowest and most responsible bidder at \$149,000; and

WHEREAS, the project will be funded by the county contingency account 101990-54700; and

WHEREAS, this resolution was reviewed and approved by the Public Works Committee at its meeting on July 22, 2014; now, therefore be it

RESOLVED, that the Board of Supervisors awards the bid to T. Bell Construction in the amount not to exceed \$149,000; and be it further

RESOLVED, the Seneca County Treasurer is authorized to transfer \$149,000 into account 101622-54220 (Repairs and Maintenance) from the county contingency account 101990-54700; and be it further

RESOLVED, that the Chairman of the Board of Supervisor is hereby authorized and directed to sign the contract agreement with T. Bell Construction for the purchase and installation of the new chiller.

RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN A CONTRACT WITH FINGERLAKES1.COM, INC. FOR REDEVELOPMENT OF SENECA COUNTY'S WEBSITES

RESOLUTION NO. 176-14, moved by Mr. Davidson, second by Mr. Reynolds and adopted.

WHEREAS, Seneca County's web sites have been in use since 2003 and much time has passed since the initial development; and

WHEREAS, the websites have served the county well, many advancements in terms of content, operating systems and computer servers have occurred; and

WHEREAS, the methods for website development have changed dramatically since the current websites were created; and

WHEREAS, redeveloping the county websites will give them a modern look and feel, will be accessible across all platforms and devices and will support custom requirements for all departments; and

WHEREAS, this resolution has been approved by the Board of Supervisors Technology Committee; now, therefore, be it

RESOLVED, that the Chairman of Board of Supervisors is hereby authorized and directed to sign an agreement with FingerLakes1.com, Inc. to redevelop Seneca County's websites in an amount not to exceed \$11,659.00 using funds from the county's contingency account 101990-54700; and be it further

RESOLVED, that the County Treasurer is authorized to transfer funds from the county's contingency account 101990-54700 to Information Technology's internet service account 101680-54232 for the initial down payment of 30% of the total development cost.

**AUTHORIZATION TO APPLY FOR AND ACCEPT FEDERAL AVIATION
ADMINISTRATION (FAA) GRANT UP TO \$2,266,484.24 AND AWARD BID FOR
IMPROVEMENTS AT THE FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 177-14, moved by Mr. Earle, second by Mr. Shipley and adopted.

WHEREAS, on February 11, 2014, the Board of Supervisors, by Resolution 26-14 authorized application for and acceptance of an FAA grant in the amount of \$2,100,000; and

WHEREAS, the amount of the potential grant has been increased up to \$2,266,484.24, with the Seneca County local share up to \$125,915.79, which has been budgeted for in the 2014 and 2013 Airport Budget, and New York State Department of Transportation (NYSDOT) will contribute up to \$125,915.79; and

WHEREAS, bids were solicited for Wetland, Taxiway and Drainage Improvements Phase II at the Finger Lakes Regional Airport; and

WHEREAS, the lowest responsible bidder for the project was Zoladz Construction Co, Inc., in the amount of \$2,518,315.82; and

WHEREAS, McFarland Johnson is the appointed engineer for the Finger Lakes Regional Airport and has reviewed the grant applications and bids; and

WHEREAS, the funding is available and allocated for this airport project; now, therefore be it
RESOLVED, that the Seneca County Board of Supervisors approves the application for and acceptance of the FAA grant for Taxiway and Drainage Improvements Phase II at the Airport in an amount of up to \$2,266,484.24 and New York State Grant up to \$125,915.79; and be it further

RESOLVED, that no funds will be committed until an executed contract is signed by the Chairman of the Seneca County Board of Supervisors; and be it further

RESOLVED, that a contract award to Zoladz Construction Co., Inc. is authorized for the project; and be it further

RESOLVED, that McFarland Johnson is the authorized engineering firm for the project; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign all necessary documentation to submit and accept this application to the FAA and that Resolution No. 26-14 shall be deemed amended to so reflect.

**AUTHORIZE FEASIBILITY STUDY TO DETERMINE ROUTE OF
SECTION 1 OF THE CAYUGA-SENECA CANALWAY TRAIL**

RESOLUTION NO. 178-14, moved by Mr. Earle, second by Mrs. Garlick Lorenzetti and adopted.

WHEREAS, in order to connect the completed sections of the Cayuga-Seneca Canalway Trail to Seneca Lake State Park, a route along Route 96A has to be selected and engineered; and

WHEREAS, the cost to complete a feasibility study to determine the best, most cost effective route will not exceed \$5,000 and must be completed before full engineering design work can be begun; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on July 22, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the County staff to hire an engineering firm to conduct feasibility study at a cost not to exceed \$5,000 for the purpose of determining the best route for Section 1 of the Cayuga-Seneca Canalway Trail; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer up to \$ 5,000 from County Contingency to account line # 8020-54370 to cover the costs associated with the feasibility study.

SUPERVISORS CREATE/FILL (1) FULL TIME AIRPORT MAINTENANCE WORKER I (AIRPORT MANAGER) POSITION AND ABOLISH (1) PART TIME AIRPORT MAINTENANCE WORKER I POSITION EFFECTIVE JANUARY 1, 2015

RESOLUTION NO. 179-14, moved by Mr. Earle, second by Mr. Lazzaro and adopted.

WHEREAS, the Planning, Development, Agriculture & Tourism Committee has reviewed and approved the creation and filling of (1) full-time Airport Maintenance Worker I (Airport Manager) position at its last committee meeting on July 22, 2014; and

WHEREAS, the Planning, Development, Agriculture & Tourism Committee has approved abolishing (1) part-time Airport Maintenance Worker I (Airport Manager) position at its last committee meeting on July 22, 2014; and

WHEREAS, funding for this position is included in the 2015 budget; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby create and authorize filling of (1) full-time Airport Maintenance Worker I (Airport Manager) position effective January 1, 2015 at an annual rate of \$48,115; and be it further

RESOLVED, the Seneca County Board of Supervisors does hereby abolish (1) part-time Airport Maintenance Worker I (Airport Manager) position effective January 1, 2015.

RESOLUTION AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) LOAN TO JOSEPH SEAMON

RESOLUTION NO. 180-14, moved by Mr. Earle, second by Mr. Reynolds and adopted.

WHEREAS, Seneca County has received Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development (HUD) 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 has been reviewed by the CDBG Loan Review Committee and found to be satisfactory and in full compliance with regulations and guidelines applicable to the Revolving Loan Fund Program; and

WHEREAS, this \$75,000 loan at 5% for 10 years will help stabilize this business and assist in the saving of seven (7) full-time jobs at the business located at 7182 North Main Street, Ovid, New York; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on July 22, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the proposed loan for the sum of seventy-five thousand dollars (\$75,000) under the CDBG Program from funds account no. 272017469 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 Chairman of the Board of Supervisors to sign closing documents.

**AUTHORIZE SNOWMOBILE TRAIL GRANT APPLICATIONS WITH TWIN LAKES
SNOWMOBILE ASSOCIATION AND SENECA SLEDDERS SNOWMOBILE ASSOCIATION
FOR 2014-2015 SEASON**

RESOLUTION NO. 181-14, moved by Mr. Earle, second by Mr. Prouty and adopted.

WHEREAS, Seneca County has previously indicated that it would serve as Sponsor for the Twin Lakes Snowmobile Association and the Seneca Sledders Snowmobile Association for them to receive the pass-through funding for the Grant-in-Aid Program funding from the New York State Office of Parks, Recreation and Historic Preservation for sections of trail on the New York State Snowmobile System in Seneca County; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on July 22, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Department of Planning and Community Development to prepare Phase II and III Applications for the New York State Snowmobile Trails Grant-in-Aid Program; and be it further

RESOLVED, that the Chairman of the Board is authorized to sign the Grant Applications; and be it further

RESOLVED, that the Chairman of the Board and the County Treasurer are authorized and directed to sign necessary reports and vouchers to receive funding for the New York State Snowmobile Grant Program for the 2014-2015 Season; and be it further

RESOLVED, upon receipt of funds from the New York State Snowmobile Grant-in- Aid Program, the County Treasurer will confer with the Seneca County Department of Planning and Community Development as to the appropriate division of the funds between the Twin Lakes Snowmobile Association and the Seneca Sledders Snowmobile Association based on the mileage and type of State approved trails and prepare checks to the Twin Lakes Snowmobile Association and the Seneca Sledders Snowmobile Association.

**CLERK OF THE BOARD TO ADVERTISE FOR
OFFICE FOR THE AGING PUBLIC HEARINGS**

RESOLUTION NO. 182-14, moved by Mr. Lazzaro, second by Mr. Earle and adopted.

WHEREAS, 9 NYCRR 6653.2 of New York State Rules and Regulations requires submission of an Annual Implementation Plan of Services for the Seneca County Office for the Aging; and

WHEREAS, a hearing is required to be held at least thirty days prior to such submission and notice of such hearing to be published in local newspapers at least twenty-one days prior to such hearing; and

WHEREAS, Seneca County wishes the benefit of public suggestions and comments for such Plan; and

WHEREAS, the Board of Supervisors Standing Committee approved this resolution at its meeting on July 22, 2014; now, therefore be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to advertise Public Hearings on the Annual Implementation of Services for the Seneca County Office for the Aging for the period April 1, 2015- March 31, 2016, said hearings to be held on September 23, 2014 at 11:30 a.m. in the community room of Verona Village, 2276 County Road 139, Ovid, NY; and September 25, 2014 at 11:30 a.m. at the Office for the Aging, 1 DiPronio Drive, Waterloo, NY; and

WHEREAS, said notice is to be published at least 30 days prior to the first such Public Hearing in the County's newspapers of record; and be it further

RESOLVED, that the proposed plan or an abstract containing program goals, objectives, action steps, and proposed budgets with categorical breakdowns shall be made available to the public prior to the first such hearing; and be it further

RESOLVED, that single copies of the proposed area plan or an abstract shall be made available without charge upon request as soon as it is prepared, before submission to the New York State Office for the Aging.

**SUPERVISORS CREATE/FILL (1) FULL-TIME TEMPORARY FAMILY AIDE POSITION
EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 183-14, moved by Mr. Lazzaro, second by Mr. Earle and adopted.

WHEREAS, the Human Services Committee has approved the creation and hiring of (1) temporary Family Aide position at its meeting on July 22, 2014; and

WHEREAS, funding for this temporary position is included in the 2014 budget; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby create and authorize filling (1) temporary Family Aide position effective immediately at an hourly rate of \$13.536 effective immediately.

SUPERVISORS CREATE/FILL (1) FULL TIME CLERK POSITION AND ABOLISH (1) FULL TIME ACCOUNT CLERK POSITION EFFECTIVE IMMEDIATELY

RESOLUTION NO. 184-14, moved by Mr. Lazzaro, second by Mr. Davidson and adopted.

WHEREAS, the Human Services Committee has approved the creation/filling of (1) full-time Clerk position at its meeting on July 22, 2014; and

WHEREAS, the Human Services Committee has approved abolishing (1) full-time Account Clerk position at its meeting on July 22, 2014; and

WHEREAS, funding for this position is included in the 2014 budget; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby create and authorize filling of (1) full-time Clerk position effective immediately at an hourly rate as set forth in the CSEA Contract; and be it further

RESOLVED, the Seneca County Board of Supervisors does hereby abolish (1) full-time Account Clerk position effective immediately.

SUPERVISORS ACCEPT PUBLIC SAFETY ANSWERING POINT CONSOLIDATION, IMPROVEMENTS AND SUPERVISORS APPROVE GOING OUT TO BID WITH YATES COUNTY FOR A NEW PHONE SOLUTION

RESOLUTION NO. 185-14, moved by Mr. Reynolds, second by Mr. Kaiser and adopted.

WHEREAS, the New York State Division of Homeland Security & Emergency Services awarded the Seneca County 911 Center the Public Safety Answering Point Consolidation, Improvements and Enhancements Grant for \$496,000.00 with no local match to help with the cost of the new 911 joint phone system with Yates County; and

WHEREAS, when a new phone solution is agreed upon with Yates County, approval will be need to go out to bid on replacing and/or upgrading the 911 phone service; now, therefore be it

RESOLVED, the Board of Supervisors authorizes the 911 Director to negotiate with Yates County as to the appropriate phone system or phone system changes; and be it further

RESOLVED, the Board of Supervisors authorizes to jointly bid out a joint Yates/Seneca County contract for those services.

**ENHANCEMENTS GRANT AND DIRECT THE TREASURER TO
AMEND THE 2014 COUNTY BUDGET**

RESOLUTION NO. 186-14, moved by Mr. Reynolds, second by Mr. Prouty and adopted.

WHEREAS, the New York State Division of Homeland Security & Emergency Services awarded the Seneca County 911 Center a Public Safety Answering Point Consolidation, Improvements and Enhancements Grant for \$496,000.00 with no local match; and

WHEREAS, the Public Safety Committee approved the acceptance of said grant at its meeting on July 22, 2014; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board of Supervisors to sign any and all documents required by the New York State Division of Homeland Security & Emergency Services for Seneca County 911 to receive the funding from the Public Safety Answering Point Consolidation, Improvements and Enhancements Grant; and be it further

RESOLVED, that the Board of Supervisors authorizes the County Treasurer to amend the 2014 Seneca County Budget as follows:

- Create budget account line (PSAP Consolidation, Improvements and Enhancements Grant)
- Increase the newly created account line by \$496,000.00

**BOARD OF SUPERVISORS ACCEPT AID TO PROSECUTION GRANT FROM NEW YORK
STATE DIVISION OF CRIMINAL JUSTICE SERVICES**

RESOLUTION NO. 187-14, moved by Mr. Reynolds, second by Mr. McGreevy and adopted.

WHEREAS, the New York State Division of Criminal Justice Services has awarded a \$29,200 grant through the 2014-2015 Aid to Prosecution Program for the purpose of enhancing the prosecution of repeat violent and serious felony offenders by maintaining experienced prosecution personnel to prosecute said offenders; and

WHEREAS, the total cost of the this grant provides one hundred percent of the cost of these services with no County match required; and

WHEREAS, the District Attorney's request was reviewed and approved by the Public Safety Committee of the Board of Supervisors on July 22, 2014; now, therefore be it

RESOLVED, that the County Manager is hereby authorized and directed to sign all necessary paperwork to accept the Aid to Prosecution Grant.

**SUPERVISORS CREATE/FILL (1) FULL-TIME SENIOR MENTAL HEALTH CLINICAL
THERAPIST (JAIL) POSITION AND ABOLISH (1) FULL-TIME MENTAL HEALTH
CLINICAL THERAPIST POSITION EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 188-14, moved by Mr. Reynolds, second by Mr. Davidson and adopted.

WHEREAS, the Public Safety Committee has approved the creation/filling of (1) full-time Senior Mental Health Clinical Therapist (Jail) position at its meeting on July 22, 2014; and

WHEREAS, the Public Safety Committee has approved abolishing (1) full-time Mental Health Clinical Therapist (Jail) position at its meeting on July 22, 2014; and

WHEREAS, funding for this position is included in the 2014 budget; now therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby create and authorize filling of (1) full-time Senior Mental Health Clinical Therapist (Jail) position effective immediately at an hourly rate as set forth in the CSEA Contract; be it further

RESOLVED, the Seneca County Board of Supervisors does hereby abolish (1) full-time Mental Health Clinical Therapist (Jail) position effective immediately.

Unfinished Business:

Rule 29: Mr. Kaiser made a motion, seconded by Mrs. Garlick Lorenzetti, and carried by 2/3 majority of supervisors present, to consider the following resolution without having it reviewed by the appropriate standing committee.

**SPECIFIED TERMS OF AGREEMENT FOR TEMPORARY ASSISTANCE FROM THE
VILLAGE OF WATERLOO TO PROVIDE TEMPORARY
ASSISTANCE IN WATER AND SEWER DISTRICTS**

RESOLUTION NO. 189-14, moved by Mr. Kaiser, second by Mrs. Garlick Lorenzetti and adopted.

WHEREAS, the Seneca County Board of Supervisors adopted Resolution No. 170-14 authorizing the county manager to enter into an agreement with the Village of Waterloo to provide temporary assistance for the Water and Sewer Districts; and

WHEREAS, the county manager and the Village of Waterloo have agreed on the number of hours and the cost of the temporary assistance as follows:

(A) Between the hours of 7am and 3pm on all days except Saturdays, Sundays, and Holidays, \$30 per man hour or any fraction thereof, portal to portal from and to Waterloo DPW Building,

(B) All other times, \$40 per man-hour, time to be defined as above, with a 2 hour minimum,

(C) Any time, \$50 per hour for each piece of equipment, without operator cost, time to be defined as above

(D) All supplies at actual cost.

Now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby accept the terms of the agreement as outlined.

Executive Session:

The members of the Board of Supervisors convened in executive session from 7:25 p.m. - 7:44 p.m. for the purpose of discussing pending litigation in the case of Syracuse Construction vs. Fayette / Varick. Invited to attend were the county manager, the county attorney.

Rule 29: Mr. Kaiser made a motion, seconded by Mr. Reynolds, and carried by 2/3 majority of supervisors present, to consider the following resolution without having it reviewed by the appropriate standing committee.

**BOARD OF SUPERVISORS AUTHORIZES SETTLEMENT OF CIVIL ACTION ENTITLED
SYRACUSE CONSTRUCTORS v. FAYETTE AND VARICK**

RESOLUTION NO. 190-14, moved by Mr. Kaiser, second by Mr. Lazzaro and adopted.

WHEREAS, the matter of Syracuse Constructors v. the Towns of Fayette and Varick is pending before the New York State Supreme Court under Index No. 46008; and

WHEREAS, the Board of Supervisors after consultation with counsel and in the interest of bringing the litigation to a conclusion, wishes to authorize final settlement of the interests of Seneca County in said action; and

WHEREAS, the Board of Supervisors recognizes a conflict of interest in execution of settlement documents by the Chairman of the Board of Supervisors on behalf of the County in connection with such litigation; now, therefore, be it

RESOLVED, that the Majority Leader of the Board is authorized hereby, pursuant to Rule 3 of the Seneca County Board of Supervisors Rules of Order, to act herein as Acting Chairman of the Board of Supervisors and to bind the Board of Supervisors as to settlement in the above entitled action; and it is further

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Majority Leader as Acting Chairman of the Board of Supervisors to execute a Stipulation in settlement of the interests of Seneca County in the matter of Syracuse Constructors v. Fayette and Varick, an action pending before the New York State Supreme Court in accordance with terms proposed and approved by the Board in executive session on August 12, 2014, the specific terms of which Stipulation to remain confidential pending execution of the stipulation of settlement in full by all parties to such litigation, filing of the fully executed document with the Court and the Court's approval thereof.

Special Order of the Day

The meeting adjourned at 7:46 p.m.