

Seneca County Board of Supervisors

Board Meeting & Public Hearing

Tuesday, May 12, 2015

6:00 p.m.

Call to Order

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

Roll Call of Members by the Clerk

All members of the Board of Supervisors answered roll call.

Pledge of Allegiance and Moment of Silence

Public Hearing

Supervisor Davidson made a motion, second by Supervisor Garlick Lorenzetti, to open the floor to receive public comment regarding proposed Local Law E of 2015 entitled "A Local Law to Disband Advisory Boards to The Seneca County Water and Sewer Districts and to Amend Local Law 2 of 1988 as Amended by Local Law 3 of 2009 to so Reflect". The motion passed, with a nay vote from Supervisor Hayssen who objected to the public hearing not being held in the south end of Seneca County, where the districts are located.

Comments received during the public hearing from members of the Board of Supervisors included Supervisor Hayssen and Supervisor Kaiser, who expressed their objection to disbanding the advisory boards.

Supervisor Hayssen said he wanted the public hearing to be in held in the south end of the county where the districts are located and where people who are affected by the districts live. He also expressed displeasure with the appointment of Mary Anne Kowalski as the interim administrator for the districts, who recommended the disbandment of the advisory boards. He stated that Ms. Kowalski was not a team player and is unwilling to work with the elected officials in the south end of Seneca County.

Supervisor Kaiser expressed his objection and added that he believes Ms. Kowalski, being a user in the water district, is biased and making recommendations that would be benefit her as a user. He accused the Village of Waterloo of obstructing access to intake pipes located at the former army depot in Romulus.

Supervisor Westfall expressed support for the disbandment of the advisory boards, stating that the membership should not include county supervisors.

Tom Scoles, Public Health Sanitarian, Seneca County was recognized. He expressed his objection to disbandment of the advisory boards, stating that the Public Works Standing Committee of the Board of Supervisors is not sufficient representation of the districts users. He noted that the Public Works

Standing Committee membership changes yearly when the Board of Supervisors organizes as a board. The users will be under-represented.

The public hearing was closed on a motion by Supervisor Churchill, second by Supervisor Garlick Lorenzetti and carried.

Petitioners

a. Casey McDonald, sole member, Skylands of Van Cleef Lake, LLC. Mr McDonald recently purchased the former MEWS building in Seneca Falls. He rectified the code violations that condemned the building, and it is now ready for use as an apartment building. Mr. McDonald is asking the Board of Supervisors to waive the portion of the local law that prevents him from obtaining an operators permit because the property is in arrears on property taxes. Chairman Earle deferred to Supervisor McGreevy, who chairs the standing committee responsible for Codes Enforcement (Public Health Services), who agreed to have Mr. McDonald bring his request to the committee for discussion at the May 26 committee meeting.

Submission of Claims for Audit

Supervisor Prouty made a motion, seconded by Supervisor Kubasik, to approve the following vouchers for payment in accordance with the county auditing process.

Supervisors vouchers	totaling	\$	443,539.19
Workforce Development vouchers	totaling	\$	24,213.79
Self-Insurance vouchers	totaling	\$	1,358.00
County Airport vouchers	totaling	\$	20,328.26
Highway Transportation vouchers			
Maintenance & State Snow	totaling	\$	195,960.40
Highway Machinery	totaling	\$	28,981.15
	Highway Total	\$	224,941.55
Water	totaling	\$	16,215.26
Sewer 1	totaling	\$	26,159.04
Sewer 2	totaling	\$	31,989.48
Capital Project - Airport vouchers	totaling	\$	102,787.48
Capital Project - Courthouse	totaling	\$	18,214.55
Capital Project - Radio Project	totaling	\$	114,488.91
Capital Project - E911-CAD & RMS	totaling	\$	143,181.00

Prior to voting to approve the vouchers for payment, Supervisor Hayssen made a motion, second by Supervisor Kaiser to amend the motion by removing the bills submitted by Mary Anne Kowalski. He

objected to the bills because she failed to itemize the bills. The motion to amend was defeated. Supervisor Hayssen voted nay to approving the vouchers for payment.

Reports of Standing Committees

The following Standing Committees of the Seneca County Board of Supervisors held meetings on April 28, 2015.

Public Health Services Committee - Supervisor McGreevy, Chairman. The committee approved and recommended a board resolution authorizing the Durham School Services be awarded the bid for transportation services for the Early Intervention and Pre-School programs for the period of July 2015 through June 2018 with an option to renew for an additional twelve-month term.

Government Operations Committee – Supervisor Davidson, Chairman. The committee approved a board resolution authorizing an agreement with Finger Lakes Community College to hold classes in satellite locations in Seneca County; a proclamation resolution recognizing the month of May as Community Action Awareness Month and 50 years of service by Seneca/Cayuga Community Action Agency, Inc.

The committee also recommended a board resolution in support of NYS Legislation Bills S511-2015 and S1476-2015, introduced to the New York State Senate by Senators Michael Nozzolio and Katherine Marchione, to repeal the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013

Indian Affairs Committee - Supervisor Shipley, Chairman. The Committee discussed the website: *nocayugalandintotrust.net*. The cost of the site is \$30 per month. It received 437 visitors over the past two years, and 74 visitors in 2015. The Committee decided to have the site moved to the Seneca County website to defray the cost.

IAC Chairman Shipley said that Brian Laudadio confirmed that Harris Beach, LLP has been notified that Bond Schoeneck and King have been retained to represent Seneca County in all Indian Affairs matters including the federal court action for foreclosure and land trust applications to the Bureau of Indian Affairs. When Bond Schoeneck and King receive the files from Harris Beach, LLP, they will file notice of appearance and substantiation of counsel in the federal action “so ordered” by Judge Siragusa of February 21, 2015⁶ which is currently being treated as stayed, pending the formal substitution of counsel.

Human Services Committee - Supervisor Lazzaro, Chairman. At its meeting, the Committee recommended a resolution of the Board of Supervisors to accept and authorize the Chairman of the Board of Supervisors to sign the Administrative Agreement and Comprehensive Workforce Innovation and Opportunity Act (WIOA) Plan for the Finger Lakes Workforce Development Area; and to accept and

authorize the board chairman to sign the contracts for Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Workers.

The Committee also approved and recommended a resolution that would authorize the DHS-Workforce Development Department to prepare a Request For Proposal and contract documents for the provision of WIOA Youth Services in Seneca County and authorize the Chairman of the Board of Supervisors to sign said documents.

Planning, Development, Agriculture & Tourism - Supervisor Hayssen, Chairman. The committee recommended a board resolution approving a \$75,000 loan to Charley Haung Chinese Restaurant, Ovid, NY through the Community Development Block Grant (CDBG) Loan program, to assist in re-establishing the business after a fire. Four full-time jobs are expected to be created.

Public Safety Committee - Supervisor Kaiser, Chairman. The committee met on April 28 and approved a resolution for the Board of Supervisors creating five part-time positions for Registered Nurse Professional per diem at the Law Enforcement Center (LEC).

The committee also had a meeting on May 11 at the Romulus Town Hall to discuss the position of Interim Director of E-911. The meeting was attended by some staff E-911 dispatchers, who were given the opportunity to share their ideas for the structuring of the E-911 Communications Department. The committee recommended appointing Charles McCann as the interim director for E-911 without additional compensation.

Mental Health Services Committee - Supervisor Serven, Chairman. The committee approved a resolution that will abolish one full-time position for Psychiatric Social Worker I, and create one full-time position for Psychiatric Social Worker II.

Public Works Committee - Supervisor Westfall, Chairman. The committee met on April 28 and recommended board authorization by resolution for the Highway Department to buy a 2015 Western Star 4700SF 10 Wheeler with Plow and Box not to exceed \$199,551; and a Tenco 12m Season Dump Body and Roll Rite Tarp System not to exceed \$37,599. Both vehicles will be purchased via the NYS OGS Bid.

The committee also recommended board authorization by resolution for Mary Anne Kowalski, Interim Administrator for the Water and Sewer Department, to develop a Request for Proposal to provide necessary, licensed operators, vehicles, equipment and supplies for the Water and Sewer Department. Currently, the Village of Waterloo has an agreement with the county to provide such services.

A contract with the Sons of Union Veterans of the Civil War to use the former Surrogates office, also known as the Baby Bear building in Ovid for its activities, was approved by the committee and referred to the Board of Supervisors for a resolution authorizing the chairman of the board to sign the contract for three years at a rate of \$1.00 per year.

The committee approved bid awards for contracts for the demolition and renovation of the former office / jail of the Seneca County Sheriff and the maintenance building on West William Street, Waterloo. John Snyder Architects, PLLC reviewed the RFPs and recommended the following: Frank Marianacci, Inc. (General Contractor); Landry Mechanical Contractor, Inc. (Mechanical Contractor and Plumbing Contractor); Kyle R. Lawrence Electric, Inc. (Electrical Contractor) and Diamond & Thiel Co., Inc. (Maintenance Building Prime Contractor).

The committee also met on May 5 to discuss several issues regarding the Water and Sewer Department. At that meeting, the vacant position of Water and Sewer Operator was discussed. The position was offered to two applicants, and both declined. The Personnel Officer was directed to review the job description and qualifications and salary.

The main focus of the meeting centered on much needed upgrades for the Water and Sewer Department. Mary Anne Kowalski, Interim Administrator, presented a draft proposal outlining what needs to be accomplished. The expense will be in the millions of dollars. The committee directed the County Treasurer obtain the financials so the county can begin the process of bonding the improvements.

Finance, Assessment & Insurance Committee - Supervisor Prouty, Chairman. The committee approved and recommended a board resolution authorizing budget transfers in excess of \$1,000 per county policy.

Communications:

37. Notice of a Public Hearing on Proposed Local Law B of the Year 2015, Town of Romulus, New York: A local law to amend the Zoning Ordinance for the Town of Romulus, Seneca County, New York at the Town Office Building, 1435 Prospect St., Willard, NY at 7:30 p.m. on the 20 day of May 2015.

38. A copy of a resolution adopted by the Town Board of Seneca Falls, "Resolution of the Town Board of the Town of Seneca Falls, New York Opposing LPG Storage Adjacent to Seneca Lake.

39. A copy of Resolution No. IL-030-15 adopted by the Niagara County legislature, "Adoption of a Local Law of the County of Niagara County, New York, Allowing for Common, Safe Items to be Excluded from the Dangerous Fireworks Definition as Permitted by New York State Penal Law Section 405(b).

40. A letter from W. Casey McDonald, sole member, Skylands of VanCleaf Lake, LLC., requesting a 24 month variance on his requirements to obtain an operating permit for property located at 2 Fall Street, Seneca Falls.

41. Emails dated May 8, 2015 supporting the dissolution of the advisory boards for Sewer 1, Sewer 2 and Water 1 from Paul Doyle, resident, Town of Romulus and Lou Cretaro, resident, Town of Romulus, and Jon Knudsen, resident, Town of Romulus.

- 42. A copy of the Seneca County Board of Health April 15, 2015 meeting minutes.
- 43. A copy of the InterCounty Association of Western New York March 20, 2015 and April 17, 2015 meeting minutes.
- 44. The 2014 Annual Report for Cornell University Cooperative Extension Seneca County.
- 45. A copy of the Seneca County IDA March 26, 2015 meeting minutes.
- 46. A copy of the Seneca County Planning Board April 9, 2015 meeting minutes.
- 47. Emails dated May 11, 21015, opposing the dissolution of the advisory boards for Sewer1, Sewer 2, and Water 1 from Ralph Walborn, resident, Town of Romulus, and Michelle Babcock, resident, Town of Romulus.

RESOLUTIONS & MOTIONS

SUPERVISORS AUTHORIZE AMENDMENTS TO 2015 SENECA COUNTY BUDGET

RESOLUTION NO. 88-15 moved by Mr. Prouty, second by Mr. Kubasik and adopted.

WHEREAS, amendments to the 2015 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 April 28 2015; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes the following amendments to the 2015 Seneca County Budget:

Sheriff's Office

Decrease:	103150-51100(Sheriff LEC Facility Salaries)	\$6,502
Increase:	103150-51400(Sheriff LEC Facility Severance)	\$6,502
Decrease:	106510-51100 (HS-SS Veteran Service Salaries)	\$3,119
Increase:	106510-51400 (HS-SS Veteran Service Severance)	\$3,119

DHS

Decrease:	106102-54700 (DSS Medicaid Weekly Shares)	\$9,347
Increase:	106129-54700 (OCFS Chargebacks)	\$9,347
Decrease:	10-6010-5-1100 SS01 (Temporary Assistance Salaries - FT)	\$5,000
Increase:	10-6010-5-1300 SS01 (Temporary Assistance - OT)	\$5,000

Water District

Decrease:	318310-51100 (Water District - Salaries)	\$12,400
Decrease:	318310-54420 (Gas & Oil)	\$2,000
Decrease:	318310-58100 (Employee Benefits-Retirement)	\$2,000
Decrease:	318310-58300 (Employee Benefits-Social Security)	\$500
Decrease:	318310-58600 (Employee Benefits-Health Insurance)	\$2,500
Increase:	318310-54220 (Repairs & Maintenance)	\$14,400
Increase:	318310-54700 (Contractual)	\$5,000

Sewer District 1

Decrease:	328110-51100 (Sewer District 1-Salaries)	\$5,000
Decrease:	328110-51300 (Overtime)	\$1,000
Decrease:	328110-58100 (Employee Benefits-Retirement)	\$3,000
Increase:	328110-54550 (Chemicals)	\$5,000

Increase:	328110-54370 (Consulting Fees)	\$1,000
Increase:	328110-54342 (Public Works Support)	\$3,000
<u>Sewer District 2</u>		
Decrease:	338110-51100 (Sewer District 2-Salaries)	\$10,000
Decrease:	338110-58100 (Employee Benefits-Retirement)	\$2,000
Decrease:	338110-58600 (Employee Benefits-Health Ins)	\$1,500
Increase:	338110-54342 (Public Works Support)	\$8,500
Increase:	338110-54550 (Chemicals)	\$5,000

SUPERVISORS APPROVE PURCHASE OF A 2016 WESTERN STAR 4700SF 10 WHEELER WITH PLOW AND BOX FOR THE HIGHWAY DEPARTMENT

RESOLUTION NO. 89-15 moved by Mr. Westfall, second by Mr. Lazzaro and adopted.

WHEREAS, the Seneca County Highway Department is requesting to buy a 2016 Ford Western Star 4700SF 10 wheeler with plow and box; and

WHEREAS, funds for the purchase of one (1) 2016 Western Star 4700SF 10 Wheeler from Oneida County Bid, Contract #1750, in the amount of \$115,826.00; and

WHEREAS, funds for the Tenco plow and box from Onondaga County Bid, Contract #7823, in the amount of \$83,725.00 have been appropriated from the 2015 Seneca County Highway Road Machinery Vehicle Account 50-120-5-5130.2600; and

WHEREAS, the purchase was approved by the Public Works Committee of the Seneca County Board of Supervisors on April 28, 2015; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Seneca County Highway Superintendent to purchase one (1) 2016 Western Star 4700SF 10 wheeler with plow and box in the amount of \$199,551.00 with funds appropriated from the 2015 Highway Road Machinery Vehicle Account 50-120-5-5130.2600.

SUPERVISORS APPROVE PURCHASE OF A TENCO 12M SEASON DUMP BODY AND ROLL RITE TARP SYSTEM FOR THE HIGHWAY DEPARTMENT

RESOLUTION NO. 90-15 moved by Mr. Westfall, second by Mr. Davidson and adopted.

WHEREAS, the Seneca County Highway Department is requesting to buy a Tenco 12M Season Dump Body AND Roll Rite Tarp System; and

WHEREAS, funds for the purchase of a Tenco 12M Season Dump Body from Oneida County Bid, Contract #1751, in the amount of \$34,807.00, and Tenco Roll Rite Tarp System Oneida County Bid, Contract #1751, in the amount of \$2792.00, have been appropriated from the 2015 Seneca County Highway Road Machinery Vehicle Account 50-120-5-5130.2600; and

WHEREAS, the purchase was approved by the Public Works Committee of the Seneca County Board of Supervisors on April 28, 2015; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Seneca County Highway Superintendent to purchase a Tenco 12M season Dump Body with a Roll Rite Tarp System in the amount of \$37,599.00 with funds appropriated from the 2015 Highway Road Machinery Vehicle Account 50-120-5-5130.2600.

BOARD OF SUPERVISORS DIRECTS PREPARATION OF REQUEST FOR PROPOSALS FOR TEMPORARY ASSISTANCE TO THE COUNTY SEWER AND WATER DISTRICTS
RESOLUTION NO. 91-15 moved by Mr. Westfall, second by Mrs. Garlick Lorenzetti and adopted by 698 ayes and 52 abstentions (Kaiser).

WHEREAS, the Seneca County Board of Supervisors previously 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 No. 189-14, to define the services to be included; and

WHEREAS, there is the need to add service to the agreement; and

WHEREAS, the existing agreement will continue until a new agreement is reached; and

WHEREAS, there are other Water Supply Districts located within the County that may be interested in providing services; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the Interim Administrator of the Water and Sewer Department to develop an RFP to solicit proposals to provide necessary, licensed operators, vehicles, equipment and supplies to the Sewer and Water Districts.

CONTRACT WITH THE SONS OF UNION VETERANS OF THE CIVIL WAR

RESOLUTION NO. 92-15 moved by Mr. Westfall, second by Mr. Kaiser and adopted.

WHEREAS, the Sons of Union Veterans of the Civil War wish to enter into a 3 year lease agreement with Seneca County, beginning January 1, 2015, through December 31st, 2017; and

WHEREAS, the property described in the lease is known as "The Three Bears Complex" located in the Village of Ovid, County of Seneca, State of New York, at the corner of Main Street and Seneca Street, consisting of the former Surrogate's Office known as "Baby Bear"; and

WHEREAS, the lease allows the Sons of Union Veterans of the Civil War the right to use the premises to conduct meetings and events, suggest ways to historically preserve the structure and conduct tours for interested parties; and

WHEREAS, the terms of the lease shall be the sum of One Dollar (\$1.00) per year, due and payable on or before thirty days following execution of the lease and annually on the same date thereafter; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize a lease agreement with the Sons of the Union Veterans of the Civil War, for a period effective January 1, 2015

and terminating December 31, 2017 at a cost of one dollar for each year and authorize the Chairman of the Board to sign the lease agreement.

**A RESOLUTION TO ADOPT LOCAL LAW 4 OF 2015 ENTITLED
“A LOCAL LAW TO DISBAND ADVISORY BOARDS TO THE SENECA COUNTY WATER
AND SEWER DISTRICTS AND TO AMEND LOCAL LAW 2 OF 1988 AS AMENDED BY
LOCAL LAW 3 OF 2009 TO SO REFLECT”**

RESOLUTION NO. 93-15 moved by Mr. Westfall, second by Mrs. Garlick Lorenzetti and adopted by 430 ayes (Westfall, Garlick Lorenzetti, Serven, Davidson, Earle, Churchill, McGreevy, Kubasik) and 320 nays (Reynolds, Prouty, Kaiser, Lazzaro, Hayssen, Shipley).

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 on May 12, 2015 at 6:00 p.m. at the Seneca County Office Building, Waterloo, New York, to hear all interested parties on a proposed Local Law entitled “A Local Law to Disband Advisory Boards to the Seneca County Water and Sewer Districts and to amend Local Law 2 of 1988 as Amended by Local Law 3 of 2009”; and

WHEREAS, notice of said public hearing was duly published in the County’s official newspapers and a public hearing having been held this date and all parties in attendance having been permitted an opportunity to be heard; and

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

RESOLVED, that Local Law 4 of 2015 entitled “A Local Law to Disband Advisory Boards to The Seneca County Water and Sewer Districts and to Amend Local Law 2 of 1988 as Amended by Local Law 3 of 2009 to so Reflect " be and the same is hereby adopted as follows:

Seneca County Local Law 9 of 2007 is hereby amended as follows:

SECTION 1 - Advisory Boards, however constituted, to the Seneca County Water and Sewer Department and to the Seneca County Water and Sewer Districts are hereby disbanded.

SECTION 2 - Local Law 2 of 1988 as amended by Local Law 3 of 2009 is hereby amended to reflect dissolution of said Advisory Boards.

SECTION 3 - This local law shall take effect upon filing with the secretary of State pursuant to the New York State 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.

Under discussion of above Resolution No. 93-15, Supervisor Lazzaro said he would be voting against the local law. Having advisory boards is good representation of the user of the districts, but that the current membership should be re-examined.

Supervisor Garlick Lorenzetti expressed support for the local law to disband the boards as they are now. She suggested that after the problems with the districts are corrected she would consider forming newly structured advisory boards to represent the districts.

Supervisor Kaiser expressed opposition to disbanding the advisory boards, and supported the formation of a water authority.

Supervisor Davidson questioned if the Public Works Committee would be sufficient representation with the current membership including three elected officials from Waterloo on the five member committee.

Supervisor Kubasik made a motion to Move the Previous Question, second by Supervisor Churchill, and carried by a two-thirds vote.

Chairman Earle called for a roll call vote. The initial counting of the votes by the Clerk of the Board resulted in an error, and it was announced that the resolution was defeated. Supervisor Garlick Lorenzetti asked for a recount. The true and final count was 430 ayes to adopt the local law to disband the advisory board and 320 nays.

**SUPERVISORS ABOLISH (1) FULL-TIME PSYCHIATRIC SOCIAL WORKER I AND
CREATE/FILL (1) FULL-TIME PSYCHIATRIC SOCIAL WORKER II
EFFECTIVE IMMEDIATELY**

RESOLUTION NO. 94-15 moved by Mr. Serven, second by Mr. Kaiser and adopted.

WHEREAS, treatment of Medicare patients requires possession of a license as a Licensed Clinical Social Worker (LCSW), which requires 3 years of post-degree work experience; and

WHEREAS, the position of Psychiatric Social Worker requires possession of a lesser license, a Licensed Master Social Worker (LMSW), which requires no post-degree work experience; and

WHEREAS, the appropriate classification for a position requiring minimum qualifications of possession of an LCSW is Psychiatric Social Worker II, found on Grade 12 of the CSEA salary schedule; and

WHEREAS, Seneca County wishes to continue treating Medicare patients at the Community Counseling Center; and

WHEREAS, funding for the position is included in the 2015 budget to be set at Grade 12 of the CSEA Salary Schedule; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors hereby abolish (1) full-time Psychiatric Social Worker position and create/fill (1) Psychiatric Social Worker II position effective immediately.

SUPERVISORS CREATE AND FILL (5) PART-TIME REGISTERED PROFESSIONAL NURSE (PER DIEM) POSITIONS EFFECTIVE IMMEDIATELY

RESOLUTION NO. 95-15 moved by Mr. Kaiser, second by Mr. Lazzaro and adopted.

WHEREAS, the Public Safety Committee has approved the creation and hiring of (5) part-time Registered Professional Nurse (per diem) positions to ensure adequate coverage at the Law Enforcement Center at their last committee meeting on April 21, 2015; and

WHEREAS, funding for these positions is included in the 2015 budget; now therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby create and authorize filling (5) part-time Registered Professional Nurse (per diem) positions effective immediately at an hourly rate of \$26.010.

BOARD OF SUPERVISORS AUTHORIZES THE ACCEPTANCE OF THE GRANT MONEY AND AUTHORIZES THE CHAIRMAN OF THE BOARD TO SIGN THE CONTRACT DOCUMENTS REQUIRED BY THE OFFICE OF INDIGENT LEGAL SERVICES

RESOLUTION NO. 96-15 moved by Mr. Kaiser, second by Mr. Shipley and adopted.

WHEREAS, New York State Office of Indigent Legal Services has selected Seneca County as a recipient of an Upstate Quality Improvement and Caseload Reduction Grant; and

WHEREAS, Seneca County has been awarded the grant in the amount of \$299,526.00 for the period of January 1, 2014 through December 31, 2016; and

WHEREAS, said grant award is to support local initiatives aimed at supporting improvements in the quality of representation provided to indigent persons; and

WHEREAS, the Seneca County Public Defender supports obtaining this funding and commits to enhancing the services received by indigent residents in Seneca County through the Public Defender's Office; and

WHEREAS, there is no local match required; and

WHEREAS, this matter has been reviewed and approved by the Public Safety Committee on May 27, 2014; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the acceptance of the grant in the amount of \$299,526.00 for the period of January 1, 2014 through December 31, 2016 and authorizes the Chairman of the Board to sign the contract documents required by the Office of Indigent Legal Services.

BOARD OF SUPERVISORS AUTHORIZES APPLICATION AND ACCEPTANCE OF INDIGENT LEGAL SERVICES FUND (ILSF) ON DISTRIBUTION #3

RESOLUTION NO. 97-15 moved by Mr. Kaiser, second by Mr. Reynolds and adopted.

WHEREAS, New York State is soliciting proposals for a three-year distribution of funds from Indigent Legal Services Fund; and

WHEREAS, Seneca County is eligible for said funding in the amount of \$23,107 annually over a three year period that runs from June 1, 2013 to May 31, 2016; and

WHEREAS, said funding required enhancements to service levels provided to indigent persons; and

WHEREAS, the Seneca County Public Defender supports seeking this funding and commits to enhanced services in the areas of indigent defense; and

WHEREAS, there is no local match required; and

WHEREAS, this matter has been reviewed and approved by the Public Safety Committee on May 27, 2014; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Public Defender and County Manager to apply for and accept ILSF funding on Distribution #3 in the amount of \$23,107 annually over a three year period that runs from June 1, 2013 to May 31, 2016.

**BOARD OF SUPERVISORS AUTHORIZES APPLICATION AND ACCEPTANCE OF
INDIGENT LEGAL SERVICES FUND (ILSF) ON DISTRIBUTION #4**

RESOLUTION NO. 98-15 moved by Mr. Kaiser, second by Mr. Davidson and adopted.

WHEREAS, New York State is soliciting proposals for a three-year distribution of funds from Indigent Legal Services Fund; and

WHEREAS, Seneca County is eligible for said funding in the amount of \$23,107 annually over a three year period that runs from January 1, 2014 to December 31, 2016; and

WHEREAS, said funding required enhancements to service levels provided to indigent persons; and

WHEREAS, the Seneca County Public Defender supports seeking this funding and commits to enhanced services in the areas of indigent defense; and

WHEREAS, there is no local match required; and

WHEREAS, this matter has been reviewed and approved by the Public Safety Committee on May 27, 2014; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Public Defender and County Manager to apply for and accept ILSF funding on Distribution #4 in the amount of \$23,107 annually over a three year period that runs from January 1, 2014 to December 31, 2016.

**RESOLUTION AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
LOAN TO CHARLEY HAUNG CHINESE RESTAURANT, OVID, NY**

RESOLUTION NO. 99-15 moved by Mr. Hayssen, 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 received and reviewed on April 20, 2015, 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 will help re-establish this business and assist in the creation of four (4) full-time jobs at the business located at 7180 South Main Street, Ovid, New York; and

WHEREAS, this resolution has been approved by the Planning, Development, Agriculture & Tourism Committee on April 28, 2015; 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. 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 Chairman of the Board of Supervisors to sign closing documentation.

**BOARD OF SUPERVISORS APPROVE CHAIRMAN OF THE BOARD TO SIGN
THE ADMINISTRATIVE AGREEMENT AND COMPREHENSIVE WIOA PLAN FOR
THE FINGER LAKES WORKFORCE DEVELOPMENT AREA BASED ON
COUNTY ATTORNEY REVIEW AND APPROVAL**

RESOLUTION NO. 100-15 moved by Mr. Lazzaro, second by Mr. Churchill and adopted.

WHEREAS, the Finger Lakes Workforce Investment Board (FLWIB) and area providers are in the process of reviewing the new regulations associated with the Workforce Innovation and Opportunity Act (WIOA) that replaces the Workforce Investment Act in place since 1998; and

WHEREAS, as part of the WIOA an Administrative Agreement must be signed by the 4 County area Chief Elected Officials for the submission of the Finger Lakes Comprehensive WIOA Plan, also requiring CEO signature; and

WHEREAS, this Agreement and Plan signatures are due by May 15, 2015; and

WHEREAS, this draft plan has been reviewed and approved by the Human Services Committee on April 28, 2015; now, therefore be it

RESOLVED, the Board of Supervisors authorizes the Chairman of the Board to sign the Administrative Agreement and Comprehensive WIOA Plan for the Finger Lakes Workforce Development Area based on County Attorney review and approval.

BOARD OF SUPERVISORS APPROVE THE CHAIRMAN OF THE BOARD TO SIGN PROPOSALS AND CONTRACTS RELATED TO THE WIOA ADULT AND DISLOCATED WORKER ACTIVITIES BASED ON COUNTY ATTORNEY REVIEW AND APPROVAL

RESOLUTION NO. 101-15 moved by Mr. Lazzaro, second by Mr. Westfall and adopted.

WHEREAS, the Workforce Innovation and Opportunity Act (WIOA), signed into law on July 22, 2014 will be implemented on July 1, 2015; and

WHEREAS, federal regulations have been drafted by the US Department of Labor and will not be finalized until 2016; and

WHEREAS, the Finger Lakes Workforce Investment Board is reviewing these regulations and may be soliciting proposals and/or qualifications for services to Adults and Dislocated workers; and

WHEREAS, It is expected that Seneca County DHS Workforce Development and Youth Bureau will be replying to whatever proposal solicitation is requested by the FLWIB; and

WHEREAS, specifically services to Seneca County residents would include all or some of the following Adult and Dislocated Worker Activities: eligibility determination; outreach and intake; initial assessment of skills; supportive service needs; job search and placement assistance; career counseling; provision of information on in-demand occupations and non-traditional employment; recruitment and other business services for employers; referrals to other One-Stop partner programs and other available programs in the community; provision of labor market information; information on supportive services available through other programs; information and assistance with establishing eligibility for financial aid and assistance for educational programs other than WIOA; comprehensive skills assessments; in depth interviewing and evaluation of barriers to employment; development of an Individual Employment Plan; group counseling; career planning; short term prevocational services; soft skills training; work experience; financial literacy; out of area job search; training services; occupational skills training; supportive services; OJT; incumbent worker training; private sector training programs; skill upgrading and retraining; job readiness training; adult education and literacy activities and follow-up services; and

WHEREAS, proposals and contracts will require Chairman of the Board of Supervisors signature prior to June 30, 2015; and

WHEREAS, this request has been reviewed and approved by the Human Services Committee on April 28, 2015; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the Chairman of the Board to sign proposals and contracts related to the WIOA Adult and Dislocated Worker activities based on County Attorney review and approval.

PROCLAMATION:

MAY 2015 IS COMMUNITY ACTION AWARENESS MONTH

**AND RECOGNIZING FIFTY YEARS OF SERVICE OF
CAYUGA/SENECA COMMUNITY ACTION AGENCY, INC.**

RESOLUTION NO. 102-15 moved by Mr. Davidson, second by Mr. Shipley and adopted.

WHEREAS, Cayuga/Seneca Community Action Agency was established in 1965 through the Economic Opportunity Act of 1964 to fight the War on Poverty locally; and

WHEREAS, the Agency has made an essential contribution to thousands of individuals and families in both Cayuga and Seneca Counties over the last fifty years by providing them with innovative and cost-effective programs to achieve and sustain self-sufficiency; and

WHEREAS, those with limited income continue to need opportunities to improve their lives and their living conditions, thus ensuring that all citizens are able to live in dignity and achieve economic security; and

WHEREAS, in honor of Cayuga/Seneca Community Action Agency's fifty years of service, now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors do hereby proclaim May 2015 as Community Action Awareness Month and ask the residents of Seneca County, New York to join with us in recognizing the significant contributions made by the Cayuga/Seneca Community Action Agency, Inc. over the last half century.

**RESOLUTION SUPPORTING LEGISLATION TO REPEAL THE NEW YORK SECURE
AMMUNITION AND FIREARMS ENFORCEMENT (SAFE) ACT OF 2013**

RESOLUTION NO. 103-15 moved by Mr. Davidson, second by Mr. Kaiser and adopted by 682 ayes and 68 nays (Lazzaro).

WHEREAS, Bills S511-2015 and S1476-2015 introduced to the New York State Senate by Senators Michael Nozzolio and Katherine Marchione respectively, would repeal all or most of the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013; and

WHEREAS, Senator Funke is a co-sponsor of both S511-2015 and S1476-2015 which seeks the same purpose; and

WHEREAS, Assembly Minority Leader Kolb is a co-sponsor of Bill A02391-2015 which seeks the same purpose; and

WHEREAS, the New York State Ammunition and Firearms Enforcement Act of 2013, which was rushed to passage by the New York Senate, Assembly, and Governor, continues to have a detrimental effect on hunters, sportsmen, legal gun owners and the firearms industry of New York while failing to adequately address illegal guns and mental illness considerations; and

WHEREAS, this Board of Supervisors acknowledges its responsibility to protect the rights afforded our constituents under the United States Constitution, which has for generations guided our nation and served as a framework to our republic and society; and

WHEREAS, the second amendment of the Constitution provides for the “right of the people to keep and bear arms” and further states that this right “shall not be infringed”, and

WHEREAS, the Civil Rights Law of the State of New York states in Article 2 Section 4, “Right to keep and bear arms. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms cannot be infringed.”; and

WHEREAS, members of the Seneca County Board of Supervisors are duly sworn by their oath of office to support the Constitution of the United States; and

WHEREAS, the SAFE Act severely impacts the possession, use and registration of personal property for the defense of life, liberty, property and the safe recreation of hunting and proficiency shooting; and

WHEREAS, some aspects of the SAFE Act are encouraging, such as strengthening Kendra’s Law and Marks’s Law and privacy protection for lawful permit holders, we find the SAFE Act fails to offer meaningful solutions to gun violence and places oppressive burdens on the law abiding citizens; and

WHEREAS, this Board of Supervisors unanimously voted to oppose the New York Secure Ammunition and Firearms Enforcement Act of 2013 for all and more reasons stated above in Resolution No. 17-13, dated March 12, 2013; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors support Senator Michael Nozzolio, Senator Richard Funke, and Assembly Minority Leader Brian Kolb in their effort to repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013; and further

RESOLVED, that this Board of Supervisors supports efforts by the New York State Legislature to remove funds for enforcement of the New York Secure Ammunition and Firearms Act of 2013 from the New York State budget, and further

RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew Cuomo, Senators Dean Skelos, Michael Nozzolio, Rich Funke, Assemblyman Brian Kolb, and the New York State Association of Counties.

Under discussion for Resolution No. 103-15, Supervisor Lazzaro stated he would be voting nay but he clarified that he is not opposed to the Constitution of the United States, as the text of the resolution infers, but he objects to some of the language of the SAFE Act. He said it is a good law, but should be improved.

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

COURSES IN SENECA COUNTY

RESOLUTION NO. 104-15 moved by Mr. Davidson, second by Mr. Prouty and adopted.

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

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

WHEREAS, this resolution was approved by the Board of Supervisors Government Operations Committee on April 28, 2015; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign an agreement with the Finger Lakes Community College to officer college-level courses in satellite locations in Seneca County for the 2014 - 2015 year.

BOARD OF SUPERVISORS AWARD BID FOR TRANSPORTATION SERVICES FOR THE EARLY INTERVENTION AND PRE-SCHOOL PROGRAMS

RESOLUTION NO. 105-15 moved by Mr. McGreevy, second by Mr. Churchill and adopted.

WHEREAS, the Health Department solicited bids for the provision of transportation services for Seneca County Children enrolled in the Early Intervention and Pre-School Programs; and

WHEREAS, one bid was received in response to the request; and

WHEREAS, upon review of the bid submission, the recommendation is to award the bid to Durham School Services, 4300 Weaver Parkway, Warrenville, Il, 60555 (local branch 3854 State Route 5&20, Canandaigua, NY 14424); and

WHEREAS, Durham School Services has been providing some of the transportation services for the past several years and has been a reliable provider of services; and

WHEREAS, the transportation costs are as follows:

- Route #1: Waterloo/Seneca Falls (W/SF) school districts to Happiness House Geneva
Cost: \$48.64 per diem per child rate (previous rate \$44.22)
- Route #2: Romulus/South Seneca/Trumansburg school districts to Happiness House Geneva
Cost: \$170.39 per diem per child rate (previous rate- \$170.39)
- Route #3: Clyde/Savannah school district to Happiness House Geneva
Cost \$156.81 per diem per child rate (previous rate- \$196)
- Route #4: Lyons school district to Happiness House Geneva
Cost \$156.81 per diem per child rate (previous rate- \$196)
- Route #5: Romulus/South Seneca/Trumansburg school districts to Franziska Racker Center
Cost \$147.22 per diem per child rate (previous rate- \$184.02)

- Route #6: Clyde/Savannah, Lyons, Waterloo, Seneca Falls school districts to Roosevelt Center
Cost \$200.22 per diem per child rate (previous rate -\$235.55)
- Route #7: Waterloo/Seneca Falls school districts to Happiness House Skoi-Yase School
Cost \$43.03 per diem per child rate (previous rate- \$40.98)
- Route #8: Romulus/South Seneca/Trumansburg schools to Happiness House Skoi-Yase School
Cost \$131.72 per diem per child rate (previous rate- \$125.45)
- Route #9: Clyde Savannah school district to Happiness House Skoi-Yase School
Cost \$156.81 per diem per child rate (previous rate- \$196)
- Route #10: Lyons school district to Happiness House Skoi-Yase School
Cost \$153.10 per diem per child rate (previous rate- \$196)

WHEREAS, the funds for these services are included in the Public Health Budget 104147-54441 and 104149-54441; and

WHEREAS, the Public Health Committee has recommended awarding the bid to Durham School Services; now, therefore be it

RESOLVED, that the Board of Supervisors award the bid for the transportation services for the Early Intervention and Pre-School Programs to Durham School Services, for the period July 1, 2015 through June 30, 2018; and be it further

RESOLVED, that the county may renew this contract for up to an additional two, 12 month periods (July 1, 2018 through June 30, 2019 and July 1, 2019 through June 30, 2020); and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract for the provision of transportation services for the Early Intervention and Pre-School Programs for the period July 1, 2016 through June 30, 2018 with Durham School Services.

New Business

Supervisor Kaiser moved the Suspension of the Rules to introduce the following resolution:

DESIGNATE CHARLES MCCANN AS INTERIM DIRECTOR OF E-911

RESOLUTION NO. 106-15 moved by Mr. Kaiser, second by Mr. Davidson and adopted.

WHEREAS, The current interim Director of E-911 has informed the Personnel Officer of his intention to discontinue his interim appointment effective May 15, 2015 at 5:00 PM; and

WHEREAS, there is a need to designate an Interim Director of E-911 during the recruitment period for a permanent Director of E-911; and

WHEREAS, Director of Emergency Management Charles McCann is qualified and willing to act as Interim Director of E-911; and

WHEREAS, at a special meeting on May 11, 2015 the Public Safety Committee approved this resolution designating Charles Director McCann as interim Director of E-911 during the recruitment period for a permanent Director of E-911; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby designate Director Charles McCann as the Interim Director of E-911 effective May 16, 2015.

Supervisor Westfall moved the Suspension of the Rules to introduce the following resolution:

**BOARD OF SUPERVISORS AUTHORIZES RETRICTIONS ON USE
OF LAFAYETTE PARK ON MEMORIAL DAY WEEKEND**

RESOLUTION NO. 107-15 moved by Mr. Westfall, second by Mrs. Garlick Lorenzetti and adopted.

WHEREAS, the Seneca County Board of Supervisors recognizes the significance of Memorial Day and the importance of the role played by the Town of Waterloo in its history, and

WHEREAS, the Town and Village of Waterloo and the Celebrate, Commemorate Committee have a long standing relationship with the County in promoting the celebration of Memorial Day in the Village of Waterloo, and

WHEREAS, use of the County's Lafayette Park has played an important part in that relationship and celebration, and

WHEREAS, it is the desire of the Board of Supervisors to provide the Committee with wide latitude in usage of the park for that purpose, and

WHEREAS, this resolution has been brought from the floor by a two-thirds majority vote of the Board of Supervisors present at a duly called meeting of the Board of Supervisors pursuant to Rule 29 of the Board's Rules of Order, Now, Therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes the Celebrate, Commemorate Committee to use the Lafayette Park premises in the Village of Waterloo for purposes of its Celebrate, Commemorate activities for the period from May 21st through May 25th, and be it further

RESOLVED, That the Celebrate, Commemorate Committee is authorized to place reasonable restrictions upon admission to the park premises during the period of its use by the Committee, including, but not limited to restrictions upon admission of animals (excepting Service Animals as the same are defined under New York State Law) to the park premises during such period.

Special Order of the Day

The meeting adjourned at 7:45 p.m.