

Seneca County Board of Supervisors

Board Meeting

&

Public Hearings

Tuesday, November 10, 2015

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 Hearings

Implementation of the Gould Pumps, Inc. Expansion Project that received Community Development Block funding from the New York State Office of Community Renewal (Project No. 1056ED782-13). The purpose of the hearing is to obtain citizen views regarding any aspect of the project's implementation including, but not limited to any construction, financing, and employment opportunities resulting from the project. Mr. Hayssen moved to open the floor to receive comments regarding the expansion project. No comments were heard or received. Mr. Hayssen moved to close the floor to receive public comment.

Proposed Local Law F of 2015 entitled, "A Local Law Amending Local Laws No. 9 of 2002 and 3 of 2015" be and the same is hereby introduced before the Board of Supervisors of Seneca County, New York. The intent of the proposed local law is to consolidate the positions of Director of Emergency Management and Director of E-911 and to waive 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. Mr. Davidson moved to open the floor to receive comments regarding the expansion project. No comments were heard or received. Mr. Lazzaro moved to close the floor to receive public comment.

Proposed renovations and improvements of Water District No. 1, Seneca County, New York consisting of, without limitation, the replacement and repair of the roof and fencing, transfer switch generator and Surge Relief Valve (Lake Pump Station), Variable Frequency Drives and install mixer (million gallon reservoir), install mixer (Hillside Water Tower) the replacement of fire hydrants, the replacement of shut-off valve at Five Points Prison and the moving and upgrade of the former Army Depot Ross valve, as well as other miscellaneous renovations and improvements, at the estimated maximum cost of \$597,000

Proposed renovations and improvements of Sewer District No. 1, Seneca County, New York consisting of, without limitation, the replacement of screw lift pumps, grit room ventilation system, repair cinderblock wall, sludge digester with PCV, replace generator transfer switch, replace grit removal system, aeration system up-grade, roof replacement and resurfacing of drying beds for the Willard Wastewater Treatment Facility (“Willard”), repair to the sewer line and replacement of the pump/lift station at Sampson State Park, and replacement of the plant sewer line from the Village of Ovid to Willard, as well as other miscellaneous renovations and improvements, at the estimated maximum cost of \$1,593,266.

Presentations

Recognition Award to Sheriff Stenberg and Undersheriff Sullivan: Peter Kehoe, Executive Director of the New York State Sheriff’s Association, recognized Sheriff Stenberg and Undersheriff Sullivan by presenting awards on earning Re-Accreditation for the Court Security Division and the Correction Division of the Seneca County Sheriff’s Office.

Tourism Promotion Agency Quarterly Report - Jeff Shipley, Executive Director, Seneca County Chamber of Commerce & Rick Newman, Destiny Marketing Manager. The 2015 Tourism program continued to build off the solid growth achieved over the last few years in Seneca County. Among the highlights: Chamber welcomed new Destination Marketing Manager Rick Newman, several niche markets were added, collateral pieces updated and the PR Program continued to produce significant results.

Petitioners

Lisa Hochadel Exec Director / Rick Coe President, PATHWAYS: Pathway we will offer those who are terminally ill a transition that focuses on comfort, dignity, spirituality and quality of life. Pathway Home will be a two-bedroom home for those who have been medically determined to be in the last three months of life and who have chosen palliative care instead of curative treatment. Admission is based solely upon need, regardless of age, gender, religion, race or the ability to pay. Preference will be given to those who can no longer be cared for in their own home.

Robert Jensen, President, Seneca County Sheriff’s Employees Association, spoke to the Board as a follow-up to a packet of information that was provided to the Board of Supervisors regarding the impasse resolution that will be considered for a vote later in the evening.

Approval of Meeting Minutes

Minutes of board meetings for June through August were approved.

Submission of Claims for Audit

Supervisor Kubasik moved the following vouchers, having gone through the proper auditing process, be approved for payment.

Supervisors vouchers	totaling	\$	920,754.97
Workforce Development vouchers	totaling	\$	24,432.23
Self-Insurance vouchers	totaling	\$	7,7783.90
County Airport vouchers	totaling	\$	22,459.40
Highway Transportation vouchers			
	Maintenance & State Snow	totaling	\$ 563,620.96
	Highway Machinery	totaling	\$ 65,751.63
	Highway Total	\$	629,372.59
Water 1	totaling	\$	9,667.86
Sewer 1	totaling	\$	13,710.55
Sewer 2	totaling	\$	25,512.37
Capital Project – Airport	totaling	\$	23,866.70
Capital Project - Courthouse	totaling	\$	6,255.46
Capital Project - Radio Contract	totaling	\$	8,970.00
Capital Project – County Road Projects	totaling	\$	1,564.34
Capital Project – Sewer 318	totaling	\$	7,800.00

Reports of Standing Committees

Public Health Services Committee – Supervisors McGreevy, Chairman. The committee reviewed issues related to Codes Enforcement Department. A request to purchase a 2015 Jeep Patriot Sport vehicle from NYS contract not to exceed \$20,991.60 (including delivery); a request to purchase one four-wheel drive sports utility vehicle through NYS General Services Vehicle Marketplace, not to exceed \$20,458 including delivery. The committee approved all three matters and a resolutions are before the Board of Supervisors for consideration.

Government Operations Committee – Supervisor Davidson, Chairman. The committee approved the recommendation to remove the deputy commissioner positions from the county salary schedule and amend the county budget to elect the deputy commissioner salary be set by the election commissioners in accordance with NYS Elections Law Section 3-300.

Indian Affairs Committee – Supervisor Shipley, Chairman. Brian Laudadio from BSK will be at the Nov. 24 Indian Affairs Committee meeting to brief all supervisors on the opposition motion filed on Oct. 29 to the Western District Court of NY, opposing the Cayuga Nation motion to dismiss our counterclaim . It does not address the primary issues of the permanent injunction and defense of sovereign immunity. Cayuga Nation has until Nov 16 to respond. BSK will appear before the Western District Court on Dec 3 for oral argument, asserting a counterclaim alleging that the original Cayuga

reservation was disestablished.

Regarding Senate Bill S-18979, the Interior Improvement Act, by its author Senator John Barrasso of Wyoming, this is nothing more than the latest attempt by the Obama administration at a “Carcieri Fix” to dissolve the 19345 Indian Reorganization Act. We have been advised by Chris Zeltmann of Senator Schumer’s Rochester office, there has been no action since its referral to the Senate Indian Affairs Committee on July 28.

Human Services Committee – Supervisor Lazzaro, Chairman. The Committee approved the following issues for a resolution of the Board of Supervisors: (1) authorizing the Chairman of the Board to sign the Office for the Aging Four Year Plan for Services and Funding Applications; (2) authorize the Chairman of the Board to sign an agreement with Family Counseling of the Finger Lakes, Inc.; authorize the Chairman of the Board to sign an agreement between the Division of Human Services and Bonadio & Co. for account and fraud related services.

The Committee authorized refilling the position of Employment & Training Counselor, and any other position that becomes vacant due to refilling the E/T counselor position by promotion.

October is Domestic Violence Awareness Month. HSC Chairman Lazzaro, recognized the staff in the Division of Human Services, the Sheriff Office and Mental Health Services for the work they do, either by first response to an incident or long term services for victims of domestic violence.

Planning, Development, Agriculture & Tourism Committee – Supervisor Hayssen, Chairman. The committee approved a resolution to go to the Board of Supervisors that would authorize funding Pathway Home five thousand dollars as resolved by Resolution No. 164-12, “to fund Pathway Home under the condition the project comes to fruition”. Recently, property has been acquired and the project is moving forward. The Committee also approved a resolution to be referred to the Board of Supervisors designating the Seneca County Chamber of Commerce as the Tourism Promotion Agency for Seneca County and submit application for matching funds.

Environmental Affairs Committee – Supervisor Churchill. The Committee discussed the recent news that Seneca Meadows Landfill and New York City are planning to transport garbage by train as part for 20 more years for \$3.3 billion dollars. The committee unanimously expressed opposition to this agreement. It was noted that Finger Lakes Railway was constructing or has constructed a rail yard to assist in transferring the garbage. Several concerns were brought forth: how much trash intake would increase; if the towns did not renew hosting agreements, does it mean the landfill needs to close; how much control does the county have to prevent the trash train from happening. EAC Chairman Churchill said he would be back at the next committee meeting with answers to these concerns.

Public Safety Committee – Supervisor Kaiser, Chairman. The Committee voted in favor of a contract with Finger Lakes Communications, Auburn, NY for five years for \$108,525.80 annually to

provide maintenance and repairs for the E-911 Communications Center and back-up site; the committee voted in favor of appoint Melissa Taylor as Secretary/Treasurer for Stop-DWI for an annual stipend of \$5,000.

The Committee met on October 7 and discussed restructuring and combining the Emergency Management Department and the E-911 Communications Department. The meeting was attended by Al Deming, Assistant Fire Chief Ovid, Ernie Brownell, 1st Asst. Fire Chief Junius, John Morabito, Border City Fire Chief, and Lieutenant Timothy Snyder, Seneca Falls Police Department. They said they supported the restructuring and they supported Melissa Taylor being appointed as the Director of Emergency Management. The discussion regarding the creation and appointment of a Fire Coordinator resulted in the creation of a special committee lead by Supervisor Lee Davidson and including members who will represent the fire departments and local police force. The Committee approved resolution(s) for the Board of Supervisors that will amend certain local laws for the purpose of having the Director of Emergency Management be responsible for the E-911 Communications Department and create a part-time Fire Coordinator position to be supervised by the Director of Emergency Management.

Mental Health Services Committee – Supervisor Serven, Chairman. The Committee approved for a resolution of the Board of Supervisors, authorization to create and hire a Director of Children’s Services and to create and hire one Substance Abuse Counselor and to abolish one Substance Abuse Educator position; the committee voted in favor for a board resolution appointing Lisa Heitmann to the Community Services Board and reappointing Susan Ganser for another term. The Committee also approved a board resolution to authorize the Chairman of the Board to sign necessary documents to accept funds awarded to Seneca County for \$119,328 from a NYS Office of Mental Health for early recognition & screening of mental health problems in children residing in Seneca and Tompkins counties.

Public Works Committee – Supervisor Westfall, Chairman. John Snyder, the architect for the courthouse reviewed change orders and open items with the committee. The committee recommended a board resolution awarding Spring Street Metal & Roofing the contract to replace the roof at the Seneca Drop-In Center in Seneca Falls. Facilities Department needs a Letter of Authorization from the Board of Supervisors designating Power Management Company, LLC to solicit bids for new pricing for our current utility accounts.

Under new business the committee also approved a board resolution to an agreement with Paul Bringewatt and Associates for professional services to review the Seneca County Water District #1 for the purpose of developing sales data, obtaining better budget projections, create and analyze alternative rate structures, to produce a concise report with a recommendation and rationale for that recommendation at a rate of \$100 per hour with a cost not to exceed \$2,200 plus \$20.00 per hour if there is less than four hours of work the times he comes to Seneca County.

Finance, Assessment & Insurance Committee – Supervisor Kubasik, Vice-Chairman. The Committee gave its approval that the following issues be referred to the Board of Supervisors for a board resolution: (1) the creation and filling of one (1) Full-time Accountant position on January 4, 2016 at the appropriate hourly rate as per the CSEA contract; (2) authorize the county treasurer to amend the 2015 county budget for amounts over \$1,000 department budget for the Sheriff’s Office, the Department of Human Services; Code Enforcement; and Mental Health Services.

The county treasurer met with the committee to review the proposed 2016 county budget. The tax levy is \$9.5 million, and will be the ninth year consecutively with no increase to the tax levy. The general fund balance is \$60.5 million (increase of 2.2% from 2015); the tax reduction reserve allocation is \$4.3 million which equates to 45% of the tax levy. There will be \$9.8 million in the reserve fund after the 2016 allocation. The debt reduction reserve fund in 2016 is zero. In 2015 the balance was \$286,000, which is the final year of the planned debt reduction reserve from the jail. The tentative budget is filed with the Board of Supervisors no later than November 15 as required by New York State law.

Personnel Committee – Supervisor Hayssen Chairman. The committee scheduled December 8 at 5:30 p.m. for the annual employee recognition event to distribute service awards and certificates. The committee decided to support accepting an impasse in negotiations with the Sheriff’s Employees Association, which would keep the 2014 contract in place and negotiations would start again.

Communications

91. From Lucille Povero, resident, Seneca Falls, a letter date October 18, 2015 expressing her that the Lago Resort and Casino will cause the “complete destruction of the Montezuma Wildlife Refuge”.

92. From Robert Jensen, President, Seneca County Sheriff’s Employees Association, a packet of information regarding the negotiations for the SCSEA contract, showing disagreement with information provided by the Personnel Director and statements made by Supervisor Kusbasik, regarding the salary step system, negotiated raises for 2010-23013, and turnover rate findings.

93. From Senator Nozzolio, a letter dated October 2015 acknowledging receipt of a certified copy of Resolution No. 212-15 adopted by the Seneca County Board of Supervisors, calling upon the New York State Legislature to support the Microbead Free Waters Act.

94. From New York State Assembly Minority Leader Kolb, a letter dated October 21, 2015, acknowledging receipt of a certified copy of Resolution No. 212-15 adopted by the Seneca County Board of Supervisors, calling upon the New York State Legislature to support the Microbead Fee Waters Act.

95. A copy of the Town of Ovid 2016 Adopted Budget.

96. A copy of the Seneca County Planning Board October 8, 2015 meeting minutes

97. From Seneca County Soil & Water Conservation District, a letter dated October 27, 2015, recommending the appointment of John Hunt to the Seneca Soil & Water Conservation Board as the Grange Representative for the term January 1, 2016 through December 31, 2018. Referred to the Planning, Development, Agriculture & Tourism Committee.

98. From Seneca County Soil & Water Conservation District, a letter dated October 27, 2015, recommending the appointment of Robert Ike to the Seneca Soil & Water Conservation Board as the Member-at-Large Representative for the term January 1, 2016 through December 31, 2018. Referred to the Planning, Development, Agriculture & Tourism Committee.

99. From NYS Senator Michael Nozzolio, notification of securing a \$2 million in NYS funding for the Sampson Veterans Memorial Cemetery to allow for the ongoing and continued capital costs associated with the cemetery.

100. From Gary Sullivan, Undersheriff for Seneca County, a letter of resignation from his appointment as STOP-DWI Coordinator effective at midnight October 18, 2015.

RESOLUTIONS & MOTIONS

BOARD OF SUPERVISORS AUTHORIZES THE CREATION AND FILLING OF ONE (1) FULL TIME ACCOUNTANT POSITION IN THE TREASURER'S OFFICE

RESOLUTION NO. 228-15 moved by Mr. Kubasik, second by Mr. Davidson and adopted.

WHEREAS, the county treasurer's office will have two staff members retiring in 2016: Senior Account Clerk and Deputy County Treasurer; and

WHEREAS, the County Treasurer is recommending upgrading the position of Senior account Clerk to the position of Accountant; and

WHEREAS, the funding for this position is included in the 2016 budget; and

WHEREAS, the Finance, Assessment & Insurance Committee approved this resolution at its meeting on October 27, 2015; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the creation and filling of one (1) Full-time Accountant position on January 4 ,2016 at the appropriate hourly rate as per the CSEA contract.

SUPERVISORS AUTHORIZE AMENDMENTS TO 2015 SENECA COUNTY BUDGET

RESOLUTION NO. 229-15 moved by Mr. Kubasik, second by Mr. Westfall 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 on October 27, 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)	\$	1,415.00
Increase:	103150-51400 (Sheriff LEC Facility Severance)	\$	1,415.00

DHS

Decrease:	106010-51100-SS02 (DSS Services Salaries)	\$	1,145.00
Increase:	106010-51400-SS02 (DSS Services Severance)	\$	1,145.00

CODE ENFORCEMENT

Decrease:	108090-54420 (Gas & Oil)	\$	3,000.00
Increase:	108090-52380 (Computer Equipment)	\$	750.00
	108090-54380 (Other Fees)	\$	2,250.00

DIVISION OF HUMAN SERVICES

Increase:	106055 54700 (Childcare Block Grant)	\$	93,000.00
Increase:	106055 43655 (State Aid – Child Care Block Grant)	\$	93,000.00

MENTAL HEALTH

Decrease:	104300-54700 (Mental Health Provider Contracts)	\$	7,000.00
Increase:	104320-54410 (Vehicle Supplies & Repair)	\$	7,000.00

BOARD OF SUPERVISORS AUTHORIZES

ROOF REPLACEMENT AT SENECA CONNECTIONS DROP-IN-CENTER

RESOLUTION NO. 230-15 moved by Mr. Westfall, second by Mr. Davidson and adopted.

WHEREAS, the roof on the Seneca Connections Drop-In-Center located at 27 Cayuga Street, Seneca Falls, NY, is in need of replacement to prevent additional damage to the exterior of the structure; and

WHEREAS, numerous interior repairs are pending until the roofing system is replaced which would eliminate any further deterioration or damage; and

WHEREAS, bid openings were conducted on October 21, 2015, and SSM&RC. Inc., d/b/a Spring Sheet Metal & Roofing submitted the lowest bid of \$115,260.00 with an alternate amount of \$8.25 per linear foot to include replacement of fascia board if necessary; and

WHEREAS, funding for the project will be from the 2015 Seneca County contingency fund; and

WHEREAS, the Public Works Committee approved this resolution at its meeting on October 27, 2015; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby award the roof replacement project for the Seneca Connections Drop-In-Center to SSM&RC. Inc., d/b/a Spring Sheet Metal & Roofing , 678 South Clinton Ave, Rochester, NY, 14620, for an amount not to exceed \$115,260.00; and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$115,260.00 from Contingency Fund 101990-54700 into Buildings & Grounds Repairs and Maintenance account 101620-54220.

**CHAIRMAN OF THE BOARD AUTHORIZED TO SIGN
LETTER OF AUTHORIZATION TO ALLOW POWER MANAGEMENT COMPANY, LLC
TO SOLICIT PRICING FOR COUNTY UTILITIES**

RESOLUTION NO. 231-15 moved by Mr. Westfall, second by Mr. Shipley and adopted.

WHEREAS, multiple gas and electric accounts for Seneca County are coming up for renewal;
and

WHEREAS, Power Management Company, LLC (PMC), the contracted agency for Seneca County's power supply consultant solicits bids from power supply companies to supply Seneca County with natural gas and electric; and

WHEREAS, the Superintendent of Facilities requests that the Chairman of the Board of Supervisors sign a Letter of Authorization to allow Power Management Company, LLC (PMC) to solicit pricing for electric and gas suppliers for Seneca County; and

WHEREAS, the Letter of Authorization will allow PMC to only solicit new pricing for our upcoming utility accounts; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby authorize the Chairman of the Board to sign the Letter of Authorization permitting Power Management Company, LLC to solicit bids for natural gas and electric on behalf of Seneca County.

**BOARD OF SUPERVISORS EXTENDS LEASE FOR ONE YEAR WITH
ROCHESTER-GENESEE REGIONAL TRANSIT AUTHORITY**

RESOLUTION NO. 232-15 moved by Mr. Westfall, second by Mr. Lazzaro and adopted.

WHEREAS, Rochester Regional Transit Authority (RGRTA) provides public bus transportation in Seneca County known as RGRTA Seneca; and

WHEREAS, RGRTA leases office space within the Seneca County Office Building, as well as exclusive use of a portion of the County Office Building parking lot as a base for their Seneca County transit routes; and

WHEREAS, on February 17, 2015 the Authority entered into an agreement ("Agreement") with the County for continued public transportation service and lease agreement, which contract provided for an initial term of one year with an option to renew lease upon the same terms for an additional term of one year; and

WHEREAS, the Public Works Committee approved this resolution at its meeting on October 27, 2015; and

WHEREAS, the Authority and the County desire to extend said Agreement for an additional term of one year with an option to renew lease upon the same terms for an additional five (5) successive one-year terms through December 31, 2021; now, therefore be it

RESOLVED, in consideration of the premises and covenants herein, the parties agree as follows:

1. The Agreement between the Authority and the County is extended for the period commencing January 1, 2016 and terminating on December 31, 2016.
2. Except as expressly, and not by implication, amended hereby, all terms and conditions of the Agreement shall remain in full force and effect throughout the extension period provided for herein.
3. This Extension Agreement shall not be enforceable until signed by all parties.

**AGREEMENT WITH PAUL BRINGEWATT AND ASSOCIATES FOR
RATE STUDY FOR WATER DISTRICT**

RESOLUTION NO. 233-15 moved by Mr. Westfall, second by Mr. Kaiser and adopted.

WHEREAS, Paul Bringewatt and Associates, Municipal Consultants, who were contracted by the Seneca County Board of Supervisors to conduct a review of Water District #1 expenses and revenues and rates, has completed the initial review; and

WHEREAS, based on the review, the Board of Supervisors would like Paul Bringewatt & Associates to conduct a more in-depth rate study for Water District #1; and

WHEREAS, the fee charged by Paul Bringewatt & Associates to complete a rate study would not exceed \$2,200; and

WHEREAS, the Public Works Committee, on October 27, 2015, recommended that an agreement be entered into with Paul Bringewatt and Associates; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize an agreement with Paul Bringewatt and Associates for professional services to review the Seneca County Water District #1 for the purpose of developing sales data, obtaining better budget projections, create and analyze alternative rate structures, to produce a concise report with a recommendation and rationale for that recommendation at a rate of \$100 per hour with a cost not to exceed \$2,200 plus \$20.00 per hour if there is less than four hours of work the times he comes to Seneca County.

**SUPERVISORS APPROVE CREATION AND FILLING
OF ONE FULL TIME DIRECTOR OF CHILDREN'S SERVICES POSITION
WITHIN THE SENECA COUNTY MENTAL HEALTH DEPARTMENT**

RESOLUTION NO. 234-15 moved by Mr. Serven, second by Mr. Kaiser and adopted.

WHEREAS, the NYS Office of Mental Health (OMH) requires that County Mental Health Departments develop a "conflict-of-interest-free" and Expanded Single Point of Access (SPOA)

monitoring and review process for the NYS HCBS Children's Waiver Services Program within Seneca County; and

WHEREAS, the Seneca County Mental Health Department can meet the current and Expanded SPOA need through the creation and filling of a new Full Time Director of Children's Services position; and

WHEREAS, the NYS Office of Mental Health has provided (for the remainder of 2015 and each quarter for 2016) increased state-aid funding sufficient to cover the change from the current SPOA-staffing into that of the proposed full time employee - at the appropriate hourly rate as per the CSEA contract (including fringe benefits at the highest possible scenario for health insurance) - making this new full time position completely funded by state-aid, with no county match; and

WHEREAS, this action has been approved by the Seneca County Board of Supervisors' Vacancy Committee and Mental Health Committee; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the immediate creation and filling of one full-time Director of Children's Services position within the Seneca Mental Health Department.

**SUPERVISORS AUTHORIZE ABOLISHING ONE FULL-TIME SUBSTANCE ABUSE
EDUCATOR AND CREATING/FILLING ONE FULL-TIME SUBSTANCE ABUSE
COUNSELOR POSITION WITHIN THE
SENECA COUNTY MENTAL HEALTH DEPARTMENT**

RESOLUTION NO. 235-15 moved by Mr. Serven, second by Mr. Reynolds and adopted.

WHEREAS, the NYS Office of Alcoholism and Substance Abuse Services (OASAS) Requires Prevention Programs to provide an increasing percentage of Evidence-Based Services in addition to traditional substance abuse prevention counseling; and

WHEREAS, the need to perform both substance abuse prevention counseling and evidence-based services requires the department to reclassify its solely remaining "Substance Abuse Educator" position to allow for the provision of both Evidence-Based Services and direct one-to-one prevention counseling services; and

WHEREAS, this would require the reclassifying of a current "Substance Abuse Educator" position into a Substance Abuse Counselor; and

WHEREAS, the reclassified position will be paid at the appropriate CSEA rate and, retain its current NYS OASAS funding and would result in essentially no negative financial impact to the current 2015 budget and proposed 2016 budget; and

WHEREAS, the Vacancy Committee and Board of Supervisors' Mental Health Committee have both approved this reclassification; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the abolishing of one Substance Abuse Educator position and the creation and filling of one Substance Abuse Counselor position within the Seneca County Mental Health Department.

**SUPERVISORS APPOINT NEW MEMBER
TO SENECA COUNTY COMMUNITY SERVICES BOARD**

RESOLUTION NO. 236-15 moved by Mr. Serven, second by Mr. Kaiser and adopted.

WHEREAS, there are vacancies on the Seneca County Community Services Board; and

WHEREAS, on October 20th, 2015 the Seneca County Community Services Board moved to recommend the appointment of Ms. Lisa J. Heitmann of Romulus, NY 14541, to the Community Services Board; and

WHEREAS, the Board of Supervisors' Mental Health Committee supports and approves the Community Services Board's recommendation of Ms. Heitmann; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint: Ms. Lisa Heitmann to a four-year term on the Seneca County Community Services Board, to expire November 10, 2019.

**SUPERVISORS AUTHORIZE REAPPOINTMENT OF COMMUNITY SERVICES BOARD
MEMBER TO ANOTHER TERM**

RESOLUTION NO. 237-15 moved by Mr. Serven, second by Mr. Westfall and adopted.

WHEREAS, Ms. Susan Ganser's current term on the Seneca County Community Services Board is due to expire on November 22, 2015; and

WHEREAS, there are still open positions on the Seneca County Community Services Board; and

WHEREAS, the Seneca County Community Services Board voted to recommend Ms. Ganser for re-appointment to another term on the Community Services Board; and

WHEREAS, the Seneca County Board of Supervisors' Mental Health Committee approved the reappointment of Ms. Ganser to another 4-year term; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby reappoint Susan Ganser, who resides in Seneca Falls, NY, to a four-year term on the Community Services Board, to expire November 10, 2019.

**SUPERVISORS AUTHORIZE CHAIR TO SIGN CONTRACT WITH NYS OFFICE OF
MENTAL HEALTH (OMH) FOR EARLY RECOGNITION & SCREENING GRANT**

RESOLUTION NO. 238-15 moved by Mr. Serven, second by Mr. McGreevy and adopted.

WHEREAS, Seneca County is the lead county for a five-year grant funded by the NYS Office of Mental Health (OMH) for the Early Recognition and Screening of mental health problems in children within Seneca and Tompkins counties; and

WHEREAS, each year of the grant, the Seneca County Mental Health Department must enter into contract-renewal with the NYS OMH in order to receive these funds for this initiative; and

WHEREAS, the total state dollars-invested amount (with no local share) for this contract is \$119,328 with this amount already contained within the proposed 2016 Seneca County budget (in Revenue account 04300.43000 and expense account 104300.54700); and

WHEREAS, the Seneca County Board of Supervisors' Mental Health Committee has approved and recommended this contract to be renewed; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the Chair of the Seneca County Board of Supervisors to sign the renewed (one year) Early Recognition and Screening Grant contract with the NYS Office of Mental Health.

**CONTRACT WITH FINGER LAKES COMMUNICATIONS FOR MAINTENANCE
AND REPAIR FOR E911 CENTER AND BACK-UP SITE**

RESOLUTION NO. 239-15 moved by Mr. Kaiser, second by Mr. Serven and adopted.

WHEREAS, the Seneca County E-911 Center has received a maintenance contract proposal to renew a five (5) year maintenance and repair contract with Finger Lakes Communications for professional services consisting of inspection, maintenance, and repair of radio equipment, including all police, fire and EMS systems, and any new equipment purchased for the 911 Center or back-up site at 44 W. Williams Street, Waterloo; and

WHEREAS, with authorization of a five year contract, the County is guaranteed the cost of the maintenance and repair of covered items will not increase for a five-year period beginning January 1, 2016 and ending December 31, 2020, and

WHEREAS, this resolution has been reviewed and approved by the Public Safety Committee of the Board of Supervisors on October 27, 2015; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with Finger Lakes Communications, Inc., 305 Clark Street, Auburn, NY for five years with the amount of \$ 108,525.80 to be appropriated annually in the E-911 Budget line number 103020.54700 for radio maintenance and repair.

**BOARD OF SUPERVISORS AUTHORIZES
PAYMENT OF STOP-DWI SECRETARY/TREASURER**

RESOLUTION NO. 240-15 moved by Mr. Kaiser, second by Mr. Davidson and adopted.

WHEREAS, Seneca Falls Chief of Police Stuart Peenstra was appointed STOP-DWI Coordinator on October 13, 2015; and

WHEREAS, the duties of Secretary Treasurer of the Stop-DWI program have heretofore been discharged by the Deputy Director of Emergency Management whose salary was supported by funds from STOP DWI for this purpose; and

WHEREAS, Chief Peenstra as STOP-DWI Coordinator wishes to designate Melissa Taylor as the Secretary/Treasurer of STOP-DWI; and

WHEREAS, the yearly stipend of five (5) thousand dollars is paid through Stop-DWI funding; and

WHEREAS, funding for this is provided for under 103315-51100 in the 2015 budget; and

WHEREAS, this resolution has been approved by the Public Safety Committee on October 27, 2015; now, therefore, be it

RESOLVED, that the Treasurer is authorized and directed to pay to Melissa Taylor as Secretary/Treasurer of STOP-DWI a yearly stipend of five thousand dollars effective immediately, for so long as she continues to occupy the position of Stop-DWI Secretary/Treasurer.

**A RESOLUTION UNDER CIVIL SERVICE LAW § 209 (3) (e) REGARDING THE
LEGISLATIVE DETERMINATION RESOLVING A COLLECTIVE NEGOTIATIONS
IMPASSE BETWEEN SENECA COUNTY AND THE SENECA COUNTY SHERIFFS
EMPLOYEES ASSOCIATION**

RESOLUTION NO. 241-15 moved by Mr. Hayssen, second by Mr. Kubasik and adopted by 461 ayes (Hayssen, Kubasik, Garlick Lorenzetti, Serven, Davidson, Earle, McGreevy, Westfall, Shipley) and 237 nays (Reynolds, Kaiser, Churchill, Lazzaro) and 52 not present (Prouty).

WHEREAS, the Seneca County Sheriff's Employees' Association ("SCSEA"), and the County of Seneca ("County") are parties to a Collective Bargaining Agreement ("CBA"), which expired on December 31, 2013; and

WHEREAS, the County and SCSEA entered into bargaining for a successor CBA on or about October 15, 2013, and met on several occasions but were been unable to reach an agreement on all open issues and impasse was declared; and

WHEREAS, after the filing of a Declaration of Impasse on January 9, 2014, the New York State Public Employment Relations Board ("PERB") appointed a mediator. The County and the SCSEA conducted sessions with the PERB-appointed mediator, but they were unable to resolve all disputed issues between them; and

WHEREAS, on October 3, 2014, the SCSEA submitted a request to the PERB for the appointment of a fact-finder; and

WHEREAS, on November 12, 2014, the PERB's Director of Conciliation appointed a fact-finder to conduct a hearing into the causes and circumstances of the dispute and to make findings of fact and recommendations to resolve the dispute; and

WHEREAS, the Fact-Finding hearing was held on March 5, 2015; and

WHEREAS, on July 31, 2015, the Fact-Finder issued a Fact-Finding Report and Recommendation; and

WHEREAS, on August 12, 2015, the Chairman of the Board submitted his recommendation regarding the Fact-Finder's Report and Recommendation to the Seneca County Board of Supervisors; and

WHEREAS, on October 13, 2015, a public hearing was duly held by the Seneca County Board of Supervisors at the Ovid Courthouse Complex, Ovid, New York, 14521, as required by New York State Civil Service Law § 209 (3) (e), and the matter was remitted to the Personnel Committee for deliberation; and

WHEREAS, on November 10, 2015, the Board of Supervisors of the County of Seneca, after due deliberation, found it to be in the best interest of the public and public employees involved that the impasse be resolved; now, therefore be it

RESOLVED, that the Collective Bargaining Agreement between the County of Seneca and Seneca County Sheriff's Employees' Association that expired on December 31, 2013, is extended for a one year period, January 1, 2014 to December 31, 2014, without any changes thereto.

**BOARD OF SUPERVISORS DESIGNATES SENECA COUNTY CHAMBER OF COMMERCE
AS COUNTY TOURISM PROMOTION AGENCY (TPA) AND
AUTHORIZES APPLICATION FOR MATCHING FUNDS PROGRAM IN 2016**

RESOLUTION NO. 242-15 moved by Mr. Hayssen, second by Mr. Churchill and adopted.

WHEREAS, the Seneca County Board of Supervisors desires to enhance the general economy of Seneca County through the promotion and marketing of tourism attractions, conventions, trade shows, special events and other activities directly related to and in support of tourism assets; and

WHEREAS, the Seneca County Board of Supervisors supports the designation of the Seneca County Chamber of Commerce as the County's Tourism Promotion Agency (TPA); and

WHEREAS, Seneca County commits up to \$190,750 in support of the Matching Funds Program; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Committee on October 27, 2015; now, therefore be it

RESOLVED, that the New York State Department of Economic Development be requested to designate the Seneca County Chamber of Commerce as Seneca County's Tourism Promotion Agency for 2016; and be it further

RESOLVED, that Seneca County will commit up to \$190,750 from the County's Room Tax in 2016 to provide the County's share of the 2016 Matching Fund Program.

**BOARD OF SUPERVISORS AUTHORIZES GRANT APPLICATION TO NEW YORK
STATE AND MUNICIPAL FACILITIES PROGRAM FOR THE
SAMPSON VETERANS MEMORIAL CEMETERY**

RESOLUTION NO. 243-15 moved by Mr. Hayssen, second by Mr. Shipley and adopted.

WHEREAS, the Sampson Veterans Memorial Cemetery is owned and operated by Seneca County as a municipal cemetery to honor the memory of veterans who have made personal sacrifices in the service of their country; and

WHEREAS, the Seneca County Economic Development Corporation provides the day-to-day management and maintenance of the cemetery; and

WHEREAS, through his efforts, Senator Michael F. Nozzolio has secured \$2,000,000 in funding under the New York State and Municipal Facilities Program administered by the Dormitory Authority of the State of New York (DASNY) in support of the Sampson Veterans Memorial Cemetery; and

WHEREAS, through the efforts of Assemblyman Philip Palmesano, an additional grant of \$200,000 has also been secured for the cemetery; and

WHEREAS, Senator Michael F. Nozzolio sent correspondence to Donald Earle dated November 2015 citing stipulations concerning the proposed grant funding; and

WHEREAS, this grant program requires no match from Seneca County; and

WHEREAS, under this program, the County will be reimbursed 100% for capital expenses associated with the Sampson Veterans Memorial Cemetery; and

WHEREAS, this resolution was approved by the Planning, Development, Agriculture & Tourism Committee on November 11, 2015; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors hereby authorizes and directs the Chairman to sign all documents necessary to apply for these grants.

PROCLAMATION: VETERANS OUTREACH MONTH – NOVEMBER 2015

RESOLUTION NO. 244-15 moved by Mr. Lazzaro, second by Mr. Davidson and adopted.

WHEREAS, the Seneca County Veteran's Service Agency, Seneca County Workforce Development & Youth Bureau and Finger Lakes Workforce Investment Board are desirous in providing valuable services to our veterans; and

WHEREAS, During the month of November and on Veteran's Day we recognize the men and women of our Armed Forces past and present, who valiantly defended our nation throughout history and honor those currently serving in the military for their sacrifices; and

WHEREAS, we seek to provide services to those veterans and their families residing in our community who may need our services and support; and

WHEREAS, the Finger Lakes Works Career Centers will offer specific workshops and programs to veterans and our business services representatives will actively solicit employers to utilize the programs available to hire; and

RESOLVED, That the Seneca County Board of Supervisors, does hereby proclaim the month of November as "VETERANS OUTREACH MONTH" for the County of Seneca, and to recognize and acknowledge the achievements of our Veterans' and to credit the agencies that serve them.

CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN THE OFFICE FOR THE AGING FOUR YEAR PLAN FOR SERVICES AND FUNDING APPLICATIONS

RESOLUTION NO. 245-15 moved by Mr. Lazzaro, second by Mr. Shipley and adopted.

WHEREAS, the Seneca County Office for the Aging is required to submit the Four Year Plan for Aging Services for the period April 1, 2016 - March 31, 2020 for Seneca County, which includes funding applications; and

WHEREAS, two public hearings will be held on October 26, 2015 at 2276 County Road 139, Ovid, NY and October 27, 2015 at 1 DiPronio Drive, Waterloo, NY on said plan; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the Office for the Aging's Four Year Plan for Aging Services for the period April 1, 2016 - March 31, 2020 and funding applications for the period April 1, 2016 - March 31, 2017; and be it

RESOLVED, that the Director of the Office for the Aging is hereby authorized and directed to submit such funding applications and enter into agreements and contracts as described in said plan.

CHAIRMAN OF THE BOARD TO SIGN 2016 AGREEMENT WITH FAMILY COUNSELING SERVICE OF THE FINGER LAKES, INC.

RESOLUTION NO. 246-15 moved by Mr. Lazzaro, second by Mr. Westfall and adopted.

WHEREAS, the Seneca County Division of Human Services would like to enter into agreement with the Family Counseling Service of the Finger Lakes, Inc. for emotional and mental health problems faced by families, such as marital and divorce issues, anxiety and depression, single-parenting, parent/child conflicts, children's school problems, anger management, trauma, and adult work-related stress; and

WHEREAS, the agreement will have a rate of pay of \$90.00 - \$135.00 per hour based on the specific counseling and is budgeted under project account 106070 54700 POS 49; and

WHEREAS, this agreement is 100% reimbursed with no cost to Seneca County; and

WHEREAS, this contract has been reviewed and approved by the Human Services Committee on October 27, 2015; now, therefore be it

RESOLVED, the Board of Supervisors authorizes the approval of the contract with Family Counseling Service of the Finger Lakes, Inc. and authorizes the Chairman of the Board to sign the 2016 agreement with Family Counseling Service of the Finger Lakes, Inc.

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

RESOLUTION NO. 247-15 moved by Mr. Lazzaro, second by Mr. Shipley and adopted.

WHEREAS, the Division of Human Services would like to enter an agreement with Bonadio & Co., LLP, Certified Public Accountants; and

WHEREAS, Bonadio and Co. are certified public accountants who specialize in accounting and fraud-related issues; and

WHEREAS, the agreement will have a rate of pay of \$150.00 per hour and is budgeted under project account 106070 54700 POS52; and

WHEREAS, this agreement has been reviewed and approved by the Human Services Committee on October 27, 2015; now, therefore be it

RESOLVED, the Board of Supervisors authorizes the approval of the agreement with Bonadio & Co. for account and fraud-related services and the Chairman of the Board of Supervisors would be authorized and directed to sign the agreement with Bonadio & Co.

**BOARD OF SUPERVISORS RECOGNIZES CONTRIBUTIONS TO
ERADICATION OF DOMESTIC VIOLENCE**

RESOLUTION NO. 248-15 moved by Mr. Lazzaro, second by Mr. Davidson and adopted.

WHEREAS, October has been recognized as domestic violence awareness month; and

WHEREAS, the Seneca County Board of Supervisors wishes to recognize and thank those agencies that have contributed to combating domestic violence; and

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

RESOLVED, That the Seneca County Board of Supervisors recognizes the invaluable contributions of the Seneca County Division of Human Services, the Mental Health Department, the Office for the Aging, the Seneca County Sheriff's Department, the District Attorney's Office and all other state and local agencies which have contributed to the fight against domestic violence in Seneca County.

**BOARD OF SUPERVISORS RECLASSIFIES
DEPUTY ELECTIONS COMMISSIONERS SALARIES**

RESOLUTION NO. 249-15 moved by Mr. Davidson, second by Mrs. Garlick Lorenzetti and adopted by 641 ayes, 57 nays (Kubasik) and 52 not present (Prouty).

WHEREAS, Seneca County's Deputy Election Commissioners are currently listed as Grade 2 on the County Management Salary Schedule; and

WHEREAS, the classification gives the impression that the Deputy Commissioners' salaries are set by the County together with other County employees within the same class; and

WHEREAS, Section 3-300 of the New York State Elections Law directs that a Deputy Election Commissioner's salary be set by the Election Commissioners; and

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

RESOLVED, that Deputy Election Commissioners for the County of Seneca are removed from the County Management Salary Schedule; and be it further

RESOLVED, that a separate budget line (101450-51101) be established for the salaries of the County Deputy Election Commissioners; and be it further

RESOLVED, that pursuant to §3-300 Elections Law, the salaries of Seneca County's Deputy Election Commissioners shall be set by the Election Commissioners within the limits of funding appropriated therefor by the Board of Supervisors.

**A RESOLUTION TO INTRODUCE PROPOSED LOCAL LAW G AMENDING LOCAL LAWS
NUMBER 2 OF 2006 AND PROVIDING FOR PUBLIC HEARING**

RESOLUTION NO. 250-15 moved by Mr. Davidson, second by Mr. Churchill and adopted.

WHEREAS, Local Law number 2 of 2006, as amended provides for enforcement by the County of the Uniform Fire Prevention and Building Code; and

WHEREAS, it is desired that certain changes be made in the said Local Law in order to more efficiently and fairly administer and enforce the Code; and

WHEREAS, certain changes to §§15(a), 15(b), 15(c) and 15(e) of the Local Law have been made mandatory through recent amendments to New York State regulations under 19 NYCRR 1203.5; and

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

RESOLVED, that proposed Local Law G of 2015 entitled "A Local Law Amending Local Laws No. 2 of 2006" be and the same is hereby introduced before the Board of Supervisors of Seneca County, New York to read in substantially the following form:

SECTION 1 Local Law number 2 of 2006 is amended as follows:

- A) In §4(b)(1) thereof, the number "144" is substituted for the number "140".
- B) In §4(i) thereof there is inserted following the sentence beginning with the words "A Building Permit that has become invalid . . ." the sentence: "In no event shall a Building Permit be allowed to be renewed more than three times."

C) Section 9 thereof is amended to read as follows:

SECTION 9 UNSAFE BUILDINGS AND STRUCTURES

Unsafe structures and equipment in this County shall be identified and reviewed. Unsafe structures and equipment that, in his own opinion or upon receipt of information that the structure or equipment may be safely repaired, the Code Enforcement Officer or Building Inspector shall order its repair via the Compliance Order procedure outlined in Section 15 of this Local Law.

In the case of Unsafe structures and equipment which, in the opinion of the Code Enforcement Officer, may not be safely repaired and which 1) is or may become dangerous or unsafe to the general public; (2) is open at the doorways and windows making it accessible to and an object of attraction to minors under eighteen years of age, as well as to vagrants and other trespassers; (3) is or may become a place of rodent infestation; (4) presents any other danger to the health, safety, morals and general welfare of the public; or (5) is unfit for the purposes for which it may lawfully be used, the Code Enforcement Officer or Building Inspector shall cause or make an inspection thereof and report in writing to the Board of Supervisors of the County his findings and recommendations in regard to its demolition and removal in accordance with the procedures established by Local Law Number 4 of 2003, as now in effect or as hereafter amended from time to time.

D) Section 15(a) thereof is amended to read as follows:

(a) Compliance Orders. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law.

(1) Notices of Violation. Upon finding conditions or activities that exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law, the Code Enforcement Officer is authorized to issue a Notice of Violation and seek the voluntary compliance by the owner of the property, the owner's agents, or tenants, contractors, subcontractors, construction superintendents, or any other Person taking part or assisting in work being performed at the affected. The Notice of Violation shall (1) be in writing; (2) be dated and signed by the Code Enforcement Officer; (3) specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; (4) specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; (5) specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance; (6) direct that compliance be achieved within the specified period of time. Nothing shall prevent the Code Enforcement Officer from also issuing an Order to Remedy requiring remedy or some or all of the found violations of the Uniform Code, the Energy Code, or this local law.

(2) Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. Nothing shall prevent the Code Enforcement Officer from issuing an Order to Remedy in addition to or instead of a Notice of Violation. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue an Order to Remedy in the manner specified in 19 NYCRR Part 1203.5(b). The Order to Remedy shall (1) be in writing; (2) be dated and signed by the Code Enforcement Officer; (3) specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; (4) specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; (5) specify the date of the Order; (6) direct that the person served with the Order must fully comply with the Order within 30 days of the date of the Order; and (7) include a statement providing notice that full compliance with the Order to Remedy is required by a specified date being thirty (30) days after the date of the Order, that if the person or entity served with this order to remedy fails to comply in full with the Order to remedy within the thirty (30) day period, that person or entity will be subject to a fine of not more than \$1,000 per day of violation, or imprisonment not exceeding one year, or both. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by certified or registered mail within five (5) days of the date of the Order, together with a true copy of same sent enclosed in a postpaid properly addressed wrapper in a post office or official depository under the exclusive care and custody of the United States Post Office Department to the address listed in the application for the building permit. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered or certified mail, together with a true copy of same sent enclosed in a postpaid properly addressed wrapper in a post office or official depository under the exclusive care and custody of the United States Post Office Department to the address listed in the application for the building permit; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Order to Remedy.

E) Section 15(b) thereof is amended to read as follows:

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code, the Energy Code, or this local law.

F) Section 15(c) thereof is amended to read as follows:

(c) Penalties for Violations.

(i) Any person, having been served, either personally or by registered or certified mail, with an Order to Remedy any condition found to exist in, on, or about any building in violation of the Uniform Code, Energy Code, or this local law, who shall fail to comply with such order within the such time period stated in the Order, and any owner, builder, architect, tenant, contractor, subcontractor, construction superintendent or their agents or any other person taking part or assisting in the construction of any building who shall knowingly violate any of the applicable provisions of the Uniform Code, Energy Code, or this local law, shall be guilty of a misdemeanor as defined by New York State Penal Law §10.00 and subject to a fine defined by New York State Executive Law § 382(2), that being a fine of not more than one thousand dollars per day of violation, or imprisonment not exceeding one year, or both. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions as provided in this law, nor appropriate civil action to remedy or restrain the violation of any provision of this law, nor any civil action to collect any fine imposed.

(ii) In addition to those penalties proscribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than \$200 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this County.

G) In §15(d) thereof, the words “Notice of Violation, Order to Remedy,” are inserted in the first sentence thereof between the words “. . . Stop Work Order, Operating Permit,” and the words “or other notice or order . . .” and in the second sentence between the words “. . . any Stop Work Order,” and the words “or other order . . .” and the sentence “No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Board of Supervisors of this County.” Is deleted therefrom.

H) In §15(e) thereof, the number “382” is substituted for the number “381”.

SECTION 2. 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 copies of the aforesaid proposed local law be laid upon the desks of each member of the County Board; and be it further

RESOLVED, that the County Board hold a public hearing on said proposed Local Law at the County Office Building, 1 DiPronio Drive, Waterloo New York on December 8, 2015 at 6:00 P.M.; and, be it further

RESOLVED, that the Clerk to the Board publish or cause to be published a notice of said public hearing in the official newspapers of the County at least ten (10) days prior thereto.

**SUPERVISORS AUTHORIZE PURCHASE OF ONE (1) 2015 JEEP PATRIOT SPORT FOR
THE DEPARTMENT OF BUILDING AND FIRE CODE ENFORCEMENT**

RESOLUTION NO. 251-15 moved by Mr. McGreevy, second by Mr. Davidson and adopted.

WHEREAS, the Department of Building and Fire Code Enforcement requires the purchase of one 2015 Jeep Patriot Sport from the New York State Contract PC66385/Award #22737 at a total cost of \$20991.60, including delivery; and

WHEREAS, this expense has been planned for in the 2015 Budget in project account 10-8090-52600; and

WHEREAS, this vehicle is one of the two additional vehicles to be purchased for use by the two new Building Inspectors and is being purchased now because it is immediately available under the 2015 New York State Contract price; and

WHEREAS, the second vehicle is planned to be acquired under the 2016 New York State Contract price via the New York State Office of General Services Vehicle Marketplace; and

WHEREAS, this purchase has been reviewed and approved by the Public Health Committee at the October 27th, 2015 meeting; now, therefore be it

RESOLVED, the Board of Supervisors authorizes and directs the purchase of one (1) Jeep Patriot Sport for the Department of Building and Fire Code Enforcement.

**SUPERVISORS AUTHORIZE SOLICITING BID PROPOSALS AND ACCEPTING BEST
VALUE PROPOSAL FOR ONE (1) FOUR-WHEEL DRIVE SPORTS UTILITY
VEHICLE THROUGH THE NEW YORK STATE OFFICE OF GENERAL
SERVICES VEHICLE MARKETPLACE**

RESOLUTION NO. 252-15 moved by Mr. McGreevy, second by Mr. Davidson and adopted.

WHEREAS, the Department of Building and Fire Code Enforcement requires the purchase of one four-wheel drive Sport Utility Vehicle with a total cost not to exceed \$20,458.15, including delivery; and

WHEREAS, this expense has been planned for in the 2015 Budget in project account 10-8090-52600; and

WHEREAS, this vehicle is one of the two additional vehicles to be purchased for use by the two new Building Inspectors; and

WHEREAS, vehicles to be acquired under the 2016 New York State Contract now utilize the New York State Office of General Services Vehicle Marketplace; and

WHEREAS, the New York State Office of General Services requires that all municipal approvals are acquired prior to bid solicitation ; and

WHEREAS, this purchase has been reviewed and approved by the Public Health Committee at the October 27th, 2015 meeting; now, therefore be it

RESOLVED, the Board of Supervisors authorizes and directs the Department of Building and Fire Code Enforcement to solicit bids through the New York State Office of General Services Vehicle Marketplace for one four-wheel drive Sport Utility Vehicle; and be it further

RESOLVED, the Board of Supervisors authorizes and directs the Department of Building and Fire Code Enforcement to accept the best value proposal and make the purchase the one four-wheel drive Sport Utility Vehicle provided that the total cost does not to exceed \$20,458.00 including delivery.

New Business

Rule 29

Supervisors Kubasik moved the passage of Rule 29 by 2/3 majority vote of the members of the Board of Supervisors present, to bring to the floor the following resolution that was not previously reviewed by the standing committee.

**CLERK OF THE BOARD AUTHORIZED AND DIRECTED TO ADVERTISE FOR
PUBLIC HEARING RE: 2016 SENECA COUNTY BUDGET**

RESOLUTION NO. 253-15, moved by Mr. Hayssen, second by Mr. Davidson and adopted by 483 ayes (Hayssen, Davidson, Reynolds, Garlick Lorenzetti, Kaiser, Earle, Churchill, McGreevy, Westfall), 215 nays (Kubasik, Serven, Lazzaro, Shipley) and 52 not present (Prouty).

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for a public hearing for all interested residents of Seneca County to offer oral and written comments regarding the Tentative 2016 Seneca County Budget; and said public hearing to be held on Tuesday, December 8, 2015 at or about 6:00 p.m. at the County Office Building in the Board of Supervisors meeting room; and be it further

RESOLVED, the maximum amount of compensation that may be fixed and payable for 2016 fiscal year to each member of the Board of Supervisors of said County and to the Chairman thereof is as follows: 13 members - \$16,210.00 each, Chairman - \$16,210.00.

Special Order of the Day

The meeting adjourned at 8:30 p.m.