

Seneca County Board of Supervisors
Regular Meeting & Public Hearing
August 13, 2013

Call to Order

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

Roll Call of Members by the Clerk

Eleven members of the Board of Supervisors answered roll call. Not present were Mr. Earle, Mr. Kaiser and Mr. Lafler.

Pledge of Allegiance and Moment of Silence

Public Hearing - Proposed Local Law B of 2013, "A Local Law to Amend Local Law 5 of 2010". The amendment changes the text of the local law to include "vacation rentals" as a lodging facility to be subject an occupancy tax; and amends the language to include two members on the Seneca County Advisory Committee on Tourism who will represent vacation rental property.

Mr. Clifford Knight, resident, Town of Fayette, proprietor of a vacation rental, opposes the amendment citing he currently pays too many taxes; he doesn't need to services promoted by the Chamber of Commerce or Seneca County Tourism; and how would the county enforce the law.

Mr. Edward Lerkins, resident, Town of Waterloo, questioned if campgrounds and cabins located in state owned parks would be subject to the occupancy tax. Chairman Hayssen explained that state parks are exempt from the tax. For campgrounds, if the location used for lodging is brought to the campground (i.e. recreational vehicle) then the occupancy tax does not apply.

Supervisor Reynolds spoke on behalf of Mr. Gary Collins, owner of the Copper Beacon B&B. Mr. Collins questioned whether tourism promotion would get all of the revenue from the room tax.

Petitioners

a. Susan Ottenweller of Varick, a representative of PathStone Enterprise Center Inc., talked about the lending program available to Seneca County businesses. PathStone recently was awarded \$2 million from the Finger Lakes Regional Economic Development Council for eligible businesses. This program does not compete with the programs provided through the IDA. Loans are given at five to nine percent interest for five to seven years.

b. Linda Ochs, Alternate member, Seneca County Planning Board - The Comprehensive Ten Year Plan for Seneca County . Ms. Ochs requested that completion of this plan be a priority. It would assist town planning boards and the IDA in decisions on growth and development in the county. Ms. Ochs stated, "We should not put all of our tax dollars in the landfill basket..." "Smart planning and

development should be a balance between industry and the environmental aspects of our community.”
 (Appendix A)

c. Glen Silver, President, Concerned Citizens of Seneca County - Trash Train. Mr. Silver expressed opposition to the expansion of the landfill operated by Seneca Meadows, Inc. and the tax incentives awarded for the expansion. “The citizens of Seneca County never consented to host a massive landfill...local officials have enacted “Community Benefits Agreements”, paving the way for expansions, with no publicity of the consequences to local townspeople.” (Appendix B)

Submission of Claims for Audit

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

Supervisors vouchers	totaling	\$	720,218.55
Workforce Development vouchers	totaling	\$	38,203.86
Self-Insurance vouchers	totaling	\$	9,315.56
County Airport vouchers	totaling	\$	21,918.28
Highway Transportation vouchers			
	Maintenance & State Snow	totaling	\$ 490,580.89
	Highway Machinery	totaling	\$ 55,583.30
	HIGHWAY TOTAL	\$	546,164.19
Sewer 1	totaling	\$	11,047.40
Sewer 2	totaling	\$	31,255.43
Water 1	totaling	\$	97,932.70
Financial Software Capital vouchers	totaling	\$	6,237.11
Veterans Cemetery vouchers	Totaling	\$	2,500.00
Willard Wastewater Facility Capital vouchers	totaling	\$	5,039.00

Approval of Board Meeting Minutes

Minutes were approved for the July 9, 2013 regular board meeting and the July 23 special board meeting.

Reports of Standing Committees

Human Services Committee - Mr. Davidson, Chairman. The committee recommended a board resolution (1) authorizing the Clerk of the Board of Supervisors to advertise for two public hearings regarding preparation of the Office for the Aging Annual Plan. The public hearings will be held on September 24, 2013 in Ovid and September 26, 2013 in Waterloo; (2) a board resolution for the Chairman of the Board of Supervisors to sign and approve the Supervision and Treatment Services for

Juveniles Program Plan and for the Division of Human of Services to contract with Youth Advocate Program and other service providers included in the plan. Funding for this program is capped at \$40,304 state reimbursement.

Public Safety Committee - Mr. Reynolds, Chairman. The committee discussed using reflective house numbering tags county-wide. The town of Romulus currently uses them and pays for them. The main benefit of reflective house numbering tags is that it helps first responders to find the location when responding to an emergency. Some foreseen problems that would need to be addressed include: how the program would be funded; who would pay for maintenance; should it be added to the tax bills like the recycling fee; the number post will work in the rural communities but not in the villages. Would the villages be able to opt out and not have to contribute financially; do we make it mandatory. Charles McCann, Emergency Services Manager, was asked to apply for a FEMA grant as a source of funding towards this project.

Indian Affairs Committee - Mr. Shipley, Chairman. County Manager Rowe gave a report on the NACo Annual Conference. California has a paid lobbyist tracking the Carcieri Fix. At this time, it appears there is no effort to bring the issue back to the floor. Attempts to arrange a meeting with the BIA were unsuccessful; with the recent casino deal in New York, as expected, Madison County and Oneida County will no longer be part of the Indian issues. Be assured that Seneca County and Cayuga County will step up to fill the void.

The recent decision by the 2nd U.S. Circuit Court of Appeals against the Mashantucket Pequot Tribe, which operates the Foxwoods Resort Casino, will hopefully help in our foreclosure case pending the same court. The decision overturned a lower-court judge who had earlier ruled for the tribe over the town of Ledyard and the state of Connecticut.

The Citizens Advisory Committee presented its opinion on the following issues:

1. Six Upstate Regions for Resort Gaming destinations: 16 surrounding counties will now lose money provided by Racinos and OTBs
2. One million in arrears from unpaid CIN property taxes (2008 - 2013): recommend an outside audit be done and charge back tows and school districts for their share of unpaid taxes. Seneca County should stop being the “bank”. When the CIN makes improvements and renovations on property they own, is the property tax being reassessed?

The Citizens Advisory Committee presented the following recommendations:

1. A contingent of Seneca County supervisors, Indian Affairs Committee member, and Citizens Advisory Committee members attend the court proceedings on Sept 13 for the 2nd Circuit Court of Appeals on the foreclosure case

2. That Harris Beach no longer be counsel for Indian affairs due to a conflict of interest (Senator Nozzolio is a partner of the firm)

3. Work towards changing the definition of a “qualified reservation”

4. Discover what grounds the CIN qualified to be awarded a \$367k federal housing grant.

With regard to the housing grant award, Mr. Hayssen read a letter of response from the U.S. Department of Housing and Urban Development about the IHBG award for the Cayuga Indian Nation. The letter from Rodger J. Boyd, Deputy Assistant Secretary for Native America Programs wrote, “While the Department appreciates learning of your concern, it has no authority to comment on the legal action that your board has pursued against the Cayuga Indian Nation, as it is entirely unrelated to the funding awarded by HUD’s Office of Native American Programs. The Cayuga Indian Nation’s IHBG funding is need-based...”

At the close of the meeting, Mrs. Garlick Lorenzetti and Mr. Churchill requested that a formal letter of invitation be sent to Senator Nozzolio and Assembly Minority Leader Kolb, to meet with the Board of Supervisors.

Public Works Committee - Mr. Shipley, Vice-Chairman. The committee recommended referral to the Board of Supervisors for a resolution that was adopted by the Board of Supervisors on July 23, 2013 under the stipulation of Rule of Order #29. The resolution authorized the Consolidated Funding Application to New York State and to commit up to \$2 million from the County’s Capital Reserve Fund to support development of a new county sewer district on NYS Route 318 between Grange Hall Road and NYS Route 414.

The Committee also asked Highway Superintendent Roy Gates to meet with the Romulus Central School to develop terms of a new contract for maintenance of school owned vehicles. The current contract is expired. Mr. Gates will bring information back to the committee.

The committee also met in executive session, pursuant to Article 7, Section 105(1)(d) of the New York State Public Officers Law between 8:40 p.m. - 9:30 p.m. No action was taken in open session. Invited into executive session: the remaining members of the Board of Supervisors; County Attorney, County Manager, Risk Manager, Supervisor for Water/ Sewer Department

Planning, Development, Agriculture & Tourism Committee - Mr. Churchill, Vice-Chair. The following items were reviewed by the committee and recommended for a board resolution: (1) Approving the purchases of land and easement for the Finger Lakes Regional Airport. This will complete Phase 1 of the drainage problems at the Finger Lakes Regional Airport; (2) Approving a contract with McFarland Johnson as County Engineers for the Finger Lakes Regional Airport for a five year term; (3) Reappointing David Haimes, Robert Sknner, Paul Richardson, Robert Pfeiff and Hunter Mollin as member of the Airport Advisory Board for a 3-year term; (4) Approving a contract between the County and both Seneca

Sledders and Twin Lakes Snowmobile Associations. The Associations have the required liability that holds the County harmless in the event of an accident. The proposed contract will be for 2013-2014 and 2014-2015 seasons; (5) Requesting that the Commissioner of New York State Agriculture and Markets recertify Agricultural District #12 without modification.

The Committee also discussed a proposal by Board Chairman Hayssen, about adding members to SCACOT who would represent vacation rentals. County Attorney Fisher advised that either the SCACOT committee's by-laws should be amended to reflect these requirements or the Board should act to further amend §12 of Local Law 5 of 2005 to appoint a separate committee to fulfill the function required under §1202-o(9) T.L. and make appointments to that body as required under the statute. The committee voted to lay the issue on the table for further discussion.

Unfinished Business - Robert Aronson, Executive Director for the Seneca County IDA, met with the Committee for a follow-up report from the previous committee meeting on June 25, 2013. At that meeting, there was a discussion regarding the tax incentive programs offered by the IDA to businesses; and concern about financial problems that developed during the McDonald's project and Hampton Inn project. On both projects, vendors that were sub-contracted by the general contractor were never paid for work done. Some of these vendors are local businesses. The Committee requested that Mr. Aronson meet with counsel for IDA to see if anything can be done so this situation does not reoccur.

Public Health Services Committee - Mrs. Garlick Lorenzetti, Chairwoman. The following issue were reviewed and recommended for a board resolution: (1) a contract with Clean Harbors Environmental Services located at Norwell, Massachusetts for the household hazardous clean-up event. The set-up fee is \$1,600 and the charge per household is \$40; (2) A contract with Regional Computer and Recycling and Recovery Electronics Recycling (RCR&R) for the Household Hazardous Waste Collection event. RCR&R will reimburse the Health Department at least \$0.03 per lb. for the recovery of all covered electronics; (3) A contract with the New York State Department of Health for the Tobacco Enforcement Program Grant. The amount is \$26,113. The contract period will be from April 1, 2013 through March 31, 2014.

Unfinished Business for Public Health Committee - Codes & rental property: In response to concerns received, Mrs. Garlick Lorenzetti proposed that Seneca County amend its codes local law to be more stringent for rental property. Mr. Bordeau and Mr. Brown are in the process of researching this request.

New Codes Fee Schedule: Peter Brown said that during the next few months the Codes Enforcement Department is making sure that the public is aware of the newly adopted fee schedule that will be effective January 1, 2014. There will be a preview of the schedule posted on the county website.

A press release will be sent to the media. The department has already started informing contractors of the changes.

Government Operations Committee - Mr. Westfall, Chairman. Chairman Westfall proposed that Section 4(f) of LL 2-2006, be amended to allow permits issued regardless if the taxes are paid up-to-date. He would like the law to be amended so that it was more lenient. He used the example of a homeowner would be prevented from putting up a fence or deck if they were behind in their taxes. Every permit has different circumstances. After some discussion, the issue did not receive support from the committee and died in committee.

Finance, Assessment & Insurance Committee - Mr. Prouty, Chairman. The committee voted in favor of referring the following issues to the Board of Supervisors for consideration: (1) a board resolution extending the additional rate of sales tax as authorized under §1210 of the New York State Tax Law to November 30, 2015. Previously the Board of Supervisors adopted a resolution requesting authorization from New York State to continue the 1% sales tax. This resolution is actually adopting the local law to do just that; (2) a board resolution authorizing the Treasurer to amend the 2013 budget for certain accounts by transferring funds that exceed the amount authorized by the county manager; (3) a board resolution authorizing the County's participation in the Wayne-Finger Lakes Board of Cooperative Educational Services cooperative bid program; (4) a board resolution adopting the 2014 Workers' Compensation Budget. The Workers Compensation Budget has seen a decrease for every year since Mr. Pellicano has been the Risk Manager.

Chairman's Remarks

Chairman Hayssen, citing the tax incentive given to Seneca Meadows, said he was pro-business. He is not against the IDA. However, giving a \$2.5 million tax break to Seneca Meadows is not necessary. He requested that the members meet in caucus with their respective party members later in the evening to discuss the issue. That money could be used for the county taxpayers.

County Manager Remarks

County Manager Rowe reported that the grant application for the Route 318 sewer project has been submitted; the preparation for the 2014 budget has begun with a filing date for the tentative budget no earlier than October 1.

Communications

102. From Robert K. Davies, Director, Division of Lands and Forests, New York State Department of Environmental Conservation, a letter regarding Seneca County Resolution No. 213-13 supporting efforts to reduce the introduction and movement of aquatic invasive species and calling upon the State to enact aquatic invasive species prevention laws.

103. From Scott E. Sheeley, Regional Permit Administrator, New York State Department of Environmental Conservation Region 8, a copy of a letter dated July 22, 2013, to Gary Westfall, Supervisor, Town of Waterloo, stating that “in accordance with the Commissioner’s hearing decision, a permit has been issued for Mined Land Reclamation for Seneca Meadows, Inc. Meadow View Surface Mine. A copy of the permit is enclosed.

104. From Rodger J. Boyd, Deputy Assistant Secretary for Native American Programs, U.S. Department of Housing and Urban Development (on behalf of Secretary Shaun Donovan), a letter dated July 17, 2013, regarding the Seneca County Board of Supervisors’ objection to the 2013 Indian Housing Block Grant funding awarded to the Cayuga Indian Nation, stating, “While the Department appreciates learning of your concern, it has no authority to comment on the legal action that your board has pursued against the Cayuga Indian Nation, as it is entirely unrelated to the funding awarded by HUD’s Office of Native American Program. The Cayuga Indian Nation’s IHBG funding is need-based, calculated using Cayuga population, income, and housing conditions. It has no nexus to local disputes between governments over off-reservation land.

105. From Philip G. Spellane, Harris Beach, PLLC Attorneys at Law, a letter dated July 25, 2013 addressing the recommendation by the Citizens Advisory Committee to the Board of Supervisors Indian Affairs Committee to no longer retain Harris Beach as legal counsel stating the status of Senator Nozzolio as Counsel to the firm creates a conflict of interest. Mr. Spellane states in the letter that there is not a conflict of interest, “he does not hold an equity interest in the firm, nor does he share in the profit. He does not bill time on any files related to Cayuga Indian matters”; A copy of a press release issued on June 28, 2013 by the Seneca County Attorney Office, responding on behalf of Seneca County Board of Supervisors Chairman Robert Hayssen and Indian Affairs Committee Chairman Shipley, that they agree there is no conflict of interest between Senator Nozzolio and Harris Beach, PPLC for the firm to represent the County in the current litigation and reaffirmed the Board of Supervisors’ commitment to pursue the County’s claims for payment of over \$900,000 in lawfully due taxes on property owned by the Cayuga Nation.

106. From New York State Assemblyman Philip A. Palmesano, a letter dated July 3, 2013, regarding the Seneca County Board of Supervisors resolution in opposition to proposed legislation which would amend the Election Law and allow early voting prior to the normal election day, stating, “The proposed bill was a one-house bill and I opposed the measure when it was presented for a vote in the Assembly. The bill was sent to the Senate but was not considered for a vote before we adjourned session.”

107. From New York State Assembly Minority Leader Brian M. Kolb, a letter dated July 12, 2013, acknowledging the Seneca County Board of Supervisors position as stated in Resolution No. 135-

13, which is calling upon the legislature to expedite implementation of the Invasive Species Prevention Act.

108. From the Tobacco Action Coalition of the Finger Lakes (TACFL), a letter dated July 18, 2013, focusing on the Tenth Anniversary of the New York State Clean Indoor Air Act and a brief overview and history of the Clean Indoor Air Act and some of its more prominent highlights.

109. From Seneca County IDA, a Notice Letter dated July 15, 2013, for a public hearing on Tuesday, July 30, 2013 regarding Seneca County IDA assisting Seneca Meadows, Inc. with a certain project (as part of an approved expansion of the Facility through 2023).

110. A copy of the Genesee/Finger Lakes Regional Planning Council June 13, 2013 meeting minutes.

111. A copy of the Seneca County Planning Board July 11, 2013 meeting minutes

112. A copy of the Seneca County Federation of Sportsmen's Clubs, Inc. June 18, 2013 meeting minutes.

113. A copy of the Seneca County Health Board June 19, 2013 meeting minutes.

114. From Mary-Jo Weegar, Community Relations and Event Specialist, Trillium Health, a letter dated August 5, 2013 seeking permission to access certain roads in Seneca County for the AIDS Red Ribbon Ride on August 21 and 22, 2013. Referred to Government Operations.

RESOLUTIONS & MOTIONS

SUPERVISORS ADOPT 2014 WORKERS' COMPENSATION BUDGET

RESOLUTION NO. 143-13 moved by Mr. Prouty, second by Mr. Westfall and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, the Finance, Assessment & Insurance Committee approved the 2014 Workers' Compensation Budget on July 23, 2013; and

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

RESOLVED, that the Seneca County Board of Supervisors does hereby adopt the Seneca County Workers' Compensation Budget for the year 2014 as follows:

1710	ADMINISTRATION	
.1100	Personal Service Administrator	\$27,000.00
.1110	Employee Benefits Assistant	\$23,000.00
	Longevity	0.00
.1200	Legal Services Director	0.00
.1400	Severance	0.00
.2200	Equipment	500.00

.2300	Computer Equipment		1,500.00
.4200	Supplies		800.00
.4240	Postage		1,600.00
.4260	Books and Periodicals		200.00
.4270	Membership and Dues		300.00
.4280	State Assessment		110,000.00
.4440	Mileage		400.00
.4450	Hotels and Meals		600.00
.4560	Excess Insurance		110,000.00
.4700	Investigation		3,000.00
.4701	Training		500.00
.4702	Legal Services		17,000.00
.4703	Rehabilitation Services		5,000.00
.8100	Retirement		7,550.00
.8300	Social Security		3,126.00
.8600	Hospitalization		15,180.00
.8700	Medicare		700.00
	TOTAL ADMINISTRATION		\$327,956.00
1720	NON-ADMINISTRATION		
.4100	Indemnification/Benefits & Award	\$	340,000.00
.4110	Long Term Indemnity Liabilities		80,000.00
.4200	Medical		280,000.00
.4210	Long Term Medical Liabilities		50,000.00
.4220	Independent Medical Examinations		8,000.00
.4440	Mileage/Claimants		5,000.00
.4700	Reserve		0.00
	TOTAL NON-ADMINISTRATION		\$763,000.00
	GRAND TOTAL		\$1,090,956.00

**BOARD OF SUPERVISORS AUTHORIZE AMENDMENTS
TO 2013 SENECA COUNTY BUDGET
(as amended)**

RESOLUTION NO. 144-13 moved by Mr. Prouty, second by Mr. Kubasik and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, amendments to the 2013 Seneca County Budget are necessary and appropriate; and

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

WHEREAS, these amendments have been reviewed and approved by the Finance, Assessment and Insurance Committee at its meeting on July 23, 2013; now, therefore be it

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

DHS

From:	6001-51100 (DHS Temp Assistance Salaries)	\$3,311.54
To:	6001-51400 (DHS Temp Assistance Severance)	\$3,311.54

Sheriff

From:	10-3113-5-8600 (Health Insurance)	\$33,889.00
To:	10-3114-5-8600 (Health Insurance)	\$33,889.00
From:	10-3150-5-8600 (Health Insurance)	\$23,532.00
To:	10-3110-5-8600 (Health Insurance)	\$11,896.00
To:	10-3151-5-8600 (Health Insurance)	\$11,636.00

Public Health

From:	10-4010-5-1100 (Public Health Salaries)	\$2,911.64
To:	10-4010-5-1400 (Public Health Severance)	\$2,911.64

Prior to the adoption of Resolution No. 144-13, Mr. Kubasik moved, with a second by Mr. Churchill, to amend the resolution by correcting the dollar amount to be taken from the Sheriff budget account 10-3150-5-8600 (Health Insurance) to \$23,532.00.

Postpone Indefinitely

Mr. Prouty made a motion, second by Mr. Churchill to adopt the following motion. Under discussion of the resolution, County Attorney Frank Fisher was recognized by Chairman Hayssen. Mr. Fisher advised that the resolution be postponed until a future meeting because additional research was necessary in light of the Board of Supervisors Chairman's interest in revising the bylaws of the Seneca County Advisory Committee on Tourism.

POSTPONE INDEFINITELY

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SENECA,
EXTENDING THE ADDITIONAL RATE OF TAXES ON SALES AND USES OF
TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON
OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES, PURSUANT TO
ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

RESOLUTION NO. 145-13 moved by Mr. Kubasik, second by Mr. Serven and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

Be it enacted by the Board of Supervisors of the County of Seneca, as follows:

SECTION 1. Section 4-A of the resolution enacted by the Seneca County Board of Supervisors on January 12, 1982 (and amended by Board resolution on July 13, 1982), imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and shall be paid an additional one percent rate of sales and compensating use taxes, for the period beginning December 1, 2002, and ending November 30, 2015. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4, and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph B of subdivision (1) of section 11 of a resolution enacted by the Seneca County Board of Supervisors on January 12, 1982 (and amended by Board resolution on July 13, 1982), imposing sales and compensating use taxes, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 2002, and ending November 30, 2015, in respect to the use of property used by the purchaser in this County prior to December 1, 2002.

SECTION 3. This enactment shall take effect December 1, 2013.

**SUPERVISORS SUPPORT PARTICIPATING IN A COOPERATIVE BID COORDINATED BY
THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF ONTARIO, SENECA,
WAYNE AND YATES COUNTIES FOR VARIOUS COMMODITIES AND SERVICES**

RESOLUTION NO. 146-13 moved by Mr. Prouty, second by Mr. Reynolds and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, the County of Seneca , State of York State desires to participate in a Cooperative Bidding Program conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties from year to year or, until this Resolution is rescinded, for the purchase of various Commodities and/or Services; and

WHEREAS, the County of Seneca, State of New York State is desirous of participating with The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties in the joint bid of the commodities and/or services such as copy paper, food products, cleaning products, etc. as authorized by General Municipal Law, Section 119-o; and

WHEREAS, the County of Seneca, State of New York State has appointed The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties as representative to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Seneca County Purchasing Department, State of New York and making recommendations therein; and

WHEREAS, this resolution was reviewed and approved by the Finance, Assessment & Insurance committee on July 23, 2013; now, therefore be it

RESOLVED, that the County of Seneca, State of New York State and The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties hereby accepts the appointment of The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters related above; and be it further

RESOLVED, that the County of Seneca, State of New York State authorizes the above-mentioned Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters regarding the entering into contract for the purchase of the commodities and/or services such as copy paper, food products, cleaning products, etc.; and be it further

RESOLVED, that the County of Seneca, State of New York State agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding; and be it further

RESOLVED, that the Seneca County Purchasing Agent, on behalf of the County of Seneca, State of New York State hereby is authorized to participate in cooperative bidding conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties for various commodities and/or services and if requested to furnish The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties an estimated minimum number of units that will be purchased by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties; and be it further

RESOLVED, that the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE
TOBACCO ENFORCEMENT PROGRAM GRANT**

RESOLUTION NO. 147-13 moved by Mrs. Garlick Lorenzetti, second by Mr. Kubasik and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, the Health Department has been awarded a grant in the amount of \$26,113 for the Tobacco Enforcement Program Grant; and

WHEREAS, the contract period will be from April 1, 2013 through March 31, 2014; and

WHEREAS, it is necessary for the Chairman of the Board of Supervisors to sign this contract extension to receive these funds; and

WHEREAS, the funds are in the Public Health Budget 10-115-5-4011-4700; and

WHEREAS, the Public Health Committee has approved the grant; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the contract with the New York State Department of Health for the Tobacco Enforcement Program Grant.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN AN
AGREEMENT FOR ELECTRONICS RECYCLING**

RESOLUTION NO. 148-13 moved by Mrs. Garlick Lorenzetti, second by Mr. Shipley and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, Regional Computer Recycling and Recovery, 7318 Victor-Mendon Road, Victor had provided electronics recycling services for the Annual Household Hazardous Waste collection Day for the last three years; and

WHEREAS, there are no anticipated expenditures for this as /RCR&R will reimburse the Health Department at \$0.03 per lb. for the recovery of all covered electronics (computers, computer peripherals, monitors, terminals, fax machines, printers, scanners, televisions, audio/visual equipment, mice and other equipment designated under the New York State Electronic Recycling Equipment and Reuse Act), for this year; and

WHEREAS, the Public Health Committee has recommended approval of this contract; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign an agreement with Regional Computer Recycling and Recovery for the electronics recycling.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A CONTRACT WITH CLEAN HARBORS ENVIRONMENTAL SERVICES**

RESOLUTION NO. 149-13 moved by Mrs. Garlick Lorenzetti, second by Mr. Reynolds and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

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

WHEREAS, four sealed bids for this event were received; and

WHEREAS, Clean Harbors Environmental Services, 42 Longwater Drive, Norwell, MA 02061-1612 submitted a bid for the following rates: set up fee: \$1,600; charge per household \$40.00; and

WHEREAS, Clean Harbors Environmental Services has provided services for Seneca County's Annual Household Hazardous waste collection event for the last several years; and

WHEREAS, Clean Harbors Environmental Services has provided excellent services for this event; and

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

WHEREAS, the money for this contract is in the Public Health Department budget 10-115-5-4011-4700; and

WHEREAS, the Public Health Committee has recommended approval of a contract with Clean Harbors Environmental Services; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the contract with Clean Harbors Environmental Services for the Annual Household Hazardous Waste Collection Event.

**BOARD OF SUPERVISORS RECOMMEND RECERTIFICATION OF
AGRICULTURAL DISTRICT #12 TO NEW YORK STATE COMMISSIONER
OF AGRICULTURE AND MARKETS**

RESOLUTION NO. 150-13 moved by Mr. Churchill, second by Mr. Shipley and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, the Seneca County Agricultural Enhancement Board and the Seneca County Planning Board has recommended the recertification of Agricultural District #12 without modification; and

WHEREAS, pursuant to New York State Agriculture and Markets Law Article 25AA Section 303a, the Seneca County Board of Supervisors held a Public Hearing on Tuesday, July 9, 2013, at 6:00 p.m. at the Seneca County Office Building, Waterloo, New York, to provide an opportunity for citizens to offer comments and input on the recertification of Agricultural District #12 without modifications; and

WHEREAS, there were no comments received in opposition to recertification of Agricultural District #12 without modification; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on July 23, 2013; now, therefore be it

RESOLVED, that both the Seneca County Agricultural Enhancement Board and the Seneca County Planning Board recommend recertification without modification; and be it further

RESOLVED, that the Seneca County Board of Supervisors requests that the New York State Commissioner of Agriculture and Markets recertify the Seneca County Agricultural District #12 with no modifications.

**BOARD OF SUPERVISORS AUTHORIZES CHAIRMAN TO SIGN AGREEMENTS
WITH TWIN LAKES SNOWMOBILE ASSOCIATION AND
SENECA SLEDDERS SNOWMOBILE ASSOCIATION**

RESOLUTION NO. 151-13 moved by Mr. Churchill, second by Mr. Kubasik and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, to distribute the funds for Snowmobile Trail maintenance received from the New York State Office of Parks, Recreation and Historic Preservation, an agreement should be in place between the County and the Twin Lakes Snowmobile Association; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on July 23, 2013; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign the Agreements between Seneca County and the Twin Lakes Snowmobile Association and between Seneca County and the Seneca Sledders Snowmobile Association for the period of September 1, 2013 to August 31, 2015.

**BOARD OF SUPERVISORS SUPPORTS CONSULTANT SELECTION FOR
FINGER LAKES REGIONAL AIRPORT ENGINEERING CONSULTANT SERVICES**

RESOLUTION NO. 152-13 moved by Mr. Churchill, second by Mr. Davidson and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, Seneca County owns and operates the Finger Lakes Regional Airport located in the Town of Seneca Falls; and

WHEREAS, Seneca County recently solicited Requests for Qualifications (RFQ) from qualified firms to assist the County in the operation, maintenance and further development of the airport; and

WHEREAS, a Committee was formed to review, consider and recommend to the Board of Supervisors the most qualified firm to serve the County's airport needs; and

WHEREAS, Seneca County received three (3) responses to the RFQ; and

WHEREAS, the firm of McFarland Johnson has demonstrated the ability to best serve the interests of Seneca County; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on July 23, 2013; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors supports the use of McFarland Johnson as consultants for engineering services at the Finger Lakes Regional Airport.

**SUPERVISORS APPOINT MEMBERS TO
FINGER LAKES REGIONAL AIRPORT ADVISORY COMMITTEE**

RESOLUTION NO. 153-13 moved by Mr. Churchill, second by Mr. Shipley and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, the Finger Lakes Regional Airport Advisory Committee has recommended that David Haimes, Dr. Hunter Mollin, Robert Pfeiff, Paul Richardson and Robert Skinner be reappointed to the Finger Lakes Regional Airport Advisory Committee; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on July 23, 2013; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby reappoint David Haimes, Dr. Hunter Mollin, Robert Pfeiff, Paul Richardson and Robert Skinner to the Finger Lakes Regional Airport Advisory Committee for terms of three years to expire on October 31, 2016.

**A RESOLUTION ADOPTING LOCAL LAW 2 OF 2013 ENTITLED
“A LOCAL LAW TO AMEND LOCAL LAW 5 OF 2010”**

RESOLUTION NO. 154-13 moved by Mr. Churchill, second by Mrs. Garlick Lorenzetti and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, a resolution was duly adopted by the Board of Supervisors of the County of Seneca for a public hearing to be held by said County on August 13, 2013 at 6:00 p.m. at the Seneca County Office Building, Waterloo, NY, to hear all interested parties on a proposed local law entitled “A Local Law to Amend Local Law 5 of 2010”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspapers of the County of Seneca; and

WHEREAS, said public hearing was duly held on August 13, 2013 at 6:00 p.m. at the Seneca County Office Building, Waterloo, NY, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS, the Board of Supervisors of the County of Seneca, after due deliberation, finds it in the best interests of the County of Seneca to adopt said local law; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Seneca hereby adopts Local Law 2 of the year 2013, as follows:

Seneca County Local Law 5 of 2010 is hereby amended as follows:

The text of sub section 3(1)(c) of said local law shall be replaced with the following:

(c) Hotel or Motel. Any facility providing lodging on an overnight basis as well as for longer periods and shall include those facilities designated and commonly known as “bed and breakfast”, inns, cabins, condominiums, cottages, campgrounds, lodges, tourist homes, convention centers, and vacation rentals. The term condominium shall mean and include those units rented or leased directly by the owner or through a real estate agency or rental management agency. The provisions of this section relating to campgrounds, shall only apply to those leases and rentals in which the campground provides overnight shelter or lodging, and shall not apply to the provision of services by a campground when the customer provides his or her own shelter or lodging.

Additionally, Section 12 of said Local Law shall be amended to read as follows:

12. DISPOSITION OF REVENUES.

All revenues resulting from the imposition of the tax under this local law shall be paid into the Treasury of Seneca County and shall be credited to and deposited in the general fund of the County, thereafter to be allocated only for tourism, promotion and development in Seneca County. The revenues derived from said tax shall be allocated only to enhance the general economy of the County of Seneca, its towns and villages through promotion of tourist activities, conventions, trade shows, special events, and other directly related and supported activities. Pursuant to New York State Tax Law §1202-o(9), the Seneca County Advisory Committee on Tourism shall be empowered to advise, recommend and administer the activities funded by the revenues generated by this tax. Said Committee shall include two members who shall not be members of the Chamber of Commerce when appointed, to be appointed by the Board of Supervisors and to serve at the pleasure of the Board, one of whom shall be the owner of vacation rental property located in Seneca County in the vicinity of Seneca Lake and the other, the owner of vacation rental property located in Seneca County in the vicinity of Cayuga Lake. The determination of the vicinity within which such vacation rental properties resides and the determination of whether such property constitutes vacation rental property shall be entirely within the discretion of the Board of Supervisors.

And be it further

RESOLVED, that said local law shall take effect upon filing with the Secretary of State as provided under the New York State Municipal Home Rule Law.

BOARD OF SUPERVISORS TO APPROVE THE 2013-2014

SUPERVISION AND TREATMENT SERVICES FOR JUVENILES PROGRAM PLAN

RESOLUTION NO. 155-13 moved by Mr. Davidson, second by Mrs. Garlick Lorenzetti and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, the County is required to submit an annual plan for the Supervision and Treatment Services for Juveniles Program and to designate a lead agency; and

WHEREAS, the County Manager designated the Division of Human Services as the lead agency for this program; and

WHEREAS, this plan provides for services to youth who are at risk, alleged or adjudicated Juvenile Delinquents (JDs) youth alleged or adjudicated to be Person in Needs of Supervision (PINS) and youth alleged to be or convicted as Juvenile Offenders (JOs), in order to divert these youth from detention or residential care; and

WHEREAS, the Division of Human Services would like to contract with the Youth Advocate Program once again and other service providers to provide services within the community; and

WHEREAS, funding for this program is capped at \$40,304.00 state reimbursement; and

WHEREAS, the plan must be approved and signed by the Chief Executive Officer of the municipality; and

WHEREAS, the Human Services Committee approved said plan on July 23, 2013; now, therefore be it

RESOLVED, the Board of Supervisors approves the 2013-2014 Supervision and Treatment Services for Juveniles Program Plan and the Chairman of the Board of Supervisors is authorized and directed to sign said plan on behalf of the County.

CLERK OF THE BOARD TO ADVERTISE

OFFICE FOR THE AGING PUBLIC HEARINGS

RESOLUTION NO. 156-13 moved by Mr. Davidson, second by Mr. McGreevy and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

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

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

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

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to advertise Public Hearings on the Annual Implementation of Services for the Seneca County Office for the Aging for the period April 1, 2014- March 31, 2015, said hearings to be held on September 24, 2013 at 11:30 am in the community room of Verona Village, 2276 County Road 139, Ovid, NY and September 26, 2013 at 11:30 am at the Office for the Aging, 1 DiPronio Drive, Waterloo, NY. Said notice is to be published at least 30 days prior to the first such Public Hearing in the County's newspapers of record; and be it further

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

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

Unfinished Business

Executive Session - the Board of Supervisors, the County Attorney, the County Manager and the County Sheriff met in executive session under Section 105(1)(d) Public Officers Law to discuss pending litigation. Motion by Mr. Prouty; second by Mr. Davidson.

The Board of Supervisors reconvened in open session. Mr. Prouty moved that Resolution No. 157-13 be brought to the floor in accordance with Rules of Order # 29, which circumvents the requirement for the resolution to be approved by the appropriate oversight committee.

BOARD OF SUPERVISORS AUTHORIZES TREASURER TO PAY SETTLEMENT TO PLAINTIFF IN REGARD TO LITIGATION ENTITLED MEACHAM v. SENECA COUNTY
RESOLUTION NO. 157-13 moved by Mr. Prouty, second by Mr. Reynolds and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, as directed by the Board of Supervisors by Resolution 95-13, the County Attorney has entered into a stipulation with the Plaintiff in the New York State Supreme Court action entitled Meacham v. Seneca County to settle the Plaintiff's claims against the County through payment of an amount specified in executive session; and

WHEREAS, the terms of the settlement stipulation is to remain confidential pending execution by all parties and filing with the Court; and

WHEREAS, the Treasurer requires authorization to make the necessary payment in settlement; and

WHEREAS, this resolution comes before the Board under Rule 29 of the Rules of Order; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes and directs the Treasurer to issue a check in the amount specified in executive session, in settlement of claims against the County in the matter of Meacham v. Seneca County, such check to be drawn upon settlement account #1910-4281 with funds appropriated from the Risk Management Reserve.

During the discussion of Resolution No. 157-13, Mr. Shipley stated that he would be “reluctantly supporting” the resolution.

Recess

Chairman Hayssen called a recess in order for the Democrats and the Republicans to meet in separate caucus as requested by Majority Leader Robert Shipley and Minority Leader Cindy Garlick Lorenzetti. The board meeting reconvened in open session at 7:25 p.m.

New Business

In accordance with Rule of Orders #29, Mr. Churchill moved; second by Mr. Kubasik, a motion to introduce the following resolution for consideration of the Board of Supervisors without having been reviewed by the appropriate oversight committee.

**AUTHORIZATION TO APPLY FOR AND ACCEPT FEDERAL AVIATION
ADMINISTRATION (FAA) GRANT IN AMOUNT OF \$783,295 AND AWARD BID FOR
IMPROVEMENTS AT THE FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 158-13 moved by Mr. Churchill, second by Mr. Shipley and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, the FAA had indicated that a grant would be made available for the wetland, taxiway and drainage improvements at the Finger Lakes Regional Airport in the amount of up to \$990,000; and

WHEREAS, the amount of the potential grant has been decreased to \$783,295 with the Seneca County local share at \$39,165, which amount has been budgeted for in the 2013 Airport Budget, and New York State Department of Transportation (NYSDOT) will contribute \$39,165; and

WHEREAS, the Seneca County Board of Supervisors had previously approved application for and acceptance of the grants in the amount of \$675,000 by resolution No. 85-13 and the amount of \$315,000 by resolution No. 84-13; and

WHEREAS, bids were solicited for wetland, taxiway and drainage improvements at the Finger Lakes Regional Airport; and

WHEREAS, the lowest responsible bidder for the project was Villager Construction in the amount \$694,723; and

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

WHEREAS, the funding is available and allocated for this airport project; now, therefore, be it RESOLVED, that the Seneca County Board of Supervisors approves the application for and acceptance of the FAA grant for taxiway and drainage improvements at the Airport in an amount up to \$783,295; and be it further

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

RESOLVED, that a contract award to Villager Construction is authorized for the project; and be it further

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

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign all necessary documentation to submit and accept this application to the FAA and that Resolution No. 85-13 shall be deemed amended to so reflect.

In accordance with Rule of Orders #29, Mr. Westfall moved; second by Mr. Kubasik, a motion to introduce the following resolution for consideration of the Board of Supervisors without having been reviewed by the appropriate oversight committee.

**PERMISSION GRANTED FOR USE OF SENECA COUNTY ROADS
FOR AIDS RED RIBBON RIDE**

RESOLUTION NO. 159-13 moved by Mr. Westfall, second by Mr. Davidson and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, Trillium Health of Rochester, New York (formerly AIDS Care) is hosting a bicycle event known as the AIDS Red Ribbon Ride on August 21 and 22, 2013; and

WHEREAS, the ride is through the Finger Lakes over five days and 400 miles to benefit Trillium Health; and

WHEREAS, a portion of the ride traverses roads located within Seneca County; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the use of roads located within Seneca County for the AIDS Red Ribbon Ride on August 21 and 22, 2013.

In accordance with Rule of Orders #29, Mr. Shipley moved; second by Mr. Kubasik, a motion to introduce the following resolution for consideration of the Board of Supervisors without having been reviewed by the appropriate oversight committee.

SENECA COUNTY BOARD OF SUPERVISORS OPPOSE SENECA MEADOWS, INC.'S PLANS TO DEVELOP RAILROAD OPERATIONS AT THE SENECA MEADOWS LANDFILL
RESOLUTION NO. 160-13 moved by Mr. Shipley, second by Mr. Kubasik and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, Seneca Meadows, Inc. has proposed to develop a rail spur to transport solid waste to its existing facility in the Town of Seneca Falls; and

WHEREAS, the Town of Seneca Falls Town Board voted unanimously on August 6, 2013 to authorize a zoning change that allows for the project to move forward; and

WHEREAS, the Seneca County Board of Supervisors finds that approval of the rail plan will have an adverse effect on the tax revenues of Seneca County and New York State; and

WHEREAS, the Seneca County Board of Supervisors urges the Town of Seneca Falls to reconsider its support for the project; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors opposes the development of a rail spur to serve Seneca Meadows Landfill; and be it further

RESOLVED, that the Seneca County Board of Supervisors urges the Town of Seneca Falls to disapprove of the rail project.

Under discussion of Resolution No. 160-13, Chairman Hayssen said he believes carrying trash by rail cars will decrease truck traffic, which means fewer trucks for fuel purchases, which means less sales tax revenue for the county.

Mr. Churchill said he is "baffled" as to why the Seneca Falls Town Board supported amending its zoning laws to allow for the rail spur. He expressed concern that rail cars would be docked on both sides of Route 414 to the cross street section at Balsey Road.

In accordance with Rule of Orders #29, Mrs. Garlick Lorenzetti moved; second by Mr. Shipley, a motion to introduce the following resolution for consideration of the Board of Supervisors without having been reviewed by the appropriate oversight committee.

SUPERVISORS OPPOSE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY'S FINANCIAL SUPPORT TO SENECA MEADOWS, INC. AND CALLS ON THE AGENCY TO RE-EVALUATE ITS POLICIES RELATED TO FINANCIAL SUPPORT TO COMPANIES

RESOLUTION NO. 161-13 moved by Mrs. Garlick Lorenzetti, second by Mr. Kubasik and adopted by 562 ayes and 188 absent (Earle, Kaiser, Lafler).

WHEREAS, Seneca Meadows, Inc. has sought financial assistance from the Seneca County Industrial Development Agency in the form of a sales and use tax exemption; and

WHEREAS, the Seneca County Industrial Development Agency has granted said exemption; and

WHEREAS, the Seneca County Board of Supervisors finds that the granting of this exemption should not be considered consistent with the policies of the Seneca County Industrial Development Agency; and

WHEREAS, the Seneca County Board of Supervisors urges the Seneca County Industrial Agency to reconsider this exemption and to re-evaluate its policies going forward; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors respectfully requests that the Seneca County Industrial Development Agency reconsider the granting of a sales and use tax exemption to Seneca Meadows, Inc.; and be it further

RESOLVED, that the Seneca County Board of Supervisors respectfully urges the Seneca County Industrial Development Agency to re-evaluate its policies related to the offering of financial assistance to both new and existing companies.

Under discussion of Resolution No. 161-13, Chairman Hayssen stated he and the entire Board of Supervisors are pro-business. He reasoned that the county taxpayers could use that money rather than Seneca Meadows. They are not going anywhere, and jobs will not be lost if they don't have this exemption. The IDA should reconsider its approval and give it to a business that really needs it.

Special Order of the Day

The meeting was adjourned at 8:01 p.m.

APPENDIX A

Having been duly elected to the Seneca County Planning Board Advisory Committee as an alternate by this board several months ago, I come to you tonight asking this vital question...where is our County 10-year comprehensive plan? This plan was started many years ago. I remember public meetings were held and county residents participated in a survey to see what we envision for our county's future. After an inquiry in February, 2011, I was informed housing and agricultural parts of the plan had been worked on, leaving the development and environmental components the next two parts to tackle. This was in February, 2011-over two half hears ago. I have asked many times since February, 2011 if these pieces of the plan have been worked on and to date we still have no county plan, especially for the development and environmental phases of the project.

Having a comprehensive 10-year plan enacted gives a county the tools it needs to make it a better place to live, work, and raise families. A plan gives focus to the important aspects of our growth and health as a county. Healthy, sustainable growth is important to a community. That's where people want to live. A plan would allow that to occur. No one can deny that Seneca County has changed over the course of time. A plan would allow us to adapt to the changing world and help us prepare a footprint that is compatible with this plan. A comprehensive plan could also help the County and Town Planning Boards make smart decisions on how this growth should occur. No one can deny that Seneca County has changed over the course of time. A plan would allow us to adapt to the changing world and help us prepare a footprint this is compatible with this plan. A comprehensive plan could also help the County and Town Planning Boards make smart decisions on how this growth should occur in our County. It is not growing big government...it is to assist government to lay out the ground work to keep our county a viable entity. Our board of supervisors needs to work with these agencies for the good of all citizens.

Of course we need new job growth. Of course we need new companies coming into the county to do business. Smart planning gives a county the best of all opportunities. That leads to the Seneca County Industrial Agency. I've attended several of their public meetings. They are tasked with the duty of bringing jobs to Seneca County. A comprehensive 10-year plan would also give them the tools to bring sustainable, clean jobs into our county. There doesn't seem to be much of that happening at this time. Money keeps being poured into the Seneca Meadows Landfill's coffers, not leaving money for other businesses to get started, esp, non-landfill businesses.

Citizens have been told for the past 10-years whenever they raised of the issue of the landfill it was not a county issue. Here we have the county funding landfill expansion at our expense against the people's wishes. The county has certainly made it a county issue by financing the landfill 90 million in tax free bonds, 2.5 million dollars over the last 3 years, and AGAIN giving them another 2056 million no tax on anything the landfill needs for this latest expansion. They most assuredly have made it a county issue by basically funding the landfill. Other taxpayers in this county have not enjoyed these breaks. A comprehensive plan could stop this kind of "extreme corporate welfare" and spread funds throughout the county. Our white deer herd in the Seneca Army Depot is a prime business expansion possibility that has laid dormant for over 13 years waiting for development. We have something that no one else has and it would be a wonderful addition to our tourist industry. Yet it has not received much cooperation on a county level to proceed. We should not put all of our tax dollars in the landfill basket, instead, develop other job opportunities throughout the county. ***Smart planning and development should be a balance between industry and the environmental aspects of our county. Again, a comprehensive 10-year plan can do this and our county deserves no less.*** I am asking that this plan be developed immediately or that a moratorium on large projects be enacted until a plan is developed to control the rate and type of development that is presently being experienced. Not having a comprehensive plan has severely impacted the Waterloo area especially. We are the birthplace of Memorial Day but we are becoming the resting place for much of the northeastern United States' garbage and other unwanted discards. Please work together as a board for the people and protect our county by finishing up a 10-year plan. Work together to enact a plan in our county as soon as possible. We are counting on our leaders to protect us.

Linda S. Ochs

315-539-5607

lsochs@verizon.net

APPENDIX B

Reminder to everyone: 9,000 tons of garbage -- including asbestos, incinerator ash, sewage treatment plant sludge, industrial waste, and construction and demolition debris -- are trucked by 450 18-wheelers **into the northern Finger Lakes every day.**

In 1996, the EPA determined that landfills that contain this type of debris “cause or contribute significantly to air pollution that may reasonable be anticipated to endanger public health or welfare.”

In 1997, the last time the NYS dept of Health studied the Seneca Meadows landfill, it concluded that *“It is possible for extreme landfill odors to cause adverse health effects in exposed individuals.”*

Have you experienced extreme landfill odors? Have you experienced adverse health effects? Would you know if you did? Have you asked your constituents these questions?

The citizens of Seneca County never consented to host a massive landfill and have protested its expansion over many years, while local officials have enacted “Community Benefits Agreements,” paving the way for expansions, with no publicity of the consequences to local townspeople.

If money talks, the operators of the Seneca Meadows landfill have certainly achieved a rare level of communication with local officials.

I attended my first Seneca County planning board meeting a few weeks ago. It was regarding the rail spur at Seneca Meadows. What I observed is that the planning board is issued documents by the planning director at the beginning of the meeting and, with little or no time to read or review them, the board is then asked to vote on them a short time later. So, that’s how the county said YES to trash by rail - with no one that I asked who was present really knowing exactly where the rails will be-or who exactly will be affected. Just incredible.

And thanks to the IDA, Seneca Meadows now has another 2.5 million in sales tax exemptions for the next 3 years on top of the 2.5 M the IDA has already given them, which will come at the expense of higher taxes for other taxpayers and possible cuts in vital services and programs for people in Seneca county and the rest of NY state. Just incredible, again.

So with trash arriving from trains as well as trucks, we will now be fully encircled in trash, and Seneca Meadows” expansion past 2023 well on its way, which leads me to ask:

- If hazardous pollutants emanating from Seneca Meadows landfill meant more jobs for our region, would you support more hazardous pollutants?
- If burying more incinerator ash and sewage sludge in our farmland meant more jobs for our region, would you support more ash and sludge?

One last thing: Most every other county in the state has a solid waste plan as required by the state’s Environmental Conservation Law.

The state of New York says that it is “critical that Local Planning Unites continually evaluate and improve their solid waste management strategies since they serve as guardians of public health, safety and the environment.”

Question: Have you guarded the public health, safety and environment of Seneca county by making sure such a plan is in place?

In closing, I wish to say that:

I stand with the people of this region who, through no fault of their own, are in the prevailing wind path of the Seneca Meadows landfill and are, therefore, forced to breath noxious landfill odors containing hazardous air pollutants that, with the increased rain we've been having this summer, are some of the worst ever.

I do not stand with a landfill company that, as a subsidiary of the 3rd largest landfill company in America, applies for financial assistance at the expense of local citizens.

I do not stand with a county IDA that subsidizes the 3rd largest landfill company in the United States with our local tax dollars and then pays their staff a portion of the proceeds.

As elected representatives of the people, who do you stand with?

Glen Silver, President, Concerned Citizens of Seneca County, Inc. 8/13/13