

ORGANIZATIONAL MEETING

JANUARY 4, 2012

The January 4, 2012 Organizational Meeting of the Schuyler County Legislature was called to order at 9:15 a.m. by Stacy B. Husted, Clerk, acting as Temporary Chairman. The Pledge of Allegiance was led by Legislator Yuhasz and followed by a Moment of Silence in memory of Robert Burnside a past legislator who passed away Monday, January 2, 2012. All Legislators were present. County Administrator O’Hearn and Acting County Attorney, Kristin Hazlitt, were also present. The Oath of Office was administered by Linda Compton, County Clerk, to Legislators Elect, Dennis A. Fagan and Stewart F. Field, Jr. along with our Treasurer Elect, Gary Whyman.

PUBLIC PARTICIPATION: None.

The Acting Chair opened the floor for nominations for Chairman of the Legislature for the year 2012.

MOTION by Legislator Larison to nominate Legislator Dennis A. Fagan as Chairman, **SECOND** by Legislator Yuhasz. The Acting Chair asked for other nominations and there were none.

RESOLUTION NO. 1 Motion by Larison, Second by Yuhasz.

RE: CLOSE NOMINATIONS - 2012 CHAIRPERSON OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the nominations for the 2012 Chairperson of the Schuyler County Legislature be closed.

Vote 8-0.

RESOLUTION NO. 2 Motion by Larison, Second by Halpin.

RE: APPOINTMENT - CHAIR, SCHUYLER COUNTY LEGISLATURE – 2012

BE IT RESOLVED, that Dennis A. Fagan be Chairperson of the Schuyler County Legislature for the year 2012.

Vote 8-0.

RESOLUTION NO. 3 Motion by Gifford, Second by Field.

RE: "CONTINUITY OF LOCAL GOVERNMENT" FOR 2012

BE IT RESOLVED, that the duly authorized vice-chairman successors for "Continuity of Local Government", as prescribed by Schuyler County Local Law No. 1-1972, be adopted for the year 2012, as follows:

Chairman	Dennis A. Fagan
#1 Vice-Chairman	Doris L. Karius
#2 Vice-Chairman	Thomas M. Gifford
#3 Vice-Chairman	Glenn R. Larison
#4 Vice-Chairman	Michael A. Yuhasz
#5 Vice-Chairman	Stewart F. Field, Jr.
#6 Vice-Chairman	Barbra J. Halpin
#7 Vice-Chairman	Philip C. Barnes

Vote 8-0.

RESOLUTION NO. 4 Motion by Gifford, Second by Field.

RE: APPOINTMENT - CLERK TO THE LEGISLATURE – 2012-2015

BE IT RESOLVED, that Stacy B. Husted be appointed Clerk of the Legislature for a four-year term commencing January 1, 2012 through December 31, 2015.

Vote 8-0.

RESOLUTION NO. 5 Motion by Gifford, Second by Field.

RE: APPOINTMENT - DEPUTY CLERK TO THE LEGISLATURE

BE IT RESOLVED, that this Legislature acknowledges the appointment by the Clerk of the Legislature, Stacy B. Husted, of Jamee L. Mack as Deputy Clerk of the Legislature, effective January 1, 2012.

Vote 8-0.

RESOLUTION NO. 6 Motion by Larison, Second by Halpin.

RE: APPOINTMENT - COUNTY AUDITOR - 2012-2015

BE IT RESOLVED, that Stacy B. Husted be appointed County Auditor for a four-year term commencing January 1, 2012 through December 31, 2015, with a salary of \$5,000 annually.

Vote 8-0.

RESOLUTION NO. 7 Motion by Larison, Second by Halpin.

RE: DESIGNATION OF LEGAL COUNTY NEWSPAPER

BE IT RESOLVED, that *The Watkins Review & Express* weekly newspaper within Schuyler County, be designated as the legal County paper to publish resolutions, election notices, official canvass and other notices.

Vote 8-0.

RESOLUTION NO. 8 Motion by Larison, Second by Halpin.

RE: DESIGNATION OF DEPOSITORIES FOR SCHUYLER COUNTY FUNDS

BE IT RESOLVED, that the Depositories for Schuyler County funds be the following banks and for the following amounts:

HSBC

Watkins Glen Office

Franklin at Eight Street

Watkins Glen, NY 14891 \$8,000,000.00

CHEMUNG CANAL TRUST COMPANY

Montour Falls or Watkins Glen Office

303 W. Main Street

Montour Falls, NY 14865 \$8,000,000.00

TOMPKINS COUNTY TRUST COMPANY

Main Street

Odessa, NY 14869 \$8,000,000.00

CHASE

971 County Route 64, Suite 200

Elmira, NY 14903 \$8,000,000.00

COMMUNITY BANK, N.A.

Watkins Glen Office

401 N. Franklin Street \$8,000,000.00

Vote 8-0.

RESOLUTION NO. 9 Motion by Karius, Second by Yuhasz.

RE: CONFORM TO "RULES OF PROCEDURE"

BE IT RESOLVED, that the "Rules of Procedure", as adopted on January 13, 1992 to be effective January 13, 1992, as amended on October 12, 1999, and as amended by May 10, 2004, as amended on June 12, 2006, and as amended on January 1, 2007, be conformed to.

Vote 8-0.

RESOLUTION NO. 10 Motion by Karius, Second by Yuhasz.

RE: APPOINTMENT - CHIEF CORONER FOR 2012

BE IT RESOLVED, that this Legislature, upon the recommendation of the elected coroners, acknowledges and accepts the appointment of Blanche Borzell, M.D. as Chief Coroner for the year 2012, at an additional stipend of \$2,500 for administrative duties to be paid quarterly at the rate of \$625.00 per quarter.

Vote 8-0.

RESOLUTION NO. 11 Motion by Karius, Second by Yuhasz.

RE: APPOINTMENT – COUNTY HISTORIAN FOR 2012

BE IT RESOLVED, that Marian M. Boyce be appointed as County Historian for the year 2012, with a salary of \$3,300.

Vote 8-0.

RESOLUTION NO. 12 Motion by Larison, Second by Halpin.

RE: APPOINTMENT - PUBLIC DEFENDER – 2012-2015

BE IT RESOLVED that this Legislature hereby appoint Attorney Wesley A. Roe as Schuyler County Public Defender for a four year term commencing January 1, 2012 through December 31, 2015.

Vote 8-0.

RESOLUTION NO. 13 Motion by Larison, Second by Halpin.

RE: ACKNOWLEDGE APPOINTMENT OF ASSISTANT PUBLIC DEFENDER

BE IT RESOLVED, that this Legislature acknowledges the appointment by Public Defender Wesley A. Roe of Matthew P. Hughson, Esq., as Assistant Public Defender, effective January 1, 2012.

Vote 8-0.

RESOLUTION NO. 14 Motion by Larison, Second by Halpin.

RE: APPOINTMENT - DEPUTY COUNTY TREASURER

BE IT RESOLVED, that this Legislature acknowledges the appointment by the County Treasurer, Gary J. Whyman, of Lisa Buckley, as Deputy County Treasurer, effective January 1, 2012.

Vote 8-0.

RESOLUTION NO. 15 Motion by Larison, Second by Field.

RE: ADOPT SCHEDULE OF SALARIES FOR 2012

BE IT RESOLVED, that the Schedule of Salaries for 2012, as attached hereto, be adopted, effective January 1, 2012, and

BE IT FURTHER RESOLVED, that the County Treasurer be authorized and directed to pay the County employees according to the 2012 Salary Schedule.

Vote 8-0.

RESOLUTION NO. 16 Motion by Larison, Second by Field.

RE: ADOPT PURCHASING POLICIES & PROCEDURES

BE IT RESOLVED, that the Purchasing Policies & Procedures for 2012, as attached hereto, be adopted, effective January 1, 2012.

Vote 8-0.

RESOLUTION NO. 17 Motion by Larison, Second by Field.

RE: DELEGATE TO THE REAL PROPERTY TAX DIRECTOR THE AUTHORITY TO AUTHORIZE CORRECTION OF ERRORS AND PAYMENT OF TAX REFUNDS IN AN AMOUNT NOT TO EXCEED \$2,500 FOR THE YEAR 2012

WHEREAS, the State of New York has, pursuant to Sections 554 and 556 of the Real Property Tax Law (RPTL), authorized correction of errors and payment of tax refunds without prior audit for corrections for refunds not exceeding \$2,500, and

WHEREAS, Schuyler County desires to delegate to the Real Property Tax Services Director (Director) the authority as stated under said law.

NOW, THEREFORE, BE IT RESOLVED, that there is hereby delegated to the Director the power to authorize the Schuyler County Treasurer to make payment of any refund or credit of taxes not exceeding the sum of \$2,500 without prior audit, as provided in Sections 554(9) and 556(8) of the RPTL for the calendar year of 2012, with the following provisions:

1. That the Director shall comply with all provisions under RPTL Sections 554 and 556 relative to corrections of errors and the refund or credit of taxes.
2. That on or before the 15th day of each month the Director shall submit to the Legislature a report of the corrections, refunds and credits processed by such official during the month, embodying in that report the information as required under aforesaid statute.
3. That in no case shall the total amount of such refund or credit exceed the amount appropriated by the County Legislature.

Vote 8-0.

RESOLUTION NO. 18A Motion by Larison, Second by Field.

RE: MOTION TO TABLE RESOLUTION NUMBERS 18, 19 & 20

BE IT RESOLVED, that Resolution Numbers 18, 19 & 20 be tabled for further discussion.

Vote 8-0.

RESOLUTION NO. 18

RE: APPOINTMENT - SCHUYLER COUNTY ATTORNEY – 2012-2015 - **TABLED**

BE IT RESOLVED, that _____ be appointed County Attorney for a four-year term commencing January 1, 2012 through December 31, 2015, at a salary of \$_____.

RESOLUTION NO. 19

RE: APPOINTMENTS - ASSISTANT COUNTY ATTORNEYS - **TABLED**

BE IT RESOLVED, that this Legislature acknowledges the appointment by County Attorney, _____, of _____ at a salary of \$_____, and Rachael E. Boruchowitz at a salary of \$30,600, as Assistant County Attorneys, effective January 1, 2012.

RESOLUTION NO. 20

RE: APPOINTMENT - CONFIDENTIAL SECRETARY TO COUNTY ATTORNEY - **TABLED**

BE IT RESOLVED, that this Legislature acknowledges the appointment pursuant to County Law Section 501-5 by County Attorney, _____, of _____ as Confidential Secretary to the County Attorney, at a salary of \$_____, effective January 1, 2012.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 9:24 a.m.

Stacy B. Husted, Clerk

Jamee L. Mack, Deputy Clerk

REGULAR MEETING

JANUARY 9, 2012

The January 9, 2012 Regular Meeting of the Schuyler County Legislature was called to order at 6:30 p.m. by Chairman Fagan. The Pledge of Allegiance was led by Legislator Field and followed by a Moment of Silence. All Legislators were present except Legislator Yuhasz who was absent. The County Administrator, Tim O'Hearn, and Acting County Attorney, Kristin Hazlitt, were also present.

PUBLIC PARTICIPATION: None.

RESOLUTION NO. 21 Motion by Larison, Second by Barnes.

RE: APPROVE THE MINUTES OF THE DECEMBER 28, 2011 YEAR END MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the December 28, 2011 Year End Meeting of the Schuyler County Legislature be approved.

Vote 6-0. Abstained: Gifford

RESOLUTION NO. 22 Motion by Barnes, Second by Larison.

RE: AUTHORIZE CONTRACT EXTENSION FOR THE ALTERNATIVES TO INCARCERATION SERVICE PLAN FROM DECEMBER 2011 TO JUNE 2012 PROBATION DEPARTMENT - PROBATION

WHEREAS, the Criminal Justice Advisory Council has already reviewed and approved its Program Plan and Budget for 2011, and

WHEREAS, the 2011 ATI Plan and Budget has already been reviewed, and approved by the Public Safety / Criminal Justice Committee of this Legislature, and

WHEREAS, the Office of Probation and Correctional Alternatives intends to extend the 2011 ATI program plan and budget from December 2011 to June 2012.

NOW, THEREFORE, BE IT RESOLVED, that the 2011 Alternatives to Incarceration Service Plan and Budget be hereby amended by the Schuyler County Legislature, extending it through June 2012, and that the Chairman of the Legislature be authorized to sign the same upon approval by the Schuyler County Attorney, and

BE IT FURTHER RESOLVED, that the Criminal Justice Advisory Council shall submit the same to the New York State Division of Probation and Correctional Alternatives for final approval.

Vote 7-0.

RESOLUTION NO. 23 Motion by Barnes, Second by Larison.

RE: AUTHORIZE 2012 SEASONAL RATES FOR MARINA – BUILDINGS AND GROUNDS

WHEREAS, New York State passed Chapter 135 a law that was signed by the Governor on May 23, 1983, which declares Schuyler County to have Home Rule pursuant to Article IX, Section 2 (b) (2) of the Constitution, and

WHEREAS, New York State Alienation Guide to Municipal Parks, Section F. 3. requires that any park fee must not be in excess of those charges for comparable facilities in the area, and

WHEREAS, the Schamel Brothers lease, Section 5. (c) requires the fees charged by the lessee to be approved the Schuyler County Legislature.

NOW, THEREFORE, BE IT RESOLVED, that this Legislature hereby approves the following as the Village Marina's 2012 Seasonal Rate Schedule for its 145 available slips:

<u>2012 SUMMER RATES</u>		
<u>SLIP WIDTH</u>	<u>SLIP FEE</u>	<u>WATER & ELECTRIC</u>
8'	\$1,490.00	\$100.00
10'	\$1,650.00	\$100.00
12'	\$1,750.00	\$100.00
14'	\$1,850.00	\$100.00
16'	\$1,850.00	\$100.00

20 AMP ELECTRICAL SERVICE: \$100.00

30 AMP ELECTRICAL SERVICE: \$150.00

DRY DOCK WITH UNLIMITED USE OF LAUNCH RAMP: \$450.00

2012 TRANSIENT DOCK (UP TO 30 FT)

WITH 30 AMP ELECTRIC

Per Hour : \$ 4.00

Per Day: \$ 40.00

Per Week: \$175.00

Per Month: \$600.00

50 AMP Electric add an additional \$10.00

LAUNCH RAMP FEES

\$4.00 Per Launch (Tenants: No Charge)

\$45.00 Unlimited Usage (October 31 through March 1st)

TRUCK CRANE

Tenants: \$100.00 per Usage (plus tax)

Non-Tenants \$125.00 per Usage (plus tax)

WINTER STORAGE RATES

At the dock: \$15.00 per foot. Use of bubbler system is allowed with electrical charges billed additionally.)

On land: \$10.00 per foot. Haul In/Out Charges: \$4.00 per foot each way.

SUMMER STORAGE RATES

On land: \$10.00 per foot.

MISCELLANEOUS RATES AND CHARGES

SEASONAL RATES: The Village Marina Seasonal Rates for Summer 2012 apply to the period beginning April 15, 2012 and continuing through October 30, 2012. Any seasonal tenants who do not plan to haul out or store with us, and are still in the water after these dates will be assessed a service charge of \$5.00 per day, for each day until the boat is removed.

PUMP OUT: \$5.00 Per Pump Out (Tokens available at Village Marina Bar & Grill)

TRAILER / CRADLE FEE: Minimum \$30.00 Charge includes handling and storage of cradles and trailers. Fee is billed annually with winter storage.

Vote 7-0.

RESOLUTION NO. 24 Motion by Barnes, Second by Larison.

RE: AUTHORIZE AMENDING THE FACILITIES AND GROUNDS CAPITAL RESERVE POLICY TO REDUCE THE ANNUAL FUNDING AMOUNT – BUILDINGS AND GROUNDS

WHEREAS, there are several capital projects that have been completed since 2007, and

WHEREAS, the Facilities and Grounds Capital account funding and implementation policies currently directs the Treasurer to place \$200,000 from the fund balance annually into the Facilities and Grounds Capital Reserve, and

WHEREAS, it is recommended that this amount now be reduced to \$100,000 annually, effective with the 2011 fund balance.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby directed to only place \$100,000 from fund balance annually into the Facilities and Grounds Capital Reserve, effective with the 2011 fund balance, and

BE IT FURTHER RESOLVED, that said policy be amended to reflect said change.

Vote 7-0.

RESOLUTION NO. 25 Motion by Karius, Second by Larison.

RE: AUTHORIZE TRANSFER OF T-28 FUNDS INTO THE CIVIL SERVICE 2012 REVENUE ACCOUNT – CIVIL SERVICE

WHEREAS, there is a checking account that is used for application and testing fees for the Civil Service Department, and

WHEREAS, the fee paid to the State out of this account is always less than what is collected, therefore there are excess funds that build up in the account, and

WHEREAS, the excess amount of funds currently in the T-28 checking account amounts to \$26,000 right now and should be transferred into the Civil Service revenue account no. 1431.1260-STSP Allocation.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer the excess funds into the Civil Service revenue account no. 1431.1260 for 2012, in the amount of \$26,000, and

BE IT FURTHER RESOLVED, that the Chief Fiscal Officer is hereby directed to deposit any excess funds each year into this revenue account in consultation with the Personnel Office in the Civil Service Department.

Vote 7-0.

RESOLUTION NO. 26 Motion by Karius, Second by Larison.

RE: ADOPT EQUIPMENT OPERATOR SNOW AND ICE MANUAL – HIGHWAY DEPARTMENT

WHEREAS, the Highway Superintendent and the Public Works Committee agree that there needs to be guidelines established regarding snow and ice procedures pertaining to the function of the Highway Department, and

WHEREAS, adopting this snow and ice operations manual establishes one person plowing procedures and more efficient snow plowing operations to the community.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby adopts the Equipment Operator Snow and Ice Manual established on January 10, 2012, on file in the Legislative Office, and

BE IT FURTHER RESOLVED, that the Highway Superintendent be directed to issue the manual to every Highway Department employee.

Vote 7-0.

RESOLUTION NO. 27 Motion by Karius, Second by Larison.

RE: ONE-YEAR APPOINTMENTS

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, for the term January 1, 2012 through December 31, 2012, to wit:

ALCOHOL AND SUBSTANCE ABUSE

Mike Yuhasz, Legislature

AUDITING COMMITTEE

Thomas M. Gifford, Management & Finance Committee Chairman
Michael A. Yuhasz, Management & Finance Committee
Stewart F. Field, Jr., Management & Finance Committee
Philip C. Barnes, Management & Finance Committee

BARGAINING UNIT COMMITTEES

County Administrator
Human Resource Director
Co-Chief Negotiators
Committee Chair of Management & Finance

CHAMBER OF COMMERCE

Dennis A. Fagan, Chairman of the Legislature

COMMUNITY HOME HEALTH CARE PROFESSIONAL ADVISORY COUNCIL

Dennis Fagan, Chairman of the Legislator
Mike Yuhasz, Legislator
James Coleman, MD – Medical Director
Elizabeth Hayes, RN
Pamela Larnard – Deputy Director Mental Health
Marcia Kasprzyk, RN – Deputy Director Public Health
Ruth Bedient, HHA – Member at Large
Patty Secord – Office for the Aging
Sarah Mathews – DSS
John Bullett, ST – Speech Therapist
Michael Sandritter, PT – Physical Therapist
Linda Donelson, RN – Falls Home
Camelia Oswald, RN – Public Health
Jagmohan Singh, MD - Schuyler Hospital
Patricia Meyers, Quality Assurance Coordinator
J. Christopher Burns, Corporate Compliance Officer

COMMUNITY SERVICES BOARD

Philip C. Barnes

EMERGENCY MEDICAL AND HIGHWAY SAFETY COMMITTEE

Dennis A. Fagan, Chairman of the Legislature
Barbara J. Halpin, Legislator

FINGER LAKES RESOURCE CONSERVATION & DEVELOPMENT COUNCIL, INC.

Glenn R. Larison, Legislature
Darrel Sturges, Watershed Inspector

FIRE SAFETY BOARD

Philip C. Barnes, Legislator
Larry States/Bill Mullaney, Monterey
Jud Smith/Dominick Smith, Watkins Glen
Don Dalrymple/Mike Hicks. Valois, Logan, Hector
Al Buckland/Emery Kelly, Tyrone
Mike Tomassi/John Jelliff, Odessa
Jeff Confer/ Jake Burns, Montour Falls
Brian Gunning/Al Foote, Mecklenburg
Curt Connelly/Jason Kelly, Burdett
Tim Husdon/Brian Hudson, Beaver Dams

FISH & WILDLIFE MANAGEMENT BOARD

Philip C. Barnes, Legislature

INTER-COUNTY ASSOCIATION OF WESTERN NEW YORK

SCHUYLER COUNTY LEGISLATURE

Dennis A Fagan, Chairman of the Legislature

Glenn R. Larison, Legislator

Stacy B. Husted, Clerk

LOCAL EARLY INTERVENTION COORDINATING COUNCIL

Nan Woodworth Shaw, WGCS District

Erik Miller, Provider

Beverly Clickner, Social Services

Pamela Larnard, Mental Health

Jill Wendela, EIM

Kim Seaman, Parent

Kim Hanmore, Parent

Amy Mathews Crane, Parent

Marcia Kazprzyk, Early Intervention Official, Public Health

JoAnn Fratarcangelo, Youth Bureau/Families First

Michael Yuhasz, Legislature

Kathy Ector, Child Care Council

Janeene Thrun, NYS Department of Health

Nikole Piper, Provider, OPWDD

J. Christopher Burns, Corporate Compliance

Patricia Meyers, QA Coordinator

OFFICE FOR THE AGING ADVISORY COUNCIL

Dennis A. Fagan, Chairman of the Legislature

Glenn R. Larison, Legislator

PEOPLE WITH DEVELOPMENTAL DISABILITIES SUBCOMMITTEE

Michael Yuhaz

SAFETY COMMITTEE

Phil C. Barnes, Public Safety & Criminal Justice Committee Chairman

SCHUYLER COUNTY ECONOMIC DEVELOPMENT - SCOPED

Dennis A. Fagan, Chairman of the Legislature

Stewart F. Field, Jr., Legislature

SOIL AND WATER CONSERVATION BOARD

Glenn R. Larison, Legislature

Doris L. Karius, Legislature

SOUTHERN TIER CENTRAL REGIONAL PLANNING & DEVELOPMENT BOARD

Dennis A. Fagan, Legislator

Thomas M. Gifford, Legislator

Stewart F. Field, Legislator

YOUTH BOARD

Mathew Chapman, District III Youth

Jonathan Chapman, District III Youth

Ashley Tieppo, Youth

Jessi Woodward, Youth

Katelin Pierce, Youth

Melanie Meighan, Youth

Vote 7-0.

RESOLUTION NO. 28 Motion by Larison, Second by Gifford.

RE: TWO-YEAR APPOINTMENTS

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, for the term January 1, 2012 through December 31, 2013, to wit:

ENVIRONMENTAL MANAGEMENT COUNCIL

Philip C. Barnes, Legislator
Daniel Teed, Member at Large
Darrel Sturges, Watershed
Harold Russell, Town of Dix
Phil Jo Smith, Village to Montour Falls
Jenna Hicks, County Planning
Adrianna Hirtler, Village of Burdett
Carmine Nicastro, Town of Tyrone
Chad Hendrickson, Town of Reading
Elaine Dalrymple, Soil & Water

FISH AND WILDLIFE MANAGEMENT BOARD

Robert (Jerry) Harnas

FOREST PRACTICE BOARD

Glenn. R. Larison, Legislator

Stewart F. Field, Jr., Legislator

HUMAN SERVICES COMMITTEE

Barbara J. Halpin, Legislator

OFFICE FOR THE AGING ADVISORY COUNCIL

Richard Evans, RSVP

Pamela Grimmke, Town of Tyrone

Helen Marie Sipperley, Village of Watkins Glen/Town of Reading

Christine Gerow, Catholic Charities

Joan Scott, Veterans Representative

Elizabeth Biggers, Town of Cayuta

PLANNING COMMISSION

Chad Hendrickson, Town of Reading

Joe Sevier, Town of Tyrone

Sarah Chicone, Village of Montour Falls

Eric Herzig, Business

Nikita Hairston, Tourism

SCHUYLER HEAD START BOARD OF DIRECTORS

Barbara J. Halpin, Legislator

SOUTHERN TIER CENTRAL REGIONAL PLANNING & DEVELOPMENT BOARD

Danielle Hautaniemi, Planning Representative

Kate Bartholomew, Environmental Representative

Vote 7-0.

RESOLUTION NO. 29 Motion by Larison, Second by Gifford.

RE: THREE-YEAR APPOINTMENTS NON-CALENDAR YEAR

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individual to the below board, committee, agency, for the term January 1, 2012 through October 31, 2014, to wit:

WORKFORCE DEVELOPMENT BOARD

Sue Brill

Vote 7-0.

RESOLUTION NO. 30 Motion by Larison, Second by Gifford.

RE: THREE-YEAR APPOINTMENTS

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, for the term January 1, 2012 through December 31, 2014, to wit:

ALCOHOLISM AND SUBSTANCE ABUSE

Breck Spaulding

Kathy Miles

COMMUNITY SERVICES BOARD

Cynthia Terry, MD

Nan Woodworth-Shaw

EMERGENCY MEDICAL AND HIGHWAY SAFETY COMMITTEE

Richard Churches, Driver Training

Greg Mathews, Highway Superintendent

William Yessman, Sheriff

FOREST PRACTICE BOARD

Barlow Rhodes, Forest Landowner

Brett Chedzoy, Landowner

MENTAL HEALTH SUBCOMMITTEES

Deborah Hastings

JoAnn Fratarcangelo

PEOPLE WITH DEVELOPMENTAL DISABILITIES SUBCOMMITTEE

Nancy Gay

Renee Gay

SOIL AND WATER CONSERVATION BOARD

James Hazlitt, Farm Bureau

Gary Gaige, Grange

SOUTHERN TIER REGIONAL EMERGENCY MEDICAL SYSTEMS – STREMS

Philip C. Barnes, Legislator

YOUTH BOARD

Tina Wenchell, Member at Large

Chris Burns, Member at Large

Linda MacDonald, Member at Large

Rodney Weeden, Watkins Glen School

Nan Woodworth- Shaw, Watkins Glen School

Kristine Somerville, Watkins Glen School

Dave Warren, Watkins Glen School

Mary Wilson, Community Service Board

Beverly Clickner, Department of Social Services

Vote 7-0.

RESOLUTION NO. 31 Motion by Larison, Second by Halpin.

RE: FOUR-YEAR APPOINTMENTS

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, for the term January 1, 2012 through December 31, 2015, to wit:

AGRICULTURE & FARMLAND PROTECTION BOARD

Rory Miller, Farmer

Ben Dickens, Farm Bureau Representative

John Murch, Agriculture Business Associate

Walter Adam, Farmer

LAMOKA/WANETA LAKES PROTECTION DISTRICT

Dennis A. Fagan, Legislator

Vote 7-0.

RESOLUTION NO. 32 Motion by Larison, Second by Halpin.

RE: APPOINTMENTS TO BOARDS WITH NO TERMS

BE IT RESOLVED, that the following individuals be appointed to the following boards effective January 1, 2012:

COUNCIL OF GOVERNMENTS

Dennis A. Fagan, Chairman of the Legislature

LABOR MANAGEMENT COMMITTEE

Dennis A. Fagan, Chairman of the Legislature

SCHUYLER COUNTY INDUSTRIAL DEVELOPMENT AGENCY – SCIDA

Thomas M. Gifford, Legislator

Rocky Kambo, Ex-Officio

Vote 7-0.

RESOLUTION NO. 33 Motion by Larison, Second by Halpin.

RE: AUTHORIZE NAME CHANGE AND APPOINTMENT TO THE ALTERNATIVE TO INCARCERATION ADVISORY BOARD (ATI)

WHEREAS, the Criminal Justice Advisory Board is recognized as the Alternatives to Incarceration Advisory Board (ATI), and

WHEREAS, our subcommittee, Criminal Justice Advisory Board should change accordingly, and

WHEREAS, there is a need to redefine the appointments to reflect Titles versus individual names.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature acknowledges the name change of the Criminal Justice Advisory Board to the Alternatives to Incarceration Advisory Board and the following list of titles where applicable to be appointed with no term.

ALTERNATIVES TO INCARCERATION ADVISORY BOARD

County Court Judge

District Attorney

Public Defender

Chairman of the Legislature

Public Safety Committee Chairman

Director/Commissioner of Probation

County Administrator

Sheriff

Director of Community Services

Drug Court Coordinator

Town/Village Court Judge, Raymond Berry

ATI Representative, Kathy Yaskulski

Ex- Offender, Selene Thomas

NYS Certified Alcohol and/or Substance Abuse Treatment Provider, William Fox

Worksite Provider, Greg Mathews

Probation Officer (2), Linda MacDonald & Steven Gergely

Vote 7-0.

RESOLUTION NO. Motion by Gifford, Second by Field.

RE: AUTHORIZE ADVERTISEMENT FOR BIDS FOR APPLICATION AND MONITORING EXPENSES FOR THE LAMOKA/WANETA LAKES PROTECTION REHABILITATION DISTRICT (WANETA LAKE)

WHEREAS, the Lamoka/Waneta Lakes Protection and Rehabilitation District needs to solicit sealed bids for the application of triclopyr (Renovate) and Aquathol K on Waneta Lake and the residual monitoring thereof, and

WHEREAS, the Lamoka/Waneta Lakes Protection and Rehabilitation District needs to submit permit applications and Notice of Intent (NOI) to the New York State Department of Environmental Conservation (DEC) regarding the proposed herbicide (Renovate and Aquathol K) treatments of Waneta Lake in 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Legislature be hereby authorized to advertise for bids on or about January 18, 2012 for chemical application and residual monitoring services as set forth above for the Lamoka/Waneta Lakes Protection and Rehabilitation District, and

BE IT FURTHER RESOLVED, that bids will be due no later than 2:00 p.m. on Friday, February 3, 2012. Acceptance/rejection of the bids will be done at the scheduled Regular Meeting of the Legislature. The County of Schuyler reserves the right to accept or reject any and all bids, and

BE IT FURTHER RESOLVED, that the District authorizes Dennis Fagan, on their behalf, to submit the required permit application and NOI to DEC for the Renovate and Aquathol K treatments of Waneta Lake in 2012.

VOTE 7-0.

RESOLUTION NO. 35 Motion by Gifford, Second by Field.

RE: AUTHORIZE ADVERTISEMENT FOR BIDS FOR APPLICATION AND MONITORING EXPENSES FOR THE LAMOKA/WANETA LAKES PROTECTION REHABILITATION DISTRICT (LAMOKA LAKE)

WHEREAS, the Lamoka/Waneta Lakes Protection and Rehabilitation District needs to solicit sealed bids for the application of triclopyr (Renovate) on Lamoka Lake and the residual monitoring thereof, and

WHEREAS, the Lamoka/Waneta Lakes Protection and Rehabilitation District needs to submit a permit application and Notice of Intent (NOI) to the New York State Department of Environmental Conservation (DEC) regarding the proposed herbicide (Renovate) treatment of Lamoka Lake (including the Mud Creek Channel and Mill Pond) in 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Legislature be hereby authorized to advertise for bids on or about January 18, 2012 for chemical application and residual monitoring services as set forth above for the Lamoka/Waneta Lakes Protection and Rehabilitation District, and

BE IT FURTHER RESOLVED, that bids will be due no later than 2:00 p.m. on Friday, February 3, 2012. Acceptance/rejection of the bids will be done at the scheduled Regular Meeting of the Legislature. The County of Schuyler reserves the right to accept or reject any and all bids, and

BE IT FURTHER RESOLVED, that the District authorizes Dennis Fagan, on their behalf, to submit the required permit application and NOI to DEC for the Renovate treatment of Lamoka Lake in 2012.

Vote 7-0.

RESOLUTION NO. 36 Motion by Gifford, Second by Larison.

RE: MOTION TO BRING TWO (2) ADDITIONAL RESOLUTIONS TO THE FLOOR

BE IT RESOLVED, that two (2) additional Resolutions be brought to the floor.

Vote 7-0.

RESOLUTION NO. 37 Motion by Larison, Second by Gifford.

RE: AUTHORIZE INCREASING THE SALARY FOR THE ASSISTANT COUNTY ATTORNEY – COUNTY ATTORNEY’S OFFICE

WHEREAS, the staffing needs of the County Attorney’s Office have been evaluated, and

WHEREAS, it is determined that the salary is to be increased for the existing full-time Assistant County Attorney, Kristin Hazlitt.

NOW, THEREFORE, BE IT RESOLVED, that the salary for the full-time Assistant County Attorney position in the County Attorney’s Office be increased to \$82,000, effective January 1, 2012.

Vote 7-0.

RESOLUTION NO. 38 Motion by Gifford, Second by Larison.

RE: ACKNOWLEDGE APPOINTMENT OF A LESS THAN FULL-TIME ASSISTANT COUNTY ATTORNEY POSITION – COUNTY ATTORNEY’S OFFICE

WHEREAS, Rachael Boruchowitz, J. D., who is the less than full-time Assistant County Attorney, working 20 hours a week, has submitted her resignation effective January 13, 2012, and

WHEREAS, there remains to still be a vacant full-time County Attorney position and a vacant full-time Assistant County Attorney position in the County Attorney’s Office, and

WHEREAS, the Assistant County Attorney, Kristin E. Hazlitt, as Acting County Attorney has the authority to fill said vacancy and wishes to replace Rachael with the appointment of Steven J. Getman to work less than full-time, 20 hours a week, and

WHEREAS, funding for this position is in the County Attorney’s Office 2012 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby acknowledges the appointment by Kristin E. Hazlitt, Acting County Attorney, in accordance with County Law §502, of Steven J. Getman, at an annual salary of \$40,000, effective January 17, 2012.

NEW BUSINESS: None.

UNFINISHED BUSINESS:

The Clerk said she understands the Resolutions will remain on the table for now. Administrator O’Hearn said he would like to bring the Legislature up to date regarding the tabled Resolutions in executive session if you so choose, to discuss an employee’s work history.

REPORT ON STANDING COMMITTEES: None.

COUNTY ADMINISTRATOR’S REPORT: None.

PUBLIC PARTICIPATION:

Mr. Mark Rondinaro asked if the Resolutions that appeared on the Agenda this evening had already been voted on at the previous Legislative Resolution Review Committee Meeting (LRRC). Legislator Gifford said no, they are not voted on, but discussed and approved to bring forward and have on the Regular Meeting Agenda. Mr. Rondinaro asked if it would be possible to have this information available a week ahead of time on the web page for those of us that are not able to attend your meetings. Chairman Fagan asked the Clerk if her office had the time and could accomplish something like this. The Clerk explained that there is a new amendment to the Open Meetings Law that the Governor just signed regarding such a posting that goes into affect February 5, 2012. She explained that she will be discussing this with the Board later this month to determine what and how she is to proceed with this amendment. Chairman Fagan requested that the Clerk at least have the Resolutions posted on the web page the Friday before our Regular Board Meetings for now along with the agenda. The Clerk said she will make sure that happens starting with the February meeting.

MOTION by Legislator Gifford, **SECOND** by Legislator Karius to go into Executive Session to discuss employee work history. Motion carried seven ayes to zero noes.

MOTION by Legislator Gifford, **SECOND** by Legislator Larison to come out of Executive session. Motion carried seven ayes to zero noes.

The Meeting adjourned at 7:20 p.m.

Stacy B. Husted, Clerk

Jamee L. Mack, Deputy Clerk

**SPECIAL MEETING
JANUARY 13, 2012**

The January 13, 2012 Special Meeting of the Schuyler County Legislature was called to order at 9:15 a.m. by Chairman Fagan. The Pledge of Allegiance was led by Legislator Halpin and followed by a Moment of Silence. All Legislators were present except Legislator Larison and Legislator Yuhasz who were excused. The County Administrator, Tim O’Hearn, was also present. Acting County Attorney, Kristin Hazlitt, was excused.

PUBLIC PARTICIPATION: None.

RESOLUTION NO. 39 Motion by Gifford, Second by Field.

RE: RATIFICATION OF SPECIAL MEETING

BE IT RESOLVED, that this Special Meeting, pursuant to the call of the Clerk of the Legislature upon the direction of the Chairman, be and hereby is, ratified and approved for discussion and action upon the following items of business:

1. AUTHORIZE CONTRACT WITH RACHAEL BORUCHOWITZ, J.D. FOR CHILD PROTECTIVE ATTORNEY SERVICES – COUNTY ATTORNEY’S OFFICE

Vote 6-0.

RESOLUTION NO. 40 Motion by Gifford, Second by Halpin.

RE: AUTHORIZE CONTRACT WITH RACHAEL BORUCHOWITZ, J.D. FOR CHILD PROTECTIVE ATTORNEY SERVICES – COUNTY ATTORNEY’S OFFICE

WHEREAS, Assistant County Attorney, Rachael Boruchowitz, J.D. has submitted her resignation, effective January 13, 2012, and

WHEREAS, there remains to be a need for additional assistance in the prosecuting of Abuse & Neglect cases for the Schuyler County Department of Social Services, and

WHEREAS, Rachael has agreed to provide these additional services contractually on an as needed basis at an hourly rate of \$100 an hour, and

WHEREAS, there are sufficient funds in the budget due to other vacancies in the County Attorney's Office.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Rachael Boruchowitz, J.D. for Child Protective Attorney Services for the County Attorney's Office at an hourly rate of \$100.00 per hour, not to exceed \$5,000, effective January 17, 2012 through December 31, 2012, on an as needed basis, funding available in the 2012 County Attorney budget account no. 1420.401, subject to approval by the Schuyler County Attorney.

DISCUSSION: Legislator Barnes is concerned about the rate of pay and the level of usage. Administrator O'Hearn stated that with the restructure of the office and a new full time Attorney as well as the qualified Assistant, they could very well cut back and may not even need to use Rachael contractually. However, there could possibly be a need for her to work on the NYCLU law suit that is still in process, or even bring one of the new Attorney's up to speed on this law suit. It would be at a minimum, if at all. He then suggested that a not to exceed dollar amount be added to the Resolution. Legislator Barnes said he could support a \$5,000 cap on this. Chairman Fagan said with the current salary schedule, we are running about \$8,000 under budget this year. This is because of no County Attorney salary or secretary salary being paid out of this year's budget yet. He also stated that with the County Attorney and a new Secretary not starting until February, they will see a \$10,000 savings. He would suggest that \$10,000 be the not to exceed amount. The Clerk suggested that the Legislature go with the \$5,000 figure, and it could always be increased if need be later. Legislator Halpin then wanted to know if they had a comparison of what they paid Attorney's from last year to this year. Chairman Fagan asked if this was outside counsel she was referring to. Legislator Halpin said yes. Administrator O'Hearn said he would supply Legislator Halpin with the past two years worth of history because of the transition with Attorney Coleman leaving. This year's would be lower than normal for sure.

Vote 6-0.

UNFINISHED BUSINESS:

MOTION by Legislator Gifford, **SECOND** by Legislator Barnes to bring two (2) Resolutions back to the floor for action. Motion carried six ayes to zero noes.

RESOLUTION NO. 18 Motion by Gifford, Second by Field.

RE: APPOINTMENT - SCHUYLER COUNTY ATTORNEY – 2012-2015

BE IT RESOLVED, that Geoffrey B. Rossi be appointed County Attorney for a four-year term commencing February 6, 2012 through December 31, 2015, at a salary of \$98,000.

DISCUSSION: Legislator Barnes asked what we did for background checks for appointments or new hires for important positions such as this one. Administrator O'Hearn advised that the Human Resources Department does a complete background check. For this particular position, there was a law enforcement check, along with the Sheriff's office doing a check. Legislator Barnes then asked about a credit check, and how this is done. Administrator O'Hearn explained that this is included as part of the report that we have on file. Legislator Barnes asked if this would include an educational check, and if a release had been signed. Administrator O'Hearn explained that the Civil Service Department takes care of all of this. They actually ask for, and have on file, proof of submission of transcripts. They also have a criminal, standard background, as well as professional references, on file. Legislator Halpin asked if they had anything in writing regarding what they will be paying for. Chairman Fagan stated that this should be a performance measure for the County Attorney's Office, for year end. He feels that with the level of expertise, they should be able to decrease the cost of outside counsel to the County. Administrator O'Hearn also added that the Department of Social Services is able to receive reimbursement for the salaries. Legislator Halpin asked if Mr. Rossi was bringing a Secretary with him. Administrator O'Hearn said no, he will have to conduct interviews. The Clerk said the last tabled Resolution from the organizational meeting was to appoint a secretary, which hopefully can be done at the February 13, 2012 Meeting.

Vote 6-0.

RESOLUTION NO. 19 Motion by Gifford, Second by Field.

RE: APPOINTMENT - ASSISTANT COUNTY ATTORNEY

BE IT RESOLVED, that this Legislature make the appointment official of Kristen E. Hazlitt, as Assistant County Attorney, effective January 1, 2012.

Vote 6-0.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 9:25 a.m.

Stacy B. Husted, Clerk

Jamee L. Mack, Deputy Clerk

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