

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

June 24, 2008

8:00 p.m.

Call to Order

Chairman Lafler called the meeting to order at 8:03 p.m.

Roll Call of Members by the Clerk

Thirteen members of the Board of Supervisors were present. Mr. Same was absent.

Pledge of Allegiance and Moment of Silence

Presentations / Petitioners:

a. The 2008 Seneca County Historian's Award presentation was held in honor of the late Betty Auten. She became the Seneca County Historian in 1978. As the Seneca County Historian, she prepared research materials that included over 25,000 index cards of family genealogical information, as well as records of many of the cemeteries in the county, and files of correspondence regarding various family names. Betty Auten also published 16 newsletters filled with Seneca County history.

b. Brightest Star Award, sponsored by the Seneca County Youth Board and Seneca County Youth Bureau, was presented to two sixth grade students. Josh AuClair, Seneca Falls Central School District and Jordan Osborne, Waterloo Central School District.

BRIGHTEST STAR AWARD

RESOLUTION NO. 160-08, moved by Mr. Mooney, seconded by Mrs. Amidon and adopted by 679 ayes (Mooney, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Hayssen, Shipley, Westfall) and 71 absentees (Same).

WHEREAS, the Seneca County Youth Bureau and Youth Board initiated, the Brightest Star Award, aimed at honoring two sixth grade students who reside in Seneca County; and

WHEREAS, these students were nominated and chosen for consistently reflecting the 5 Points of Light: Academics, Involvement in School or Community Activities, Responsibility, Respect, and Compassion; now, therefore be it

RESOLVED, the Seneca County Youth Bureau and Youth Board and Seneca County Board of Supervisors recognize and congratulate the following students for being selected for the 2008 Brightest Star Award.

Josh AuClair

Seneca Falls Central School District

Town of Seneca Falls

Jordan Osborne

Waterloo Central School District

Town of Waterloo

c. Here-4-You, Clifford Irving, Chairman, gave an update on donations being made for troops in Iraq and Afghanistan. They rely solely on donations for items requested by the troops and for the cost of shipping and handling. The project continues to be a success.

d. Carl Hubbel, Vice-President, Twin Lakes Snowmobile Club, addressed the Board of Supervisors in appreciation of the Board's sponsorship of them to receive Grant-in-Aid Program funding for the existing snowmobile trail within the boundaries of Seneca County. The Club is currently a 260 membership and 124 sleds are registered in Seneca County.

e. Department Review – Facilities & Maintenance, Jason McCormick, County Engineer, gave an overview of the Facilities Department, Codes Department, and County Engineer Department. He said that there are 14 buildings and two shops supervised by Facilities. They operate with a million dollar budget. He said the quality of service and operations performed by a limited staff are exceptional. He said restructuring of the department is being considered so projects can be completed in-house and without contracting outside services.

Reports of Standing Committees

Mental Health Services Committee, Mr. Reynolds, Chairman, reported that the Committee met in executive session for the purpose of holding discussions involving a particular individual's employment history. A resolution would be offered under suspension of the rules.

Human Services Committee, Mr. Mooney, Chairman, reported on the Committee's recommendation for a Board resolution to transfer budgetary funds within the Weatherization budget because of unexpected changes in personnel and an increase in monthly rent for the facilities.

Personnel & Technology Committee, Dr. Dresser, Chairman, reported that the Vacancy Committee would meet on July 1 to review several requests to refill vacant positions.

Planning, Development, Agriculture & Tourism Committee, Mr. Kaiser, Chairman, reported on the Committee's recommendation for Board resolutions authorizing the Board Chairman to sign the PILOT Diversion Consent Resolution submitted by the Seneca County IDA for the Lowe's Home Centers project. The Committee also approved three resolutions for Board adoption. One of the resolution is a Proclamation Resolution recognizing July 14, 2008 as Seneca County Agriculture College History Day.

Public Health Services Committee, Mr. Hayssen, Chairman, reported on the Committee's approval for a contract between the Health Department and NYS DOH Zoonoses Program for the rabies program. The Committee also discussed changing the Household Hazardous Waste Collection annual event by combining the collection with the towns of Seneca Falls and/or Waterloo and/or Romulus, or holding more than one collection day throughout the year. The Committee agreed to continue the program as always with one county sponsored collection day for 2009.

Finance, Assessment & Insurance Committee, Mr. Barto, Chairman reported on the Committee's approval for a Board resolution directing the County Treasurer to pay the mortgage tax to the Towns and Villages; and a Board resolution to approve the bid from Randy H. Deal for \$14,000 to complete the Countywide Assessment Study.

Mr. Barto also said that he wanted the Fingerlakes Times notified of misinformation that was printed in a story by Craig Fox on May 28, 2008. Mr. Barto was referring to a statement in the article which read that approximately \$37,000 was used to maintain the confidentiality of eight grand jury reports that named various county officials. Mr. Barto said this was "totally erroneous". The records were sealed by court order.

Indian Affairs Committee, Mr. Barto, Vice-Chairman, reported on the Committee meeting with Brian Laudadio for the purpose of discussing legal representation in light of Mr. Laudadio resigning from Harris Beach to work with the firm Bond, Schoeneck & King. A meeting with Cayuga County to interview another firm, Hiscock & Barclay was being planned.

County Manager's Remarks

Ms. Sinclair, citing Jason McCormick's presentation on Facilities & Maintenance, agreed that they do a great job. She said that she has received comments from people who don't work for the County that our building was the cleanest county building they ever saw.

Ms. Sinclair also wished Kitty Peterson, her Confidential Secretary farewell and best wishes for the position Kitty Peterson has accepted with the NYS State Court System.

County Attorney's Remarks

Mr. Fisher, citing Mr. Barto's comment regarding the Fingerlakes Times article by Craig Fox, said the confidentiality of the grand jury reports was maintained because the records were sealed by law under court order.

Communications

126. From Seneca County IDA, notice of Public Hearing scheduled for July 14, 2008 at 3:00 p.m. at the Seneca Meadows, Inc. Renewable Resource Park Education Facility building, 1977 NYS Route 414, Waterloo, NY regarding the project: SCIDA and Seneca Meadows, Inc.

127. From the Town of Geneva, NY, a copy of Resolution No. 5-2008, Authorizing Scheduling of Public Hearing on July 8, 2008 at 7:00 p.m. at the Geneva Town Hall, 3730 County Road 6, Geneva, NY, for Proposed Local Law amending the Code of the Town of Geneva relative to a new Lake Residential Zoning District.

128. From Peter A Drago, NYS Executive Chamber, a letter dated June 10, 2008, informing Chairman Lafler that his correspondence about the Oneida Indian Tribe will be forwarded to the appropriate members of the Governor's staff.

129. From Senator Nozzolio, a letter acknowledging receipt of Seneca County Resolution No. 131-08 urging New York State to enact legislation relating to text messaging when driving.

130. A copy of June 12, 2008 meeting minutes of the Genesee Finger Lakes Regional Planning Council.

131. A copy of May 8, 2008 meeting minutes of the Seneca County Planning Board.

132. A copy of April 9, 2008 meeting minutes of the Seneca County Agriculture Enhancement Board.

133. A copy of May 21, 2008 meeting minutes of the Finger Lakes Resource Conservation & Development Council, Inc.

134. From Judith M. Sayles, Partner, Hiscock & Barclay LLP, materials describing the Firm's Indian Law Practice Area, its experience and its team, with regard to legal counsel for Indian law legal services. Referred to the Indian Affairs Committee.

RESOLUTIONS AND MOTIONS

TREASURER AUTHORIZED TO PAY MORTGAGE TAX

RESOLUTION NO. 161-08, moved by Mr. Barto, seconded by Mr. Westfall and adopted by 679 ayes (Barto, Westfall, Reynolds, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Mooney, Shipley) and 71 absentees (Same).

WHEREAS, the mortgage tax report for the period October 1, 2007 through March 31, 2008 has been filed; now, therefore be it

RESOLVED, that Seneca County Board of Supervisors authorizes and directs the County Treasurer to pay to the municipalities of Seneca County the amount apportioned as follows:

TOWN	AMOUNT ALLOCATED	VILLAGE SHARE	TOWN SHARE
Covert	\$ 18,541.50	\$ 1,050.91	\$ 17,490.59
Fayette	56,030.50	3,257.50	52,773.00
Junius	4,664.90	0	4,664.90
Lodi	6,210.00	258.24	5,951.76
Ovid	10,109.50	689.10	9,420.40
Romulus	19,771.50	98.88	19,672.62
Seneca Falls	56,304.85	15,631.50	40,673.35
Tyre	4,598.81	0	4,598.81
Varick	17,496.33	0	17,496.33
Waterloo	34,457.78	7,578.74	26,879.04
TOTAL:	\$228,185.67	\$28,564.87	\$199,620.80

**ACCEPT BID AND SIGN CONTRACT WITH RANDY H. DEAL FOR
COUNTYWIDE ASSESSMENT STUDY**

RESOLUTION NO. 162-08, moved by Mr. Barto, seconded by Mr. Mooney and adopted by 679 ayes (Barto, Mooney, Reynolds, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Shipley, Westfall) and 71 absentees (Same).

WHEREAS, Seneca County received a \$50,000 grant from the Office of Real Property Services to do a Countywide Assessment Study, and

WHEREAS, one bid from Randy H. Deal was received to complete the Study; and

WHEREAS, Randy H. Deal is professionally qualified to conduct the Countywide Assessment Study; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby approve the bid from Randy H. Deal in the amount of \$14,000 to complete the Countywide Assessment Study and that the Chairman of the Board is authorized to sign a contract for said professional services with Randy H. Deal.

**SUPERVISORS AUTHORIZE NEW YORK STATE OFFICE OF REAL PROPERTY SERVICES
COUNTY TAX COLLECTION INFORMATION INITIATIVE GRANT APPLICATION**

RESOLUTION NO. 163-08, moved by Mr. Barto, seconded by Mr. Terryberry and adopted by 679 ayes (Barto, Terryberry, Reynolds, Serven, Davidson, Dresser, Kaiser, Lafler, Amidon, Hayssen, Mooney, Shipley, Westfall) and 71 absentees (Same).

WHEREAS, the New York State Office of Real Property Services has created the 2007-2008 Centralized Property tax Administration Program County Tax Collection Information Initiative grant program, providing Counties with awards up to \$50,000 to conduct tax collection consolidation studies and programs; and

WHEREAS, if awarded, \$25,000 will be granted to study the issues, opportunities, and costs associated tax collection information accessibility, exploring strategies to improve access and reduce the labor, time, and costs to collect this information, and to provide greater and more timely public access to this public information; and

WHEREAS, if awarded, an additional \$25,000 will be granted to offset the costs of implementing any or all of strategies identified in the study; and

WHEREAS, this application to this program is due on July 1st, 2008; and

WHEREAS, if awarded, this program would provide \$50,000 with no associated matching fund cost to the County; and

WHEREAS, this resolution has been reviewed and approved by the Finance, Assessment, and Insurance Committee on June 24, 2008; now, therefore, be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to sign all necessary documents to apply for the New York State Office of Real Property Service Centralized Property Tax Administration Program County Tax Collection Information Initiative grant.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH
IMMUNIZATION PROGRAM FOR THE IMMUNIZATION ACTION PLAN**

RESOLUTION NO. 164-08, moved by Mr. Hayssen, seconded by Mr. Kaiser and adopted by 679 ayes (Hayssen, Kaiser, Reynolds, Barto, Serven, Davidson, Dresser, Lafler, Terryberry, Amidon, Mooney, Shipley, Westfall) and 71 absentees (Same).

WHEREAS, the Health Department has been awarded \$30,000 for the administration of the Immunization Action Plan for Seneca County; and

WHEREAS, the grant period is April 1, 2008 through March 31, 2009; and

WHEREAS, the Chairman of the Board of Supervisors must sign this contract to receive this funding; and

WHEREAS, this funding is in the Public Health budget 10-115-5-4012; and

WHEREAS, the Public Health Services Committee recommendation this resolution at its meeting on June 10, 2008; 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 administration of the Immunization Action Plan.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
A CONTRACT WITH YATES FAMILY PLANNING SERVICE FOR THE PROVISION OF
STD TESTING AND TREATMENT OF SENECA COUNTY RESIDENTS**

RESOLUTION NO. 165-08, moved by Mr. Hayssen, seconded by Mr. Barto and adopted by 679 ayes (Hayssen, Barto, Reynolds, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Amidon, Mooney, Shipley, Westfall) and 71 absentees (Same).

WHEREAS, Seneca County Health Department is required to provide testing and treatment of sexually transmitted diseases at no-cost for county residents; and

WHEREAS, Yates Family Planning Service provides services in Geneva and performs testing and treatment of Seneca County residents; and

WHEREAS, it is necessary to enter into a contract with Yates Family Planning Services in order for the Agency to be reimbursed for the costs of these services; and

WHEREAS, estimated costs for this contract are less than \$1,000; and

WHEREAS, the funding for this program is in the Public Health Budget 10-115-5-4010-4350; and

WHEREAS, the Public Health Services Committee recommendation this resolution at its meeting on June 10, 2008; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with Yates Family Planning Services for STD testing and treatment for residents of Seneca County.

**BOARD OF SUPERVISORS ADOPTS DISADVANTAGED BUSINESS ENTERPRISE POLICY
FOR FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 166-08, moved by Mr. Kaiser, seconded by Mrs. Amidon and adopted by 679 ayes (Kaiser, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Lafler, Terryberry, Hayssen, Mooney, Shipley, Westfall) and 71 absentees (Same).

WHEREAS, in order to receive Federal Transportation Funds for Capital Improvement Work at the Finger Lakes Regional Airport, the County of Seneca needs to have in place a Disadvantaged Business Enterprise Policy; and

WHEREAS, this resolution and the annexed Disadvantage Business Enterprise Policy has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on June 10, 2008; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby adopts the attached Disadvantaged Business Enterprise (DBE) Policy for the Finger Lakes Regional Airport.

AUTHORIZE SNOWMOBILE TRAIL PHASE I APPLICATION

RESOLUTION NO. 167-08, moved by Mr. Kaiser, seconded by Mr. Shipley and adopted by 679 ayes (Kaiser, Shipley, Reynolds, Barto, Serven, Davidson, Dresser, Lafler, Terryberry, Amidon, Hayssen, Mooney, Westfall) and 71 absentees (Same).

WHEREAS, a trail that is an existing part of the New York State Snowmobile Trail System loops into Seneca County in the Towns of Covert and Lodi; and

WHEREAS, the Twin Lakes Snowmobile Club has requested that Seneca County serve as a sponsor for them to receive Grant-in-Aid Program funding from the New York State Office of Parks, Recreation and Historic Preservation; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on May 13, 2008; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Department of Economic Development and Planning to prepare a Phase I Application for the NYS Snowmobile Trails Grant-in-Aid Program; and be it

FURTHER RESOLVED, that the Chairman of the Board is authorized and directed to sign said Grant Application.

PROCLAMATION OF SENECA COUNTY AGRICULTURAL COLLEGE HISTORY DAY

RESOLUTION NO. 168-08, moved by Mr. Kaiser, seconded by Dr. Dresser and adopted by 679 ayes (Kaiser, Dresser, Reynolds, Barto, Serven, Davidson, Lafler, Terryberry, Amidon, Hayssen, Mooney, Shipley, Westfall) and 71 absentees (Same).

WHEREAS, the first chartered agricultural college in New York State was chartered on April 15, 1853; and

WHEREAS, that chartered agricultural college opened in Ovid in December 1860; and

WHEREAS, agriculture is a leading industry in Seneca County; and

WHEREAS, many Seneca County residents were financial investors in the local funds that had to be raised to secure the state legislation establishing the first agricultural college in New York State; and

WHEREAS, the Interlaken, Lodi, Ovid, and Romulus Historical Societies have been planning for several months for a program on the State Agricultural College at Ovid; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors proclaims Monday, July 14, 2008, as Seneca County Agricultural College History Day; and

FURTHER RESOLVED, that the Seneca County Board of Supervisors extends official thanks to the Interlaken, Lodi, Ovid, and Romulus Historical Societies and commends them for their efforts to promote the history of the State Agricultural College at Ovid.

**THE SENECA COUNTY BOARD OF SUPERVISORS APPROVE CONTRACTS WITH
FINGER LAKES WORKFORCE INVESTMENT BOARD FOR**

THE PERIOD JULY 1, 2008 TO JUNE 30, 2009

RESOLUTION NO. 169-08, moved by Mr. Mooney, seconded by Mr. Kaiser and adopted by 679 ayes (Mooney, Kaiser, Reynolds, Barto, Serven, Davidson, Dresser, Lafler, Terryberry, Amidon, Hayssen, Shipley, Westfall) and 71 absentees (Same).

WHEREAS, the Seneca County Department of Workforce Development will provide a variety of services and programs utilizing funds available under the Workforce Investment Act; and

WHEREAS, it is necessary for the County to enter into a variety of financial contracts with the Finger Lakes Workforce Investment Board, acting as Grant Recipient for the Finger Lakes Workforce Investment Area, and

WHEREAS, on June 10, 2008, the Committee for Human Services and the Committee for Finance, Assessment & Insurance recommended said contracts for Board of Supervisors approval; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the following contacts with Finger Lakes Workforce Investment Board:

WIA Youth	July 1, 2007 – June 30, 2008	\$85,987.00
WIA Adult	July 1, 2007 – June 30, 2008	\$42,578.00
WIA Dislocated Worker	July 1, 2007 – June 30, 2008	\$39,103.00
WIA Administration	July 1, 2007 – June 30, 2008	\$2,167.00; and be it

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign said contracts on behalf of the County; and be it

FURTHER RESOLVED, that the certified copies of this resolution be sent to the Finger Lakes Workforce Investment Board.

**DIRECTOR OF EMERGENCY SERVICES AUTHORIZED TO SIGN AGREEMENT
BETWEEN SENECA COUNTY AND NEW YORK STATE EMERGENCY MANAGEMENT
OFFICE RE: NY-ALERT**

RESOLUTION NO. 170-08, moved by Mr. Shipley seconded by Mr. Terryberry and adopted by 679 ayes (Shipley, Terryberry, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Amidon, Hayssen, Mooney, Westfall) and 71 absentees (Same).

WHEREAS, NY-ALERT is New York State's All Hazard alert and notification system, that can provide emergency information to a residents in the county or within a defined area; and

WHEREAS, information about weather warnings, road closures, or protective actions are sent by EAS (Emergency Alert System), blast faxes, emails, or phone messages (both hardwire & cell phones); and

WHEREAS, the Public Safety Committee recommended this resolution be approved by the Board of Supervisors at its meeting on June 10, 2008; and

WHEREAS, there is no cost to the county for this service; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby authorize and direct the Director of Emergency Services to sign the Agreement between Seneca County and New York State Emergency Management Office for NY-ALERT.

SENECA COUNTY ADOPTS THE SENECA COUNTY ALL HAZARDS MITIGATION PLAN
RESOLUTION NO. 171-08, moved by Mr. Shipley seconded by Mr. Davidson and adopted by 679 ayes (Shipley, Davidson, Reynolds, Barto, Serven, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Mooney, Westfall) and 71 absentees (Same).

WHEREAS, the Seneca County All Hazards Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Seneca County Office of Emergency Services is the lead agency in the development and maintenance of said plan; and

WHEREAS, the Seneca County All Hazards Mitigation Plan is multi-jurisdictional encompassing the County of Seneca, as well as the towns of Covert, Fayette, Junius, Lodi, Ovid, Romulus, Seneca Falls, Tyre, Varick and Waterloo and the villages of Interlaken, Lodi, Ovid, Seneca Falls and Waterloo; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby adopt the Seneca County All Hazards Mitigation Plan and resolves to execute the actions in the Plan.

**AUTHORIZE TREASURER TO AMEND FIRE MUTUAL AID BUDGET FOR GRANT
FUNDING FOR POLICE AND FIRE TRAINING FACILITY IMPROVEMENTS
AND AUTHORIZE DIRECTOR OF EMERGENCY MANAGEMENT TO
PROCURE LAWNMOWER AND ROOF VENTILATION SIMULATOR**

RESOLUTION NO. 172-08, moved by Mr. Shipley seconded by Mr. Mooney and adopted by 679 ayes (Shipley, Mooney, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Westfall) and 71 absentees (Same).

WHEREAS, the Seneca County Economic Development Corporation has been awarded an Empire State Development grant; and

WHEREAS, part of this award is for improvements at the Police and Fire Training Facility at the former Seneca Army Depot Airfield; and

WHEREAS, \$20,000.00 has been awarded for the installation of a roof ventilation simulator to enhance fire training, and for the purchase of a lawnmower for mowing around the fire training buildings and fire training tower; and

WHEREAS, this is a 100% (no local match) reimbursable grant; and

WHEREAS, the Public Safety Committee recommended this resolution by adopted by the Board of Supervisors; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the County Treasurer to amend the 2008 Fire Mutual Aid budget 10-110-5-3410 to add \$20,000 to line item 3410.2400 (Technical Equipment) and add \$20,000 to revenue line 1031933307; and be it

FURTHER RESOLVED, that the Director of Emergency Services is authorized to make referenced procurements

WAIVE LOCAL LAW REQUIREMENTS FOR EMPIRE FARM DAYS

RESOLUTION NO. 173-08, moved by Mrs. Amidon, seconded by Mr. Westfall and adopted by 679 ayes (Amidon, Westfall, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Hayssen, Shipley, Mooney) and 71 absentees (Same).

WHEREAS, the sponsors of Empire Farm Days have requested from the Board of Supervisors a waiver of the provisions of Local Law No. 2 of 1979; and

WHEREAS, Local Law No. 2 of 1979 assures traffic safety for mass gatherings; and

WHEREAS, all necessary state permits involving health emergencies, crowd control, and food and health code regulations will be secured before the Empire Farm Days begins; now, therefore be it

RESOLVED, that the requirements of Local Law No. 2 of 1979 be and hereby are waived by the Seneca County Board of Supervisors for Empire Farm Days to be held August 5, 6, and 7, 2008.

New Business

Mr. Shipley made a motion, seconded by Dr. Dresser and carried to suspend the rules of order to introduce resolutions approved by appropriate Committee the same evening prior to the Board meeting.

TREASURER AUTHORIZED TO TRANSFER FUNDS IN WEATHERIZATION BUDGET

RESOLUTION NO. 174-08, moved by Mr. Mooney, seconded by Mr. Shipley and adopted by 679 ayes (Mooney, Shipley, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Westfall) and 71 absentees (Same).

WHEREAS, review of the County budget expenses to date and expected future costs for the rest of the year reveals that the Weatherization program will need to move money within their budget to allow for unexpected changes in funding needs since preparation of the budget almost one year ago, and

WHEREAS, since January Weatherization have not had an employee that was originally part of its budget plan for 2008 resulting in less expense attributable to labor and health insurance budget line than expected, and

WHEREAS, since Weatherization has contractual requirements with DHCR for production, it has been forced to make greater use of Sub Contractors to achieve production requirements, this increased use of Sub Contractors has resulted in a greater expense to this line than originally anticipated, and

WHEREAS, the program's Landlord has also increased rent by \$100 a month, requiring transfer of \$900 from Weatherization Supplies 6550-4550 to Rent 6550-4110, and

WHEREAS, the Human services Committee has reviewed and approved the within resolution, now therefore be it

RESOLVED, that the Treasurer is authorized and directed to transfer funds from Weatherization Salaries 6550-1100 in the amount of \$10,000, and from Health Insurance 6550-8600 in the amount of \$8,000 to Sub Contractor/Other Services 6550-4380 and transfer of \$900 from Weatherization Supplies 6550-4550 to Rent 6550-4110.

AUTHORIZE MENTAL HEALTH DEPARTMENT TO RETAIN INDEPENDENT COUNSEL

RESOLUTION NO. 175-08, moved by Mr. Reynolds, seconded by Mr. Shipley and adopted by 679 ayes (Reynolds, Shipley, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Mooney, Westfall) and 71 absentees (Same).

WHEREAS, the Seneca County Mental Health Department requires outside counsel to provide representation in connection with the past work performance of a former employee of the Department; and

WHEREAS, the Mental Health Services Committee has determined that retention of such would be cost effective for the County and recommended authorization for such purpose; now therefore be it

RESOLVED, that the Board of Supervisors does hereby authorizes and directs the Mental Health Department to retain independent counsel for purposed of providing counsel and advice with regard to the past performance of a former County employee.

APPOINTMENT PROCESS FOR SENECA COUNTY IDA BOARD MEMBERS

RESOLUTION NO. 176-08, moved by Mr. Kaiser, seconded by Dr. Dresser and adopted by 679 ayes (Kaiser, Dresser, Reynolds, Barto, Serven, Davidson, Lafler, Terryberry, Amidon, Hayssen, Mooney, Shipley, Westfall) and 71 absentees (Same).

WHEREAS, there are currently eight (8) members of the Seneca County IDA Board of Directors; and

WHEREAS, State Law allows for nine (9) member; and

WHEREAS, there is currently one (1) vacancy on the IDA Board of Directors; and

WHEREAS, a Search Committee of the IDA Chairman, IDA Vice-Chairman and Seneca County Board of Supervisors Lafler, Amidon and Dresser was recommended by the Planning, Development, Agriculture and Tourism Committee on June 24, 2008; now therefore be it

RESOLVED, that the Board of Supervisors does hereby approve said recommendations by the Search Committee; and be it

FURTHER RESOLVED, that the Seneca County IDA is directed to publicize the vacancy in local newspapers.

**RESOLUTION OF THE BOARD OF SUPERVISORS OF SENECA COUNTY CONSENTING
TO THE DIVERSION OF CERTAIN PILOT PAYMENTS BY THE SENECA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY WITH RESPECT TO THE
LOWE'S HOME CENTERS, INC. PROJECT AND AUTHORIZING THE
CHAIRMAN OF THE BOARD OF SUPERVISORS TO EXECUTE AND DELIVER A
CERTIFICATE IN FURTHERANCE OF THE SAME**

RESOLUTION NO. 177-08, moved by Mr. Kaiser, seconded by Mr. Shipley and adopted by 679 ayes (Kaiser, Shipley, Reynolds, Barto, Serven, Davidson, Dresser, Lafler, Terryberry, Amidon, Hayssen, Mooney, Westfall) and 71 absentees (Same).

WHEREAS, LOWE'S HOME CENTERS, INC. (the "Company") has submitted an application (the "Application") to the Seneca County Industrial Development Agency (the "Agency") requesting the Agency's assistance with a certain project (the "Project") consisting of (i) the acquisition of title to or a leasehold interest in a parcel of land located at the intersection of NYS State Routes 5 & 20 and Border City Road (County Road 110), in the Town of Waterloo, Seneca County, New York (the "Land"), (ii) the construction and equipping on the Land of an approximately 139,410 square-foot Lowe's home improvement retail facility and related office and other related improvements (the "Improvements"), (iii) the acquisition in and around the Improvements of certain items of equipment and other tangible personal property, all in furtherance of the Company's home improvement retail business (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, it is necessary to acquire, construct, equip and maintain a water line on Marshall Road and related infrastructure improvements to service the Project and surrounding properties (the "Infrastructure Improvements"); and

WHEREAS, in furtherance of the anticipated significant positive financial impacts within the County associated with the Project, including benefits to the retail and commercial communities and the Project's critical role in expanding needed infrastructure (including the Infrastructure Improvements) within the Town of Waterloo and Seneca County, the Company has requested the Agency to establish a PILOT Increment Financing ("PIF") structure within a proposed payment-in-lieu-of-tax agreement, between the Agency and the Company (the "PILOT Agreement") pursuant to which the Agency--in accordance with General Municipal Law Section 858(15) and with the consent of each affected tax jurisdiction--would utilize a portion of each PILOT payment made by the Company during the term of the PILOT Agreement to pay for or reimburse costs (including debt service) incurred by the Company or the Agency in connection with the Infrastructure Improvements and related costs (collectively, the "PILOT Diversion"); and

WHEREAS, in furtherance of the PILOT Diversion, the Company and the Agency have requested the consent of the County pursuant to and in accordance with General Municipal Law Section 858(15),

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SENECA COUNTY AS FOLLOWS:

Section 1. The County hereby consents to and approves the PILOT Diversion and PILOT Agreement and authorizes and directs the Agency to undertake the PILOT Diversion and utilize an amount sufficient paid under the PILOT Agreement to pay for the costs associated with the financing of the Infrastructure Improvements. Any amounts in excess thereof shall be paid to the affected tax jurisdictions in accordance with the New York State General Municipal Law.

Section 2. The Chairman of the Board of Supervisors (or other authorized representative) of the County is hereby authorized to execute and deliver a consent certificate (the "Certificate"), in the form attached hereto, such Certificate to be delivered to the Agency as evidence of the County's consent to undertake the PILOT Diversion.

Section 3. This Resolution shall take effect immediately.

Prior to the adoption of Resolution 177-08, discussion ensued on the floor. Mr. Hayssen stated that the Lowe's Project should have been awarded to local companies for construction and building materials. Other points made during discussion were the expected sales tax revenue that Lowe's would bring to the municipalities and that providing water lines for Lowe's should be just the beginning of creating county-wide infrastructure.

Special Order of the Day

The meeting was adjourned at 9:00 p.m. on a motion made by Mr. Barto, seconded and carried.