

SENECA COUNTY BOARD OF SUPERVISORS

EXECUTIVE SESSION

January 9, 2007

An Executive Session of the Board of Supervisors of the County of Seneca was held at Seneca County Office Building, One DiPronio Dr., Legislative Conference Room, 2<sup>nd</sup> Floor.

Present were: David Dresser, Supervisor (Ovid), Edward L. Barto, Supervisor (Fayette), Sean Anglim, Supervisor-at-large (Seneca Falls); Chuck Lafler, Supervisor-at-large (Seneca Falls); Joan Teichner, Supervisor (Varick), Michael Reynolds, Supervisor (Covert); Dale Smith, Supervisor (Junius); Lee Davidson, Supervisor (Lodi), David Kaiser, Supervisor (Romulus); Peter Same, Supervisor (Seneca Falls), Patsy Amidon, Supervisor (Tyre); James Mooney, Supervisor (Waterloo), Robert Shipley, Supervisor-at-large (Waterloo); Steven Getman, Seneca County Attorney, Sharon Secor, Seneca County Manager, and Margaret Li, Clerk of the Board of Supervisors, Seneca County.

Margaret Li, Clerk of the Board of Supervisors, Seneca County assumed duties of Secretary of the meeting.

A discussion was held pursuant to Public Officers Law Section 105 of the State of New York regarding proposed, pending or current litigation.

After discussion, Mr. Getman determined that there was a quorum of the Board of Supervisors. Action was taken that resulted in the passage of Resolution No. 08a-07.

**RESOLUTION DIRECTING THE FILING AND SERVICE OF A NOTICE OF APPEAL  
(EXECUTIVE SESSION)**

RESOLUTION NO. 08a-07, moved by Dr. Dresser, seconded by Mrs. Teichner and adopted by 690 ayes (Dresser, Teichner, Reynolds, Barto, Smith, Davidson, Kaiser, Same, Lafler, Anglim, Amidon, Mooney, Shipley) and 60 absentees (Trickler).

RESOLVED, the County Attorney is hereby directed and requested to serve and file the Notice of Appeal in "In the Matter of the Application of THE COUNTY OF SENECA, a municipal corporation of the State of New York, Petitioner, v. ANDREW S. ERISTOFF, as the Commissioner, New York State Department of Taxation and Finance, et al, Supreme Court, Albany County, Index No. 3172-06," in order to protect and preserve the County's rights under CPLR Art. 78 and other applicable statutes and case law.

Sean Anglim, Supervisor-at-large, Town of Seneca Falls moved to adjourn said executive session. Joan Teichner, Supervisor, Town of Varick seconded. All present voted in favor.