

SENECA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING

February 13, 2007

7:00 p.m.

Call to Order:

Chairman Barto called the meeting to order at 7:03 p.m.

Roll Call of Members by the Clerk:

Ten members of the Board of Supervisors answered roll call. Mr. Same and Mr. Anglim were absent. Mr. Kaiser was seated just before the Pledge of Allegiance. Mr. Reynolds was seated after the close of the public hearing.

Pledge of Allegiance and Moment of Silence:

Public Hearing:

Regarding the adoption of proposed Local Law No. 3 of the County of Seneca for the year 2007, *Providing a Partial Exemption from Real Property Taxes for Persons with Disabilities who have Limited Income*. Motion to open the floor for public comment made by Mr. Kaiser. Second by Mr. Trickler. No comments were heard. Motion to close the public hearing made by Mr. Trickler. Second by Mr. Mooney. Motion carried.

Petitioners:

- a. Paul Bringawatt spoke on behalf of the Village of Waterloo and its potable water supply
- b. James Gabriel, Attorney for Seneca County Water District 1 regarding the proposal by the Seneca County Water District #1 to expand its facilities

Presentation:

- c. Workforce, Economic Development, and Micro Enterprise Program: Peg Birmingham, Deputy Commissioner of Human Services; Bill Bordeau, Deputy Director of Economic Planning & Development and Chris Brown, Micro-Enterprise Coordinator gave a slide show presentation and overview of the success of the program.
- d. Search Committee for County Manager – Herbert Holden, Chairperson. Based on information received from the Search Committee - a draft copy of a local law for the position of county manager and a proposed timeline for hire date, Chairman Barto referred the issue to the Government Operations oversight committee for further review and discussion

Submission of Claims for Audit:

Motion to approve vouchers for payment made by Mr. Mooney. Second by Mr. Smith. All present voted in favor.

Supervisors vouchers	#329-719 & 724	totaling	\$613,749.72
OFA vouchers	#53 - 124	totaling	\$79,058.71
Workforce Development vouchers	#34 - 62	totaling	\$24,925.36
Insurance vouchers	#8 - 13	totaling	\$8,893.84
County Airport vouchers	#8 - 13	totaling	\$7,999.60
Jail Capital Project vouchers	#17 - 49	totaling	\$106,688.05
E-911 Capital vouchers	#4 - 7	totaling	\$9,409.18
Highway Transportation vouchers			
Maintenance & State Snow	#27 - 56	totaling	\$225,613.55
Highway Machinery	#39 - 73	totaling	\$41,654.02

Approval of minutes:

January 4, 2007: Motion made by Mrs. Amidon. Second by Mr. Lafler. Motion to approve minutes carried.

Reports of Standing Committees:

Mental Health Services Committee – Mrs. Amidon, Chairperson met with Jon Strohl, Seneca County Mental Health Director. The meeting was informative and Mrs. Amidon reports there is a reduction in the wait list at Community Counseling Services.

Personnel & Technology Committee – Mr. Reynolds, Chairperson, reported the following recommendations: create one full-time temporary correction officer position; abolish two part-time public health nurse positions and create one full-time nurse position starting in June 2007; services provided by the Employee Assistance Program be extended to all employees of Seneca County; and increase salary of A.D.A. Mascari as requested.

Human Services Committee – Mr. Mooney, Chairperson, reported the following recommendations: accept bids for Weatherization; support mandated full federal funding for V.A. health care; and purchase eight Dodge Caravans for the Human Services vehicle fleet.

Native American Affairs Committee – Dr. Dresser, Chairperson, reported a productive meeting of the NYSAC Native American Affairs and Gaming Committee with topics related to sales tax collection, land claims, land-into-trust applications; gaming compacts, and “out-of-state” tribes; Richard Rifkin informed the committee that the Executive Budget allowed for

\$200,000,000 revenue from the collection of taxes on sales made to non-Indian consumers; and representatives from Cayuga County and Seneca County have a meeting with Congressman Arcuri the following week. Written report filed with the Office of the Clerk of the Board of Supervisors.

Public Health Services Committee – Mr. Lafler, Chairperson, reported committee recommendations for the following: a contract with Health Research Incorporated for the 2006-2007 Public Health Preparedness / Response for Bio-Terrorism Grant; and creating one full-time public health nurse position by combining two public nurse part-time positions effective in June.

Planning, Development, Agriculture & Tourism Committee – Mr. Kaiser, Chairperson, reported committee recommendations for an application for state funding to support the county's Micro-Enterprise program; a transfer of funds to Cornell Cooperative Extension for a vehicle; and an annual contract with the Beverly Animal Shelter. Written report filed with the Office of the Clerk of the Board of Supervisors.

Public Safety & Jail Construction Committee – Mr. Shipley, Chairperson reported recommendations by the committee for a salary increase for the First A.D.A.; a three-year contract with Penn Power Systems for E-911 generator maintenance and service; the purchase of three marked patrol units for the Sheriff Road Patrol; and the purchase of a navigation patrol vessel for the Navigation Unit.

Chairman's Remarks:

Chairman Barto's remarks highlighted the NYSAC Winter Conference, which he and several board members attended. Speaking at the conference was Governor Spitzer who told attendees that no longer would the state balance its budget on the backs of its local municipalities. Some parts of the state budget that have a positive effect on Seneca County include implementation of the local Medicaid cap and a new state parole violator process designed to relieve pressure on local jails. Mr. Barto was optimistic that the new state administration will enforce the collection of sales tax on non-Indian sales. A copy of complete remarks on file with the Office of the Clerk of the Board of Supervisors.

County Attorney's Remarks:

Copies of the 2006 Annual Activity report were distributed to the supervisors. Mr. Getman pointed out that a total of \$570,976 was collected and remitted back to various departments, an increase of \$1,016 from last year, also noting that the total county cost in 2006 budget as adopted

was \$175,572. A copy of the report is on file with the Office of the Clerk of the Board of Supervisors.

Communications:

The following communications were received and filed:

18. From the Town of Milo, Yates County, copy of a Notice of Public Hearing for a proposed Local Law to Amend in its entirety the Subdivision Chapter of the Code of the Town of Milo will be held at the Town Hall, 137 Main Street, Penn Yan on February 20, 2007 at 7:00 P.M.

19. From Seneca County IDA, a copy of a notice letter announcing a public hearing of the Seneca County IDA and Seneca Energy II, LLC on Friday, March 9, 2007 at 10:00 A.M. at the Seneca Meadows, Inc., 1786 Salcman Road, Waterloo, NY.

20. From the Office of the State Comptroller a copy of a letter dated January 23, 2007 to Nicholas Sciotti regarding the Indigent Legal Services Fund 2006 Annual Report form.

21. From Bonadio & Co., LLP a copy of a letter determining that Bonadio & Co.'s regarding two separate contracts (DHS and the Treasurer's Office).

22. From the Romulus Central School District Clerk copy of a resolution of the Board of Education held on January 23, 2007 to increase the sliding scale income eligibility for the Senior Citizen Exemption.

23. From the Village of Lodi a copy of a resolution dated January 17, 2007 to increase the sliding scale income eligibility for the senior citizen exemption.

24. From the Seneca County Historian an Annual Report with highlights of activities throughout 2006.

25. From the Seneca County Weights and Measures Director a State Annual Report of the Weights and Measures Department.

26. Minutes of the Cornell Cooperative Extension Board of Director's Meeting held on January 16, 2007.

27. Minutes of the Genesee/Finger Lakes Regional Planning Council Meeting held on December 14, 2006.

28. Minutes of the Seneca County Board of Health Meeting held on January 17, 2007.

29. Minutes of the Seneca County Federation of the Sportsmen's Clubs, Inc. held on January 18, 2007.

30. Minutes of the Special Meeting of the Seneca County IDA and Seneca County Economic Development Corporation held on January 12, 2007.

31. Minutes of the regular meeting of the Seneca County IDA held on January 4, 2007.

32. Minutes of the Seneca County Planning Board held on January 11, 2007.

33. Draft minutes of the Seneca County Water Quality Committee Meeting held on December 5, 2006.

34. Minutes of the Authority Meeting of the Western Finger Lakes Solid Waste Management Authority held on December 18, 2006.

35. From the United States Department of Commerce, U.S. Census Bureau to the Chairman of the Seneca County Board of Supervisors a copy of a letter dated January 31, 2007 inviting the Seneca County to participate in the 2010 Census Local Update of Census Addresses (LUCA) Program.

The following communications were received and referred to the committee indicated:

36. From the Department of the Army a copy of a letter dated January 17, 2007 regarding the Seneca County's application for a Department of the Army permit to fill 0.48 acres of federal jurisdictional wetlands for the construction of a Runway Safety Area (RSA) and the relocation of the Chadwick Road in the Town of Seneca Falls. It was concluded that the conditions have been met and approved. Referred to the Planning, Development, Agriculture & Tourism Committee.

37. From the New York Department of Environmental Conservation a copy of a letter dated November 8, 2006 to Christina Lotz, County Clerk regarding appointments of a Seneca County representative and a landowner representative to the Fish and Wildlife Management Advisory Board (FWMAB). Referred to the Planning, Development, Agriculture & Tourism Committee.

38. From "Seneca County Reality Check" of South Seneca High School a copy of a letter dated January 23, 2007 asking to meet with a representative of the Board to discuss how they can work with the Board to "keep Big Tobacco out of the minds of Seneca County teens". A resolution was enclosed for the supervisors to sign. Referred to the Public Health Committee.

39. From the State Board of Elections a copy of a letter dated February 2, 2007 announcing its Annual Conference for county election commissioners and officials on Monday, April 30 through May 2, 2007 at the Double Tree Hotel in Syracuse. Referred to the Government Operations Committee.

40. From Chairman of Board of Supervisors of Schoharie County a copy of a letter dated February 1, 2007 to Governor Eliot Spitzer noting their concerns on how equalization rates are calculated in New York State. Referred to the Finance, Assessment & Insurance Committee.

41. From the New York State Emergency Management Office a copy of a letter dated February 1, 2007 advising the office is accepting Letters of Intent for hazard mitigation projects as a result of the two recent major disasters (Lake Effect Snowstorm) and (Severe Storms and Flooding). Referred to the Public Safety Committee.

Resolutions and Motions:

**RESOLUTION AUTHORIZING TREASURER TO AMEND
2007 EMERGENCY MANAGEMENT BUDGET**

RESOLUTION NO. 19-07, moved by Mr. Shipley, seconded by Mr. Mooney and adopted by 608 ayes (Shipley, Mooney, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Amidon, Teichner, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, in the New York State 2006 - 2007 budget, funding was allocated for each county on a calculation of thirty cents per capita, intended to support emergency management and disaster preparedness initiatives; and

WHEREAS, Seneca County received \$10,002.60, which will be used for the enhancement of the Emergency Operations Center (EOC); now, therefore be it

RESOLVED, Seneca County Treasurer is hereby authorized to amend the 2007 Emergency Management budget line item 3640.2400 Emergency Management Technical Equipment to add \$10,002.60 and increase revenue account 3305.

**RESOLUTION TO INCREASE CONTRACT AMOUNT WITH ECC TECHNOLOGIES,
INC. TO COMPLETE PROJECT MANAGEMENT WORK FOR 911 CENTER**

RESOLUTION NO. 20-07, moved by Mr. Shipley, seconded by Mr. Lafler and adopted by 608 ayes (Shipley, Lafler, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Amidon, Teichner, Mooney, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, a change order to increase the current budget is being requested by ECC Technologies, Inc. ("ECC") to provide project management services and complete the E-911 phase II wireless grant project, due to changes in the project requested by the county; and

WHEREAS, ECC is requesting an additional (162) hours, for a total additional fee of \$20,817, to be applied toward the remainder of contract to complete the backup 911 center, CAD/RMS implementation and grant closeout project management; and

WHEREAS, based upon the presentations of ECC these change orders are in the nature of professional services to enhance and maintain public safety and public order and to meet the expectations of the 911 grant; and

WHEREAS, this request has been reviewed and approved by the Director of Information Technology and the Public Safety and Jail Construction Committee of the Board of Supervisors; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors approves the increase in the current contract with ECC Technologies, Inc. in the amount of \$20,817; said increase to come from E-911 Reserve Fund, 80-101-5-3021-2-000; and be it further

RESOLVED, that the Chair of the Board of Supervisors be and hereby is directed to execute any and all contract documents necessary to memorialize this change order.

**RESOLUTION APPROVING CHANGE ORDER FOR
FINGER LAKES COMMUNICATIONS COMPANY, INC.**

RESOLUTION NO. 21-07, moved by Mr. Shipley, seconded by Mrs. Teichner and adopted by 608 ayes (Shipley, Teichner, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Amidon, Mooney, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, the amount of \$29,232.85 is being requested as a change order under the current contract with Finger Lakes Communications Company, Inc. (“the Company”) in order to complete the Phase II E-911 project as follows:

Install North Seneca Ambulance Bay Station - \$9,561.00

Install Back Up 911 Center Console Wiring and Equipment Relocation - \$7,671.85

Install Officer Safety Software Upgrade for Radio Consoles - \$8,000

Install Radio Network Integration Services - \$4,000; and

WHEREAS, there is currently a contract credit in the amount of \$5,900; and

WHEREAS, based upon the presentations of the Company these change orders are in the nature of professional services to enhance and maintain public safety and public order and to meet the expectations of the 911 Grant; and

WHEREAS, this request has been reviewed and approved by the Director of Information Technology and the Public Safety and Jail Construction Committee of the Board of Supervisors; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors approves the increase in the current contract with Finger Lakes Communications Company, Inc. in the amount of \$23,332.85; said increase to come from E-911 Reserve Fund 80-101-5-3021-2-000; and be it further

RESOLVED, that the Chair of the Board of Supervisors be and hereby is directed to execute any and all contract documents necessary to memorialize this change order.

**RESOLUTION TO AUTHORIZE THE PURCHASE OF
MERCOM RECORDER AND SECURE CABINTRY**

RESOLUTION NO. 22-07, moved by Mr. Shipley, seconded by Mrs. Amidon and adopted by 608 ayes (Shipley, Amidon, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Teichner, Mooney, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, the plan for the telephone system and call recording for the new LEC has been finalized and the Public Safety Committee has approved the plan to ensure that this system meets the needs of the public and is provided as cost efficiently as possible and the amount of \$24,000 is being requested as a change order under the current contract with Relcomm Inc. in order to complete the Law Enforcement Phone System; now, therefore be it

RESOLVED, that this Board of Supervisors approves the purchase of a Mercom Recorder, through Relcomm, and secure cabinetry, at a cost not to exceed \$24,000, paid from account number 80-101-5-1622-20 the above items.

**RESOLUTION TO AUTHORIZE SHERIFF TO PURCHASE THREE
NEW MARKED PATROL VEHICLES**

RESOLUTION NO. 23-07, moved by Mr. Shipley, seconded by Mr. Smith and adopted by 608 ayes (Shipley, Smith, Reynolds, Barto, Davidson, Dresser, Kaiser, Lafler, Amidon, Teichner, Mooney, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, funds have been appropriated in the 2007 Seneca County Sheriff's Road Patrol budget in the amount of \$90,000.00 for new patrol vehicles; and

WHEREAS, pricing for 3 Ford Crown Victoria, police package patrol cars is as follows: \$76,129.50 for the vehicles from state contract PC62338; new radio installation and computer equipment swap for 3 vehicles at \$3,539.70; striping for 3 vehicles at \$1,140.00; installation of

striping and rhino bars for 3 vehicles at \$450.00 and new rhino bars for 3 vehicles at \$825.00 for a total of \$82,084.20.; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the Seneca County Sheriff to purchase three 3 new Ford Crown Victoria police package patrol cars for an amount not to exceed \$82,084.20 to be paid from account 3113.260 - Sheriff's Road patrol vehicles.

**RESOLUTION ACCEPTING DONATION FOR IESI SENECA MEADOWS AND
AUTHORIZE PURCHASE OF PATROL VEHICLE**

RESOLUTION NO. 24-07, moved by Mr. Shipley, seconded by Mrs. Teichner and adopted by 608 ayes (Shipley, Teichner, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Amidon, Mooney, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, the Seneca County Sheriff's Department has received a check in the amount of \$26,556.40 from IESI Seneca Meadows Landfill for the purchase of a new Sheriff's patrol vehicle; and

WHEREAS, the Board of Supervisors' Public Safety and Jail Committee have recommended acceptance of said donation; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby accept the donation from IESI in the amount of \$26,556.40; and be it

FURTHER RESOLVED, that the Seneca County Sheriff is hereby authorized to purchase a patrol vehicle with the donation; and be it

FURTHER RESOLVED, that the Seneca County Board of Supervisors does hereby expresses its gratitude to IESI Seneca Meadows for the donation.

**RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD AND SHERIFF TO
SIGN CONTRACT WITH WAYNE COUNTY FOR HOUSING OF INMATES**

RESOLUTION NO. 25-07, moved by Mr. Shipley, seconded by Mr. Kaiser and adopted by 608 ayes (Shipley, Kaiser, Reynolds, Barto, Smith, Davidson, Dresser, Lafler, Amidon, Teichner, Mooney, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, Seneca County currently has a contract with Wayne County for inmate housing that expired December 31, 2006 and a request to renew the contract for an additional year is being made at a cost of \$85.00 per day; now, therefore be it

RESOLVED, that the Chairman of the Board and Sheriff are hereby authorized and directed to sign said contract with Wayne County for housing of inmates.

RESOLUTION AUTHORIZING TREASURER TO AMEND SHERIFF'S 2007 SENECA COUNTY BUDGET FOR GRANT AWARDS

RESOLUTION NO. 26-07, moved by Mr. Shipley, seconded by Mr. Lafler and adopted by 608 ayes (Shipley, Lafler, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Amidon, Teichner, Mooney, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, the Sheriff's Department has been notified that the Department has been awarded grant funds as follows:

\$2,000 to participate in the statewide Child Passenger Safety Program

\$1,268 to participate in the statewide Buckle Up New York Campaign

\$9,500 for STEP for personal services

\$3,000 to purchase a laser unit for speed enforcement through the Governor's Traffic Safety Committee; now, therefore be it

RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to amend the Sheriff's 2007 Road patrol budget as follows:

Increase and add appropriation accounts:

3113.1310 - \$9,500 STEP Personal Services

3113.1320 - \$1,268 – Buckle Up New York

3113.2420 - \$2,000 -Child Passenger Safety Program

3113.2450 - \$3,000 – Gov Traf Safety laser unit

Increase and add revenue accounts:

3316 - \$2,000 Child Passenger Safety Program

3316 - \$1,268 Buckley Up New York

3391 - \$9,500 STEP

3391 - \$3,000 Gov Traf Safety

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW NO. 4 OF THE YEAR 2007
REPEALING SENECA COUNTY LOCAL LAW NO. 6 OF THE YEAR 2002 AND
PROVIDING FOR PUBLIC HEARING**

RESOLUTION NO. 27-07, moved by Mr. Shipley, seconded by Mr. Mooney and adopted by 608 ayes (Shipley, Mooney, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Amidon, Teichner, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, it has been recommended by the County Manager and Undersheriff and the Board of Supervisors' Public Safety committee that it is in the best interests of the County that there be introduced a Local Law Repealing Seneca County Local Law No. 2 of the Year 2002;

NOW, THEREFORE, BE IT RESOLVED that proposed Local Law No. 4 of the year 2007 entitled "A Local Law Repealing Seneca County Local Law No. 6 Of The Year 2002" be and the same is hereby introduced before the Board of Supervisors of Seneca County, New York; and

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed local law be laid upon the desks of each member of the County Board; and

BE IT FURTHER RESOLVED, that the County Board hold a public hearing on said proposed Local Law at the County Office Building, 1 DiPronio Drive, Waterloo New York at 7:00 p.m. on the 13 day of March 2007; and

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

RESOLUTION AWARDDING CONTRACTS FOR OUTSIDE COUNSEL ON DISTRICT ATTORNEY APPEALS AND DIRECTING AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE SAME

RESOLUTION NO. 28-07, moved by Mr. Shipley, seconded by Mr. Lafler and adopted by 608 ayes (Shipley, Lafler, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Amidon, Teichner, Mooney, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, due to workload the Seneca County District Attorney requires the services of outside attorneys experienced in the field of criminal appeals to research issues of criminal law and write appellate briefs and present oral argument on behalf of the District Attorney, in response to appeals filed by defendants prosecuted by the District Attorney's Office; and

WHEREAS, the District Attorney has recommended engaging the services of JOHN A. CIRANDO, ESQ., with principal offices at 101 SOUTH SALINA ST, SUITE 1010, SYRACUSE, NY 13202-1350, MELVIN BRESSLER, ESQ., with principal offices at 58

TOBEY COURT, PITTSFORD, NY 14534, and KRISTIN M. SUNSER-KING, ESQ., with principal offices at 239 EAST WATER ST, SYRACUSE, NY 13202; and

WHEREAS, funds for these contracts have been appropriated in the 2007 budget under Budget Line No. 4320, "Court Fees, Legal or Professional," up to \$30,000.00; and

WHEREAS, the District Attorney's request was approved by the Public Safety and Jail Construction Committee of the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED that contracts for these services shall be duly executed between the Chairman of the Board of Supervisors and the independent contractors above named.

**RESOLUTION TO AUTHORIZE PURCHASE OF NEW VAN FOR
INMATE TRANSPORTS**

RESOLUTION NO. 29-07, moved by Mr. Shipley, seconded by Mr. Kaiser and adopted by 608 ayes (Shipley, Kaiser, Reynolds, Barto, Smith, Davidson, Dresser, Lafler, Amidon, Teichner, Mooney, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, the command center used by the Seneca County Sheriff's Department was destroyed in the Depot Fire in February 2006; and

WHEREAS, The County received insurance money in the amount of \$22,300 for the command center; and

WHEREAS, the Seneca Army Depot turned over a surplus command center used at the Depot to Seneca County and it can be converted for the Sheriff's Department's use as a command center; and

WHEREAS, The Sheriff's Department transport of inmates will increase with the upcoming relocation of the Sheriff's Department and Jail to the new law enforcement center in Romulus and it has been determined that the County is in need of an additional transport van; and

WHEREAS, a request to purchase a new transport van from State contract Group 40540 with the insurance monies is being made as follows:

2007 Chevrolet Express 12 passenger Van	\$18,467.00
HAVIS Shields prisoner partitions, window guards and side step	\$2,522.25
Emergency lights	\$399.00

Striping and lettering	\$195.00
Police Radio	\$720.00
Total	\$22,303.25

NOW THEREFORE, BE IT RESOLVED, the Board of Supervisors hereby authorizes the purchase of said transport van as set forth above.

**RESOLUTION AUTHORIZING PURCHASE OF NAVIGATION PATROL VESSEL
FOR THE SHERIFF’S DEPARTMENT NAVIGATION UNIT**

RESOLUTION NO. 30-07, moved by Mr. Shipley, seconded by Mr. Mooney and adopted by 608 ayes (Shipley, Mooney, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Amidon, Teichner, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, the navigation boat and trailer used by the Seneca County Sheriff’s Department was destroyed in a warehouse fire at the Seneca Army Depot in February 2006; and

WHEREAS, the boat and trailer were covered with replacement insurance for \$60,000 and \$3,500 respectively; and

WHEREAS, the Sheriff’s Department has been working with the New York State Parks and Recreation to procure a navigation boat and trailer for the Seneca Sheriff’s Department Navigation Unit; and

WHEREAS, a request has been made to purchase a commercial duty Pro-line 2500 CC Pilot Boat from GSA pricing GS-07F-6002P MOD AO02 for a final cost of \$62,500; the list price of the boat and trailer is \$85,950.01, less marketing discount for inventory Unit (\$10,793.32), less NY State Office of Parks, Recreation and Historic Perseveration contribution (\$12,656.69) for a final cost of \$62,500 which will be covered by insurance payment for replacement of boat and trailer; the balance left for the replacement is \$1,000 that will cover the cost of lettering (\$450); and

WHEREAS, a request to authorize purchase at the Feb 13th board meeting has been made in order to have the vessel available for navigation use during the upcoming season;

NOW, THEREFORE, BE RESOLVED authorization is hereby given for the purchase of a commercial duty Pro-line 2500 CC Pilot Boat and trailer from GSA pricing GS-07F-6002P MOD AO02 as set forth above.

**CHAIRMAN OF THE BOARD AUTHORIZED TO SIGN GRANT DOCUMENTS FOR
HAVA (“HELP AMERICA VOTE ACT”) FOR BOARD OF ELECTIONS
REIMBURSEMENT**

RESOLUTION NO. 31-07, moved by Mr. Smith, seconded by Mrs. Teichner and adopted by 608 ayes (Smith, Teichner, Reynolds, Barto, Davidson, Dresser, Kaiser, Lafler, Amidon, Mooney, Trickler, Shipley) and 142 absentees (Same, Anglim).

WHEREAS, The Seneca County Board of Elections has received three set of grant documents as follows: Poll worker Training and Voter Education - \$18,710; New York State Voting Access for Individuals with Disabilities polling place access improvements - \$9,355 and HHS voting access for Individuals with disabilities polling place access improvement - \$4,494; and

WHEREAS, the contracts require the signature of the Chairman of the Seneca County Board of Supervisors and upon execution of the contracts, the County will be able to receive reimbursement for vouchers submitted for poll worker training and voter education and polling place access improvements for individuals with disabilities, now, therefore be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to sign said grant documents for reimbursement for the Board of Elections for reimbursement for HAVA related expenses.

SUPERVISORS APPROVE FUNDING FOR AIRPORT IMPROVEMENT PROJECT

RESOLUTION NO. 32-07, moved by Mr. Smith, seconded by Mrs. Teichner and adopted by 548 ayes (Kaiser, Lafler, Reynolds, Barto, Smith, Davidson, Dresser, Amidon, Teichner, Mooney, Shipley), 60 abstentions (Trickler), and 142 absentees (Same, Anglim).

WHEREAS, a Project for the Finger Lakes Regional Airport, P.I.N. 3911.80 ("the Project") is eligible for funding New York State's AIR 99 Program administered by the NYS Department of Transportation ("NYSDOT"); and

WHEREAS, the County of Seneca desires to advance the Project by committing funds for the local share of the Project, the total Project cost being \$100,000 of which the NYSDOT share is \$90,000 and the local share is \$10,000; and

WHEREAS, the project budget includes contingency funds to cover most additional required work in the event of unforeseen conditions, the potential exists for additional, necessary costs beyond the project budget of up to \$15,000; and

WHEREAS, this resolution has been reviewed and approved by the Public Works, Planning, Development, Agriculture & Tourism Committee on January 9, 2007; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby approves the above subject Project; and be it

FURTHER RESOLVED, that the sum of \$10,000 is hereby appropriated from the Airport Capital Reserve Fund and made available to cover the local share in the above phase of the Project; and be it

FURTHER RESOLVED, that in the event the full costs of the Project exceeds the amount appropriated above, the County of Seneca shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Manager; and be it

FURTHER RESOLVED, that the Chairman of the Seneca County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for AIR 99 Program Funding on behalf of the County of Seneca with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the local share and all Project costs that are not so eligible.

**RESOLUTION AUTHORIZING BOARD OF SUPERVISORS CHAIR TO ACCEPT
GRANT SUPPORTING LOCAL ANIMAL SHELTER SERVICES**

RESOLUTION NO. 33-07, moved by Mr. Kaiser, seconded by Mr. Shipley and adopted by 608 ayes (Kaiser, Shipley, Reynolds, Barto, Smith, Davidson, Dresser, Lafler, Amidon, Teichner, Mooney, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, Seneca County, through the efforts of Senator Nozzolio, has received a \$25,000 Department of State Grant to support local animal shelter services; and

WHEREAS, these funds have been programmed to provide basic supplies and shelter improvements; and

WHEREAS, these funds are intended to supplement, not replace, any funds to be provided to the shelter under the county's standard contract; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on January 23rd, 2007; now, therefore be it

RESOLVED, that the Chair of the Board of Supervisors is authorized and directed to sign the Grant Agreement and any other necessary documents to receive this funding; and be it

FURTHER RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to increase accounts 8794.470 General Resources Animal Shelter, and Revenue Account 2770 by \$25,000.

**RESOLUTION AUTHORIZING BOARD OF SUPERVISORS CHAIR TO EXECUTE
2007 CONTRACT WITH BEVERLY ANIMAL SHELTER**

RESOLUTION NO. 34-07, moved by Mr. Kaiser, seconded by Mr. Shipley and adopted by 608 ayes (Kaiser, Shipley, Reynolds, Barto, Smith, Davidson, Dresser, Lafler, Amidon, Teichner, Mooney, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, pursuant to New York State Agriculture and Markets Law, any county may contract for pound or shelter services with an appropriate animal protective association; and

WHEREAS, the Certification of Incorporation of Beverly Animal Shelter, Inc. indicates that the shelter is a not for profit corporation which includes as its purposes “to provide care for animals in need in order to prevent animal abuse and neglect;” and the bylaws of the shelter, Article II, state that its purpose and policy includes “care and disposition of lost, strayed or homeless animals...maintain a shelter or shelters for dogs, cats and other animals, and to perform all such acts as may be customary and advisable in the operation of an animal shelter, to contract under ... the Agriculture and Markets Law of the State of New York, or any other law providing for similar contracts for similar purposes... and to provide for the humane disposition of seized animals as therein provided”; and

WHEREAS, based upon the above, and consideration for the many lost and strayed animals of Seneca County which, but for the shelter, would be loose upon the community; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on February 13, 2007; now, therefore be it

RESOLVED, that the Chair of the Board of Supervisors is authorized and directed to enter into a contract, approved as to form and content by the Seneca County Attorney, with the

Beverly Animal Shelter, Inc., for shelter services for the time period January 1, 2007 through December 31 2007 in the amount of \$30,000, in equal monthly payments of \$2500.00; and be it

FURTHER RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to pay all legal claims submitted under this contract from Account line no. 8793.470, "General Resources: Animal Shelter".

**AUTHORIZATION TO INCREASE HOURS OF TOURISM SPECIALIST POSITION
IN THE ECONOMIC DEVELOPMENT & PLANNING DEPARTMENT**

RESOLUTION NO. 35-07, moved by Mr. Kaiser, seconded by Mr. Mooney and adopted by 608 ayes (Kaiser, Mooney, Reynolds, Barto, Smith, Davidson, Dresser, Lafler, Amidon, Teichner, Trickler, Shipley) and 142 absentees (Same, Anglim).

WHEREAS, the Tourism Office of the Department of Economic Development and Planning currently has a part-time Tourism Specialist position (30 hours per week); and

WHEREAS, the current part-time Tourism Specialist was re-assigned additional responsibilities with the Industrial Development Agency; and

WHEREAS, compensation for said full-time position is 20% reimbursable with Industrial Development Agency funds; and

WHEREAS, this resolution has been reviewed and approved by the Personnel & Technology Committee on January 23, 2007; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes an increase of hours from part-time (30 hours per week) to full-time (37.5 hours per week) for said Tourism Specialist position in the Tourism Office of the Department of Economic Development and Planning, subject to the drafting and execution of appropriate agreements between the Seneca County Industrial Development Agency and the County of Seneca, approved as to form by the respective attorneys for each entity.

RESOLUTION TO PROCLAIM WEEK OF FEBRUARY 24 - MARCH 3, 2007

AS ENTREPRENEURSHIP WEEK

RESOLUTION NO. 36-07, moved by Mr. Kaiser, seconded by Mr. Dresser and adopted by 608 ayes (Kaiser, Dresser, Reynolds, Barto, Smith, Davidson, Lafler, Amidon, Teichner, Mooney, Trickler, Shipley) and 142 absentees (Same, Anglim).

WHEREAS, most new jobs and economic innovations come from the creative efforts of entrepreneurs; and

WHEREAS, Entrepreneur Week promotes awareness of entrepreneurs as innovators, positive forces in the economy, and important resources for improving communities as places to live and work;

NOW THEREFORE BE IT RESOLVED, the Seneca County Board of Supervisors hereby declares the Week of February 24 - March 3, 2007 as Entrepreneurship Week.

RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS FROM THE CONTINGENT FUND TO CORNELL COOPERATIVE EXTENSION (CCE) FOR VAN AND AMEND EXISTING CONTRACTS AS MIGHT BE REQUIRED

RESOLUTION NO. 37-07, moved by Mr. Kaiser, seconded by Mr. Smith and adopted by 608 ayes (Kaiser, Smith, Reynolds, Barto, Davidson, Dresser, Lafler, Amidon, Teichner, Mooney, Trickler, Shipley) and 142 absentees (Same, Anglim).

WHEREAS, the County contracts with Cornell Cooperative Extension through the budget process;

WHEREAS, CCE is proposing to buy out the lease for the Ford Windstar for \$9,200 and is asking the County to provide \$8,200 toward this purchase; and

WHEREAS, in April, Cornell Cooperative Extension is planning on getting rid of the Venture when that lease expires, and purchasing a new pickup truck on State bid, through Cornell University; The purchase quote for this was \$14,500; and CCE is asking the County to provide an additional \$12,500 toward this purchase; and

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors authorizes and directs the transfer of \$20,700 from the Contingent Fund account 1990.470 to Cornell Cooperative Extension account 8790.470 for vehicle purchases and authorizes the Chairman of the Board of Supervisors to execute any contract documents necessary to accomplish same.

RESOLUTION AUTHORIZING PERSONNEL DIRECTOR TO FILL VACANT MEO LIGHT/AUTOMOTIVE MECHANIC POSITION IN HIGHWAY DEPARTMENT

RESOLUTION NO. 38-07, moved by Mr. Trickler, seconded by Mrs. Teichner and adopted by 608 ayes (Trickler, Teichner, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Amidon, Mooney, Shipley) and 142 absentees (Same, Anglim).

WHEREAS, the 2007 Highway Budget provides for a new MEO Light/Automotive Mechanic position and the department is requesting to fill the position at this time;

NOW, THEREFORE, BE IT RESOLVED that the board authorizes that this position be filled in accordance with existing policies and procedures.

**RESOLUTION TO AUTHORIZE PERSONNEL OFFICER TO ADVERTISE FOR
COUNTY ENGINEER POSITION**

RESOLUTION NO. 39-07, moved by Mr. Reynolds, seconded by Mr. Davidson and adopted by 548 ayes (Reynolds, Davidson, Barto, Smith, Dresser, Kaiser, Lafler, Amidon, Teichner, Mooney, Trickler), 60 nays (Shipley) and 142 absentees (Same, Anglim).

WHEREAS, the Government Operations / Personnel & Technology Committee met on January 23, 2007 to discuss the filling of the budget position for County Engineer; and

WHEREAS, the committee has recommended that the position be advertised for possible hires, therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby direct the Personnel Officer to begin advertising for said position, with a salary range of \$64,574 to \$71,032.

**RESOLUTION AUTHORIZING APPROVAL OF ESI, HEALTH ASSOCIATION EAP,
INC. AS THE PROVIDER OF EMPLOYEE ASSISTANCE SERVICES
TO SENECA COUNTY EMPLOYEES**

RESOLUTION NO. 40-07, moved by Mr. Reynolds, seconded by Mrs. Amidon and adopted by 608 ayes (Reynolds, Amidon, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Teichner, Mooney, Trickler, Shipley) and 142 absentees (Same, Anglim).

WHEREAS, EAP programs are proven to help employees overcome personal difficulties that may impact their work life and EAP success is a success for the organization as good and valued employees are retained in their jobs; and

WHEREAS, EAP provides confidential counseling and other services, on a wide variety of topics, that address many issues and has proven successful in Seneca County DHS and the Seneca County Board of Supervisors saw fit to extend this service to ALL employees of the County and included funding for the same in the 2007 budget; and

WHEREAS, three vendors expressed interest in servicing Seneca County from the Request for Proposal (RFP) advertised in December and a team of individuals have reviewed the RFPs and have recommended that Employee Services Inc., EAP, Health Association EAP, One Mount Hope Avenue, Rochester, New York 14620, be accepted by the Board of Supervisors for

EAP services for all County Employees for the period of 02/19/07 to 12/31/07, with options to renew for 2008 and 2009 fiscal years; and

WHEREAS, based upon the presentations of Employee Services Inc., Health Association EAP; and now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves the 2007 contract with Employee Services Inc., EAP, Health Association EAP, for the period 02/19/07 to 12/31/07 at a cost not to exceed \$20.50 per employee per year and an annual cost not to exceed \$8,114.59 for the 10 month contract; and be it

FURTHER RESOLVED, this request has been reviewed and approved by the Director of Personnel and the Personnel and Technology Committee of the Board of Supervisors and funds are available in the 2007 Seneca County Budget in accounts 10-101-5-1430-4371 and 10-125-5-6006-4701; and be it

FURTHER RESOLVED, the fees are approved as follows for the next 2 years pending available funding in the annual budgets:

2008 - \$21.50 per employee per year

Annual Cost not to exceed: \$10,212.50

2009 - \$22.50 per employee per year

Annual Cost not to exceed: \$10687.50; and be it

FURTHER RESOLVED, that the Chair of the Board of Supervisors be and hereby is directed to execute any and all contract documents necessary to memorialize this change order.

**RESOLUTION TO AUTHORIZE 2007 MENTAL HEALTH
SERVICE PROVIDERS CONTRACTS**

RESOLUTION NO. 41-07, moved by Mrs. Amidon, seconded by Mr. Reynolds and adopted by 608 ayes (Amidon, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Teichner, Mooney, Trickler, Shipley) and 142 absentees (Same, Anglim).

WHEREAS, the Department of Mental Health enters into service contracts each year with Seneca-Cayuga ARC, Lakeview Mental Health Services, Inc., Finger Lakes Parent Network, Cayuga Home for Children, Unity House of Cayuga County, and Council on Alcoholism and Other Chemical Dependencies of the Finger Lakes, Inc. to provided mental health and alcoholism services to the residents of Seneca County; and

WHEREAS, the funds used for these contracts are passed through State aid monies from New York State Office of Mental Health, New York State Office of Mental Retardation and Developmental Disabilities and New York State Office of Alcoholism and Substance Abuse; and

WHEREAS, the total State dollars invested amount is \$1,028,196.00 and mandated local share is \$28,230.00;

NOW THEREFORE BE IT RESOLVED THAT the Chairman of the Board of Supervisors is hereby authorized and directed to sign the contract agreements with said Mental Health Service Providers for fiscal year 2007.

**RESOLUTION DIRECTING PERSONNEL DIRECTOR TO SET SALARY FOR
DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES**

RESOLUTION NO. 42-07, moved by Mrs. Amidon, seconded by Mrs. Teichner and adopted by 548 ayes (Amidon, Teichner, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Mooney, Shipley), 60 abstentions (Trickler), and 142 absentees (Same, Anglim).

WHEREAS, the Community Services Board has appointed Jonathan Strohl as the Director of the Community Counseling Services; and

WHEREAS, the Board of Supervisors is authorized and required to set a salary for the Director; and

WHEREAS As a contract employee, Mr. Strohl was paid \$68,500.00; and

WHEREAS, the Mental Health Committee has recommend that the Personnel Director set the annual salary at \$68,449.00; with the Director eligible for 10 days vacation and 5 days of personal leave; with no county cost for retirement or hospitalization benefits; and

WHEREAS, the above recommended salary falls within the guidelines of the salary schedule;

NOW, THEREFORE BE IT RESOLVED that the Personnel Director is authorized to set the aforesaid starting salary as set forth above, effective February 19, 2007.

**RESOLUTION DELEGATING AUTHORITY TO PREVENTION AND TREATMENT
PROGRAM DIRECTOR TO EXECUTE CONTRACTS UPON APPROVAL BY
BOARD OF SUPERVISORS**

RESOLUTION NO. 43-07, moved by Mrs. Amidon, seconded by Mr. Dresser and adopted by 608 ayes (Amidon, Dresser, Reynolds, Barto, Smith, Davidson, Kaiser, Lafler, Teichner, Mooney, Trickler, Shipley) and 142 absentees (Same, Anglim).

WHEREAS, the Federal Family Violence Prevention and Services Act (FFVPSA) grant requires that the contract between the NYS Office of Children and Family Services and Seneca County be signed annually by a county official, which has traditionally been the Chairman of the Seneca County Board of Supervisors; and

WHEREAS, the Office of Children and Family Services has changed to contract development which is exclusively electronic, including a cumbersome process for securing an electronic signature; and

WHEREAS, both the County Attorney and the County Manager have recommended that the Board delegate the authority to execute these contracts to the Prevention and Treatment Program Director; and

WHEREAS, both the County Attorney's Office and the County Manager will review and approve the contract prior to signature; and

WHEREAS, pursuant to County Law Sec. 450, no contract shall be executed unless and until it is approved by a majority vote of the Board of Supervisors; now, therefore be it

RESOLVED, that the Prevention and Treatment Program Director responsible for the FFVPSA grant, through the Mental Health Department, is granted the authority to access and electronically sign the annual contract upon approval of the Board of Supervisors.

Other Business:

Mrs. Teichner, Supervisor, Town of Varick, read a statement about the Seneca County IDA allowing for the purchase of 4,500 acres of land at the former Army depot for growing crops to be used by the proposed ethanol facility. She said there were public hearings offered by the IDA to discuss the ethanol facility proposal scheduled for March 15 in Romulus and Varick.

New Business:

**MOTION TO ENTER INTO EXECUTIVE SESSION FOR PURPOSE OF DISCUSSING
PROPOSED, PENDING OR CURRENT LITIGATION**

RESOLUTION NO. 44-07, moved by Mr. Shipley, seconded by Mr. Smith and adopted by 608 ayes (Shipley, Smith, Reynolds, Barto, Davidson, Dresser, Kaiser, Lafler, Amidon, Teichner, Mooney, Trickler) and 142 absentees (Same, Anglim).

WHEREAS, under New York State Public Officers Law Article 7, upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general

area or areas of the subject or subjects to be considered, a public body may conduct an executive session for the purpose of discussing proposed, pending or current litigation;

NOW, THEREFORE BE IT RESOLVED THAT the Seneca County Board of Supervisors hereby enters into executive for the purpose of discussing proposed, pending or current litigation; and be it further

RESOLVED that attendance at this executive session shall be permitted to any member of the Board of Supervisors and the following other persons authorized by the Board: Clerk of the Board, County Manager (if present) and County Attorney, as well as Kenneth Kaufman, and representative(s) of BBL.

Special Order of the Day:

The Board of Supervisors reconvened after executive session. Motion to adjourn the board meeting was made by Mrs. Amidon. Second by Mr. Davidson. Motion carried.