

REGULAR MEETING
February 28, 2006
7:00 p.m.

The Board of Supervisors convened under the rules of regular session with thirteen members answering roll call. Mr. Anglim arrived after Approval of meeting minutes and before Reports of Standing Committees.

Minutes were approved as printed for the February 14, 2006 meeting.

Reports of Standing Committees:

The following committee reports were offered by the respective Chairman of said committee. Copies of the reports were filed with the office of the Clerk of the Board of Supervisors.

Commented [sjg1]:

Public Works, Planning, Development, Agriculture & Tourism Committee - James Mooney, Chairman and as Board representative, Mr. Mooney also gave a report on recent activity of the Seneca County IDA.

Indian Land Claim Committee - David Dresser, Chairman.

Government Operations, Personnel & Technology - David Kaiser, Chairman

Public Safety & Jail Construction Oversight Committee - Sean Anglim, Chairman.

Finance, Assessment & Insurance Committee - Edward Barto, Chairman

Under County Manager's remarks, Ms. Secor announced her retirement effective December 31, 2006.

Under Chairman's remarks, Mr. Shipley announced the formation of an executive task force, to be chaired by Supvr. Lafler, to study the structure of county government.

The following communications were received and filed:

48. From the Town of Seneca Falls, a copy of a letter dated February 7, 2006 to Robert K. Impson, Acting Director of the United States Department of the Interior Bureau of Indian Affairs, opposing the Land-in-Trust Applications of the Cayuga Nation of Indians of New York.

49. From Glenn R. Cooke, Executive Director of the Seneca County IDA, a copy of a letter dated February 15, 2006, announcing a Public Hearing regarding equipment acquisition for Goulds Pumps, Incorporated/ITT facilities at 240 Fall Street and 2881 East Bayard Street, Seneca Falls on March 15, 2006 at 4:00 PM in the Seneca Falls Village Hall and March 15, 2006 at 4:30 respectively in the Seneca Falls Community Center.

50. From Finger Lakes Workforce Investment Board, a copy of a letter to Robert Shipley dated February 10, 2006 regarding the Monitoring Report for the period July 1 - November 30, 2005 for the Workforce Investment Act (WIA) Youth Program.

51. From Unified Court System Seventh Judicial District, a copy of a letter dated February 8, 2006 with enclosed documents related to the court facilities program.

52. From Robert Shipley, Chairman of the Seneca County Board of Supervisors, a copy of a letter dated February 6, 2006 to Mr. T. James Lewis appointing him as Seneca County Director of Veterans Affairs effective February 15, 2006.

53. From Rich Ricci, a copy of a letter of resignation dated February 9, 2006 asking for consideration to continue to serve as Seneca County's Stop-DWI Coordinator.

54. From Mr. Robert Shipley, a copy of a letter dated February 9, 2006 to Mr. Richard Ricci, re-appointing him as "Stop-DWI Coordinator" effective February 18, 2006.

55. From the Seneca County House of Concern, a letter thanking the Seneca County Employees for participating in the recent Cereal Drive.

56. From Steven J. Getman, County Attorney, a copy of the 2005 County Law Department Activity Report.

57. From New York State Fish and Wildlife Management Board, a copy of the minutes of the December 9, 2005 full board meeting at the New York State DEC Headquarters in Avon, NY.

58. From Seneca County Federation of Sportsmen's Club, Inc., a copy of the MacDougall Sportsmen's Club General Meeting and Election of Officers dated January 21, 2006.

59. From the Inter-county Association of Western New York, a copy of meeting minutes dated November 18, 2005 held at the Seneca County-Knapp Winery.

60. From the Agriculture Enhancement Board, a copy of minutes dated September 22, 2005 and November 11, 2005.

The following communications were received and referred to the Public Safety & Jail Construction Committee.

61. From U.S. Department of Housing and Urban Development, a copy of a letter dated February 3, 2006, closing out of the Small Cities Community Development Block Grant (CDGB); Grant Numbers B-93 DH-36-0029 and B-94-DH-36-0253; Seneca County, New York.

SUPERVISORS AUTHORIZE PAYMENT OF USED FURNITURE TO SUPERIOR OFFICE INTERIORS, INC. FOR NEW LAW ENFORCEMENT CENTER

RESOLUTION NO. 43-06, moved by Mr. Barto, seconded by Mr. Kaiser and adopted by 750 ayes.

WHEREAS, Resolution #339-05 authorized the purchase of the furniture for the new Law Enforcement Center; and

WHEREAS, Seneca County has received the proper documentation to pay the bill; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes the Treasurer to issue a check for \$9,260.00 for payment in full for furniture on

Purchase Order #00032314 from Superior Office Interiors, Inc.; 225 Wilkinson Street, Syracuse, NY 13204.

ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM

RESOLUTION NO. 44-06, moved by Mr. Anglim, seconded by Mr. O'Neill and adopted by 750 ayes.

WHEREAS, in Homeland Security Presidential Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary that all federal, state, local, and tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that federal, state, local, and tribal organizations utilize standardized terminology, standardized organizational structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including all public safety and emergency response organizations training programs; and

WHEREAS, the National Commission of Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System, now, therefore be it

RESOLVED, the Board of Supervisors, Seneca County hereby mandates the National Incident Management System be utilized for all incident management in the County of Seneca; and be it

FURTHER RESOLVED, this resolution shall take effect immediately.

CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN GRANT DOCUMENTS FOR ALTERNATIVES TO INCARCERATION CLASSIFICATION FUNDING

RESOLUTION NO. 45-06, moved by Mr. Anglim, seconded by Mr. Kaiser and adopted by 750 ayes.

WHEREAS, the Director of the Seneca County Probation Department and the Chairperson of the Criminal Justice Advisory Board requests permission to submit an application to the New York State Division of Probation and Correctional Alternatives, in order to receive grant funds in the amount of \$8200; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute and submit an application to the NYS Division of Probation and Correctional Alternatives, 80 Wolf Road, 5th Floor, Albany, NY 12205, for receipt of grant funds in the maximum amount of \$8,200 for Alternatives to Incarceration Funding for a term commencing January 1, 2006 and terminating December 31, 2006; and, be it

FURTHER RESOLVED, that upon notification of the ward of said grant funds, the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to execute any and all grant documents on behalf of the County of Seneca relative to the above.

**EXECUTION OF SENECA COUNTY DISTRICT ATTORNEY'S CONTRACTS WITH OUTSIDE
LEGAL COUNSEL**

RESOLUTION NO. 46-06, moved by Mr. Anglim, seconded by Mr. Kaiser and adopted by 750 ayes.

WHEREAS, the Seneca County District Attorney's office contracts with three outside law firms to prosecute and defend appeals of criminal cases; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the Chairman of the Board to execute the following three contracts:

John A. Cirando, Esq., 101 South Salina Street, Suite 1010,
Syracuse, NY 13202;

Kristin A. Sunser-King, 239 E. Water Street, Syracuse, NY 13202;

Melvin Bressler, 58 Tobey Court, Pittsford, NY 14534

Said contracts having been pre-approved by the District Attorney's Office, the outside legal counsel, and the Seneca County Attorney's Office.

COMPENSATION FOR DEPUTY CLERK OF THE BOARD OF SUPERVISORS

RESOLUTION NO. 47-06, moved by Mr. Kaiser, seconded by Mr. Lafler and adopted by 750 ayes.

WHEREAS, the Confidential Secretary to the County Manager was appointed as the Deputy Clerk to the Board for a term to expire December 31, 2007; and

WHEREAS, included in the duties of the Deputy Clerk to the Board, is to act on behalf of the Clerk to the Board in her absence; and

WHEREAS, the Deputy Clerk of the Board will assist the Clerk of the Board with the duties assigned to that position by the Board of Supervisors and NYS County Law; and

WHEREAS, the Deputy Clerk of the Board will be compensated \$500 annually; and

WHEREAS, the funds for said compensation will be paid from account 10-101-5-1325, line item 1100; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes compensation of \$500 annually to Kathryn A. Peterson as Deputy Clerk to the Board.

SCSEA FOUR-YEAR CONTRACT AGREEMENT

RESOLUTION NO. 48-06, moved by Mr. Kaiser, seconded by Mr. Lafler and adopted by 750 ayes.

WHEREAS, the County has been in negotiations with the Correction Officers, Dispatchers and Support Staff for four months; and

WHEREAS, the County agrees to the changes for the new agreement; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors vote in favor of the new four-year agreement with the SCSEA bargaining unit.

AUTHORIZATION FOR COUNTY MANAGER TO APPLY FOR NYS DEPARTMENT OF STATE SMSI FUNDING FOR SENECA COUNTY PROPERTY TAX ASSESSMENT WEB ENABLEMENT

RESOLUTION NO. 49-06, moved by Mr. Mooney, seconded by Dr. Dresser and adopted by 750 ayes.

WHEREAS, there is a competitive statewide program through the NYS Department of State to apply for state funding for a one-year grant program to share municipal services and reduce overall service duplication; and

WHEREAS, property tax assessment information is public information; and

WHEREAS, this information is only accessible to the general public via direct contact with Town Tax Assessors or the Seneca County Office of Real Property Tax Services; and

WHEREAS, placing the Property Tax Assessment in a web-accessible format will provide the public and high volume consumers better service; and

WHEREAS, such a program would require new equipment and software to project the information; and

WHEREAS, web-enablement is a critical first step in providing better service to real property information for consumers and the public; and

WHEREAS, the cost of purchasing, designing, and installing the web-enabled system is \$110,000; and

WHEREAS, this grant, if awarded, would begin April 1, 2006 and would provide \$92,500 in funds to purchase and install the new system; and

WHEREAS, the grant requires a cash match of \$10,500 (or 10%) from Seneca County; and

WHEREAS, this resolution has been reviewed and approved by the Public Works, Planning, Development, Agriculture & Tourism Committee on February 14, 2006; now, therefore, be it

RESOLVED, that the County Manager apply for the Seneca County Property Tax Assessment Web Enablement SMSI grant.

**AUTHORIZATION FOR COUNTY MANAGER TO APPLY FOR NYS DEPARTMENT OF STATE
SMSI FUNDING FOR COUNTY MAINTENANCE BARN ENGINEERING DOCUMENTS**

RESOLUTION NO. 50-06, moved by Mr. Mooney, seconded by Mr. Same and adopted by 750 ayes.

WHEREAS, there is a competitive statewide program through the NYS Department of State to apply for state funding for a one-year grant program to share municipal services and reduce overall service duplication; and

WHEREAS, the Romulus Central School District and the Seneca County Highway Department have vehicles too large to be repaired within the existing County Maintenance Barn; and

WHEREAS, alternate maintenance sites capable of handling large Seneca County vehicles are located over fifty miles away in Rochester and Dansville; and

WHEREAS, the Romulus Central School District and the Seneca County Highway Department currently share services and have a common property border; and

WHEREAS, the relocation of the Seneca County Sheriff's Department will place it within one mile of the proposed Maintenance Barn; and

WHEREAS, The County Highway Superintendent and County Manager believe that this grant is likely to reduce the cost of future maintenance of County Highway vehicles, County Sheriff vehicles, and Romulus Central School District vehicles; and

WHEREAS, the cost of the proposed feasibility study and engineering documents is estimated at \$66,420; and

WHEREAS, this grant, if awarded, would begin April 1, 2006 and would provide \$59,778 in funds to produce a feasibility study and engineering documents for the proposed Maintenance Barn; and

WHEREAS, this grant requires a Seneca County cash match of \$6,642 (or 10%); and

WHEREAS, this resolution has been reviewed and approved by the Public Works, Planning, Development, Agriculture & Tourism Committee on February 14, 2006; now, therefore, be it

RESOLVED, that the Seneca County Manager apply for the County Maintenance Barn Study SMSI grant.

**AUTHORIZATION FOR COUNTY MANAGER TO APPLY FOR NYS DEPARTMENT OF STATE
SMSI FUNDING FOR FORMER SENECA ARMY DEPOT TRUCK WASH**

RESOLUTION NO. 51-06, moved by Mr. Mooney, seconded by Mrs. Amidon and adopted by 750 ayes.

WHEREAS, there is a competitive statewide program through the NYS Department of State to apply for state funding for a one-year grant

program to share municipal services and reduce overall service duplication; and

WHEREAS, the Romulus Central School District and the Seneca County Highway Department have no large truck wash facility; and

WHEREAS, the Truck Wash Facility on the former Seneca Army Depot Property can be repaired and reused; and

WHEREAS, the Romulus Central School District and the Seneca County Highway Department currently share services; and

WHEREAS, the Romulus Central School District and the Seneca County Highway Department reduce overall long term fuel costs for both entities by installing a 2,000 gallon above-ground fuel tank; and

WHEREAS, the Romulus Central School District and the Seneca County Highway Department are located within one mile of the Truck Wash Facility on the former Seneca Army Depot Property; and

WHEREAS, the County Highway Superintendent and Seneca County Manager believe that this grant is likely to reduce the cost of future maintenance of Seneca County Highway vehicles and Romulus Central School District vehicles; and

WHEREAS, the total cost of repairing the facility and installing a 2,000 gallon fuel tank is estimated at \$38,276; and

WHEREAS, this grant, if awarded, would begin April 1, 2006 and would provide \$34,448 in funds to purchase and install the new equipment; and

WHEREAS, the grant requires a Seneca County cash match of \$3,828 (or 10%); and

WHEREAS, this resolution has been reviewed and approved by the Public Works, Planning, Development, Agriculture & Tourism Committee on February 14, 2006; now, therefore, be it

RESOLVED, that the County Manager apply for the Seneca County Truck Wash SMSI grant.

AUTHORIZATION TO SUBMIT APPLICATIONS TO FAA AND NYSDOT FOR FUNDING OF FUEL SYSTEMS RENOVATION AT FINGER LAKES REGIONAL AIRPORT

RESOLUTION NO. 52-06, moved by Mr. Mooney, seconded by Mr. Kaiser and adopted by 690 ayes (Mooney, Kaiser, Reynolds, Barto, Smith, O'Neill, Dresser, Same, Lafler, Anglim, Amidon, Teichner, Shipley), and 60 nays (Trickler).

WHEREAS, the Airport Capital Improvement program for 2006 includes a Fuel System Renovation and Improvement Project which will upgrade the existing system which is in need of repairs to meet current demand and anticipated use; and

WHEREAS, the Fuel System Renovation and Improvement Project is anticipated to cost \$385,000 of which it is expected that \$365,750 will come from the FAA, \$9,625 from NYSDOT, and \$9,625 from Seneca County; and

WHEREAS, this resolution has been reviewed and approved by the Public Works, Planning, Development, Agriculture & Tourism Committee on February 14, 2006; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors authorizes submission of grant applications for funding of the Airport Fuel System Renovation and Improvement Project.

AUTHORIZATION TO SUBMIT APPLICATIONS TO FAA AND NYSDOT FOR FUNDING OF DRAINAGE IMPROVEMENTS AT FINGER LAKES REGIONAL AIRPORT

RESOLUTION NO. 53-06, moved by Mr. Mooney, seconded by Mr. Same and adopted by 690 ayes (Mooney, Same, Reynolds, Barto, Smith, O'Neill, Dresser, Kaiser, Lafler, Anglim, Amidon, Teichner, Shipley), and 60 nays (Trickler).

WHEREAS, the Airport Capital Improvement program for 2006 includes a Drainage Improvement Project which will involve purchase of land necessary to perform drainage improvements including detention facilities consistent with the Airport Drainage Master Plan; and

WHEREAS, the Drainage Project is anticipated to cost \$1,336,000 of which it is expected that \$1,269,200 will come from the FAA, \$33,400 from NYSDOT, and \$33,400 from Seneca County; and

WHEREAS, this resolution has been reviewed and approved by the Public Works, Planning, Development, Agriculture & Tourism Committee on February 14, 2006; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors authorizes submission of grant applications for funding of the Airport Capital Drainage Improvement Project.

APPOINTMENT TO THE SENECA COUNTY COOPERATIVE EXTENSION BOARD OF DIRECTORS

RESOLUTION NO. 54-06, moved by Mr. Mooney, seconded by Mrs. Teichner and adopted by 750 ayes.

WHEREAS, this resolution has been reviewed and approved by the Public Works, Planning, Development, Agriculture & Tourism Committee on February 14, 2006; now, therefore be it

RESOLVED, that the Board of Supervisors does hereby reappoint Peter Same to the Seneca County Cooperative Extension Board of Directors for a two year-term to expire on December 31, 2007.

APPOINTMENTS TO THE SENECA COUNTY AGRICULTURAL ENHANCEMENT BOARD

RESOLUTION NO. 55-06, moved by Mr. Mooney, seconded by Mrs. Teichner and adopted by 750 ayes.

WHEREAS, this resolution has been reviewed and approved by the Public Works, Planning, Development, Agriculture & Tourism Committee on February 14, 2006; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby reappoint Julie Thompson of the Town of Fayette and Douglas Frier of the Town of Fayette each to the Agricultural Enhancement Board for an additional two year-term to expire on December 31, 2007; and, be it

FURTHER RESOLVED, that Patricia Amidon be appointed to fill the position of Board of Supervisors representative for a two year-term to expire on December 31, 2007.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO
SIGN A CONTRACT WITH BARTON AND LOGUIDICE, P.C. FOR ENGINEERING
SERVICES FOR THE PUBLIC HEALTH DEPARTMENT**

RESOLUTION NO. 56-06, moved by Mr. O'Neill, seconded by Mr. Kaiser and adopted by 750 ayes.

WHEREAS, it is a requirement for the Public Health Department (Environmental Health) to have a Professional Engineer available for review/approval of plans for mobile home parks, reality subdivisions, new campgrounds, temporary residences, water systems, and septic systems; and

WHEREAS, Barton and Loguidice, P.C. has provided these services under contract for the last two years; and

WHEREAS, the Department is requesting a renewal of this contract so that these services may continue; and

WHEREAS, the costs of these services are included in the Public Health Department Budget account 10-115-5-4011-4280; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with Barton and Loguidice, P.C. for Professional Engineering Services.

**BOARD OF SUPERVISORS AUTHORIZE SALARY INCREASE FOR MEDICAL DIRECTOR
FOR THE PUBLIC HEALTH DEPARTMENT**

RESOLUTION NO. 57-06, moved by Mr. O'Neill, seconded by Mrs. Amidon and adopted by 750 ayes.

WHEREAS, two years ago, in response to the difficulties experienced by the Certified Home Health Agency, Dr. Timothy Ryan, Medical Director for the Public Health Department, voluntarily took a 50% decrease in pay; and

WHEREAS, Dr. Ryan continues to provide medical direction for the Public Health Director and provides guidance and assistance for all programs provided by this Agency; and

WHEREAS, by regulation, the Public Health Director must have a Medical Director; and

WHEREAS, the Board of Health has recommended that Dr. Ryan's previous salary be reinstated at \$14,490; now, therefore be it

RESOLVED, that the Board of Supervisors authorizes the Public Health Department's Medical Director to receive annual compensation in the amount of \$14,490 effective immediately.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN A
CONTRACT WITH FINGER LAKES HEARING CENTER, INC. FOR AUDIOLOGY SERVICES
FOR THE EARLY INTERVENTION AND 3-5 PROGRAMS**

RESOLUTION NO. 58-06, moved by Mr. O'Neill, seconded by Mrs. Teichner and adopted by 750 ayes.

WHEREAS, Finger Lakes Hearing Center, Inc., located at 792 Pre-Emption Road in Geneva, offers Diagnostic Audiology Evaluations and Amplification Services; and

WHEREAS, children in the Early Intervention and 3-5 Programs often require these services; and

WHEREAS, the money for these services is included in the Public Health Budget account # 2960.470 and 4145.470; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with the Finger Lakes Hearing Center, Inc.

CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN A CONTRACTS WITH ADDITIONAL SERVICE PROVIDERS FOR THE HEALTHY WOMEN'S PARTNERSHIP PROGRAM

RESOLUTION NO. 59-06, moved by Mr. O'Neill, seconded by Mr. Kaiser and adopted by 750 ayes.

WHEREAS, several service providers for the Healthy Women's Partnership Program were inadvertently left off the list is approved providers; and

WHEREAS, it is necessary for the Health Department to have signed contracts with the following service providers: Women's Diagnostics, Taylor Brown Health Center, Cayuga Medical Center and Geneva General Hospital; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contracts with these service providers for the Healthy Women's Partnership Program.

CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN A CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR THE 2006-2007 IMMUNIZATION ACTION PLAN GRANT

RESOLUTION NO. 60-06, moved by Mr. O'Neill, seconded by Mr. Kaiser and adopted by 750 ayes.

WHEREAS, Seneca County Health Department will receive \$17,535 for the Immunization Action Plan Grant for the 2006-2007 grant period; and

WHEREAS, the Agency's Plan has been approved by the New York State Department of Health; and

WHEREAS, in order to receive these funds, it is necessary for the Chairman of the Board of Supervisors to sign this contract; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the 2006-2007 Immunization Action Plan Grant with the New York State Department of Health.

SENECA COUNTY HEALTH DEPARTMENT AUTHORIZED TO PURCHASE A NEW VEHICLE UNDER STATE CONTRACT AS APPROVED IN THE 2006 COUNTY BUDGET

RESOLUTION NO. 61-06, moved by Mr. O'Neill, seconded by Mrs. Amidon and adopted by 750 ayes.

WHEREAS, the Health Department needs to replace on the county vehicles currently in use; and

WHEREAS, this vehicle has over 160,000 miles and has increase repair costs; and

WHEREAS, after comparing the costs of hybrid vehicles and gasoline fueled vehicles, the Mental Hygiene, Public Health and Human Services Committee has recommended the Agency purchase a 2006 Jeep Liberty gasoline fueled vehicle; and

WHEREAS, this vehicle would be purchased on State Bid Group Number 40550, and Award Number 18488 for a cost of \$14,861; and

WHEREAS, the money for this purchase was included in the 2006 Public Health Budgeted Account number 10-115-5-4010-2600; now therefore be it

RESOLVED, that the Public Health Department is hereby authorized by the Seneca County Board of Supervisors to purchase this vehicle under state contract.

**SENECA COUNTY BOARD OF SUPERVISORS ENDORSE MANIKOWSKI TO FINGER LAKES
WORKFORCE INVESTMENT BOARD**

RESOLUTION NO. 62-06, moved by Mr. O'Neill, seconded by Mrs. Amidon and adopted by 750 ayes.

WHEREAS, the Workforce Investment Board By-laws have set terms of appointment for each member; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby endorse the reappointment of Mike Manikowski to the Finger Lakes Workforce Investment Board with the term to expire 6/30/07; and, be it

FURTHER RESOLVED, that certified copies of this resolution be sent to the Directors of Workforce Development in Ontario, Wayne and Yates Counties and to the Finger Lakes Workforce Investment Board.

**SENECA COUNTY BOARD OF SUPERVISORS CREATE AND INCREASE ACCOUNTS FOR
THE YOUTH ENGAGEMENT SERVICES GRANT**

RESOLUTION NO. 63-06, moved by Mr. O'Neill, seconded by Mr. Kaiser and adopted by 750 ayes.

RESOLVED, that the Board of Supervisors authorizes the following accounts be created or increased to implement the Youth Engagement Services Program Grant.

<u>YES Program Budget</u>		
<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
<u>20-125-5-6011-1-100</u>	<u>Staff Salary</u>	<u>+32,008</u>
<u>20-125-5-6011-1-202</u>	<u>Youth Participant</u>	<u>+18,000</u>
<u>20-125-5-6011-2-300</u>	<u>Computer Equipment</u>	<u>+1,500</u>
<u>20-125-5-6011-4-200</u>	<u>Office Supplies & Expense</u>	<u>+500</u>
<u>20-125-5-6011-4-220</u>	<u>Equipment Repairs & Maintenance</u>	<u>+300</u>
<u>20-125-5-6011-4-230</u>	<u>Telephone</u>	<u>+300</u>
<u>20-125-5-6011-4-240</u>	<u>Postage</u>	<u>+300</u>
<u>20-125-5-6011-4-360</u>	<u>Advertising</u>	<u>+50</u>
<u>20-125-5-6011-4-440</u>	<u>Employee Mileage Reimbursement</u>	<u>+1,200</u>
<u>20-125-5-6011-4-500</u>	<u>Copying & Printing</u>	<u>+600</u>
<u>20-125-5-6011-4-700</u>	<u>Other Contractual Expenses</u>	<u>+25,833</u>
	<u>Workshop/Training Supplies</u>	<u>3,833</u>
	<u>WorkKeys Assessment</u>	<u>14,000</u>
	<u>Tutoring Training</u>	<u>8,000</u>
<u>20-125-5-6011-8-100</u>	<u>Retirement</u>	<u>+3,800</u>

<u>20-125-5-6011-8-300</u>	<u>Social Security</u>	<u>+2,100</u>
<u>20-125-5-6011-8-302</u>	<u>Social Security - Youth</u>	<u>+1,230</u>
<u>20-125-5-6011-8-400</u>	<u>Worker's Compensation</u>	<u>+900</u>
<u>20-125-5-6011-8-402</u>	<u>Worker's Compensation - Youth</u>	<u>+450</u>
<u>20-125-5-6011-8-600</u>	<u>Hospitalization</u>	<u>+10,000</u>
<u>20-125-5-6011-8-700</u>	<u>Medicare</u>	<u>+609</u>
<u>20-125-5-6011-8-702</u>	<u>Medicare - Youth</u>	<u>+320</u>
<u>20-318-3-1096</u>	<u>YES GRANT</u>	<u>+100,000</u>
<u>Increase DHS Line Items</u>		
<u>10-125-5-6001-4702</u>	Workforce (TAProgram)	+100,000
<u>10-320-3-4610</u>	Federal Admin Appropriation	+100,000

**SUPERVISORS AUTHORIZE REFILLING OF A HUMAN SERVICE WORKER TO SUPPORT
WORKFORCE DEVELOPMENT AND YOUTH ENGAGEMENT SERVICES GRANT**

RECEIVED FOR 2006

RESOLUTION NO. 64-06, moved by Mr. O'Neill, seconded by Mrs. Amidon and adopted by 750 ayes.

WHEREAS, A notice was received from the New York State Office of Temporary and Disability Assistance that Seneca County has been awarded \$100,000 in TANF funds to support Youth Engagement Services in Seneca County through the Seneca County Department of Workforce Development; and

WHEREAS, these funds are being directed to the Seneca County Division of Human Services to implement the program from January 1 to December 31, 2006; and

WHEREAS, this program is in partnership with the Seneca County United Way and all of the County school districts' after school programs with services to include case management of at risk youth, academic tutoring, employment counseling, transition programs from school to work, work experience internships and Summer Youth Employment; and

WHEREAS, an Employment and Training Counselor is being re-assigned to work with this program and their duties are being transferred to the Human Services Worker position, vacant since August, 2004; and

WHEREAS, upon completion of the grant and funding the position of Human Services Worker will be eliminated; and

WHEREAS, the request to refill this position has been approved by the Human Services and Personnel Committees; and

WHEREAS, this position is reimbursed at 100%; now, therefore be it

RESOLVED, that the Board of Supervisors does hereby authorize and direct the refilling of the Human Services Worker position in accordance with County policies.

**SUPERVISORS AUTHORIZE REFILLING OF PRE-TRIAL DIVERSION PROGRAM
COORDINATOR IN YOUTH BUREAU**

RESOLUTION NO. 65-06, moved by Mr. O'Neill, seconded by Mrs. Amidon and adopted by 750 ayes.

WHEREAS, the Pre-Trial Diversion Program Coordinator position became vacant on January 27, 2006 due to the resignation of the Coordinator; and

WHEREAS, the position is responsible for the coordination of the program that includes counseling, supervision, case management and court appearances for clients; and

WHEREAS, the request to refill this position has been reviewed and approved by the Government Operations, Personnel & Technology Committee; the Finance, Assessment & Insurance Committee; and the Mental Hygiene, Public Health and Human Services Committee; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the refilling of the Pre-Trial Diversion Program Coordinator position effective March 27, 2006 in accordance with County Policy 101.201 (I) (B) (1) (a), "positions in departments that have five employees or less, and only upon a finding that the position is critical having been made by the Personnel Committee, the Finance Committee and the Committee overseeing that department."

REFILL TYPIST POSITION - WORKFORCE DEVELOPMENT OFFICE

RESOLUTION NO. 66-06, moved by Mr. O'Neill, seconded by Mr. Mooney and adopted by 750 ayes.

WHEREAS, the Typist position vacancy was created due to the promotional filling of the Account Clerk / Typist position on 1/30/06; and

WHEREAS, the position is responsible for the routine clerical duties and greeter responsibilities of Workforce Development; and

WHEREAS, the typist responsibilities associated with this position are vital to the compliance of the unit in meeting regulations; and

WHEREAS, the request to refill this position has been reviewed and approved by the Government Operations, Personnel & Technology Committee; the Finance, Assessment & Insurance Committee; and the Mental Hygiene, Public Health and Human Services Committee; and

WHEREAS, this position is reimbursed at 100%; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the refilling of the Typist position in accordance with County Policy 101.201 (I) (B) (3) (c), refilling of positions vacated due to a promotion.

REFILL FOSTER CARE CASEWORKER POSITION.

RESOLUTION NO. 67-06, moved by Mr. O'Neill, seconded by Mrs. Teichner and adopted by 750 ayes.

WHEREAS, the Foster Care Caseworker Position has been vacant since December 2, 2005; and

WHEREAS, the position is responsible for the case management and quick and safe return of foster children to their families; and

WHEREAS, the responsibilities associated with this position are considered a public safety and liability issue for the County; and

WHEREAS, the request to refill this position has been reviewed and approved by the Government Operations, Personnel & Technology Committee; the Finance, Assessment & Insurance Committee; and the Mental Hygiene, Public Health and Human Services Committee; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the refilling of the Foster Care Caseworker position in accordance with County Policy 101.201 (I)(B)(1)(c)(6), Refilling Vacant Positions.

**APPROVAL OF CONTRACT WITH TECHNOLOGY SOLUTIONS FOR DOCUMENT IMAGING
AND COLD SOFTWARE ENHANCEMENTS**

RESOLUTION NO. 68-06, moved by Mr. O'Neill, seconded by Mrs. Amidon and adopted by 750 ayes.

WHEREAS, the Division of Human Services has budgeted in the 2006 Seneca County Budget for enhancements to its document imaging software and this has been reviewed and approved by the Human Services Committee; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the contract with Technology Solutions for enhancements to its OnBase Document Imaging and COLD Software.

Supvr. Anglim made a motion to suspend the rules of order to introduce a resolution not previously filed. Supvr. Same seconded the motion. Motion carried.

SUPERVISORS AUTHORIZE PURCHASE OF USED VAN FOR "SLAM" PROGRAM

RESOLUTION NO. 69-06, moved by Mr. Anglim, seconded by Mr. Same and adopted by 750 ayes.

WHEREAS, the 1996 Dodge van used by the Sheriff's Department for the SLAM program has been diagnosed as in need of an engine replacement with a minimum estimate of \$2,600; and

WHEREAS, the van has more than 187,000 miles and requires other major repairs in addition to the engine replacement; and

WHEREAS, the Public Safety and Jail Construction Oversight Committee has recommended and approved the purchase of a used van at a cost not to exceed \$10,000; now, therefore be it

RESOLVED, that the Seneca County Sheriff is hereby authorized and directed to purchase a used van at a cost not to exceed \$10,000 to be purchased with funds appropriated in account #3150.2600 - Sheriff's Correctional Facility vehicle account.

Under Unfinished Business, Supvr. Dresser read the following statement. At Supvr. Dresser's request, the statement has been recorded in these minutes verbatim. Supvr. Dresser also noted that the meeting was adjourned before he could finish reading the "Recommendations" outlined in his statement. The "Recommendations" are recorded in full below.

After Sharon Secor was reappointed county manager on January 3rd, I indicated that I intended to write an open letter to the Board and the community to share information and observations that might be helpful in the future in avoiding the difficulties we encountered with her reappointment. Now that Sharon has announced her decision to retire at the end of this year, it is appropriate that I deliver my letter. It is divided into three sections: information, observations, and recommendations. The information section is in the form of a chronology.

Information

March 15, 2005: Chairman Shipley reported that he was asking the Government Operations Committee to begin a formal review and discussion of the proper process for appointing a county manager/administrator and to consider other options, such as having an elected county executive or a full-time board chairman. With respect to a full-time board chairman, Mr. Shipley was quoted by the Finger Lakes Times on this date as saying, "If the Board requests that I serve, I would be honored, but that is premature at this time."

June 28, 2005: The Board's Personnel Committee met in Executive Session with all board members present and voted unanimously to recommend Sharon Secor's appointment as county manager, for a term extending until December 31, 2005. Sharon indicated at that meeting her interest in serving as manager for two years thereafter.

July 12, 2005: The motion to appoint Sharon as county manager was pulled from the agenda of the Board without notice or explanation at the request of Chairman Shipley. Although the Majority Leader and the County Attorney were also aware of the reasons, no explanation of this action has ever been given to the Board, in Executive Session or otherwise, despite numerous requests from Board members.

July 26, 2005: The Board of Supervisors unanimously appointed Sharon Secor Seneca County Manager for a term extending until December 31, 2005. According to a State Attorney General's opinion, sought by our county attorney and rendered in February 2005, such appointments may not extend beyond the terms of a majority of the board, thus the short period of Sharon's appointment, despite our local law specifying a four-year term for the county manager.

December 12, 2005: Amid rumors that Sharon would not be reappointed county manager, Chairman Shipley requested a 5:30 m meeting with Sharon in her office on this date, the meeting to be attended by several other supervisors. I was not invited by Mr. Shipley, but I attended, unannounced, at Sharon's request; Supervisors Shipley, Barto, Mooney, and Smith were present; Mr.

Kaiser, though invited, was not. At the meeting an agreement was reached regarding Sharon's continued service as county manager - one that was acceptable to the six of us, to be put in writing, and to be kept confidential.

December 21, 2005: Sharon was called to a meeting on this date, and with Supervisors Shipley, Barto, and Mooney present she was informed by Mr. Shipley that the agreement reached on December 12th was not acceptable to "the powers that be." Sharon had felt it best that I not attend this meeting, but she told me that evening that a proposal had been presented to her that she continue as county manager for three months, possibly extendable to six, to which she had responded that she would have to think about it, because it meant not only a loss of salary but also retirement income.

December 30, 2005: A 22-item agenda for the January 3, 2006 Re-organizational Meeting was e-mailed to board members, but it contained no item for the appointment of a county manager. A different, 17-item, agenda was sent to the press, with six appointments collapsed into one category so that it was not evident to the press and therefore the public that the appointment of a county manager was not on the agenda.

January 1, 2006: I sent an e-mail message to Chairman Shipley with a copy to all board members asking him why the appointment of a county manager was not on the agenda and requesting him to have it added to the agenda. I then called him at home to be sure he got the message. His response was that he would not put the item on the agenda because he was negotiating with Sharon in her best interest and the best interest of the county. I told him that the terms he was negotiating were not in the best interest of either Sharon or the County and that he should tell "the powers that be" to back off.

January 2, 2006: Sharon refused to answer repeated telephone calls from Mr. Shipley and Mr. Kaiser, because it was a holiday, because she was still undecided about what to do, and because she was angry at Chairman Shipley for refusing to put her reappointment on the board agenda. She and I agreed that I would spend the next day, Tuesday, in her office, and that she would call Supervisors Kaiser and Shipley in that order in the morning.

January 3, 2006: Sharon called Mr. Kaiser at about 9:30 am and Mr. Shipley shortly thereafter, informing each that I was listening on the speakerphone. Sharon told Mr. Shipley that she could not accept the three-month proposal, at which time I indicated that the only way I could see out of the predicament was to return to the December 12th agreement, which I informed him had been put in writing and shared with Sharon's attorney. Mr. Shipley responded that the document would then have to go to the county attorney,

which was understood and agreed to. During the afternoon Attorney Getman worked out the wording of the agreement with Sharon's attorney and prepared a waiver of liability to protect the County against a lawsuit, both of which Sharon agreed to sign. The Re-organizational Meeting began at 4:00 pm, and at the end of it, by prior agreement with Chairman Shipley, I made a motion that the Board enter Executive Session to discuss a personnel matter. During the Executive Session Attorney Getman explained the terms of the agreement (which was the full board's first knowledge of it), Sharon indicated that the terms were satisfactory, and the chairman was authorized to sign the agreement. When the Board returned to open session, I made a motion that Sharon be appointed county manager until December 31, 2007, and the motion was approved unanimously. At the end of the meeting I commended Sharon for her fortitude, courage, and integrity and indicated that I intended to write this letter. After the meeting Mr. Kaiser told me he considered my remarks to be "political grandstanding."

Observations

1. Mr. Kaiser, as chairman of the Government Operations Committee, has taken no action on Chairman Shipley's request of last March to have his committee consider the process for appointing a county manager/administrator and look into the options of having an elected county executive or a full-time board chairman. There appears to have been and may still be interest on the part of "the powers that be" in discontinuing the position of county manager and replacing it with a full-time board chairman. Mr. Shipley has publicly expressed interest in such a position.
2. Chairman Shipley had no business negotiating with Ms. Secor regarding her continued employment without the knowledge and authorization of the full Board of Supervisors. His inclusion of selected board members and not the Personnel Committee was equally out of order.
3. Mr. Shipley also had no business discussing the terms of Sharon's future employment with "the powers that be," which is his term for the Executive Committee of the Republican Party of Seneca County or members thereof. Mr. Shipley, who was first elected board chairman as a freshman supervisor, appears to be beholden to party officials and therefore constrained from operating under what might be his own independent and better judgment. I should add that other members of the board are in positions where they most likely feel similar pressure.
4. The result has been that a faithful, 38-year employee of our county, who is an honest, hard-working, and reliable administrator, has been treated in a despicable, inhumane, and

degrading fashion and subjected to excruciating personal stress, all of which was unnecessary. The irony is that I do not believe any member of the Board bears any ill will towards Sharon, in fact I believe that most if not all of us respect her for the professional she is and the excellent job she is doing.

5. So how could this happen to a loyal, experienced, and successful county manager? It happened because we do not have open government in Seneca County, and it is time that we did. I want to make clear that this is not a partisan statement on my part. I would be just as upset, adamant, and outspoken if there was a Democratic political machine here crossing the line between party and county business. I also want to make clear that I have no personal differences with any member of the board, including the chairman. It is their behavior that I am criticizing.
6. Citizens of Seneca County should realize how close we came to a governmental crisis on January 3rd. "The powers that be" and cooperating members of the board may have thought that Sharon Secor would continue to work without a contract, so to speak, but I can tell you that after the way she was treated she had no intention of doing so. Further, I would point out that discontinuing her service, especially without even 30 days notice and without a performance evaluation, would have left the county at serious risk of a lawsuit - for two years of salary, for lost retirement income, and for pain and suffering, which I can tell you is well documented in the over 100 e-mail messages between Sharon and me between December 12th and January 3rd.
7. There is an existing local law, on the books since 1995, which calls for Seneca County to have a county manager. That law was passed after a required public hearing, so it stands as representing the will of the community. If "the powers that be" wanted to do away with the position of county manager, there was plenty of time last year for the board to hold a public hearing and try to change the current structure, since Republican supervisors outnumber Democrats 10 to 4. As indicated above, the Board's Government Operations Committee did not even take up the matter of alternate forms of administration. Therefore, the threat not to reappoint Sharon as county manager, and the effort to cut short her term of service, flaunted existing law and the expressed will of the people of Seneca County. Doing so in December in the absence of any alternative was sheer recklessness and could have plunged the County into administrative chaos January 3rd.

8. Even now the County has been deprived of a year of her service. Sharon felt under such pressure from "the powers that be" that she compromised her wishes to continue as county manager for two more years and agreed to retire at the end of this year. She did so, despite the loss of a year's salary, because it would still allow her to get full retirement benefits, and most importantly, it would allow time for the County to conduct a search for her successor, which a three-month extension would not have done. So, after her reappointment, when I commended Sharon for her "amazing fortitude, tremendous courage, absolute integrity, and unwavering commitment to this county," this is what I meant. By saying no to "the powers that be" she was willing to risk it all for the sake of the County, and she deserves our enduring thanks."

Recommendations

First and foremost, I call upon all Seneca County Republicans who are disgusted by the involvement of their party in the governmental affairs of this county, as illustrated by the efforts of "the powers that be" to limit the service of Sharon Secor as county manager, to call for a change. I consider the involvement of "the powers that be" in this matter to be a disgrace to the local Republican Party and a disgrace to Seneca County, and I believe that all Republicans who agree with me should take action through their town committees and otherwise to see that such involvement in county government and administration does not continue.

Second, I call on Mr. Shipley to step down as chairman of the Board of Supervisors. As far as I am concerned, Bob, you have betrayed the trust of the Board and the community, by withholding information that should have been shared with the full Board, by placing pressure on Sharon to agree to less than two more years of service as county manager, and by representing "the powers that be" in doing so. Bob, I asked you two weeks ago in private to consider stepping down so that I did not have to make all this public, but you have not done so, so I must ask you now to resign your position as chairman of this board.

Third, I call on Mr. Kaiser to step down from his position as Majority Leader. David, you have also withheld information from the full board that it had a right to know, you were aware of the discussions between Mr. Shipley and Sharon, and you were chairman of the Government Operations Committee, yet you appear to have done nothing to head off this disaster, and your inaction contributed to the unfortunate mistreatment of Sharon Secor and the near crisis we faced in county government and administration. I am not a Republican, and I realize that it is up to your caucus to decide who the Majority Leader is, but I think that you should

recognize that you did not show leadership in this important matter and that you should therefore resign as Majority Leader. Your comment that my remarks on January 3rd constituted "political grandstanding" indicates to me that you do not understand the gravity of this matter.

Fourth, in light of Sharon's announcement that she intends to retire as county manager, effective December 31, 2006, I ask the Board to rescind the written agreement that she do so, on grounds that it was entered into under duress. It seems to me that this is the least that this Board can do to compensate Sharon for the grief she has been put through by our chairman, some other members of the Board, and "the powers that be." It would also be an expression of our confidence in her and our thanks for a job well done. Under Robert's Rules of Order, a motion to reconsider an action requires prior notice if it is to be passed by a simple majority, so I will not make this recommendation a motion until our next meeting. This gives us two weeks to think about it and it allows each board member time to consult with his or her own conscience and constituents. It will also give Sharon two weeks to think about whether she wants to retire after one more year or two as county manager, if she is given that choice.

Fifth, and last, if the Board does not release Sharon from her agreement to retire at the end of this year, or if she, given the opportunity to serve for two more years, chooses to serve for only one, then I recommend that the Board immediately constitute a bipartisan committee to conduct a search for Sharon's successor. Specifically I recommend a seven-person search committee, composed as follows: two members of the Board, one a Republican chosen by the Republican caucus and one a Democrat chosen by the Democratic caucus; two members of the county staff, each acceptable to both caucuses; and one community member acceptable to both caucuses. Last Saturday morning I talked with Dr. M. Richard Rose, a Republican resident of Varick, the former President of the Rochester Institute of Technology, and the chairman of the search committee for our former county manager. Dr. Rose is willing to serve on and chair such a committee, and I respectfully suggest that he would be an excellent choice to chair this important, bipartisan committee.

Conclusion

In closing, I want to say to Bob and to David that I take no pleasure in asking you to resign from your respective positions. Unfortunately, you are caught in a political party web from which you cannot extricate yourselves, and so I must ask you to step down for the good of the County.

To all of you on this Board I want to say that as elected county officials and public servants we should be free to make decisions

in accordance with our own best judgment, based upon the most pertinent data that can be assembled, based upon input from our constituents, and based upon our own personal principles. We will not always agree on individual issues, but we can agree to resist inappropriate outside influences, to share all relevant information, and to confine our decision making to this building. I call on each of you as supervisors to join in an effort to see that we work together as a collective Board.

Finally, to all the citizens of Seneca County, I want to say that our county is at a crossroads. We can move forward into a new era of open government, or we can remain subject to "the powers that be." I trust that you will agree that no county should be run from behind the scenes by any political party. Therefore I call upon all concerned citizens of Seneca County to see that "the powers that be" become "the powers that were."

Supvr. Barto moved the meeting adjourned.