

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

April 10, 2007

7:00 p.m.

Call to Order:

Chairman Barto called the meeting to order at 7:04 p.m.

Roll Call of Members by the Clerk:

All members of the Board of Supervisors were present.

Pledge of Allegiance and Moment of Silence:

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	#1065 - 1417	totaling	\$122,903.51
OFA vouchers	#184 - 240	totaling	\$66,447.36
Workforce Development vouchers	#75 - 88	totaling	\$25,302.51
Insurance vouchers	#19 - 27	totaling	\$383,952.86
County Airport vouchers	#22 - 31	totaling	\$2,782.82
Jail Capital Project vouchers	#78 - 106	totaling	\$110,220.73
E-911 Capital vouchers	#13 - 16	totaling	\$30,036.85
Highway Transportation vouchers			
Maintenance & State Snow	#84 - 107	totaling	\$122,581.66
Highway Machinery	#116 - 156	totaling	\$35,421.91

Approval of minutes:

March 13, 2007: Motion made by Mr. Lafler. Second by Mr. Mooney. Motion carried.

Reports of Standing Committees:

Public Safety & Jail Construction Committee: Mr. Shipley, Chairperson, reported that the committee recommended several change orders related to the LEC construction, as well as the creation of four part-time nurse positions be approved by the Board of Supervisors. The committee also recommended that the Board of Supervisors authorize Toni Smith, the E-911 Coordinator to sign the Use & Dissemination Agreement with NYS DCJS.

Human Services Committee: Mr. Mooney, Chairperson, reported that the committee recommended the Board of Supervisors approval for a contract increase for youth programs between the Finger Lakes Workforce Investment Board and Seneca County Office of Workforce Development.

Public Health Services Committee: Mr. Lafler, Chairperson, reported that the committee met with Mike Maenza of ProAct prescription program through Kinney Drugs. The program is free for participants and the County. It allows the participants to purchase prescriptions from any participating pharmacy at a discounted rate. Mr. Lafler noted that all pharmacies located in Seneca County participated in the program, and the consumer was not bound to Kinney Drugs for the discounted rate. The committee voted to recommend the Board of Supervisors approval to bring this program to its county residents. Mr. Lafler also reported the committee's recommendation for a board resolution, to decorate the county office building on May 1 in recognition of the American Cancer Society's 2007 Relay for Life campaign, "Paint the Town Purple".

Planning, Development, Agriculture & Tourism Committee: Mr. Kaiser, Chairperson, reported that the committee recommended a board resolution to approve Seneca County Industrial Development Agency issuing \$23,000,000 in Civic Facility Revenue Bonds, Series 2007, for the restoration of existing building and construction of new facilities for the New York Chiropractic College. The committee also recommended a board resolution in support of the construction of the Food Safety Lab to be located at the Cornell Agriculture and Food Technology Park in Geneva, NY.

Government Operations Committee: Mr. Smith, Chairperson, reported that the committee recommended board resolutions for the reappointment of Elaine Catanise as republican Election Commissioner for the current term expiring December 31, 2010; and a resolution recognizing sixty years of service by the Waterloo Lion's Club.

Finance, Assessment & Insurance Committee: Mr. Anglim, Chairperson, reported that the committee recommended a board resolution to authorize the Chairman of the Board to sign the annual agreement to extend tax rolls and bills for schools and villages.

Chairman's Remarks:

Four years ago this week marked the fall of Baghdad. With that anniversary in mind, I think it's a good time to reflect on what we, as a county, can do for our veterans.

It's difficult to get a count of how many men and women from the Finger Lakes and Seneca County have served in Iraq or Afghanistan, or are serving there now, but the Gannett news has reported that the number that has served is about 950,000 nationwide, with 700,000 of those in Iraq and 150,000 in Afghanistan.

Each returning veteran must readjust to life in the United States after experiencing things most of us can't fully comprehend: seeing violent deaths, watching comrades suffer war wounds, and having one's life in constant peril can have a lasting impact on our sons and daughters, even after they return to the safety of Seneca County.

Make no mistake: these people are heroes, but even heroes need help sometimes. It's estimated many as 30 percent of our brave vets may need clinical intervention, or other social services, at some time.

Unfortunately, federal privacy laws block the sharing of medical information without express consent, and states and counties often do not learn a wounded or disabled service member has returned until they are in severe need.

However, the State of New York, under an existing memorandum of understanding (MOU) with the U.S. Department of Veterans Affairs has instituted a limited "State Benefits Seamless Transition" program. The program gives severely disabled veterans the option to provide their contact information to state departments of veterans' affairs.

If possible, I would like to see this MOU expanded to include all wounded and disabled troops, not just those with the most severe injuries. I would also like to see this sharing of information expanded to provide more information to our counties sooner. This information should be provided to both our veterans' agency and our social services and mental health agencies. Both states and counties should be notified when their wounded and disabled troops are returning home so the wounded can receive the fastest services possible. This way, any injured service members returning to Seneca County from Iraq or Afghanistan while awaiting further medical treatment and final disability determination can receive help from day one not just when their financial care and housing issues become critical.

As Thomas "Tip" O'Neill—a longtime Speaker of the House—once declared, "All politics is local". He was explaining how the problems and concerns of towns and cities around the country affect the actions of their representatives and senators in Washington, D.C.

But beyond that statement, not only are politics local. Often solutions can be too. Local agencies, if given the tools and the funding can be a lot more flexible than the federal system. We have local agencies we can bring to bear to meet certain needs, but we don't always know who these veterans are. That's where the federal government comes in. But that is also where our neighbors come in.

The Seneca County Veterans Service Agency is committed to providing assistance and support to veterans, their spouses, widows, family members and dependent children through the pursuance of veterans' benefits at the County, State and Federal levels and referrals to other agencies for possible assistance.

This is done to promote better physical and mental health, improve quality of life and to ensure every veteran or dependent receives the benefits they are entitled to.

Anyone who knows of injured service members who have returned to our county and may need help should contact the County Department of Veterans Affairs at (315) 539-1798 or 800-688-7188 ext. 1798. We may not have all the answer but I promise you that we will do whatever we can for our

returning soldiers. They have fought for the ultimate prize, our freedom, and the freedom of others, and we owe it to them to put politics aside and do everything in our power to make sure that we take care of them

Communications:

The following communications were received and filed:

100. From NYS Office for the Aging, a copy of a letter to Seneca County OFA Directory Angela Reardon, dated March 16, 2007, notifying approval of the Annual Implementation Plan for 2007-08; approval for funds for Older Americans Act; approval for State aid for the Expanded In-home Services for the Elderly Program, The Community Services for the Elderly Program, and the Supplemental Nutrition Assistance Program for the period April 1, 2007-March 31, 2008.

101. From the NYS Office for Small Cities, Housing Trust Fund Corporation, a letter dated March 26, 2007, stating that the completion date for allocated grand funds is September 30, 2007.

102. From Sharon Secor, County Manager, a copy of a letter dated March 30, 2007, from NYS Department of Transportation, stating that its traffic engineers found that closing passing on both Route 96 approaches to the law enforcement center would be appropriate; and that the existing highway characteristics and lack of roadside development justify retaining the existing speed limit, and a reduction would not be appropriate at this time.

103. From Kevin Radka, Executive Board Member, IBEW Local Union 840, a letter dated March 29, 2007, reiterating the IBEW's support of efforts made to bring the ethanol plant and food lab to the area.

104. A copy of an email from Suzi Tribble, expressing her great thanks for the responses, she and her family received from the employees of Seneca County, to the hardship they have experienced.

105. A copy of email correspondences dated March 25 & 26, 2007, between Dennis Money and Robert Shipley (Supervisor-at-large, Waterloo) RE: Cilion Update.

106. Minutes from the 911 Advisory Board meeting on March 13, 2007.

107. Minutes dated March 25, 2007 from the Seneca County Federation of Sportsmen's Clubs, Inc.

108. Minutes from the Seneca County IDA regular meeting on March 5, 2007.

109. Minutes from the Seneca County Board of Health meeting on March 21, 2007.

110. Minutes from the Western Finger Lakes Solid Waste Management Authority meeting on January 22, 2007.

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

111. From the Republican Committee of Seneca County, an Election Commissioner Certification, recommending Elaine M. Catanise as a suitable and qualified person for appointment to the office of

Commissioner of Elections for the term beginning January 1, 2007. Referred to the Government Operations Committee.

112. A copy of a resolution adopted by the Wayne County Board of Supervisors titled, *Authorization to request an Amendment to the State Law to Mandate the Payment of Claims by Health Insurers for services provided under the Early Intervention Program*. Referred to the Human Services Committee.

Resolutions and Motions

RESOLUTION AUTHORIZING ADOPTION BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SENECA OF LOCAL LAW NO. 4 OF THE YEAR 2007

RESOLUTION NO. 88-07, moved by Mr. Shipley, seconded by Mrs. Amidon and adopted by 690 ayes (Shipley, Amidon, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Same, Anglim, Lafler, Teichner, Mooney) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, a resolution was duly adopted by the Board of Supervisors of the County of Seneca for a public hearing to be held by said County on March 13, 2007 at 7:00 pm at the Seneca County Office Building, One DiPronio Drive, Waterloo, NY 13165 to hear all interested parties on a proposed Local Law entitled "A local law repealing Seneca County Local Law No. 2 of the Year 2002"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper(s) of the County of Seneca; and

WHEREAS, said public hearing was duly held on March 13, 2007 at 7:00 pm at the Seneca County Office Building, One DiPronio Drive, Waterloo, NY 13165 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local law, or any part thereof; and

WHEREAS, the Board of Supervisors of the County of Seneca, after due deliberation, finds it in the best interests of the County of Seneca to adopt said Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Seneca hereby adopts said Local Law No. 4 of the year 2007 as follows

SECTION 1. It is the determination of the Board of Supervisors that the personnel and other costs of administering the county's security alarm fee program outweigh the slight revenue potential of such program, unduly burden local businesses and may tend to discourage potentially life saving connections to the county's 911 center.

SECTION 2. Seneca County Local Law No. 2 of the Year 2002, entitled "A local law establishing Penalties and Procedures for Security Alarm Devices," is, and shall be, repealed as of the effective date of this local law, except as set forth in Section "3," below.

SECTION 3. Any unpaid fines or other charges previously imposed, or remaining unpaid which have become a lien upon the real property and/or real property tax and included in the county tax bills

rendered, and which remain unpaid, shall remain due and owing and shall be collected in the same manner as other taxes and charges against the real property.

SECTION 4. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

SECTION 5. This Local Law shall take effect immediately upon its filing with the Secretary of State of the State of New York;

AND BE IT FURTHER RESOLVED that the Clerk of the Board be and hereby is directed to enter said Local law in the minutes of this meeting and in the Local Law Book of the County of Seneca, and to give due notice of the adoption of said local law to the Secretary of the State of New York.

**SUPERVISORS AUTHORIZE TONI F SMITH, E-911 COORDINATOR, TO SIGN USE AND
DISSEMINATION AGREEMENT WITH NEW YORK STATE DIVISION OF
CRIMINAL JUSTICE SERVICES**

RESOLUTION NO. 89-07, moved by Mr. Shipley, seconded by Mrs. Teichner and adopted by 690 ayes (Shipley, Teichner, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Same, Anglim, Lafler, Amidon, Mooney) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, the Seneca County E-911 Center has applied for access to the New York State Division of Criminal Justice Services (DCJS) Criminal History Files; and

WHEREAS, permission has been granted by New York State DCJS pending the signed Use and Dissemination Agreement between DCJS and Seneca County E-911; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes the E-911 Coordinator to sign the Use & Dissemination Agreement between New York State DCJS and Seneca County E-911 Center.

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

RESOLUTION NO. 90-07, moved by Mr. Shipley, seconded by Mr. Mooney and adopted by 690 ayes (Shipley, Mooney, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Same, Anglim, Lafler, Amidon, Teichner) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

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 \$8,200; 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, 2007 and terminating December 31, 2007; and, be it

FURTHER RESOLVED, that upon notification of the award 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.

RESOLUTION INTRODUCING PROPOSED LOCAL LAW NO. A (PROPOSED) OF THE YEAR 2007 PROVIDING FOR THE CREATION OF THE POSITION OF COUNTY MANAGER AND SETTING THE DUTIES AND TERM OF OFFICE THEREOF AND PROVIDING FOR PUBLIC HEARING

RESOLUTION NO. 91-07, moved by Mr. Smith, seconded by Dr. Dresser and adopted by 690 ayes (Smith, Dresser, Reynolds, Barto, Davidson, Kaiser, Same, Anglim, Lafler, Amidon, Teichner, Mooney, Shipley) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, it has been recommended by the County Manager Search Committee, the County Manager, the County Attorney, the Personnel Director and the Board of Supervisors' Government Operations and Technology committee that it is in the best interests of the County that there be introduced a Local Law Providing For The Creation Of The Position Of County Manager And Setting The Duties And Term Of Office Thereof; and

NOW, THEREFORE, BE IT RESOLVED that proposed Local Law No. A (PROPOSED) of the year 2007 entitled "A Local Law Providing For The Creation Of The Position Of County Manager And Setting The Duties And Term Of Office Thereof" 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 8th day of May, 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.

The Chairman of the Board recognized Supervisor Dresser, who informed the Board that the Search Committee for a County Manager had drafted a resolution relating to the advertising for the county manager position and would be presenting it at a future date.

APPOINT CATANISE ELECTION COMMISSIONER

RESOLUTION NO. 92-07, moved by Mr. Smith, seconded by Mr. Shipley and adopted by 690 ayes (Smith, Shipley, Reynolds, Barto, Davidson, Dresser, Kaiser, Same, Anglim, Lafler, Amidon, Teichner, Mooney) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, the Chairman of the Republican Committee has filed with this Board of Supervisors, pursuant to Section 31 of the Election Law, a certificate recommending the appointment of Elaine Catanise to the office of Commissioner of Elections, now, therefore be it

RESOLVED, that Elaine Catanise is hereby appointed Commissioner of Elections in and for the County of Seneca with term of office to commence January 1, 2007 for a four-year term to expire December 31, 2010.

APPROVE THE ISSUANCE BY THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY OF UP TO \$23,000,000 CIVIC FACILITY REVENUE BONDS (NEW YORK CHIROPRACTIC COLLEGE PROJECT), SERIES 2007

RESOLUTION NO. 93-07, moved by Mr. Kaiser, seconded by Mr. Smith and adopted by 619 ayes (Kaiser, Smith, Reynolds, Barto, Davidson, Dresser, Same, Lafler, Amidon, Teichner, Mooney, Shipley), 71 abstentions (Anglim), and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, the Seneca County Board of Supervisors, has been advised by the Seneca County Industrial Development Agency (the "Issuer") that, in order to assist in the refinancing of a certain Project (as defined below) for the benefit of New York Chiropractic College, a New York not-for-profit corporation (the "College") the Issuer proposes to issue its Civic Facility Revenue Bonds (New York Chiropractic College Project), Series 2007, in an aggregate principal amount not to exceed \$23,000,000 (the "Bonds"); and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") requires the approval by the Seneca County Board of Supervisors (the "Board") prior to the issuance by the Issuer of the Bonds; and

WHEREAS, the project (the "Project") shall consist of: (A) the refinancing of a commercial loan of the College which was used to redeem the Issuer's \$23,500,000 Civic Facility Revenue Bonds (New York Chiropractic College Facility), Series 1997 (the "Series 1997 Bonds"); the proceeds of which were used to (i) fund the construction of an approximately 38,500 square foot academic building comprising lecture rooms, classrooms, conference rooms, offices and faculty/student lounges (the "Improvements"), and (ii) refinance the Issuer's \$19,500,000 Civic Facility Adjustable Rate Tender Revenue Bonds (New

York Chiropractic College Facility), Series 1991 (the "Series 1991 Bonds"); the proceeds of the Series 1991 Bonds were used by the College to finance (i) the acquisition of a portion of the land composing the former Eisenhower College campus, at 2360 State Route 89, in the Town of Seneca Falls, New York (the "Land"), (ii) the renovation thereon of the following existing buildings: an approximately 66,600 square foot academic building; an approximately 66,600 square foot administration building, an approximately 54,700 square foot library, an approximately 67,000 square foot athletic center and an approximately 13,300 square foot maintenance building, including related sitework improvements (the "Original Facility") and (iii) the acquisition and installation in and around the Original Facility of certain items of machinery, equipment and other tangible personal property (the "Equipment" and, collectively with the Land, the Improvements and the Original Facility, the "Facility"); (B) paying certain costs and expenses incidental to the issuance of the Bonds; and (C) the lease (with an obligation to purchase) or sale of the facilities financed with the Bonds to the College or such other person as may be designated by the College and agreed upon by the Issuer; and

WHEREAS, the Issuer proposes to assist in the financing of the Project by issuing the Bonds to: (i) pay all or a substantial portion of the cost of financing certain costs incurred by the College in its undertaking of the Project and (ii) pay reserves and costs incidental to the issuance of the Bonds; and

WHEREAS, the Issuer held such a public hearing on April 2, 2007 upon proper notice in compliance with the Code; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), interest on the Bonds will not be excluded from gross income for Federal income tax purposes unless the issuance of the Bonds is approved by the Seneca County Board of Supervisors after a public hearing held by the Issuer to consider both the issuance of the Bonds and the nature and location of the facilities financed therewith has been conducted following reasonable public notice; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on April 10, 2007; and

WHEREAS, the Committee, after due consideration of the foregoing, desires to recommend to the Board that it approve the issuance of the Bonds, provided the principal, premium, if any, and interest on the Bonds shall be special obligations of the Issuer and shall never be a debt of the State of New York (the "State") or any political subdivision thereof including, without limitation, Seneca County, New York, and neither the State nor any political subdivision thereof including, without limitation, Seneca County, New York, shall be liable thereon, now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors, as the elected legislative body of Seneca County, New York, gives its approval to the Seneca County Industrial Development Agency for

the issuance of up to \$23,000,000 in Civic Facility Revenue Bonds, Series 2007, to the New York Chiropractic College in accordance with Section 147(f) of the Internal Revenue Code; and be it

FURTHER RESOLVED, that this Resolution shall be deemed to be made for the benefit of the holders of the Bonds; and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

SUPERVISORS SUPPORT AND RECOMMEND RELOCATION OF NEW YORK STATE

FOOD SAFETY LABORATORY TO GENEVA, NEW YORK

RESOLUTION NO. 94-07, moved by Mr. Kaiser, seconded by Mr. Dresser and adopted by 690 ayes (Kaiser, Dresser, Reynolds, Barto, Smith, Davidson, Same, Anglim, Lafler, Amidon, Teichner, Mooney, Shipley) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, the State Legislature committed to relocate the laboratory to a site on the Campus of the Cornell Agriculture and Food Technology Park in Geneva, New York, adjacent to Cornell's Agricultural Experiment Station; and

WHEREAS, the collaboration of the State Department of Agriculture and Markets with Cornell University and various State and Federal partners will provide enhanced capabilities to conduct thorough and advanced testing, while also enabling New York State to be at the forefront of food technology research; and

WHEREAS, by locating the Food Safety Laboratory at the Cornell Agriculture and Food Technology Park, the State will be in a position to work closely with the adjacent Cornell University Institute of Food Service, one of the prominent food research programs in the world; and

WHEREAS, a \$1.5 million dollar cleanup of the site done in 2005, and paid for by state and local dollars assures that the site is in good environmental condition for the construction of this project; and

WHEREAS, the addition of the Food Lab will contribute significantly to expanding the existing collaboration between local municipalities, Cornell University, the private sector and the State in world class food technology research to improve world wide value and accessibility and safety of the food supply; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on April 10, 2007; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby support, recommend and encourage Governor Spitzer and the New York State Senate and Assembly to honor the State's commitment to relocate the Food Lab to Geneva, New York; and be it

FURTHER RESOLVED, that copies of this resolution be sent to Governor Spitzer, State Economic Development Director for Upstate, Dan Gundersen, State Senator Michael Nozzolio, State Assemblyman Brian Kolb, and other State elected representatives from the Finger Lakes Region, Mr.

Tom Burr, Director of Cornell Agriculture Experiment Station, Dr. Robert Seem, Director of the Cornell Agriculture and Food Technology Park, and the County Of Ontario.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
CONTRACTS WITH THE NEW YORK STATE
DEPARTMENT OF HEALTH**

RESOLUTION NO. 95-07, moved by Mr. Lafler, seconded by Mr. Smith and adopted by 690 ayes (Lafler, Smith, Reynolds, Barto, Davidson, Dresser, Kaiser, Same, Anglim, Amidon, Teichner, Mooney, Shipley) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, the Seneca County Health Department has received the following grants from the New York State Department of Health; and

WHEREAS, it is necessary for the Chairman of the Board of Supervisors to execute these contracts before reimbursement can be received; and

WHEREAS, these grants are Early Intervention Administration Grant (contract number C-021821) in the amount of \$ 30,562; the Immunization Action Plan (contract number C-018687) in the amount of \$ 17,535; the Integrated Cancer Services Program (Healthy Women's Partnership contract number C-018363) in the amount of \$ 50,247 and the Colo-Rectal Cancer Expansion Project (contract number C-021738) in the amount of \$ 45,000.; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the contracts for these grants.

**BOARD OF SUPERVISORS AUTHORIZE PURCHASE OF TWO VEHICLES FOR THE
PUBLIC HEALTH DEPARTMENT**

RESOLUTION NO. 96-07, moved by Mr. Lafler, seconded by Mrs. Amidon and adopted by 690 ayes (Lafler, Amidon, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Same, Anglim, Lafler, Teichner, Mooney, Shipley) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, in the 2007 Departmental budget preparation process, the purchase of two new vehicles for the Public Health Department has been authorized; and

WHEREAS, these two vehicles will be used to replace two 1995 Grand Am vehicles with over 150,000 miles on it; and

WHEREAS, these vehicles will be purchases from Stage bid; one a 2007 Chevrolet Impala (New York State contract award 20336) for the cost of \$15,104 and a 2007 Jeep Liberty (New York State Contract number 20598) for the cost of \$16,442; and

WHEREAS, the money for these purchases is in the Public Health budget 10-115-5-4010-2600; now, therefore be it

RESOLVED, that the Seneca County Health Department is authorized to purchase the above described vehicles under the terms and conditions set forth above.

**BOARD OF SUPERVISORS TO APPROVE THE DECORATION OF THE SENECA COUNTY
OFFICE FACILITIES IN THE AMERICAN CANCER SOCIETY'S
"PAINT THE TOWN PURPLE"**

RESOLUTION NO. 97-07, moved by Mr. Lafler, seconded by Dr. Dresser and adopted by 690 ayes (Lafler, Dresser, Reynolds, Barto, Smith, Davidson, Kaiser, Same, Anglim, Amidon, Teichner, Mooney, Shipley) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, May 1st is the official kickoff for the 2007 Relay for Life season in New York and New Jersey; and

WHEREAS, on this day, communities from Niagara Falls to Atlantic City will be *Painting the Town Purple* to celebrate cancer survivorship and spread the word about Relay for Life; and

WHEREAS, at the Seneca County office facilities, the Team Seneca County Employees would like to spread the color of purple and our hope for a cure to cancer; and

WHEREAS, they are asking to wear purple ribbons, tie purple bows around the trees, decorate the facilities entrances with purple balloons and a banner, and hang posters in the break rooms; now, therefore be it

RESOLVED, the Board of Supervisors approves the decoration as stated above, of the Seneca County office facilities for the American Cancer Society's "*Paint the Town Purple*" campaign.

**BOARD OF SUPERVISORS TO APPROVE A CONTRACT INCREASE FOR YOUTH
PROGRAMS BETWEEN THE FINGER LAKES WORKFORCE INVESTMENT BOARD AND
THE SENECA COUNTY OFFICE OF WORKFORCE DEVELOPMENT**

RESOLUTION NO. 98-07, moved by Mr. Mooney, seconded by Mr. Same and adopted by 690 ayes (Mooney, Same, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Anglim, Amidon, Teichner, Shipley) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, the Seneca County Board of Supervisors has approved the Workforce Development Plan between the Finger Lakes Workforce Investment Board and the Seneca County Office of Workforce Development for a contract period of July 1, 2006-June 30, 2007 which includes programs funded under Title I of the Workforce Investment Act; and

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

WHEREAS, the original amount of the contract was \$103,456.00 and the requested increase will bring the contract total to \$118,456.00; and

WHEREAS, the \$15,000.00 contract increase will not extend the contract period, and

WHEREAS, the following account, Client Wages and Fringe, will reflect the contract increase:
20-125-5-6011-1-202: + \$15,000.00; and

WHEREAS, this contract increase has been reviewed by the Oversight Committee for Human Services and Finance Committee and recommended for full Board approval; now, therefore be it

RESOLVED, the Board of Supervisors approves the contract increase for Youth Programs between the Finger Lakes Workforce Development Board and the Seneca County Office of Workforce Development.

BOARD OF SUPERVISORS AUTHORIZES THE SENECA COUNTY DIVISION OF HUMAN SERVICES DEPARTMENT OF YOUTH BUREAU TO RECEIVE GRANT FUNDS IN THE AMOUNT OF \$1,054.00

RESOLUTION NO. 99-07, moved by Mr. Mooney, seconded by Mr. Shipley and adopted by 690 ayes (Mooney, Shipley, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Same, Lafler, Anglim, Amidon, Teichner) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, the Youth Bureau recently received notice that the grant they submitted to the Association of New York State Youth Bureau and United States Tennis Association Eastern Region to encourage and promote the game of tennis to develop a new skill and recreational outlet was approved; and

WHEREAS, the Youth Bureau in collaboration with the summer recreation programs will offer children and youth ages 5-15 the opportunity to be introduced to tennis; and

WHEREAS, the program will be open to all Seneca County youth and there is no cost for participation in the program; and

WHEREAS, the program will be coordinated through the Youth Bureau; and

WHEREAS, the grant funds will be used to purchase equipment such as tennis rackets, balls, portable nets and for advertisement; and

WHEREAS, the Youth Bureau will serve as a pass through to purchase equipment and advertise the program; and

WHEREAS, these grant funds have been reviewed by the oversight committees for human services and finance and recommended for full board approval; now, therefore be it

RESOLVED, the Board of Supervisors approves the Seneca County Division of Human Services Department of Youth Bureau to receive grant funds in the amount of \$1,054.00.

SUPERVISORS APPROVE SAFETY POLICIES

RESOLUTION NO. 100-07, moved by Mr. Reynolds, seconded by Mr. Kaiser and adopted by 690 ayes (Reynolds, Kaiser, Barto, Smith, Davidson, Dresser, Same, Lafler, Anglim, Amidon, Teichner, Mooney, Shipley) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, the Board of Supervisor recognizes that safety is an important component in performing job duties in departments; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby adopt the following policies to govern the Seneca County Highway Department.

101.510HARD HAT & VEST POLICY

All highway department employees SHALL conform to the hard hat and vest policy.

Employees exposed to overhead hazards or hazards from flying objects, are required to wear approved hard hats at all times, including indoors.

Employees working or otherwise located within the highway work zone or activity SHALL wear approved hard hats (must meet or exceed ANSI 89.1-1967) and approved class 2 vests, shirts, or jackets. This includes tractor mower operators. The basic provisions of this policy apply to ALL EMPLOYEES, including ANY visitors, ALL Supervisors, and the Highway Superintendent.

Without exception, employees flagging SHALL wear approved class 2 vests. No alternative to a vest will be allowed for flagging.

Hard hats and vests will not be required for operators inside a completely enclosed cab (truck or equipment) constructed of steel frame and glass, or inside an automobile.

Loose-fitting, high visibility apparel shall NOT be worn while operating equipment such as chainsaws, brush chippers, or while climbing trees. When a vest may not be appropriate, other approved orange apparel shall be worn. Employees working near construction equipment in any location shall wear high visibility apparel.

In isolated situations of limited duration, where wearing a hard hat and/or high visibility apparel poses a hazard or extreme hardship, a supervisor may except portions of the procedure as necessary, but only for such isolated situations of limited duration. An example might be: A mechanic performing roadside repairs might be unable to work under a vehicle or over the engine compartment with a hard hat.

Failure to comply with this safety policy pertaining to Hart Hats and Safety Vests will result in the following:

- 1st Offense: Verbal warning
- 2nd Offense: Written warning (memo in file)
- 3rd Offense: Disciplinary procedure - \$50.00 fine
- 4th Offense: Disciplinary procedure - \$200.00 fine

After fourth offense, if failure to comply continues, suspension or termination could result.

101.511SHOE POLICY

Effective 5/1/04, all employees of the Seneca County Highway Department shall wear safety shoes that meet ANSI standards.

When purchasing your safety shoes, make sure they are ANSI approved and have the following minimum ANSI code on the box: ANSI Z41.1 1991.

The County will reimburse the employee up to \$65.00 toward the purchase of the shoes only after furnishing a paid receipt containing the price and ANSI code which needs to read ANSI Z41.1 1991 or higher, such as ANSI Z41 PT99. (1991 was the year the initial standard was set, so a number higher than that, such as 94, 97 and 99 would meet or exceed that standard).

Steel toe sneakers are NOT allowed.

Anyone coming to work with sneakers on will be sent home.

101.512EYES & HEARING POLICY

ALL employees shall wear and maintain appropriate eye protection (safety glasses, goggles or face shields) when performing tasks that present a potential for eye injury.

For example: grinders and various metal and wood shop equipment, weed trimming, rust removal, working under vehicles, chain saw operation and feeding chipper.

ALL employees are required to use hearing protection in and around areas where there may be potential hearing hazards.

For example: mowers, heavy equipment, chain saws, weed trimmers, etc.

SUPERVISORS APPROVE THE APPOINTMENT OF SCHLER TO THE SENECA COUNTY COMMUNITY SERVICES BOARD

RESOLUTION NO. 101-07, moved by Mrs. Amidon, seconded by Dr. Dresser and adopted by 690 ayes (Amidon, Dresser Reynolds, Barto, Smith, Davidson, Kaiser, Same, Lafler, Anglim, Teichner, Mooney, Shipley) and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

WHEREAS, Howard Schler has served on the Seneca County Community Services Board (CSB) for two consecutive terms; and

WHEREAS, Mr. Schler has expressed interest in serving a third term as a member of said board; and

WHEREAS, the CSB has endorsed the re-appointment of Howard Schler; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the appointment of Howard Schler to the Seneca County Community Services Board for a four-year term of January 1, 2007 through December 13, 2010.

New Business:

Chairman Barto appointed Lee Davidson as Chairman of the Public Works Committee, due to Mr. Trickler's resignation from the Board of Supervisors effective April 1, 2007.

Mr. Same requested privilege of the floor for the purpose of reading a letter from Theodore Young, Chairman of the Waterloo Democrat Committee. Privilege of the floor was granted by the

Chairman. Mr. Same read Mr. Young's letter. The letter was a recommendation by the Waterloo Democrat Committee for the appointment of Duane "Fritz" Chrysler as Supervisor-at-large

Mr. Mooney, recognized by Chairman Barto, stated that at a caucus of the republican members of the Board, it was agreed that C. Jerry Robinson was their recommendation to complete the term of Supervisor-at-large for Waterloo. Mr. Mooney made the motion to appoint C. Jerry Robinson. Mr. Shipley seconded the motion.

Mr. Same made a motion to appoint Mr. Chrysler as Supervisor-at-large for Waterloo. Dr. Dresser seconded the motion.

**BOARD OF SUPERVISORS APPOINTS C. JERRY ROBINSON
AS COUNTY SUPERVISOR, TOWN OF WATERLOO**

RESOLUTION NO. 102-07, moved by Mr. Mooney, seconded by Mr. Shipley and adopted by 457 ayes (Mooney, Shipley, Reynolds, Barto, Smith, Davidson, Kaiser, Lafler, Amidon) and 51 nays (Dresser), 182 abstentions (Same, Anglim, Teichner), and 60 absentees (Vacancy, Supervisor-at-large, Waterloo).

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint C. Jerry Robinson, residing at 68 Church Street, Waterloo, New York, as County Supervisor, Town of Waterloo, to fill the unexpired term of Fred Trickler.

After the appointment of Mr. Robinson, a discussion ensued regarding the process of filling Supervisor-at-large vacancies created during a member's term on the Board of Supervisors. The discussion focused on the individual town boards appointing a member, or having a special election so the town residents can decide who fills the vacancy, or continuing with the current procedure of having the Board of Supervisors decide by majority vote.

Chairman Barto assigned the task to the Government Operations Committee and the County Attorney, of researching the current local law regarding the procedure of filling Supervisor-at-large vacancies on the Board of Supervisors.

Mr. Robinson was called by Chairman Barto to assume the vacant seat on the Board of Supervisors as the newly appointed Supervisor-at-large, Town of Waterloo.

Mr. Shipley made a motion to suspend the rules of order to introduce a resolution not pre-filed. Mr. Lafler seconded the motion. The motion was carried.

**PROCLAMATION RECOGNIZING THE WATERLOO LIONS CLUB AND SIXTY YEARS OF
SERVICE TO THE COMMUNITY**

RESOLUTION NO. 103-07, moved by Mr. Shipley, seconded by Mr. Mooney and Mr. Smith, and adopted by 750 ayes (Shipley, Mooney, Smith, Reynolds, Barto, Davidson, Dresser, Kaiser, Same, Lafler, Anglim, Amidon, Teichner, Robinson).

WHEREAS, the Waterloo Lions Club will be celebrating 60 years of continuous service to our community at its Annual Banquet on Saturday, April 14, 2007; and

WHEREAS, chartered in 1947 the Waterloo Lions Club has sponsored and raised funds for hundreds of projects over the past 60 years; and

WHEREAS, Lions are primarily know for their commitment to vision and hearing by collecting eyeglasses and hearing aids for the needy, paying for eye and hearing exams, and furnishing glasses and hearing aids for seniors and children; and

WHEREAS, the Waterloo Lions have also purchased Braille and talking equipment for blind students; and

WHEREAS, the Waterloo Lions Club has frequently contributed funds to many organizations such as Batavia School for the blind, Rochester Eye Bank, Guide Dog Foundation, Empire Speech and Hearing Clinic and many more; and

WHEREAS, starting many years ago with the construction of the original Little League baseball field and play ground on Oak Street in the Village of Waterloo, the Waterloo Lions continue to host or participate in a variety of annual community events; and

WHEREAS, the Waterloo Lions Annual Golf Tournament helps fund a significant cross section of community endeavors from the Boy Scouts and Girl Scouts, the American Red Cross and Salvation Army, and to our local Schools and Fire Departments; and

WHEREAS, the demonstrated commitment of the Waterloo Lions Club remains a model for all Seneca County service organizations to emulate and provides a tremendous legacy for their members to pass on to future generations; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby recognize the Waterloo Lions Club for its sixty years of commitment and service to our community.

Special Order of the Day:

As no further business was before the Board, Mr. Davidson moved the meeting adjourned.