

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

May 13, 2008

8:00 p.m.

Call to Order

Chairman Lafler called the meeting to order at 8:00 p.m.

Roll Call of Members by the Clerk

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

Pledge of Allegiance and Moment of Silence

Chairman Lafler asked that Karen Siccardi and the mother of Joan Mooney be remembered during the Moment of Silence.

Presentations / Petitioners

a. Youth Bureau Art Expo 2008 Awards – sixty-five students participated in the Art Expo. Jackie Dresser was honored with 1st Place; Matt Wolff was honored with 2nd Place; and Brandon Wheeler was honored with 3rd Place.

b. Criminal Justice Advisory Board Law Day Event. Michael Mirras, Public Defender of Seneca County, stated that the CJB had a successful event to celebrate Law Day by welcoming students from the Seneca County schools to spend time with certain Seneca County employees who worked in law enforcement.

c. Harry Pettingill, UCE Historian, stated that Judge McCurn's decision in favor of the Cayuga Nation was contradictory to the International Tribunal. He also highlighted several points in history that cited the Cayuga Nation was compensated for its land.

Submission of Claims for Audit

Mr. Barto made a motion that the following vouchers, having gone through the proper auditing process be approved for payment. Mrs. Amidon seconded the motion. The motion was carried.

Supervisors vouchers	#1174 - 1423	totaling	\$	222,197.25
OFA vouchers	#226 - 279	totaling	\$	70,884.56
Workforce Development vouchers	#62 - 80	totaling	\$	23,441.00
Insurance vouchers	#213 - 218	totaling	\$	39,777.79
Sheriff vouchers	#202 - 556	totaling	\$	80,268.47
County Airport vouchers	#35 - 45	totaling	\$	13,984.64
Highway Transportation vouchers				
Maintenance & State Snow	#105 - 126	totaling	\$	110,266.71

Highway Machinery	#127 - 163	totaling	\$ 26,555.53
		Highway Total	\$ 136,822.24
Highway Capital vouchers	#7 - #9	totaling	37,350.74
Jail Capital vouchers	#6 - #7	totaling	1,069.91
Airport Capital vouchers	#2 - #5	totaling	61,029.13

Reports of Standing Committees

Government Operations Committee, Mrs. Amidon, Chairperson, said that she would be making a motion for a resolution supporting the 315 Area Code Overlay Relief Option and if adopted, a copy to be sent to the NYS Public Service Commission.

Public Safety Committee, Mr. Shipley, Chairman, reported that the Committee recommended the adoption of Board resolutions approving the acceptance of a Homeland Security Grant for \$63,000, a resolution accepting the bid from Gartner Equipment for a sewer grinder, and a resolution supporting NYS legislation prohibiting text messaging while driving.

Human Services Committee, Mr. Mooney, Chairman, reported that the Committee recommended the adoption of eight Board resolutions, six to be presented later on the agenda.

Personnel & Technology Committee, Dr. Dresser, Chairman, reported that the Committee recommended the adoption by Board resolution of a policy for Filling Employee Position Vacancies. He said the policy was reviewed by a sub-committee of the County Manager, the Personnel Director, and Supervisors Barto and Westfall. A copy of the policy was distributed to members of the Board of Supervisors for review and comment. Dr. Dresser said a resolution would be pre-filed for the May 27, 2008 Board meeting.

Planning, Development, Agriculture & Tourism Committee, Mr. Kaiser, Chairman, reported that the Committee recommended the adoption of a resolution by the Board of Supervisors accepting a bid from Midey and Mirras for legal work associated with 501(c) for the Veterans' Cemetery; and a resolution authorizing the Chairman of the Board to sign a Certification of Plans and Specifications for the Chadwick Road relocation project.

Chairman's Remarks

Chairman Lafler thanked the Criminal Justice Advisory Board and County staff who participated in the Law Day Event sponsored by the CJAB. He said it was a good way to reinforce positive communication between law enforcement and our youth.

Communications:

81. A letter from the Patricia Jones, Interim Executive Director, Seneca County IDA dated May 1, 2008 which included signed Annual Financial Disclosure Forms for IDA Board Members, signed

Annual Financial Disclosure forms for Seneca County IDA, signed Certificates of Independence for IDA Board Members, and signed Certification of No Conflict of Interest for IDA Board Members.

82. A copy of a letter from Seneca County IDA dated April 23, 2008 regarding a public hearing involving Goulds Pumps, Inc./ITT which described the project and financial assistance for the facilities at 240 Fall Street and 2881 East Bayard Street, Seneca Falls.

83. A copy of a letter from Christen M. Craig, Environmental Scientist from C&S Companies dated May 1, 2008 stating the three projects to take place at the Finger Lakes Regional Airport (i.e. Security Improvements, Replacing Existing Tie Downs, and Runway & Taxiway Repairs can be classified as a Type II Action under SEQR.

84. A copy of a resolution #219-2008 from Ontario County Board of Supervisors approving the Workforce Investment Act Local Modification for the Program Year 2008-2009.

85. A letter from Assemblyman Brian M. Kolb dated April 29, 2008 acknowledging receipt of a certified copy of Seneca County Board Resolution No. 106-08 which recommends reestablishment of the 2007 fees and hours of operation on the New York State Canal System.

86. A letter from Peter A. Drago, Director, Executive Chamber Operations dated April 28, 2008 on behalf of Governor David A. Paterson thanking Seneca County for contacting the State and sharing concerns about S.7298 and A. 10345 which will be forwarded to the appropriate members of the State staff.

87. A letter from Assemblyman Brian M Kolb dated April 25, 2008 acknowledging receipt of a certified copy of Resolution No. 113-08, opposing legislation mandating independent hearing officers for disciplinary dismissal hearings.

88. A letter from F. David Sheppard, Director of NYS Office of Homeland Security dated April 10, 2008 updating the status of the federally mandated National Incident Management System (NIMS) in New York.

89. A letter from Carol E. VanEnwyck, Office Manager, Western Finger Lakes Solid Waste Management Authority dated April 30, 2008 transmitting the Management Letter and the Financial Statements for the year ended December 31, 2007 for the Western Finger Lakes Solid Waste Management Authority which were approved by the WFLSWMA Board on April 28, 2008.

90. Minutes of the March 17, 2008 meeting of the Western Finger Lakes Solid Waste Management Authority.

91. Minutes of the March 24, 2008 meeting of the Seneca County Soil & Water Conservation District.

92. Minutes of the April 7, 2008 meeting of the Seneca County IDA.

93. Minutes of the March 4, 2008 meeting of the Finger Lakes Regional Airport Advisory Committee.

94. Minutes of the April 16, 2008 meeting of the Seneca County Board of Health.

95. Minutes of the March 19, 2008 meeting of the Finger Lakes Resource Conservation & Development Council, Inc.

96. Minutes of the April 1, 2008 meeting of the E 911 Board.

97. Minutes of the April 10, 2008 meeting of the Seneca County Planning Board.

98. A letter from Doug Freier, Chair of the Seneca County Agriculture Enhancement Board received May 1, 2008 regarding Purchase of Development Rights of Seneca County farmland. Referred to Planning, Development, Agricultural and Tourism Committee

99. A Resolution No. 114 of 2008 from Orange County Legislature requesting SUNY to rescind its interpretation of optional retirement plan contributions education law Section 392(2)(c) and to seek amendment to the statute if necessary and requesting the NYS Legislature to amend and correct the fiscal impact statement for said law and requesting the Governor and NYS Legislature to fund the optional retirement plan employee contributions after ten years participation or in the alternative to rescind NYS Education law Section 392(2)(c). Referred to Government Operations Committee.

100. A Resolution No. 113 of 2008 from Orange County Legislature urging the NYS Legislature and the Governor of the State of New York to restore base student aid to the 2007-2008 level of \$2,675 per FTE and to increase base student aid to \$2,875 per FTE (consistent with SUNY request of \$200 increase over current year). Referred to Government Operations Committee.

101. A letter from Mr. Steven M. Urlass, Manager of NY Airports District Office, dated May 1, 2008 responding to the County's request for financial assistance identified in the Airport Capital Improvement Plan (ACIP) to Relocated Chadwick Road – Phase II. Referred to Planning, Development, Agricultural and Tourism Committee.

102. A letter from Theodore H. Young, Village Mayor of Waterloo dated April 24, 2008 enclosing resolution concerning the imperative for an Environmental Impact Statement for the proposed Ethanol Plant at the former Seneca Army Depot which was adopted at the April 7, 2008 Village of Waterloo meeting. Referred to Planning, Development, Agricultural and Tourism Committee.

102a. A copy of remarks from Robert Shipley, County Supervisor, Town of Waterloo, urging the Seneca County Board of Supervisors to go on record and oppose any suspension of the New York State gas tax as proposed in S.7594-A.

102b. A letter from Tom David, Seneca Falls resident, requesting the establishment of a committee composed of members from the Board of Supervisors, local businesses, and the community, for the purpose of improving and expanding Seneca County's efforts in efficiency and competitiveness as

outlined in the report of the Commission on Local Government Efficiency and Competitiveness titled, 21st Century Local Government: Report on the New York State Commission on Local Government Efficiency and Competitiveness.

RESOLUTIONS AND MOTIONS

RESOLUTION TO AUTHORIZE THE TREASURER TO TRANSFER FUNDS FOR ELECTIONS DEPARTMENT EXPENSES FOR HAVA REQUIREMENTS

RESOLUTION NO. 115-08, moved by Mr. Barto, seconded by Mr. Mooney and adopted by 679 ayes (Barto, Mooney, Reynolds, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Shipley, and Westfall) and 71 absentees (Same).

WHEREAS, there has been an unanticipated need to meet the NYS Board of Elections requirements after the budget was passed and adopted by the Board of Supervisors; and

WHEREAS, the Elections Department is responsible for submitting matching funds for Title II funds used for purchases for their county in the amount of \$13,778.00; and

WHEREAS, the Elections Department purchased ballot marking devices (BMDs) to meet HAVA requirements for the upcoming elections; and

WHEREAS, the Seneca County Board of Supervisors Finance, Assessment & Insurance Committee recommend this resolution at it May 13, 2008 meeting now, therefore be it

RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to transfer the sum of \$13,778.00 from account 10-101-519-1990.4700 Contingent Fund to Account 10-101-5-1450.4590 HAVA Implementation to cover the cost of unanticipated purchases expense; and be it

FURTHER RESOLVED, the Seneca County Treasurer is hereby authorized and directed to issue a check to NYS Office of General Services in the amount of \$13,777.78 from account 10-101-5-1450-4590 HAVA Implementation.

CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN A RENEWAL AGREEMENT WITH CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.

RESOLUTION NO. 116-08, moved by Mr. Hayssen, seconded by Mrs. Amidon and adopted by 679 ayes (Hayssen, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Mooney, Shipley, and Westfall) and 71 absentees (Same).

WHEREAS, the Department of Health has used Clean Harbors Environmental Services, Inc., 325 Wood Road, Braintree, MA, 02184 for the last two years for the Annual Household Hazardous Waste Collection Day; and

WHEREAS, this contract allows for renewal of the contract for one more annual collection day; and

WHEREAS, Clean Harbors Environmental Services, Inc. has done an outstanding job for the last two years; and

WHEREAS, the Public Health Department would like to extend the contract through Oct 10, 2009; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a renewal agreement with Clean Harbors Environmental Services, Inc. for the annual household hazardous waste collection day.

CHAIRMAN IS AUTHORIZED AND DIRECTED TO SIGN CERTIFICATION OF PLANS AND SPECIFICATIONS FOR THE CHADWICK ROAD RELOCATION

RESOLUTION NO. 117-08, moved by Mr. Kaiser, seconded by Mr. Terryberry and adopted by 679 ayes (Kaiser, Terryberry, Reynolds, Barto, Serven, Davidson, Dresser, Lafler, Amidon, Hayssen, Mooney, Shipley, and Westfall) and 71 absentees (Same).

WHEREAS, the Airport and Airway Safety and Capacity Act of 1987, the FAA requires all Airport Sponsors to certify to the best of their knowledge, information, and belief that the Plans and Specifications prepared for all projects are in substantial compliance with FAA standards and requirements; and

WHEREAS, in order to allow Seneca County to indicate to the best of its knowledge and belief the standards and requirements of the FAA have been met, C&S Companies provides a Certification of the Plans and Specifications to the County; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on April 22, 2008; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign Certification of Plans and Specifications for the Chadwick Road Relocation.

RESOLUTION TO ACCEPT PROPOSAL FOR LEGAL WORK ASSOCIATED WITH CREATION OF 501(c)(3) NOT-FOR-PROFIT CORPORATION FOR VETERANS CEMETERY
RESOLUTION NO. 118-08, moved by Mr. Kaiser, seconded by Dr. Dresser and adopted by 679 ayes (Kaiser, Dresser, Reynolds, Barto, Serven, Davidson, Lafler, Terryberry, Amidon, Hayssen, Mooney, Shipley, and Westfall) and 71 absentees (Same).

WHEREAS, following due issuance of an RFP, there has been received only one proposal from Michael Mirras, Attorney of the firm of Midey and Mirras of Seneca Falls to perform the legal services associated with creating a not-for-profit 501(c)(3) corporation for the Sampson Veterans Memorial Cemetery; and

WHEREAS, such proposal calls for a flat rate expenditure of Three Thousand Dollars for such services; and

WHEREAS, the Planning, Development, Agriculture and Tourism Committee recommends a Board resolution accepting the proposal for legal services of the firm of Midey and Mirras for such purpose; now, therefore it

RESOLVED, that the proposal for services in connection with the creation of a §501(c)(3) Not-for profit corporation for purposes of establishing the Sampson Veterans Memorial Cemetery be and the same is hereby accepted and the Chairman is authorized and directed to execute such retainer agreement or agreements as necessary for such purpose.

**SUPERVISORS RECOGNIZE AND CONGRATULATE HIGH SCHOOL ART EXPO
PARTICIPANTS AND FINISHERS**

RESOLUTION NO. 119-08, moved by Mr. Mooney, seconded by Mr. Davidson and adopted by 679 ayes (Mooney, Davidson, Reynolds, Barto, Serven, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Shipley, and Westfall) and 71 absentees (Same).

WHEREAS, the Seneca County Division of Human Services Department of Youth Bureau sponsored an Art Expo for Seneca County High School students; and

WHEREAS, the Art Expo gives students an opportunity to showcase their talents and engage in a positive youth development activity, and they receive positive recognition for their efforts; and

WHEREAS, this year's Art Expo had 65 students who participated by submitting examples of their artistic ability; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors, and the Seneca County Division of Human Services Department of Youth Bureau, would like to congratulate all 65 students that participated in the 2008 Expo; and be it

FURTHER RESOLVED, that the Seneca County Board of Supervisors, and the Seneca County Division of Human Services Department of Youth Bureau, would like to congratulate and recognize the following 1st, 2nd and 3rd place finishers of the High School Art Expo for their outstanding efforts:

1st Jackie Dresser, South Seneca School – *Phantom Path*

2nd Matt Wolff, Waterloo - *Country Still Life*

3rd Brandon Wheeler, Waterloo – *Kiki*

**BOARD OF SUPERVISORS APPROVES THE INTERDEPARTMENTAL TRANSFER OF
FUNDS TO PURCHASE COPIER FOR DHS WORKFORCE DEVELOPMENT
DEPARTMENT AND THE 5-YEAR REPAYMENT AGREEMENT BETWEEN
THE COUNTY AND DHS WORKFORCE**

RESOLUTION NO. 120-08, moved by Mr. Mooney, seconded by Mrs. Amidon and adopted by 679 ayes (Mooney, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Hayssen, Shipley, and Westfall) and 71 absentees (Same).

WHEREAS, the Division of Human Services Workforce Development Department is in need of a new copier and is looking to maximize grant funds by having the County purchase the copier and reimbursing the County based on a lease arrangement; now therefore be it

RESOLVED, that the Board of Supervisors authorizes the transfer of \$7,243.00 from the IT Reserve Fund to Account: 10-101-5-1680-2300, Computer Equipment; and be it

FURTHER RESOLVED, that the Board of Supervisors authorizes the purchase of a RICOH Copier from Usherwood & Associates of NY, LLC in the amount of \$7243.00 to be paid out of Account: 10-101-5-1680-2300; and be it

FURTHER RESOLVED, that the Workforce Development Department will lease the copier back from the County over a five (5) year period at a cost of \$1,448.60 per year, charging its appropriate grants per a cost allocation formula.

CHAIRMAN OF THE BOARD TO SIGN CONTRACT WITH YOUTH ADVOCATE PROGRAMS, INC. (YAP) FOR PREVENTIVE SERVICES/FAMILY RESILIENCY

RESOLUTION NO. 121-08, moved by Mr. Mooney, seconded by Mr. Kaiser and adopted by 679 ayes (Mooney, Kaiser, Reynolds, Barto, Serven, Davidson, Dresser, Lafler, Terryberry, Amidon, Hayssen, Shipley, and Westfall) and 71 absentees (Same).

WHEREAS, the Division of Human Services would like to renew the agreement with the Youth Advocate Program, Inc. (YAP) for Preventive Services/Family Resiliency; and

WHEREAS, YAP will provide the following services such as Family Advocacy, Home and Community Based Preservation and Youth Advocacy at an 85% success rate; and

WHEREAS, Preventive Services will also be provided at an 85% success rate, and include an enhanced case management model of service delivery for identified preventive and protective services clients; and

WHEREAS, the proposed operating budget for the proposed program is not to exceed \$893,000; and

WHEREAS, this funding is available under line item 10-125-5-6070-4747 (YAP Contract); and

WHEREAS, this contract has been reviewed by the Human Services Committee of the Seneca County Board of Supervisors and recommended for Board approval; now, therefore be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is authorized to sign the contract with the Youth Advocate Programs, Inc. for Preventive Services/Family Resiliency.

**BOARD OF SUPERVISORS TO PROCLAIM THE MONTH OF MAY
“ONE STOP MONTH” FOR SENECA COUNTY**

RESOLUTION NO. 122-08, moved by Mr. Mooney, seconded by Mr. Shipley and adopted by 679 ayes (Mooney, Shipley, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, and Westfall) and 71 absentees (Same).

WHEREAS, the Workforce Investment Act of 1998 authorizes Local Workforce Investment Boards and Chief local elected officials to create One-Stop Career Centers within local Workforce Investment Areas; and

WHEREAS, the Finger Lakes Works One Stop Centers opened their doors on July 1, 2000; and

WHEREAS, the Finger Lakes Works One Stop Centers provides valuable services to this community by connecting businesses with workers and job seekers with jobs; and

WHEREAS, the Finger Lakes Works One Stop Centers helps job seekers acquire skills, find jobs, finds skilled workers for our businesses and helps our businesses upgrade the skills of their existing workforce; and

WHEREAS, in calendar year 2007, the Finger Lakes Works One Stop Centers assisted 9,818 people in finding jobs and 578 businesses find skilled workers; and

WHEREAS, May 2008 is One Stop Month in New York State; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors, does hereby proclaim the month of May as "One Stop Month" for the County of Seneca, and to acknowledge the achievements and the valuable services the Finger Lakes Works One Stop Centers provide to the citizens of this community; and further

RESOLVED, that certified copies of this resolution be sent by the Clerk of this Board to the Finger Lakes Workforce Investment Board, Senator Charles Schumer, Senator Hillary Clinton, Congressman Michael Arcuri, Congressman John R. "Randy" Kuhl Jr., New York State Senators Dale Volker and Michael Nozzolio, New York State Assemblymen Brian Kolb and Joseph Errigo.

BOARD APPROVAL FOR DHS WORKFORCE DEVELOPMENT

TICKET TO WORK APPLICATION

RESOLUTION NO. 123-08, moved by Mr. Mooney, seconded by Dr. Dresser and adopted by 679 ayes (Mooney, Dresser, Reynolds, Barto, Serven, Davidson, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Shipley and Westfall) and 71 absentees (Same).

WHEREAS, Seneca County DHS Workforce Development Department is seeking approval for application to become an Employment Network as part of "The Ticket to Work and Work Incentive Improvement Act (TWWIA) and Ticket to Work Self Sufficiency Improvement Program Implementation."; and

WHEREAS, enacted in 1999 the TWWIA, Public Law 106-170, is to expand employment opportunities for Social Security Disability and Social Security Insurance beneficiaries; and

WHEREAS, the Ticket to Work Program is intended to provide greater choices in obtaining employment vocational rehabilitation or other support services from public and private providers through the implementation of Employment Networks (EN's); and

WHEREAS, participation as an EN provides an additional revenue source for Workforce Development through Milestone payments; and

WHEREAS, three phases of payments could total as much as \$21,199 for some recipients over an 18 month period; and

WHEREAS, Seneca County has about 2,000 individuals eligible to receive a Ticket at this time; and; now, therefore be it

RESOLVED, the Division of Human Services Workforce Development is authorized and directed to submit the application for DHS Workforce Development Department to become an Employment Network and receive Milestone payments.

**BOARD APPROVAL FOR DHS WORKFORCE DEVELOPMENT DEPARTMENT TO
EXECUTE AN RFP TO HIRE TECHNICAL ASSISTANCE CONSULTANT(S) FOR
MICRO-ENTERPRISE PROGRAM**

RESOLUTION NO. 124-08, moved by Mr. Mooney, seconded by Mrs. Amidon and adopted by 679 ayes (Mooney, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Hayssen, Shipley and Westfall) and 71 absentees (Same).

WHEREAS, Seneca County DHS Workforce Development Department has drafted a Request for Proposals from agencies or private consultants to provide technical assistance and training to businesses eligible for its Micro-Enterprise Program; and

WHEREAS, services include information and recommendations regarding business marketing, business feasibility determinations, business plan development and review, start up assistance, record keeping, business financial concerns; and

WHEREAS, the RFP has been reviewed by the County Attorney and contains all of the County requirements; and

WHEREAS, RFP's are due on July 8, 2008 at 3:00 pm in the County Managers Office; 1 DiPronio Drive, Waterloo, New York, 13165; and

WHEREAS, RFP's shall be submitted in a sealed envelope which is clearly marked: RFP 05-31-08 Micro-Enterprise Program Technical Assistance and Training; now, therefore be it

RESOLVED, the Division of Human Services Workforce Development is authorized to proceed with the RFP process for the selection of agencies/consultants to provide technical assistance and training as part of the County's Micro-Enterprise Program.

NATIONAL COMMUNITY ACTION MONTH PROCLAMATION 2008

RESOLUTION NO. 125-08, moved by Mr. Mooney, seconded by Dr. Dresser and adopted by 679 ayes (Mooney, Dresser, Reynolds, Barto, Serven, Davidson, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Shipley and Westfall) and 71 absentees (Same).

WHEREAS, the Cayuga/Seneca Community Action Agency, Inc. was created when the Economic Opportunity Act of 1964 was signed into law; and

WHEREAS, Cayuga/Seneca Community Action Agency, Inc. has a 43-year history of promotion self-sufficiency for the limited income; and

WHEREAS, the Cayuga/Seneca Community Action Agency, Inc. has made an essential contribution to individuals and families in Seneca County, by providing them with innovative and cost-effective programs; and

WHEREAS, Cayuga/Seneca Community Action Agency, Inc. is an integral part of Seneca County; and

WHEREAS, the limited income continue to need opportunities to improve their lives and their living condition, thus ensuring that all citizens are able to live in dignity; and

WHEREAS, Community Action Agencies across the nation are celebrating National Community Action Month in May; and

WHEREAS, Seneca County, New York State, and the entire United States must continue to wage war on poverty by providing support and opportunities for all citizens in need of assistance; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby proclaim May 2008 as NATIONAL COMMUNITY ACTION MONTH in Seneca County, in recognition of the hard work and dedication of Cayuga/Seneca Community Action Agency, Inc.

RESOLUTION RECOGNIZING ARMED FORCES DAY – MAY 17, 2008

RESOLUTION NO. 126-08, moved by Mr. Mooney, seconded by Mr. Shipley and adopted by 679 ayes (Mooney, Shipley, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, and Westfall) and 71 absentees (Same).

WHEREAS, on August 31, 1949, Secretary of Defense Louis Johnson announced the creation of an Armed Forces Day; and

WHEREAS, the single-day celebration stemmed from the unification of the Armed Forces under one department -- the Department of Defense; and

WHEREAS, in a speech announcing the formation of the day, President Truman "praised the work of the military services at home and across the seas" and said, "it is vital to the security of the nation and to the establishment of a desirable peace"; and

WHEREAS, in an excerpt from the Presidential Proclamation of Feb. 27, 1950, Mr. Truman stated: Armed Forces Day, marks the first combined demonstration by America's defense team of its progress, under the National Security Act, towards the goal of readiness for any eventuality; and

WHEREAS, another purpose for holding Armed Forces Day was to expand public understanding of what type of job is performed and the role of the military in civilian life; and

WHEREAS, it is a day to honor and acknowledge the people of the Armed Forces of the United States; and

WHEREAS, because of their unique training schedules, it is a day to honor and acknowledge the National Guard and Reserve units; and

WHEREAS, Armed Forces Day is celebrated annually on the third Saturday of May; now therefore be it

RESOLVED, that the Board of Supervisors, of the County of Seneca, does hereby acknowledge Saturday May 17 in the year 2008 as Armed Forces Day.

BOARD OF SUPERVISORS APPOINTS MEMBERS OF THE SENECA COUNTY

TRAFFIC SAFETY COMMITTEE

RESOLUTION NO. 127-08, moved by Mr. Shipley, seconded by Mr. Terryberry and adopted by 679 ayes (Shipley, Terryberry, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Amidon, Hayssen, Mooney and Westfall) and 71 absentees (Same).

WHEREAS, under §1673 of the New York State Vehicle and Traffic Law, members of the County Traffic Safety Board are to be appointed by the Board of Supervisors; and

WHEREAS, such appointments are to be for a three year term with one-third of the members to be reappointed annually; and

WHEREAS, such Board is to consist of persons interested in traffic safety and problems and who are residents of the County; and

WHEREAS, the terms of all of the current Board members have expired; and

WHEREAS, initial appointment of members of the Traffic Safety Board are to be made, one third for a term of one year, one third for a term of two years and one third for a term of three years, each to be reappointed or replaced at the conclusion of their respective term of office for a three year term; and

WHEREAS, this resolution has been reviewed and approved by the Public Safety Committee of the Board of Supervisors; now, therefore be it

RESOLVED, that the following are appointed hereby to the Seneca County Traffic Safety Board for an initial term of one year, the same to be reappointed or replaced at the conclusion of such term for a term of three years: DAVID TERRY, of Ovid, JUDY ANDREWS of Junius, RICK WILLOWER of Varick and WAYNE BREWER of Seneca Falls; and be it

FURTHER RESOLVED, that the following are appointed hereby to the Seneca County Traffic Safety Board for an initial term of two years, the same to be reappointed or replaced at the conclusion of such term for a term of three years: JACK STENBERG, of Waterloo, ANGELA REARDON, of Seneca Falls, CHARLES McCANN, of Fayette and JEFFREY BOND, of Covert; and be it

FURTHER RESOLVED, that the following are hereby appointed to the Seneca County Traffic Safety Board for a term of three years: DOYLE MARQUART, of Waterloo, JEAN MARQUART, of Waterloo, ROY GATES, of Fayette and ROB LYCHAK, of Seneca Falls.

BOARD OF SUPERVISORS AWARD BID FOR THE "SEWER GRINDER"

RESOLUTION NO. 128-08, moved by Mr. Shipley, seconded by Mr. Mooney and adopted by 679 ayes (Shipley, Mooney, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, and Westfall) and 71 absentees (Same).

WHEREAS, the County has solicited bids for the "Sewer Grinder" which is surplus equipment from the Seneca County Law Enforcement Center; and

WHEREAS one bid was received from Gartner Equipment Company, Inc., 302 Sand Street, Syracuse, NY, 13204 for \$3,440.00; and

WHEREAS, this resolution was recommended by the Public Safety and Jail Construction Committee on May 13, 2008; now therefore be it

RESOLVED, that the Board of Supervisors does hereby award the bid for the "Sewer Grinder" to Gartner Equipment Company, Inc. of Syracuse, NY upon review of said bid by the Seneca County Attorney; and be it

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign documents as may be required to complete the sale of the said equipment.

**ESTABLISHING RATE FOR LODGING OF OUTSIDE PRISONERS AT THE
SENECA COUNTY JAIL FOR THE YEAR 2008**

RESOLUTION NO. 129-08, moved by Mr. Shipley, seconded by Mr. Davidson and adopted by 679 ayes (Shipley, Davidson, Reynolds, Barto, Serven, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Mooney and Westfall) and 71 absentees (Same).

WHEREAS, the Public Safety Committee of the Seneca County Board of Supervisors recommends that an appropriate rate be established to be charged by the County of Seneca for the lodging of outside prisoners (prisoners in the custody of any authority other than the Seneca County Sheriff) at the Seneca County Law Enforcement Facility; and

WHEREAS, it is recommended by the Seneca County Sheriff that the rate for the year 2008 for such lodging be set at \$85.00 per day plus any medical expenses incurred while housed in the Seneca County Jail; now, therefore be it

RESOLVED, that the rate for housing of all non-Seneca County prisoners be established at Eighty-Five Dollars per day (\$85.00/day) together with any and all medical expenses of the County incurred in connection with such housing, far calendar year 2008.

**AUTHORITY TO SIGN AGREEMENTS FOR THE HOUSING OF OUT-OF-COUNTY
PRISONERS - SENECA COUNTY JAIL**

RESOLUTION NO. 130-08, moved by Mr. Shipley, seconded by Dr. Dresser and adopted by 679 ayes (Shipley, Dresser, Reynolds, Barto, Serven, Davidson, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Mooney and Westfall) and 71 absentees (Same).

WHEREAS, the Public Safety Committee of the Seneca County Board of Supervisors recommends that Seneca County contract with other New York State counties and federal agencies to house their prisoners because such arrangements enable the Seneca County Jail to operate at a higher capacity and recover costs in doing so or as a result of other contingencies making such arrangements necessary; now therefore be it

RESOLVED, that the Sheriff and the Seneca County Manager be, and hereby are, authorized to execute said Agreements for 2008.

**URGE NEW YORK STATE TO ENACT LEGISLATION RELATING TO
TEXT MESSAGING WHILE DRIVING**

RESOLUTION NO. 131-08, moved by Mr. Shipley, seconded by Mrs. Amidon and adopted by 679 ayes (Shipley, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Hayssen, Mooney and Westfall) and 71 absentees (Same).

WHEREAS, Section 1225-c of the Vehicle and Traffic Law of the State of New York provides that no person shall operate a motor vehicle upon a public highway while using a mobile telephone to engage in a call while such vehicle is in motion; and

WHEREAS, there have been instances throughout the State of New York where operators of motor vehicles are text messaging while driving and cause an accident; and

WHEREAS, the Seneca County Board of Supervisors fees that the State Legislature should adopt an amendment to the Vehicle and Traffic Law to prohibit operators of motor vehicles from text messaging while they are driving; and

WHEREAS, bills have been proposed in the State Assembly and Senate to prohibit operators of motor vehicles from using a mobile telephone for writing, sending, or reading a text message while such vehicle is in motion; and

WHEREAS, this Board fees that this proposed legislation is desirable to avoid any further accidents, now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors urges the State Senate, Assembly and Governor to enact legislation to prohibit text messaging while operating a motor vehicle; and be it

FURTHER RESOLVED, that the Clerk of the Board of Supervisors is directed to forward copies of this resolution to Senator Nozzolio, Assemblyman Kolb, and Governor Paterson.

SUPERVISORS APPROVE PURCHASE OF PLANER FOR HIGHWAY DEPARTMENT

RESOLUTION NO. 132-08, moved by Mr. Davidson, seconded by Mr. Terryberry and adopted by 679 ayes (Davidson, Terryberry, Reynolds, Barto, Serven, Dresser, Kaiser, Lafler, Amidon, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Same).

WHEREAS, the Seneca County Highway Department requires a planer for use in removing and repairing bad sections of blacktop; and

WHEREAS, funds for the purchase of one (1) 2009 Bobcat 18" High Flow Planer with All Purpose Drum from State Contract PC62995 in the amount of \$9,307.00 have been appropriated from the 2008 Seneca County Highway Road Machinery Vehicle Account 50-120-5-5130.2600; and

WHEREAS, the purchase was approved by the Public Works Committee of the Seneca County Board of Supervisors on April 22, 2008; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Seneca County Highway Superintendent to purchase one (1) 2009 Bobcat 18" High Flow Planer with All Purpose Drum from State Contract PC62995 in the amount of \$9,307.00 with funds appropriated from the 2008 Highway Road Machinery Vehicle Account 50-120-5-5130.2600.

**SUPERVISORS APPROVE PURCHASE OF A PICKUP TRUCK FOR
HIGHWAY DEPARTMENT**

RESOLUTION NO. 133-08, moved by Mr. Davidson, seconded by Mr. Reynolds and adopted by 679 ayes (Davidson, Reynolds, Barto, Serven, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Same).

WHEREAS, the Seneca County Highway Department needs a shop truck better outfitted to do on-road service for vehicles and buses; and

WHEREAS, the truck will be equipped with a lift to allow for safer loading and unloading of tires, jacks, barrels, etc.; and

WHEREAS, funds for the purchase of one (1) 2009 Ford F-250 4X4 Extended Cab truck from State Contract PC62886 in the amount of \$29,396.25 have been appropriated from the 2008 Seneca County Highway Road Machinery Vehicle Account 50-120-5-5130.2600; and

WHEREAS, the purchase was approved by the Public Works Committee of the Seneca County Board of Supervisors on April 22, 2008; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Seneca County Highway Superintendent to purchase one (1) 2009 Ford F-250 4X4 Extended Cab truck from State Contract PC62886 in the amount of \$29,396.25 with funds appropriated from the 2008 Highway Road Machinery Vehicle Account 50-120-5-5130.2600.

SUPERVISORS ACCEPT BIDS FOR HOT MIX ASPHALT CONCRETE

RESOLUTION NO. 134-08, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted by 679 ayes (Davidson, Amidon, Reynolds, Barto, Serven, Dresser, Kaiser, Lafler, Terryberry, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Same).

WHEREAS, on March 10, 2008 Seneca County advertised solicitations for bids on a contract for hot mix asphalt concrete, and

WHEREAS, two bids were received, one from Seneca Stone, Fayette, New York, and one from Hanson Aggregates New York, Inc., Oaks Corners, New York, for hot mix asphalt concrete; and

WHEREAS, the Public Works Committee of the Seneca County Board of Supervisors recommended accepting the bids from Seneca Stone and Hanson Aggregates on April 22, 2008; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby award the bid to Seneca Stone, Fayette, New York, and Hanson Aggregates New York, Inc., Oaks Corners, New York, for hot mix asphalt concrete, letting availability and delivery costs be the deciding factors.

SENECA STONE CORP.

Type 7 Top	47.20 / Ton
Type 6 Top	45.50 / Ton
Fine Binder	40.50 / Ton
Type 3 Binder	41.00 / Ton
Type 1 Base	39.80 / Ton

HANSON AGGREGATES

Type 7 Top	47.00 / Ton
Type 6 Top	46.00 / Ton
Fine Binder	41.50 / Ton
Type 3 Binder	41.50 / Ton
Type 1 Base	40.00 / Ton

and, be it

FURTHER RESOLVED, that the Seneca County Highway Department and all towns, villages and school districts in Seneca County, are hereby authorized to purchase hot mix asphalt concrete at bid prices.

SUPERVISORS AWARD BID FOR STRIPING OF COUNTY HIGHWAYS

RESOLUTION NO. 135-08, moved by Mr. Davidson, seconded by Mr. Shipley and adopted by 679 ayes (Davidson, Shipley, Reynolds, Barto, Serven, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Mooney, and Westfall) and 71 absentees (Same).

WHEREAS, on March 10, 2008 Seneca County advertised solicitations for bids on a contract for the painting of traffic lines on Seneca County highways; and

WHEREAS, two bids were received, one from Seneca Pavement Marking, 23 Hunters Run, Horseheads, New York and one from Twin Tier Striping, 73 Industrial Park Boulevard, Elmira, New York; and

WHEREAS, Twin Tier Striping was the lowest bid; and

WHEREAS, the Public Works Committee of the Seneca County Board of Supervisors recommended accepting the bid from Twin Tier Striping on April 22, 2008; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby award the bid for painting of traffic lines, paint, and reflectorized glass beads to Twin Tier Striping as follows:

Survey of passing and no-passing zones with log sheets included	\$225.00 per mile
Indexing of passing and no passing zones from existing log sheets	\$100.00 per mile
Spotting of centerline on new pavement	\$100.00 per mile
Centerline application including materials	\$199.80 per mile
Edgeline application including materials	\$103.90 per mile per side
Yellow traffic line paint	\$5.75 per gallon
White traffic line paint	\$5.75 per gallon
Reflectorized glass beads	\$.245 per lb.

SUPERVISORS ACCEPT BIDS FOR AGGREGATE MATERIALS

RESOLUTION NO. 136-08, moved by Mr. Davidson, seconded by Mr. Mooney and adopted by 679 ayes (Davidson, Mooney, Reynolds, Barto, Serven, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Shipley, and Westfall) and 71 absentees (Same).

WHEREAS, on March 10, 2008 Seneca County advertised solicitations for bids on a contract for aggregate materials; and

WHEREAS, two bids were received, one from Seneca Stone, Fayette, New York, and one from Hanson Aggregates New York, Inc., Oaks Corners, New York, for aggregate materials; and

WHEREAS, the Public Works Committee of the Seneca County Board of Supervisors recommended accepting the bids from Seneca Stone and Hanson Aggregates on April 22, 2008; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby award the bid to Seneca Stone, Fayette, New York, and Hanson Aggregates New York, Inc., Oaks Corners, New York, for aggregate materials, letting availability and delivery costs be the deciding factors.

ITEM NO. 1 CRUSHED LIMESTONE

SENECA STONE CORPORATION	PRICE PER TON
SCREENINGS	8.75
RUN OF CRUSHER	6.25
1A STONE	9.50
1 STONE	8.75
1ST STONE	8.75
1 & 1A STONE MIXED	9.00
1 & 2 STONE MIXED	8.75
1, 1A, & 2 STONE MIXED	8.75
2 STONE	8.75
3 STONE	8.75
GABION	8.75
RIP RAP AVERAGE	11.75
RIP RAP SELECT	16.00

ITEM NO. 1 CRUSHED LIMESTONE

HANSON AGGREGATES OF NEW YORK, INC. PRICE PER TON

SCREENINGS	8.75
RUN OF CRUSHER	6.25
1A STONE	9.50
1 STONE	8.75
1ST STONE	8.75
1 & 1A STONE MIXED	9.00
1 & 2 STONE MIXED	8.75
1, 1A, & 2 STONE MIXED	8.75
2 STONE	8.75
3 STONE	8.75
GABION	8.75

RIP RAP AVERAGE	12.00
RIP RAP SELECT	13.00

and, be it

FURTHER RESOLVED, that the Seneca County Highway Department and all towns, villages and school districts in Seneca County, are hereby authorized to purchase aggregate materials at bid prices.

New Business

Mr. Kaiser read a statement relating to the re-designation of polling sites by the Board of Elections. He stated that the Hayts Corners site was eliminated for the reason that the location was not large enough. He said funding was acquired to make the Hayts Corner site handicap accessible and the site was where several of elderly residents voted. Mr. Kaiser questioned how the determination was made to consolidate polling sites. He said that NYS Election Law required notification of the political parties Chairmen, and he believed this was not done by the Seneca County Board of Elections.

Mr. Barto agreed that proper protocol was not followed and said that in accordance with Tom David's letter (Seneca County Board of Supervisors' Communication No. 102b) and open government, it should be researched if the Board of Elections followed procedure.

Mr. Mooney made a motion to Suspend the Rules of Order to introduce resolutions not previously filed in accordance with the Board's Rules of Order. Mrs. Amidon seconded the motion. The motion was carried by 1363 ayes and 143 absentees (Same).

SUPERVISORS ACCEPT HOMELAND SECURITY GRANT; CHAIRMAN AUTHORIZED TO SIGN CONTRACT DOCUMENT; TREASURER AUTHORIZED TO AMEND EMERGENCY SERVICES BUDGET

RESOLUTION NO. 137-08, moved by Mr. Davidson, seconded by Mr. Shipley and adopted by 679 ayes (Davidson, Shipley, Reynolds, Barto, Serven, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Mooney, and Westfall) and 71 absentees (Same).

WHEREAS, the Emergency Services Office is in receipt of the FY07 New York State Homeland Security Grant (SHSP) for \$63,000; and

WHEREAS, this grant is to be used to support the County's Hazardous Materials Response Team and provide training to the County's Emergency Service Responders, as per the guidance in the grant application; now, therefore be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to sign all necessary contract documents for said grant; and be it

FURTHER RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to amend the Seneca County Emergency Services SHSP budget 10-110-5-3642 as follows:

Increase 3642.2400 SHSP Technical Equipment by \$ 14,000

Increase 3642.2600 Vehicles by \$ 35,000

Increase 3642.4450 Training Expense by \$ 5,000

Increase 3642.4550 PPE & Decon Supplies by \$ 9,000

Increase Revenue 3642.3305 by \$ 63,000

**RESOLUTION TO RECOMMEND ACCEPTANCE OF AREA CODE OVERLAY OPTION FOR
2009 – 2010 TELECOMMUNICATION AREA CODE CHANGE**

RESOLUTION NO. 138-08, moved by Mrs. Amidon, seconded by Mr. Shipley and adopted by 679 ayes (Amidon, Shipley, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Terryberry, Amidon, Hayssen, Mooney, and Westfall) and 71 absentees (Same).

WHEREAS, the Board of Supervisors has been provided by the New York State Public Service Commission with four options in regard to the telecommunications area code expansion planned for 2009 - 2010; and

WHEREAS, a committee has been appointed for purposes of examining the proposed options and reporting their findings to the Government Operations Committee; and

WHEREAS, the Government Operations Committee, upon the report and recommendations of the committee has determined that “Area Code Overlay” option best suits the needs and requirements of the County; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Chairman to report to the New York State Public Service Commission the sense of the Board of Supervisors that the “Area Code Overlay” plan is best suited to the needs of the County and that the same be adopted for purposes of the planned 209 – 2010 telecommunications area code expansion in the State of New York.

Chairman Lafler recognized Mr. Shipley who read a statement (Seneca County Board of Supervisors’ Communication No. 102a) urging the Board of Supervisors to oppose Senate bill S.759-A, suspending the collection of NY state tax on gasoline from Memorial Day to Labor Day. Mr. Shipley stated that although the bill holds harmless the NY State – Highway and Bridge Trust Fund by transferring about \$500 million in General Fund revenue, “the state is not in a position to assume that responsibility with the New York deficit expected to reach \$21.5 billion over the next three years.” Mr Shipley continued by stating, “A gas tax moratorium will not help NY consumers in the long run and is not only poor transportation policy, but can only be bad for our fragile New York State economy.”

Mr. Shipley requested the Chairman to refer this issue to the appropriate Board of Supervisors Committee for review and recommendation for action to oppose Senate bill S.759-A. Chairman Lafler referred the issue to the Finance, Assessment & Insurance Committee.

A motion was made by Mr. Hayssen for the Board of Supervisors to enter Executive Session for the purpose of holding discussion relating to current or pending litigation. Mr. Barto seconded the motion. The motion carried by 679 ayes and 71 absentees (Same).

Special Order of the Day

The Board of Supervisors reconvened in Regular Session. The Board meeting was adjourned.