

Seneca County Board of Supervisors

Regular Meeting

July 10, 2007

Call to Order

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

Roll Call of Members by the Clerk

Thirteen members of the Board of Supervisors answered roll call. Mr. Davidson was present at 7:15 p.m.

Pledge of Allegiance and Moment of Silence

Presentation

a. The Brightest Star Award, sponsored by the Seneca Youth Bureau and the Seneca County Youth Board is awarded to two sixth grade students who consistently work to his or her academic ability, is involved in school or community, is responsible, respectful and compassionate. The following resolution was adopted by the Board of Supervisors recognizing the students.

BRIGHTEST STAR AWARD

RESOLUTION NO. 168-07, moved by Mr. Mooney, seconded by Mrs. Amidon and adopted by 750 ayes.

WHEREAS, the Seneca County Youth Bureau and Youth Board initiated, the Brightest Star Award, aimed at honoring two sixth grade students who reside in Seneca County; and

WHEREAS, these students were nominated and chosen for consistently reflecting the 5 Points of Light: Academics, Involvement in School or Community Activities, Responsibility, Respect, and Compassion; now, therefore be it

RESOLVED, the Seneca County Youth Bureau and Youth Board and Seneca County Board of Supervisors recognize and congratulate the following students for being selected for the 2007 Brightest Star Award.

Nicole Ellison

Waterloo Central School District

Town of Junius

Tristan MacIntosh

South Seneca Central School District

Town of Ovid

b. David Zorn, Genesee / Finger Lakes Regional Planning Council, provided information about the Local Update of Census Addresses (LUCA) program. LUCA is a decennial census geographic partnership program that allows the U.S. Census Bureau to benefit from local knowledge in developing its Master Address File for the 2010 Census and yearly ongoing household surveys.

c. Seneca County Housing Coalition (SCHC), PowerPoint presentation was given by members of the Housing Coalition . The mission of the SCHC is to ensure that all Seneca County residents have the opportunity to live in safe, decent, sanitary, suitable, and affordable housing.

Petitioners

The following Seneca County residents petitioned the Board of Supervisors opposing the proposed settlement from the Cayuga Indian Nation: Fred Gaffney, Executive Director, Seneca County Chamber of Commerce, Philip Knapp, John Saeli, Marge and Floyd Baker, Rich Ricci.

Mr. Ricci also requested that the record show his comment following: “I strongly object to the Native American Affairs Committee going into executive session. Whatever needs to be said can be said in public.”

Approval of meeting minutes

Mrs. Amidon moved the minutes of May 8, 2007 and May 22, 2007 regular board meetings be approved. Mr. Mooney seconded the motion. The motion carried.

Submission of Claims for Audit

Motion made by Mr. Anglim, second by Mrs. Amidon and carried, that the following vouchers having gone through the proper auditing process; were approved for payment:

Supervisors vouchers	#1950 - 2228	totaling	\$649,567.57
OFA vouchers	#5365 - 417	totaling	\$46,361.66
Workforce Development vouchers	#122 - 140	totaling	\$19,614.83
Insurance vouchers	#39 - 44	totaling	\$11,936.77
County Airport vouchers	#53 – 57	totaling	\$9,764.78
Jail Capital Project vouchers	#180 – 200 & #202	totaling	\$85,429.07
E-911 Capital vouchers	#28	totaling	\$5,086.03
Highway Transportation vouchers			
Maintenance & State Snow	#195 - 221	totaling	\$166,066.79
Highway Machinery	#237 - 269	totaling	\$34,298.14

Reports of Standing Committees

Public Safety Committee, Mr. Shipley, Chairman, reported that the committee recommended the that payment for additional E911 Computer Aided Dispatch Training by authorized by the Board of Supervisors, and the purchase of the Network Equipment and Analysis Tools for E911 be authorized using E911 Wireless grant dollars.

Human Services Committee, Mr. Mooney, Chairman, expressed his personal congratulations to the Bright Star Award recipients, Nicole Ellison and Tristan MacInctosh.

Native American Affairs Committee, Dr. Dresser, Chairman, reported that the proposed settlement with the Cayuga Indian Nation was opposed by the Seneca –Cayuga Tribe of Oklahoma, specifically because the settlement precluded them from having sovereign land in New York state. Congressman Arcuri contacted Dr. Dresser and stated that he will do all he can to support the counties should the settlement proposal not be approved. Dr. Dresser said that discussions regarding the proposed settlement were planned with legislative representatives from Cayuga and Seneca counties and attorneys Getman and Laudadio. The Citizen’s Advisory Committee members were appointed by the Seneca County Board Chairman. They are Richard Ricci and Ros Parks from Fayette, Brad Jones and Russ Wheeler from Seneca Falls, and Tom Bjorkman from Varick. Dr. Dresser said that the Native American Affairs and Citizen’s Advisory committees would meet in executive session to prepare for the meeting with Cayuga County. He stated that the reason for executive session was because the subject of the discussions involved negotiations and litigation and it would be premature and inappropriate to share publicly. A copy of Dr. Dresser’s complete report has been filed with the Office of the Clerk to the Board of Supervisors.

Planning, Development, Agriculture & Tourism Committee, Mr. Kaiser, Chairman reported that the committee had a lengthy meeting regarding the job description for the Director of Economic and Planning. Members of the IDA board were present. The possibility of separating the directorship into two positions between the IDA and Seneca County was talked about. Mr. Kaiser said that discussions would be ongoing.

Inter-County Committee, Mrs. Teichner, Chairwoman, said that Seneca County would be the host county for the August meeting. Toni Smith, E911 Coordinator would be the guest speaker. Mrs. Teichner expected the meeting to be informative and worthwhile and encouraged all the supervisors to attend.

Finance, Assessment & Insurance Committee, Mr. Anglim, Chairman, said the committee recommended the approval of the Workers Compensation budget for 2008, as well as the approval of two grants totaling \$215,000 from NYS Office of Real Property Services for electronic information and communication for real property services.

Chairman’s Remarks

Chairman Barto’s remarks focused on agriculture in Seneca County.

Tonight (reference to the Cornell Cooperative Extension Annual Dinner Meeting), we honor one of, if not the, most important industry in Seneca County: agriculture. Locally, at last count, there were 127,000 acres of our county devoted to farmland, 61 percent of the county's total 207,944 acres. There were 465 farms in the county averaging 273 acres per farm. According to the 2002 Census of Agriculture, the market value of all agricultural

products sold from Seneca County farms was \$45.2 million. Farming, in turn, helps support our other businesses and industry. As Daniel Webster once noted, "When tillage begins, other arts follow. The farmers, therefore, are the founders of human civilization." In short, the influence of farmers on our County cannot be underestimated. Therefore, I hope you will join me in giving our thanks to the employees of Cornell Cooperative Extension, its board members and its students. In addition, please join me in thanking our local farmers for giving us the food on our table, the wine in our glass and the way of life we enjoy today.

County Manager's Remarks

Ms. Secor reported that the Seneca County Advisory Committee on Tourism held three joint meetings with the Seneca County Chamber of Commerce. The purpose of the meetings was to develop a comprehensive plan for tourism. Ms. Secor said everything was moving forward.

Communications

The following communications were received and filed:

158. From NYSAC, a copy of the NYSAC Policy Brief on NYS Population Growth Estimates.
159. From Finger Lakes Workforce Investment Board a copy of the final FL WIB Monitoring Report for the period July 1, 2006 – April 30, 2007 for the Workforce Investment Act Youth Program.
160. From Harris Beach PLLC, a copy of Seneca County Industrial Development Agency and Seneca Energy II, LLC: Distribution of Form RP-412-a.
161. A copy of minutes from the Western Finger Lakes Solid Waste Management Authority meeting April 16, 2007.
162. A copy of minutes from the Genesee / Finger Lakes Regional Planning Council Annual meeting June 12, 2007 and from its Executive Committee meeting June 14, 2007.
163. A copy of minutes from the Seneca County Federation of Sportsmen's Clubs, Inc. meeting June 21, 2007.
164. A copy of minutes from Finger Lakes Resource Conservation & Development Council, Inc. meeting May 16, 2007.
165. A copy of minutes from Seneca County IDA meeting June 7, 2007.
166. A copy of minutes from the Seneca County Planning Board meeting June 14, 2007.
167. A copy of minutes from the Seneca County Board of Health meeting June 20, 2007.

The following communications were received and referred to committee:

168. From Ontario County Board of Supervisors, a copy of Resolution No. 334-2007, Endorsement of Appointment to the FL WIB and Resolution No. 335-2007, Re-Appointments/Endorsement to the FL WIB. Referred to the oversight committee for Human Services.

169. From Genesee / Finger Lakes Regional Planning Council, a copy of the Preliminary Regional Council Budget for January 1, 2008 to December 31, 2008. Referred to the oversight committees or Finance and Planning, Development, Agriculture & Tourism.

Resolutions and Motions

Mr. Smith made a motion to adopt the following prefiled resolution. A second was made by Mr. Shipley. Discussion ensued. Mr. Kaiser made a motion to Lay on the Table said prefiled resolution. A second was made by Mrs. Amidon. The motion to Lay on the Table said prefiled resolution was carried by 690 ayes (Kaiser, Amidon, Reynolds, Barto, Smith, Davidson, Dresser, Same, Lafler, Anglim, Teichner, Mooney, Robinson) and 60 nays (Shipley).

SUPERVISORS APPROVE THE USE OF SECURITY SERVICES FROM SENECA COUNTY
SHERIFF'S DEPARTMENT AND AUTHORIZES THE PURCHASE OF EQUIPMENT

WHEREAS, the Seneca County Board of Supervisors has indicated a commitment to providing a safe and secure environment for the benefit of every individual working and utilizing services at the Seneca County Office Building; and

WHEREAS, the Government Operations Committee recommended obtaining personnel from the Seneca County Sheriff's Department to provide security services; and

WHEREAS, the purchase of certain equipment was recommended to aid in providing said security services such as: PD140SVR - a high sensitivity enhanced hand-held metal detector which is used to detect magnetic and non-magnetic metal masses. It can be used for detection of weapons, detonators or other small pieces of metal carried by people; PMD2 – a high performance multi-zone metal detector which allows individuals to walk-through thereby speeding up movement. The machine provides acoustic and optional alarms, but also gives an illuminated “height on person” indication by means of one or two bar displays, which are built into antennae of the metal detector; and Hi-Scan 5030si X-Ray Inspection System Tunnel which has advanced multi-energy (organic/inorganic coloring), selective detection of organic substances with relative atomic numbers Zeff, 7, 8, 9; hi-spot automatic identification of high dense material; and image management system that stores approximately 12,000 scanned images; and

WHEREAS, additional purchases are needed such as a work station, phone & drop, lines (wiring) and three weapons; and

WHEREAS, the total cost of said purchases is \$29,521, less reimbursement of \$11,297 for a total cost to the county of \$18,224; and

WHEREAS, the estimated start-up cost in wages for personnel from the Sheriff's Department to provide security services for the remainder of the year ending December 31, 2007 is \$74,282, less reimbursement of \$37,141, for a total cost to the county of \$37,141; and

WHEREAS, this will provide for full security for the County Office Building including the manning of the initial x-ray machines, scanning devices, supervision, a roving patrol, scheduling, weapons issuance and control on a daily basis; and

WHEREAS, a “roving officer” will provide relief for an “assigned officer” for lunch etc. and the “roving officer” will be able to provide security for the health building located at 31 Thurber Drive, Waterloo, NY by visiting said location a fixed number of times per shift; now therefore be it

RESOLVED, the Seneca County Board of Supervisors hereby authorizes Sheriff Leo Connolly to provide security services to the County Office Building, 1 DiPronio Dr., Waterloo, NY and the county health building, 31 Thurber Dr., Waterloo, NY for the remainder of the year 2007 ending December 31, 2007; and be it

FURTHER RESOLVED, the Seneca County Board of Supervisors hereby authorizes the purchase of said equipment and said additional purchases necessary to provide security services.

FURTHER RESOLVED, Seneca County Board of Supervisors hereby authorizes the County Treasurer to make the necessary budget line transfers to cover the costs of the above from the Reserves line 1990-4700. The above has been approved by the Government Operations Committee on June 26, 2007.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO ACCEPT NEW YORK
STATE OFFICE OF REAL PROPERTY SERVICES CONTRACT FOR
WEB ENABLEMENT GRANT**

RESOLUTION NO. 169-07, moved by Mr. Anglim, seconded by Mrs. Teichner and adopted by 750 ayes.

WHEREAS, the New York State Office of Real Property Services has awarded Seneca County \$105,000 to make Seneca County property tax assessment data more accessible to the public by publishing it on the internet; and

WHEREAS, parcel-level property tax assessment information is already collected electronically by Seneca County, and is public knowledge; and

WHEREAS, this project will provide consumers with a convenient means to view, search, and compare property tax information by transforming electronic parcel data automatically into an internet-viewable format and publishing it on Seneca County's website; and

WHEREAS, this web-enablement project will also integrate into the proposed eParcel Data Hub, providing the Hub's public interface; and

WHEREAS, the grant will cover the entire \$105,000 cost of designing the software, training staff, and purchasing and installing the web-server with no local cash match required; and

WHEREAS, the web enablement system will be designed to allow different viewing settings for each individual municipality to protect individual privacy, as determined by the municipality; and

WHEREAS, the long term cost to the county will be approximately \$1,500 a year for insurance and equipment maintenance costs for the necessary web-server; and

WHEREAS, this resolution has been reviewed and approved by the Finance, Assessment and Insurance Committee on July 10, 2007; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approve acceptance of the grant, and hereby authorizes and directs the Chairman of the Board of Supervisors to sign any and all necessary contract documents with the New York State Office of Real Property Services.

**CHAIRMAN, BOARD OF SUPERVISORS AUTHORIZED TO ACCEPT NEW YORK STATE
OFFICE OF REAL PROPERTY SERVICES GRANT CONTRACT FOR IMPLEMENTATION
OF THE E-PARCEL DATA HUB PROJECT**

RESOLUTION NO. 170-07, moved by Mr. Anglim, seconded by Mr. Kaiser and adopted by 750 ayes.

WHEREAS, the New York State Office of Real Property Services (ORPS) has awarded Seneca County \$110,000 to implement the eParcel Data Hub designed by the ORPS-funded feasibility study completed in May, 2007; and

WHEREAS, the eParcel Data Hub is centralized database in which all property tax information is stored at the county level, reducing data duplication and increasing the efficiency of tax collection, sales reporting, and consumer access to public property tax information; and

WHEREAS, the eParcel Data Hub will improve tax collection and collection reporting processes by providing a uniform collection secure client and web-interface to all Seneca County communities, and the ability to display a tax bill's status in near real-time; and

WHEREAS, the eParcel Data Hub will improve property sales reporting and comparison processes by creating scanned, indexed property sale document images and delivering them directly to assessors for verification saving an average of 2-3 weeks of processing time; and

WHEREAS, these scanned, indexed images will be available to the general public on the Seneca County website, allowing for more accurate consumer search and comparison; and

WHEREAS, the improved tax collection and sales reporting processes will more efficiently and conveniently provide consumers with more accurate and timely information for their property tax decisions; and

WHEREAS, this grant will cover the full \$110,000 cost of implementing the eParcel Data Hub per the completed feasibility study, purchasing the necessary image and document servers, building the software modules and clients, and training staff, and will require no local cash match; and

WHEREAS, the eParcel Data Hub will utilize the web-enablement server as the primary database controller, and integrate into Seneca County's property tax assessment web-pages; and

WHEREAS, the long term costs of maintaining the system will be roughly \$3,000 per year in equipment maintenance and insurance costs for the necessary image and document servers; and

WHEREAS, the eParcel Data Hub is designed to allow local municipalities to opt out, in whole or in part, of the eParcel Data Hub system, as determined by the local legislatures; and

WHEREAS, the eParcel Data Hub's public viewing settings permit municipalities to protect individual privacy and choose what data is displayed; and

WHEREAS, this resolution has been reviewed and approved by the Finance, Assessment and Insurance Committee on July 10, 2007; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approve acceptance of the grant, and hereby authorizes and directs the Chairman of the Board of Supervisors to sign any and all necessary contract documents with the New York State Office of Real Property Services.

**CHAIRMAN OF BOARD OF SUPERVISORS AUTHORIZED TO SIGN CHANGE ORDERS
ONE AND TWO FOR CHADWICK ROAD RELOCATION PROJECT CONTRACT WITH
VILLAGER CONSTRUCTION, INC.**

RESOLUTION NO. 171-07, moved by Mr. Kaiser, seconded by Mr. Lafler and adopted by 750 ayes.

WHEREAS, the work to be performed by Villager Construction, Inc. on the relocation of Chadwick Road was terminated due to problems with wetland regulations; and

WHEREAS, additional clearing, grubbing, and tree removal, and additional electrical work and additional Peterman Road intersection work was performed by the contractor for a total cost of \$37,174.56; and

WHEREAS, many line items in the contract were not completed for a reduction in cost of \$456,275.06; and

WHEREAS, these change orders are necessary to close out the contract with Villager Construction, Inc.; now, therefore be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors, is authorized to sign Change Orders Number One and Number Two & Final for work performed by Villager Construction, Inc. on the Chadwick Road Relocation Project at the Finger Lakes Regional Airport.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN AMENDED
AGREEMENT WITH C&S ENGINEERS, INC. FOR DESIGN SERVICES AT
FINGER LAKES REGIONAL AIRPORT**

RESOLUTION NO. 172-07, moved by Mr. Kaiser, seconded by Mr. Mooney and adopted by 690 ayes (Kaiser, Mooney, Reynolds, Barto, Smith, Davidson, Dresser, Same, Lafler, Anglim, Amidon, Teichner, Robinson) and 60 nays (Shipley)

WHEREAS, Resolution 81-07 authorized accepting funds from the New York State Department of Transportation AIR '99 Program for the Security Improvement Project at the Finger Lakes Regional Airport in the amount of \$335,000; and

WHEREAS, Resolution 32-07 authorized accepting funds from the New York State Department of Transportation AIR '99 Program for the Tie Down Replacements Project at the Finger Lakes Regional Airport in the amount of \$90,000, with a County match of \$10,000; and

WHEREAS, both of these projects will require design services; and

WHEREAS, Seneca County currently has an existing contract with C&S Engineers, Inc., for work at the Finger Lakes Regional Airport; now, therefore be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors, is authorized to execute a Lump Sum Consultant Agreement with C&S Engineers, Inc., for additional work at the Finger Lakes Regional Airport including design services for security improvements of \$32, 503.80, and design services for tie down replacements of \$14,100.00.

Prior to the adoption of Resolution No. 172-07, Mr. Shipley stated for the record, that he would vote nay because he was not satisfied with the explanation submitted by C&S Engineers of why it took three years to get an environmental permit.

SUPERVISORS OPPOSE ADOPTION OF NEW YORK STATE ASSEMBLY BILL A 8703

RESOLUTION NO. 173-07, moved by Mr. Kaiser, seconded by Mr. Shipley and adopted by 750 ayes.

WHEREAS, the New York State Assembly passed bill number A8703 on June 18, 2007, which relates to the function of industrial development agencies; relates to the application and community impact report, financial assistance agreements, wages and standards, displaced worker protection, complaints and appeals, and reports by recipients, and makes certain provisions of the law permanent; and

WHEREAS, the Board of Supervisors has reviewed the proposed bill and has determined that, although in some areas of IDA management and functions, there are improvements that can be made, as in any aspect of government, bill number A8703 contains proposed changes that would be harmful to the County and its goals to facilitate economic development; and

WHEREAS, the Public Authorities Accountability Act adopted in 2005, addresses the functioning of authorities overall, and added another layer of State Bureaucracy, creating a hardship for small, particularly rural, agencies; and

WHEREAS, the majority of the requirements outlined in A8703, already exist through the IDA Law and Public Authorities Accountability Act and are being followed by many agencies; that the New

York State Economic Development Council (NYSEDC) has proposed best practices and consistent reporting and application processes; and

WHEREAS, the industrial development legislation was enacted to provide tools to assist communities in development, to assure New York State and its counties are able to provide businesses a business friendly atmosphere and jobs for New York State residents, and A8703 would discourage such business growth; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors is opposed to the passage of the above referenced bill and encourages the consideration of proposals and comments made by the New York State Economic Development Council; and be it

FURTHER RESOLVED, that the Clerk of the Board transmit copies of this resolution to Governor Eliot Spitzer, Senator Michael F. Nozzolio, and Assemblyman Brian M. Kolb.

**PUBLIC HEALTH DEPARTMENT AUTHORIZED TO PURCHASE A COPIER FROM
USHERWOOD OFFICE TECHNOLOGIES**

RESOLUTION NO. 174-07, moved by Mr. Lafler, seconded by Mr. Davidson and adopted by 750 ayes.

WHEREAS, the Public Health Department has determined that it is necessary to replace a photocopier in its offices at 31 Thurber Drive; and

WHEREAS, Usherwood has recommend the Department purchase a Richo MP2510 SPF copier for the cost of \$ 5,946; and

WHEREAS, this copier will be purchased on State Contract #PC59466; now, therefore be it

RESOLVED, that the County of Seneca, Public Health Department, is authorized to purchase (1) Richo MP2510 SPF copier from Usherwood Office Technology, 1005 West Fayette Street, Syracuse NY, 13204 under State Contract #PC59466 for the cost of \$5,946 using Bio-Terrorism Grant dollars (10-115-5-4014).

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO
SIGN COMMUNITY WIDE EMERGENCY AGREEMENTS**

RESOLUTION NO. 175-07, moved by Mr. Lafler, seconded by Mr. Shipley and adopted by 750 ayes.

WHEREAS, for purposes of emergency planning, Seneca County has a Community Wide Emergency Agreement with each of the four school districts in Seneca County (South Seneca, Romulus, Waterloo, and Seneca Falls); and

WHEREAS, this agreement would allow the Health Department and Office of Emergency Management to utilize the resources of the various school districts in the case of an emergency; and

WHEREAS, these agreements are for a two year period and require renewal at this time; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign Community Wide Emergency Agreements with the School Districts.

RESOLUTION IN SUPPORT OF “TIFFANY HEITKAMP’S LAW,” INCREASING PENALTIES FOR DRUNK DRIVERS, ETC.

RESOLUTION NO. 176-07, moved by Mr. Shipley, seconded by Mrs. Teichner and adopted by 750 ayes.

WHEREAS, Sen. John DeFrancisco, R-Syracuse, has sponsored a bill (S3271, A6970), commonly known as “Tiffany Heitkamp’s Law,” that would link driving-while-intoxicated (“DWI”) charges with other alcohol-related offenses, including boating while intoxicated (“BWI”), snowmobiling while intoxicated (“SWI”) and operating an all-terrain vehicle while intoxicated (“OAVWI”); and

WHEREAS, currently state law considers each offense independent of one another for purposes of charging and sentencing an individual for “Driving While Intoxicated;” and

WHEREAS, it is the position of the Seneca County Board of Supervisors that if an individual has a history of putting others at risk, and has previously been convicted of another alcohol related offense, whether it be a DWI, BWI, or similar crime, then that individual should be punished as a second time offender and face stiffer penalties; and

WHEREAS, the proposed bill would provide that a prior conviction for operation of a vessel, snowmobile or ATV while under the influence will be considered a prior conviction for DWI for the purposes of determining whether or not a subsequent arrest is a felony, and will help ensure that all alcohol-related infractions, including driving while intoxicated, boating while intoxicated and snowmobiling while intoxicated, are considered when an individual is charged and sentenced for Driving While Intoxicated;

NOW, THEREFORE, BE IT RESOLVED, that the Seneca County Board of Supervisors hereby voices its support for “Tiffany Heitkamp’s Law” (S3271, A697), and urges the members of the New York State Assembly and Governor Spitzer to support and enact this law; and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall transmit a copy of this resolution to our local representatives in the State Senate and State Assembly, as well as to Governor Spitzer.

RESOLUTION OF THE BOARD OF SUPERVISORS OF SENECA COUNTY OPPOSING LEGISLATION TO EXTEND THE STATUTE OF LIMITATIONS IN CPLR ARTICLE 78 PROCEEDINGS

RESOLUTION NO. 177-07, moved by Mr. Shipley, seconded by Mr. Robinson and adopted by 750 ayes.

WHEREAS, a certain bill has been introduced into the New York State Legislature (S.3560A, A.8186), the effect of which will be to toll the four-month time limitation on bringing a proceeding under

Article 78 of the CPLR unless certain language is inserted in the final determination which is the subject of the proceeding; and

WHEREAS, the nature of such final determination is such that the language called for by the bill may not be inserted in all cases; and

WHEREAS, the tolling of the time limit for bringing these proceedings will call into question the finality of governmental determinations to the detriment of the counties of the State and the citizens thereof; and

WHEREAS, these time limitations, have traditionally served to protect the public from stale claims and provide a measure of certainty to the citizenry that a government policy or decision is final and binding;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Seneca County, New York hereby determines that the proposed legislation should be opposed and urges the members of the Senate and the Assembly to defeat passage and/or the Governor of the State of New York to veto it upon passage; and further be it

RESOLVED, that a copy of this resolution be forwarded by the Clerk of the Board to the County's representatives in the Senate and Assembly and to the office of the Governor.

**APPROVAL OF INCREASE IN VERIZON CONTRACT TO COMPLETE 911 CENTER
UPGRADES AND TRAINING ON EQUIPMENT**

RESOLUTION NO. 178-07, moved by Mr. Shipley, seconded by Mr. Same and adopted by 750 ayes.

WHEREAS, Seneca County 911 is requesting payment authorization for additional 911 Computer-aided Dispatch (CAD) Training and Support and a network firewall device for the Backup 911 Center for network security and communications between 911 and County (IP) networks; and

WHEREAS, cost for these items is \$22,224.23 and funds are available in the 911 Phase-II Wireless Grant to pay for these grant eligible expenses; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors approves this increase in the Verizon contract and the purchase of the above mentioned items utilizing Phase II E-911 Wireless grant dollars based on approval by the Public Safety Committee on 7/10/07.

**APPROVAL OF NETWORK AND ANALYSIS TOOLS FOR MONITORING SENECA
COUNTY COMPUTER NETWORK AND FIBER**

RESOLUTION NO. 179-07, moved by Mr. Shipley, seconded by Mr. Robinson and adopted by 750 ayes.

WHEREAS, the following network equipment and analysis tools are being requested to be purchased through ECC Technologies, by the E-911 and the Information Technology Department, to provide network monitoring of the County's network and fiber optics and ensure 911 communications in the 911 Primary and Backup Centers:

1. NT Ethernet switch is for the high end 48-port PoE GigE switch with power supply chassis and power supply.
2. Cisco Mars is a rack mounted network appliance that polls network traffic and makes network configuration and management recommendations.
3. Solar Winds network tools include a Windows desktop workstation for the IT server/data center.
4. Network General includes a laptop for portable sniffer (packet analyzer) with VoIP module; now, therefore be it

RESOLVED, that the Board of Supervisors approves the purchase of this equipment utilizing Phase II E-911 Wireless grant dollars based on approval by the Public Safety Committee on 7/10/07.

**SUPERVISORS APPROVE PURCHASE OF TWO TRACTORS WITH MOWERS FOR THE
HIGHWAY DEPARTMENT**

RESOLUTION NO. 180-07, moved by Mr. Davidson, seconded by Mr. Reynolds and adopted by 750 ayes.

WHEREAS, the Public Works Committee approved the purchase of two 2008 Challenger MT445B 4-Wheel Drive Cab Tractors with mowers from State Contract PC62734 in the amount of \$138,550.72 on May 22, 2007; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize and direct the Seneca County Highway Superintendent to purchase two (2) 2008 Challenger MT445B 4-Wheel Drive Cab Tractors with mowers from State Contract PC62734 in the amount of \$138,550.72. Funds for said purchase have been appropriated from the 2007 Seneca County Highway Road Machinery Vehicle Account 5130.2600.

SUPERVISORS ACCEPT BIDS FOR AGGREGATE MATERIALS

RESOLUTION NO. 181-07, moved by Mr. Davidson, seconded by Mr. Mooney and adopted by 750 ayes.

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

<u>SENECA STONE CORPORATION</u>	<u>PRICE PER TON</u>
SCREENINGS	8.20
RUN OF CRUSHER	5.75
1A STONE	9.20

1 STONE	8.20
1 ST STONE	8.20
1 & 1A STONE MIXED	8.70
1 & 2 STONE MIXED	8.20
1, 1A, & 2 STONE MIXED	8.50
2 STONE	8.20
3 STONE	8.20
GABION	8.00
RIP RAP AVERAGE	10.00
RIP RAP SELECT	15.00
<u>ITEM NO. 1 CRUSHED LIMESTONE</u>	<u>PRICE PER TON</u>
<u>HANSON AGGREGATES OF NEW</u>	
<u>YORK, IN.</u>	
SCREENING	8.25
RUN OF CRUSHER	5.75
1A STONE	9.00
1 STONE	8.25
1 ST STONE	8.25
1 & 1A STONE MIXED	8.50
1 & 2 STONE MIXED	8.25
1, 1A, & 2 STONE MIXED	8.25
2 STONE	8.25
3 STONE	8.25
GABION	8.25
RIP RAP AVERAGE	11.00
RIP RAP SELECT	12.00

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.

**MENTAL HEALTH DEPARTMENT AUTHORIZED TO PURCHASE A COPIER FROM
USHERWOOD OFFICE TECHNOLOGIES**

RESOLUTION NO. 182-07, moved by Mrs. Amidon, seconded by Mr. Davidson and adopted by 750 ayes.

WHEREAS, the Mental Health Department has determined that it is necessary to replace the photocopier in the Ovid Mental Health Office; and

WHEREAS, this purchase was reviewed and approved by the Mental Health Committee of the Board of Supervisors on June 26, 2007;

NOW, THEREFORE BE IT RESOLVED, that the County of Seneca, Mental Health Department, is authorized to purchase (1) Richo MP2000 SPF for the cost of \$ 2,863.00 from Usherwood Office Technology, 1005 West Fayette Street, Syracuse NY 13204; through State Contract #PC59466, using Federal Salary Sharing funds (10-115-5-4310-2200).

New Business

Mr. Same said that he would be traveling to Albany to meet with representative from the Governors Office of Intergovernmental Affairs on July 11 for a meeting to discuss issues affecting small counties in upstate New York. He planned to discuss the issue of the Indian land in trust and proposed settlement. He thanked the Bakers for their courage and for sharing with the Board of Supervisors how the Indian owned business affected them.

Special Order of the Day

As no other business came before the Board, Mrs. Teichner moved the meeting adjourned.