

Seneca County Board of Supervisors

Regular Meeting

August 28, 2007

Call to Order

Chairman Barto called the meeting to order at 7:10 p.m.

Roll Call of Members by the Clerk

All members of the Board of Supervisors answered roll call.

Pledge of Allegiance and Moment of Silence

Presentation

Patrick Brennan, State Director, USDA Rural Development. A presentation on projects supported by USDA for rural development through direct loans, loan guarantees and grants; and assistance provided for projects in Seneca County. Since 2001, under the USDA Housing Program more than \$5.5 million in loans and leveraged loan funds has been invested to build properties in Seneca County; more than \$4.7 million in rental assistance; and \$1.7 million for home repair grants and loans. Under the Utilities Program, more than \$1.4 million was funded for three projects since 2001 in Ovid, Varick and Tyre.

Petitioners

- a. Rev. David Mihalyi, petitioned the Board of Supervisors for a “non-binding resolution” requesting “the resignation of the Seneca County Sheriff” because of “malfeasance at the managerial level and possible criminal wrong doing.”
- b. Herbert Holden, Chairman, County Manager Search Committee, reported that the committee reviewed thirty-eight “qualified” candidates, and chose three, possibly four, candidates to be interviewed by the Board of Supervisors.

Reports of Standing Committees

Mental Health Services Committee, Mrs. Amidon, Chairperson, reported that the Community Services Board appointed Scot LaVigne as Director of Community Mental Health Services.

Public Works Committee, Mr. Davidson, Chairman, reported that the committee recommended entering into an Agreement with Barton & Loguidice for analysis of Indian Creek Bridge. He also said that he would be bringing a motion to the floor under suspension of the rules for a resolution to enter into a contract with A.A.C. Contracting, Inc. for demolition of the Parsons house.

Personnel & Information Technology Committee, Mr. Reynolds, Chairman, reported that the committee recommended the that Mr. LaVigne, the newly appointed director for Mental Health Services,

be paid a salary of \$73,874, Grade 9, step 7 effective September 24, 2007. Mr. Reynolds also said that four new County policies were reviewed and recommended to be adopted.

Human Services Committee, Mr. Mooney, Chairman, reported that the committee recommended a resolution be adopted by the Board of Supervisors requesting that NYS absorb the costs of technical development, support, and training mandated by the state for the "Connections" Child Welfare Management Computer System.

Native American Affairs Committee, Dr. Dresser, Chairman, reported on the special board meeting with the Governor's Special Counsel, Richard Rifkin and Marty Mack, the Governor's Deputy Secretary for Intergovernmental Affairs. He said the failure to collect taxes on sales to non-Indians by Indians was the initial focus of the meeting. After fifteen minutes, the meeting was under executive session to discuss possible litigation if the county and the Nation were unable to agree on a settlement.

Public Health Services Committee, Mr. Lafler, Chairman, reported the committee recommendations for the Code Enforcement Department be authorized to purchase a 5-passenger, 4-door, compact SUV 4x4; a contract with Regional Computer Recycling and Recovery for electronic equipment during household hazardous waste collection day; and renewal contracts with providers for Early Intervention services.

Inter-County Committee, Mrs. Teichner, Chairperson, reported a successful meeting hosted by Seneca County on August 17, 2007, with a presentation by Toni Smith, E911 Coordinator and tour of the county facility.

Chairman's Remarks

Chairman Barto's remarks focused on the Sheriff's department and the Grand Jury findings.

I would like to assure the public that the Seneca County Board of Supervisors will continue to monitor the situation (with the Sheriff's Department) and to take action to institute any reforms that are necessary and proper in this matter.

Already, over the past year or more, this Board of Supervisors has instituted a number of reforms and controls...to protect the public and guard the county treasury. You have my promise we will continue to do so, not just with the Sheriff's Department, but every other department of the county

County Manager's Remarks

Ms. Secor's remarks focused on the Sheriff's department and the Grand Jury findings:

Regardless of what happened today regarding the results of the grand jury investigation, it is imperative that we all know and remember that the vast majority of the Sheriff's Department employees and officers are a group of very professional and dedicated individuals.

They will continue to perform their duties in the professional manner in which they have in the past.

I want to personally commend them for the outstanding job they do in protecting and serving the residents of Seneca County.

Communications

195. From NYS Office of Parks, Recreation, and Historic Preservation, notification that the James Russell Webster House, Waterloo, NY, will be considered by the State Review Board for nomination to the National and State Registers of Historic Places. Deadline to receive comments regarding the nomination is September 11, 2007.

196. A copy of minutes from Finger Lakes Resource Conservation & Development Council, Inc. meeting on July 18, 2007.

197. A copy of minutes from Western Finger Lakes Solid Waste Management Authority meeting on June 25, 2007.

Resolutions and Motions

SUPERVISORS MAKE APPOINTMENT FOR DIRECTOR OF REAL PROPERTY TAX SERVICES FOR THE TERM OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2013

RESOLUTION NO. 206-07, moved by Mr. Anglim, seconded by Mr. Shipley and adopted by 750 ayes.

WHEREAS, the term of office of the Director of Real Property Tax Services expires on September 30, 2007, pursuant to Section 1530 (1) of the Real Property Tax Law, and

WHEREAS, the current Director, James Bastian, is a New York State Office of Real Property Tax Services certified County Tax Director and has maintained the State mandated continuing education requirements to continue to hold office, and

WHEREAS, it would be in the best interest of Seneca County to reappoint an experienced and certified County Tax Director, now, therefore, be it

RESOLVED, that James Bastian be appointed Director of Real Property Tax Services for the statutory term of office which commences October 1, 2007 and expires September 30, 2013.

RESOLUTION AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT LOAN TO NANCY NARDUCCI

RESOLUTION NO. 207-07, moved by Mr. Kaiser, seconded by Mr. Mooney and adopted by 750 ayes.

WHEREAS, Seneca County is eligible to apply to the New York State Governor's Office for Small Cities for Community Development Block Grant (CDBG) funds to make economic development loans; and

WHEREAS, a loan application has been received for a business expansion for Nancy Narducci's Fabric and Quilting business, and has been reviewed by the CDBG Loan Review Committee and found to be satisfactory; and

WHEREAS, this loan will help finance inventory for the business and is projected to create two (2) full-time and ½ part-time job; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture and Tourism Committee on August 14, 2007; now, therefore be it

RESOLVED, that the County of Seneca lend to Nancy Narducci \$25,000 from the New York State Governor's Office of Small Cities CDBG funds from account no. 272107469 to be repaid at terms and conditions agreeable to the State of New York and the CDBG Loan Review Committee.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO
SIGN A RENEWAL AGREEMENT FOR AN EXISTING CONTRACT WITH
CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. FOR THE
HOUSEHOLD HAZARDOUS WASTE COLLECTION DAY**

RESOLUTION NO. 208-07, moved by Mr. Lafler, seconded by Mr. Robinson and adopted by 750 ayes.

WHEREAS, last year the Health Department secured a contract with Clean Harbors Environmental Services, Inc. 325 Wood Road, Braintree, MA 02184 for the annual Household Hazardous Waste Collection Day; and

WHEREAS, this contract allowed for a renewal of this contract for two additional annual events; and

WHEREAS, it is necessary for the Chairman of the Board of Supervisors to sign a letter of agreement with Clean Harbors Environmental Services, Inc.; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with Clean Harbors Environmental Services Inc.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
LETTERS OF AGREEMENT AND CONTRACTS FOR THE TRANSPORTATION SERVICES
FOR THE EARLY INTERVENTION AND 3-5 PROGRAMS**

RESOLUTION NO. 209-07, moved by Mr. Lafler, seconded by Mrs. Amidon and adopted by 750 ayes.

WHEREAS, the Health Department currently has contracts in place for transportation services for the Early Intervention and 3-5 Programs; and

WHEREAS, the current contracts expire in March, 2008; and

WHEREAS, the County has the right to renew these contracts by board resolution for an additional 12 month period; and

WHEREAS, it is necessary for the Chairman of the Board of Supervisors to sign these contracts;
and

WHEREAS, these providers are as follows: A&E Transportation Services, 3854 Routes 5&20, Canandaigua; Oaks Garage, Inc., 63 Main Street, Phelps; and Seneca Cayuga ARC, 1083 Waterloo-Geneva Road, Waterloo; and

WHEREAS, the money for these contracts is included in the Public Health budget line item 4145.470 and 4146.470; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the Letter of Agreement with the above referenced service providers, exercising the County's right of renewal.

CODE ENFORCEMENT DEPARTMENT AUTHORIZED TO PURCHASE A NEW VEHICLE
RESOLUTION NO. 210-07, moved by Mr. Lafler, seconded by Mr. Davidson and adopted by 750 ayes.

WHEREAS, the Code Enforcement Department need to purchase a new sport utility vehicle to replace a 2000 van with 153,800 miles; and

WHEREAS, this van is used daily for travel to and from job sites; and

WHEREAS, the current van is in need of major repairs to keep it safely on the road; and

WHEREAS, the department has solicited bids for this purchase; and

WHEREAS, a total of eight bids were received; and

WHEREAS, Peter Koch CDJ, 201-207 Fall Street, Seneca Falls has submitted the lowest bid at \$19,283 for a 2007 Jeep Liberty Sport 4x4; and

WHEREAS, the funds for the purchase of this vehicle are included in the Codes budget; now, therefore be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$12,100 from account 10-135-5-8090-8600 and \$7,200 from account 10-135-5-8090-1100 into account 10-135-5-8090-2600 and be it

FURTHER RESOLVED, that the Code Enforcement Department is hereby authorized to purchase the above mentioned vehicle.

CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO SIGN
CONTRACTS WITH PROVIDERS OF SERVICES FOR THE
EARLY INTERVENTION PROGRAM

RESOLUTION NO. 211-07, moved by Mr. Lafler, seconded by Mr. Robinson and adopted by 750 ayes.

WHEREAS, the contracts for several providers of services for the Early Intervention Program have expired or are soon to expire; and

WHEREAS, it is necessary to renew these contracts for services to continue; and

WHEREAS, these providers are as follows; Beverly Feindt, 7504 McCarriger Road, Ovid; Finger Lakes Evaluation Group, 27 Tall Oaks Drive, Seneca Falls; Finger Lakes United Cerebral Palsy, Inc. (Happiness House), 731 Pre Emption Road, Geneva; Kelly Jackson-Doebler, 6 Johnston Street, Seneca Falls; Wayne County ARC, 150 VanBuren Street, Newark; Andy Russell, 1661 Lodi Point Road, Lodi, and Jane B. Simkin, Box 53, Poplar Ridge, New York 13139; and

WHEREAS, the money for these contracts is included in the Public Health Budget line item 4145.470; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign contracts with said providers for Early Intervention Services.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED AND DIRECTED TO
SIGN A CONTRACT FOR ELECTRONICS DISPOSAL FOR ANNUAL
HOUSEHOLD HAZARDOUS WASTE COLLECTION DAY**

RESOLUTION NO. 212-07, moved by Mr. Lafler, seconded by Mrs. Teichner and adopted by 750 ayes.

WHEREAS, Regional Computer Recycling and Recovery, 395 Central Avenue, Rochester, NY, 14605 has submitted a proposal for the recycling of electronics for the annual household hazardous waste collection day; and

WHEREAS, the cost for these services will not exceed \$10,000; and

WHEREAS, the funds for this service is in the Public Health budget line item 10-115-5-4111-4280; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with Regional Computer Recycling and Recover.

**BOARD APPROVAL FOR THE AMENDMENT TO THE YOUTH ADVOCATE PROGRAMS,
INC. AGREEMENT FOR CHILD WELFARE RELATED SERVICES**

RESOLUTION NO. 213-07, moved by Mr. Mooney, seconded by Mr. Shipley and adopted by 750 ayes.

WHEREAS, the Division of Human Services requests to amend to the Youth Advocate Programs, Inc. agreement for Child Welfare Related Services, which is currently \$496,762.00, to include Preventive Services, \$120,000.00, for a revised contract total not to exceed \$616,762.00; and

WHEREAS, the Preventive Services amendment will include the following services:

- Reduce incidences of child abuse and neglect for referred families;
- Prevention of placement in foster care;
- Insuring the successful community reintegration of children returning to the community from out of home;
- Safely maintain children and youth who have been deemed at risk of placement by local child welfare staff, in their own homes, or the homes of relatives; and

WHEREAS, the budget line items are the following:

10-125-5-6002-1-100 - \$60,000.00

10-125-5-6070-4-747 + \$60,000.00; and

WHEREAS, this contract 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 authorizes and directs the amendment of the Youth Advocate Programs, Inc. agreement for Child Welfare Related Professional Services.

**BOARD APPROVAL TO RECLASSIFY POSITIONS IN
DHS WORKFORCE DEVELOPMENT DEPARTMENT**

RESOLUTION NO. 214-07, moved by Mr. Mooney, seconded by Mr. Smith and adopted by 750 ayes.

WHEREAS, at the June 26, 2007 Human Services Committee meeting, realignment of the Seneca County Workforce Development Department and Youth Bureau was discussed; and

WHEREAS, the cost savings and program issues were noted as the reason for this realignment; and

WHEREAS, to begin this realignment, the Seneca County Division of Human Services Commissioner seeks approval for the following:

- Abolish Workforce Development Director position and create and fill Deputy Director of Workforce Development in the Division of Human Services through promotion of Senior Employment and Training Counselor.

- Reclassify Senior Employment and Training Counselor position to Employment and Training Counselor.

- Reclassify Employment and Training Counselor recently vacated due to retirement to Employment and Training Assistant; and

WHEREAS, all funds for salary and fringe benefits for these are available in the current Workforce Development Department accounts; and

WHEREAS, this position has been reviewed by AMTEK and is considered a Grade 5 on the Management Salary Schedule with an annual salary of \$42,934.00; and

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

RESOLVED, the Board approves the reclassifying of positions in the DHS Workforce Development Department.

**CHAIRMAN OF THE BOARD AUTHORIZED TO SIGN AGREEMENT WITH FLCC
RE: OFFERING OF COURSES IN SENECA COUNTY**

RESOLUTION NO. 215-07, moved by Mr. Mooney, seconded by Mrs. Teichner and adopted by 750 ayes.

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign an agreement with the Finger Lakes Community College for the offering of courses in Seneca County for the 2007-08 year.

**AUTHORIZATION TO PURCHASE ADDITIONAL BAR CODED EVIDENCE, STATISTICS
AND TRACKING SOFTWARE AND TREASURER AUTHORIZED TO
AMEND 2007 SHERIFF'S BUDGET**

RESOLUTION NO. 216-07, moved by Mr. Shipley, seconded by Mr. Mooney and adopted by 750 ayes.

WHEREAS, the Seneca County Sheriff's Department currently has a Crime Fighter BEAST (Bar Coded Evidence Analysis Statistics & Tracking) Evidence Management System program that tracks and codes evidence; and

WHEREAS, the following additional modules will interface with the existing system: vehicles inventory and maintenance program, quarter master (clothing) and property and supply control and gun and ammunition control; and

WHEREAS, the purchase of these additional modules will provide an inventory and bar coding system that will track and monitor usage and location of these item; and

WHEREAS, three divisions within the Seneca County Sheriff's Department will benefit from this software/hardware purchase including Corrections, Road Patrol and Building Maintenance, and will provide for increased efficiency of the three divisions; and

WHEREAS, a three for one philosophy and over all monitoring is being done from the accountant's system, so controls and checks will be in place; and

WHEREAS, the maintenance side will put in place a re-order level to avoid outages or excess purchases; and

WHEREAS, the Seneca County IT Department has determined that these purchases are upgrades to the existing systems and it is necessary to enter into contract with the vendor to insure compatibility with the current systems; and

WHEREAS, the cost of said software in the amount of \$18,508 includes the additional modules, training and installation; and

WHEREAS, the Board of Supervisors' Public Safety and Jail Construction Committee approved said purchase at the July 24, 2007 committee meeting; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the purchase of the additional BEAST Software Tracking system in the amount of \$18,508 from Porter Lee corporation, 1901 Wright Blvd, Schaumburg, IL 60193 to be paid from account 10-110-5-3110-2301 – Sheriff's computer equipment BEAST with funds appropriated from the Technology Reserve fund; and be it

FURTHER RESOLVED, that Seneca County Treasurer is hereby authorized and directed to amend the 2007 Seneca County budget as follows:

Create and add account 3110.2301 – BEAST computer software and equipment - \$18,508

Decrease Technology Reserve fund - \$18,508

**BOARD APPROVAL REQUESTING THE NEW YORK STATE OFFICE OF CHILDREN AND
FAMILY SERVICES TO ABSORB THE COSTS OF FUNDING
TECHNICAL DEVELOPMENT, SUPPORT AND TRAINING FOR THE
“CONNECTIONS” CHILD WELFARE MANAGEMENT COMPUTER SYSTEM**

RESOLUTION NO. 217-07, moved by Mr. Mooney, seconded by Mr. Shipley and adopted by 750 ayes.

WHEREAS, in 1998 the New York State Office of Children and Family Services implemented the “CONNECTIONS” system as the system of record for case management of the child welfare system. “CONNECTIONS” was originally intended to automate the case record process resulting in enhanced efficiency and time savings which were intended to increase the amount of time caseworkers across the State had to work with families on a face to face basis; and

WHEREAS, the counties across the State are required to use the CONNECTIONS system, but historically have not been required to support the costs of hardware, training, upgrades and maintenance of the system since its inception; and

WHEREAS, in recent years the “CONNECTIONS” system failed to achieve the goals of improving efficiency for caseworkers throughout New York State; and

WHEREAS, the recent Child Welfare Caseload Survey authorized through the New York State legislature reported that child welfare staff is spending 30% of their time documenting case related activities through the “CONNECTIONS” system; resulting in counties across the State hiring additional child welfare related staff to protect children and families due to the exorbitant amount of time performing case record documentation on the “CONNECTIONS” system; and

WHEREAS, the Federal Administration for Children and Family Services (ACF), which has provided significant funding over the years for “CONNECTIONS” development and operations, has not approved New York State’s Plan for the project in the current Federal fiscal year; and as a result the Office of Children and Family Services will (i) discontinue future upgrades to the system, most notably the financial management component (Build 19), (ii) reduce field and training for local departments of social services required to use the system, and (iii) pass on to local departments the costs associated with future upgrades to local hardware in the amount of \$1,100 per local personal computer, requiring Seneca County to allocate an additional \$24,000 in local property taxes; and

WHEREAS, "CONNECTIONS," which was intended to create efficiencies for local child welfare staff, has now become another unfunded mandate, requiring additional caseworkers and local county taxpayer dollars; now, therefore it be

RESOLVED, the Seneca County Board of Supervisors requests that the New York State Office of Children and Family Services allocate sufficient funds in its budget for the maintenance, development, upgrades and training on the "CONNECTIONS" system for local Departments of Social Services required to use the system so that local counties will not be charged the \$1,100 cost per local personal computer; and be it

FURTHER RESOLVED, the New York State of Children and Family Services should address ways to improve the user friendliness for the "CONNECTIONS" system; and be it

FURTHER RESOLVED, the Clerk of the Board is hereby directed to send a certified copy of this resolution to Honorable Eliot Spitzer, Governor of the State of New York, the Director of the New York State Office of Children and Family Services, all New York State Senators and Assembly persons whose district includes Seneca County and the Director of the New York State Association of Counties for distribution to other counties located in New York State.

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW NO. D OF THE YEAR 2007
AUTHORIZING CORRECTIONS OFFICERS EMPLOYED BY THE COUNTY OF SENECA
TO RESIDE IN SENECA COUNTY OR ANY ADJOINING COUNTY WITHIN NEW YORK
STATE AND PROVIDING FOR PUBLIC HEARING**

RESOLUTION NO. 218-07, moved by Mr. Mooney, seconded by Mr. Shipley and adopted by 750 ayes.

WHEREAS, it has been recommended by the County Manager, County Attorney, Personnel Director and Sheriff and the Board of Supervisors' Personnel committee that it is in the best interests of the County that there be introduced a Local Law Authorizing Corrections Officers Employed By The County Of Seneca To Reside In Seneca County Or Any Adjoining County Within New York State; and

NOW, THEREFORE, BE IT RESOLVED that proposed Local Law No. D of the year 2007 entitled "A Local Law Authorizing Corrections Officers Employed By The County Of Seneca To Reside In Seneca County Or Any Adjoining County Within New York State" 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 25th day of September, 2007; and

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

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW NO. E OF THE YEAR 2007
AUTHORIZING THE COUNTY ENGINEER OF THE COUNTY OF SENECA TO RESIDE IN
SENECA COUNTY OR ANY ADJOINING COUNTY WITHIN NEW YORK STATE AND
PROVIDING FOR PUBLIC HEARING**

RESOLUTION NO. 219-07, moved by Mr. Reynolds, seconded by Mr. Davidson and adopted by 750 ayes.

WHEREAS, it has been recommended by the County Manager, County Attorney and Personnel Director and the Board of Supervisors' Personnel committee that it is in the best interests of the County that there be introduced a Local Law Authorizing The County Engineer Of The County Of Seneca To Reside In Seneca County Or Any Adjoining County Within New York State; and

NOW, THEREFORE, BE IT RESOLVED that proposed Local Law No. E of the year 2007 entitled "A Local Law Authorizing The County Engineer Of The County Of Seneca To Reside In Seneca County Or Any Adjoining County Within New York State" 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 25th day of September, 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.

**SUPERVISORS SET SALARY FOR DIRECTOR OF
COMMUNITY MENTAL HEALTH SERVICES**

RESOLUTION NO. 220-07, moved by Mr. Reynolds, seconded by Mr. Same and adopted by 679 ayes (Reynolds, Same, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Amidon, Teichner, Mooney, Robinson, Shipley) and 71 nays (Anglim)..

WHEREAS, the Community Services Board has appointed Scott S. LaVigne as the Director of Community Mental Health Services effective September 24, 2007 at the August 22, 2007 Community Services Board meeting; and

WHEREAS, the Community Services Board has recommended the salary for the new Director be set at \$73,874, Grade 9, Step 7, which was in the advertised range and have recommended to move him to Step 8 after six months of service; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors does hereby set the salary for the Seneca County Director of Community Mental Health Services at \$73,874 effective September 24, 2007, and be it

FURTHER RESOLVED, that the Board of Supervisors, upon receipt of a recommendation by the Community Services Board after six months, move the new director to Grade 9, Step 8 which is currently \$75,294 plus any adjustments to the salary schedule approved by the Board of Supervisors.

SUPERVISORS ADOPT COUNTY POLICY

RE: SWIPE CARD IDENTIFICATION BADGE SYSTEM

RESOLUTION NO. 221-07, moved by Mr. Reynolds, seconded by Mrs. Teichner and adopted by 750 ayes.

RESOLVED. that the Seneca County Board of Supervisors adopts the following policy and directs the Personnel Office to distribute said policies to the employees.

SENECA COUNTY SWIPE CARD IDENTIFICATION BADGE POLICY

I. PURPOSE

Seneca County is committed to providing a safe and healthy workplace for all employees. As part of this goal, the County is instituting a new swipe card identification badge system for all County employees.

This policy also includes provisions for “Temporary - Visitor” Swipe Card Identification Badges for service vendors and contractors working on County work sites for individuals entering a “Secure Work Area.” For the purpose of this Policy, a “Secure Work Area” is an area within the department in which access is controlled and the general public and clients are normally not permitted to enter. An Identification Badge Policy serves the dual purpose of readily identifying County employees and other authorized personnel, while providing measured protection against unauthorized personnel and intruders from entering designated secure work areas. The system is effective only if there is active cooperation and compliance by all employees at all times. Any laxity in compliance and enforcement subjects the entire system to failure.

In the best interests of the County and to make identification as easy as possible, one standard, with the exception of the Sheriff’s Department, will be implemented Countywide.

This identification swipe card access badge will provide access to designated county buildings through keyless entry. Any and all prior identification systems are now considered invalid or obsolete.

A. Department Heads

Department Heads shall ensure that this Policy is fully implemented and adapted to the security needs of their departments and work locations. Department Heads shall ensure that the requirements of this policy are enforced for their Department. Department Heads will need to provide a list of permanent

full and part-time employees who will have keyless access to buildings and designated interior areas. Department Heads can assign this responsibility to others.

B. Managers and Supervisors

It shall be the direct responsibility of Managers, Supervisors, and other assigned personnel, that are designated in writing by their Department Head, to enforce the requirements of this policy.

C. All Employees

Employee Swipe Card Identification Badges shall be worn at all times by all employees, on any County work site (the only exception is for safety or when employees are working at an external job site). For the purpose of this Policy, employees include permanent full time and permanent part-time, temporary/intermittent employees, volunteers, and interns. An exception to this Policy would be for uniformed peace officers.

D. Contractors/Consultants

All contractors and consultants in secure areas of County Buildings shall wear Swipe Card Identification Badges that are identified by a bar code on the lower portion of the card.

Contractors/Consultants include individuals contracted by the County from temporary employment agencies and individuals working for agencies that have contracted business with the County.

E. Visitors/Temporary Pass

Non-employees, other than contractors/consultants who are authorized to enter secure work areas shall wear "Temporary Visitor" Swipe Card Identification Badges. This would include vendors providing a service to the County. No pictures will be taken for these type of badges.

NOTE: A secured work area is an area within the Department in which access is controlled and the general public or clients are normally not permitted to enter freely. Many designated secure areas are protected by locked doors or other physical barriers that limit public access. The overriding factor in designating areas as secure is to ensure the safety and security of staff within those areas. The designation of secure areas is within the discretion and prerogative of Department Heads.

II. CONTROL AND ISSUANCE OF BADGES

A. Employee Swipe Card Identification Badges

Description of Badges

The employee badge consists of a hard plastic card, which on the face reflects the county name, Department name, job title, a replica of the county seal, an accurate photograph of the employee and the employee's name on the front of the card. Some positions and departments may require variations of this policy.

In a growing effort to provide access control throughout the County, ID Badges will be printed on proximity cards. Each card will have a unique code and will provide access through particular doors and other controlled areas, on an as needed basis. Facility Management will program particular card readers at designated locations with an employee's proximity card code, when permission to gain access to particular doors is approved by a Department Head. Note that not all doors will have electronic access. Selected internal doors will continue to have regular locks that require keys.

Because the card holds permission to gain access to particular doors, the ID Badge must be protected from non-authorized persons. If a card is lost, the proximity card system provides significant advantages over a lost key, as the system can maintain its integrity by the removal of the access rights from the database.

Identification badges for permanent full and part-time employees will only be re-issued when the identification badge becomes damaged, or the appearance of the employee changes to the degree that the photo is not a recognizable semblance of the employee. Temporary Visitors and DHS Sign-out Swipe Card Badges must be signed out and returned to the Facilities Department or the department issuing them..

The background for temporary/visitor/contractual/consultant and emergency personnel badges will include a horizontal colored-coded strip on the bottom front of each Identification Badge. The badge will also consist of the County Seal with wording to indicate which type of badge is issued.

Consultants/Contractors – Light pink bar

Temporary Visitors – County Seal with no pictures and no bar

Building Emergency Security Response – Red bar

Wayne Finger Lakes BOCES CBO – Blue bar

DHS Sign-out – Dark pink

1. Following implementation, all new employees will be issued badges within the first two weeks of their employment.
2. Swipe Card Identification Badges will be issued by Facilities Management and assigned access rights similar to those used for external and internal key assignments.
3. Badges are the property of the County and are to be returned upon separation or retirement from the County. On a terminating or retiring employee's last workday, the employee's supervisor shall require the employee to surrender the badge, and the supervisor shall return the badge to Facility Management. Facility Management will document that the badge was returned and destroy the badge, deleting the badge and all pertinent information and rights.

4. An employee who is on extended leave (30 days or more – for example maternity or extended medical leave) will be required to turn in his or her Swipe Card Identification Badge to the supervisor for temporary inactivation of the badge, pending return to work. Upon return to work, supervisor shall make arrangements with Facilities to reactivate the badge. If the employee terminates or retires after the extended leave, the badge should then be returned to Facility Management for removal from the system.
5. Identification Badges that become damaged or are otherwise unserviceable shall be returned to the issuing office for replacement at no cost to the employee.
6. Each employee shall not have more than one Identification Badge in his or her possession at any one time.

III. REQUIREMENTS AND ENFORCEMENT

Because the policy and procedures described herein are intended to provide for the safety and security of County staff, any employee who violates such policy may be subject to disciplinary action.

A. Employee Swipe Card Identification Badge

All employees are expected to fully comply with all provisions of this policy. Management staff and supervisors shall enforce all provisions.

1. Swipe Card Identification Badges are to be worn at all times. The Identification Badge will be prominently displayed on the front of the person between the neck and above the hips and is to be worn clipped to a piece of outer clothing, or worn around the neck on a chain or necklace. Identification Badges shall not be defaced or altered with stickers, decals, etc. Employee Identification Badges are to be worn so that the photo is clearly visible to others. For safety, employees performing certain jobs, such as maintaining or operating equipment, etc. should either clip the ID badge to their clothing or put the badge in their pocket.
2. Each Employee is responsible for safeguarding his or her own Swipe Card Identification Badge, and any lost Identification Badge is to be reported immediately to his or her supervisor. The supervisor will authorize a “Temporary” Identification Badge until the permanent Identification Badge can be replaced. A lost Identification Badge may be replaced without charge on a one-time basis. All subsequent replacements of lost Identification Badges will be issued at a charge of \$8.00 to the employee and/or Department.
3. Swipe Card Identification Badges will not be loaned to other employees/visitors or vendors for the purpose of accessing secure areas or exterior doors.

4. If an employee reports to work without his or her Identification Badge, the following procedures will be followed:
 - a. First Occurrence: Employees shall be sent home to retrieve their identification badges, and the time charged against appropriate earned accruals or leave without pay.
 - b. Subsequent Occurrences: Will be handled at the Department level and follow progressive disciplinary action as appropriate to insure compliance with this policy

B. “Temporary” and “Visitor” Identification Badges

1. The Department employee primarily responsible for a Contractor or Visitor, shall arrange for issuance/retrieval of “Temporary Visitor” Identification Badge, and shall assure that the individual wears it at all times while in the County workplace.
2. An employee who observes any individual without an Identification Badge in a “Secure Work Area” is to question the person and attempt to determine his or her identity and the reason he or she is in the particular area. The nearest available supervisor should be summoned for assistance as the situation dictates. The same procedure should be followed if an employee observes a Contractor or Program Participant without an Identification Badge in other work areas. However, if it appears to the employee that the individual may pose a threat, the employee should not confront the individual, but immediately notify the appropriate law-enforcement or security agency, then notify their supervisor.
3. If the identity of the individual is established, the department employee primarily responsible for the individual should be contacted, and arrangements should be made to obtain a “Temporary Visitor” Identification Badge.
4. If the identity of the individual cannot be established, the Supervisor should escort the individual from the work area immediately. The Manager, Department Safety Coordinator, Department Head, or Law Enforcement should be called for assistance if needed or indicated.
5. Under no circumstances will the cleaning staff allow anyone to enter a secured area on the pretext the said employee has lost or misplaced or left home their Swipe Card Identification Badge.

RULES FOR IDENTIFICATION BADGE HOLDERS

1. Do not lend your Identification Badge to anyone

2. Do not allow people to follow you into the building without knowing them or checking their ID
3. Do not leave badge on dash of vehicle or other locations where exposed to extreme temperatures
4. Do not fold, bend, pry open or mutilate your Identification Badge
5. Do not use your Identification Badge as an ice scraper
6. Do not hold or prop doors open
7. Do not leave doors and/or windows open after you leave
8. Notify your department if your Identification Badge is no longer in your possession
9. Notify your department of any difficulties or problems with any Identification Badge

SUPERVISORS ADOPT COUNTY POLICY ON BREAST CANCER SCREENING

RESOLUTION NO. 222-07, moved by Mr. Reynolds, seconded by Mr. Shipley and adopted by 750 ayes.

RESOLVED, that the Seneca County Board of Supervisors adopts the following policy and directs the Personnel Office to distribute said policies to the employees.

Purpose:

New York State, by Legislative Mandate, has been required to provide 4 hours of paid leave to employees for the purpose of breast cancer screening since 2002. Chapter 556 of the laws of 2006 mandating that counties provide this leave to its employees, is an amendment of the language first enacted in 2002 to require the state to provide this leave.

Policy:

The basic parameters include:

1. The leave is for both men and women.
2. The leave time allowed is granted for up to 4 hours on a yearly basis. The leave time cannot be accumulated from year to year. If you do not use the 4 hours during the course of a year, you cannot carry it forward to the next year.
3. Each January 1st a new 4 hour leave entitlement takes effect.
4. Leave for breast cancer screening is paid time off, which cannot be charged by the County to any other leave time including sick leave credits. This is paid time off in addition to existing negotiated paid leave provisions.
5. The time allotted for breast cancer screening leave includes travel time to and from the appointment and any subsequent follow up consultation visits.
6. Any time taken for the purpose above and beyond 4 hours is chargeable to other leave credits.

7. Seneca County leaves it up to each individual Department and their supervisory personnel to determine what level of documentation is required.
8. Each Department may require a doctor's statement, receipt issued by the clinic, etc. as proof that screening has occurred.
9. The employee has the right to ask that this documentation be kept confidential with only those required to grant approval or certify time and attendance records having access.
10. All employees are required to meet the requirements the County has put into effect for the documentation of sick leave, with confidentiality requirements of HIPAA and their collective bargaining agreements maintained.

Breast Cancer Screening Leave

New York State Civil Service Law entitles employees to take up to four (4) hours of paid leave annually, without charge to leave credits, for breast cancer screening. The screening includes physical exams and mammograms specifically for the detection of breast cancer. Travel time is included in the four hour cap. Absence beyond the four hours must be charged to leave credits. The leave is not cumulative and expires at the close of business on the last day of each calendar year. Employees who undergo screenings outside their regular work schedule do so on their own time.

To properly record this absence, please complete the information below, including a signature from the provider's office, and return this form with your timesheet for the period in which you used the breast cancer screening leave. Document the time off on your timesheet as BCSL.

Employee Name: _____

(Please print)

Date & Time of Appointment: _____

Place of Appointment: _____

Signature of Provider: _____

Signature of Employee: _____

SUPERVISORS ADOPT COUNTY POLICY ON MOTOR VEHICLE RULES AND REGULATIONS FOR SENECA COUNTY VEHICLES

RESOLUTION NO. 223-07, moved by Mr. Reynolds, seconded by Mrs. Teichner and adopted by 750 ayes.

RESOLVED, that the Seneca County Board of Supervisors adopts the following policy and directs the Personnel Office to distribute said policies to the employees.

SENECA COUNTY MOTOR VEHICLE RULES AND REGULATIONS FOR SENECA COUNTY VEHICLES EFFECTIVE AUGUST 14, 2007

It is the purpose of this document to define the general policy for the County of Seneca, regarding the acquisition, control, proper use and maintenance of vehicles and equipment that are driven by employees during their tour of duty.

The intent of this document is to notify each operator of the responsibilities that are inherent with the assignment of vehicles and equipment for their use.

These rules and regulations do not apply to those vehicles which are used by the Seneca County Sheriff, and his appointees and employees.

I. GENERAL POLICY

A. Rules

1. The County Manager is responsible for promulgating rules and regulations pertaining to all County motor vehicles.
2. Each department head is responsible for keeping a copy of this Policy current.
3. Each department head is responsible for assuring that any subordinates having occasion to use County motor equipment have read and understood the Motor Vehicle Rules and Regulations.
4. Each department head is responsible for seeing that any County employee that has occasion to use a County vehicle or equipment receives a copy of the Seneca County Motor Vehicle Rules and Regulations, and that they sign the Acknowledgement of Receipt of Seneca County Motor Vehicles Rules and Regulations form.
5. Vehicle: Any County owned motor vehicle that is licensed and driven regularly on the road.
6. Safe and Secure Location Storage Area: A place that meets the following conditions:
 - a. it is not in a public street or thoroughfare; and
 - b. it must be legal to park the vehicle in such place; and
 - c. parking the vehicle/equipment in such place must not create the perception of impropriety by a County employee (i.e., parking in a parking lot of a tavern); and
 - d. it must be reasonable to expect that the vehicle will not be damaged as a result of being parked in such place; or
 - e. user has received written permission to utilize such space by his/her department head; or
 - f. the place has been specifically designated by the County Manager.
7. The Department Head shall not permit an employee to operate a County vehicle until that employee has:
 - a. been provided with a copy of the Motor Vehicle Rules and Regulations; and

- b. acknowledged in writing that he/she has received and read the Motor Vehicle Rules and Regulations; and
- c. acknowledged in writing the assignment designation which he/she has received.
- d. The appropriate drivers license from NYS.

II. MOTOR VEHICLE USE

A. Rules

- 1. Department Heads are responsible to ensure that their employees operate County vehicles in a proper, courteous and safe manner.
- 2. Employees using County vehicles are expected to drive and maintain vehicles in a safe, alert and courteous manner.
- 3. County vehicles are to be used on County business only, and to the limitation of the individual's prior prescribed assignment. Any employee using a vehicle on personal business outside the scope of his/her assignment will be subject to disciplinary action, unless authorized by the County Manager.

B. Regulations

- 1. Operational responsibility for vehicles is as follows:
 - a. The assignee will be personally responsible for the proper and courteous operation of the vehicle.
 - b. The assignee will report any vehicle problems to his/her supervisor.
 - c. All operators will fill the vehicle with fuel at an approved County location whenever the tank is $\frac{1}{4}$ full or less.
 - d. Vehicle will be parked in a safe and proper manner.
 - e. Reckless use, deliberate abuse or sabotage of County vehicles or equipment is prohibited and will subject the operator to disciplinary actions.
 - f. The Department Head will control the keys of department vehicles and the sign in/out log book.
 - g. All operators will be personally responsible for the proper and courteous operation of the vehicle.
- 2. Vehicles will be available as follows:
 - a. When not in use by an assigned department, departmental pool vehicles should be made available to employees on County business from other departments.
 - b. County vehicles may be authorized for use on official trips outside the County or for special County business by Department Heads or the County Manager's Office.

- i. For all travel outside the County, (the State of New York and the United States of America), if the need to purchase gas, oil, etc., is anticipated, the traveler should request a County Voyager card from the department's office.

3. Vehicles will be operated as follows:

- a. County vehicles will be used to transport passengers, business associates (i.e., sales persons, contractors), County and municipal employees and materials on official County business only. It shall not be used to transport family members (i.e., spouse to work, or children to daycare, etc.).
- b. No person who operates a County vehicle shall drink any alcoholic beverages or be under the influence of alcoholic beverages before or while operating a County vehicle.
- c. No person who operates a County vehicle shall use or be under the influence of controlled substances while operating a County vehicle.
- d. Persons using prescribed or over the counter drugs that may affect their driving ability shall not drive County vehicles.
- e. Smoking is prohibited in all County vehicles.
- f. The use of personal radios that impair normal hearing for the safe operation of a vehicle is strictly prohibited.
- g. An operator of a County vehicle shall not leave it unattended without stopping the engine, setting the brake, locking the ignition, removing the keys and locking the doors. This provision shall not apply to authorized emergency vehicles, as defined by section 101 of the New York State Vehicle and Traffic Law, when they are in emergency operation, as defined by section 114-b of the New York State Vehicle and Traffic Law.
- h. All persons who drive County vehicles must have a valid New York State Driver's License that allows them to operate the vehicle they are using.
- i. A person operating a County vehicle is responsible for compliance with the Vehicle and Traffic Laws of the State of New York and for the satisfaction of all moving and parking violations. A person operating a County vehicle outside of the State of New York or the United States of America is responsible for compliance with the vehicle and traffic laws of the relevant jurisdiction and for the satisfaction of all moving and parking violations. Any tickets or fines incurred will be paid by the operator using the vehicle at the time of the infraction. Should the employee be charged with any violation, or if property

damage or injury has occurred, the employee shall contact the Department Head and the Insurance Manager immediately so steps can be taken to ensure proper representation of the employee at any hearing held as a result of such charges. In such cases, the employee shall make no statements or admissions prior to consultation with the Law Department.

- j. County vehicles must be parked in the last row north, in the north parking lot.
4. Accident reporting (refer to glove box packet)
- a. A police report must be filed for all accidents involving County vehicles regardless of seriousness or fault.
 - b. The Department Head shall be notified by the driver in such event as to the nature of the accident and the extent of the damage. The Department Head shall notify the County Law Department and the Insurance Manager immediately and get an estimate of the damages.
 - c. Towing of the damaged vehicle will be done by the towing agency designated by the Insurance Department.
 - d. Operators of leased vehicles shall follow the accident reporting procedure supplied with such vehicles in addition to those outlined above.

5. Warning

If an accident occurs while the employee is using a County Vehicle outside of the scope of his/her vehicle assignment designation in violation of any of the Rules and Regulations set forth in the Motor Vehicle Rules and Regulations, the County may elect to take disciplinary action against you.

6. Safety precautions that must be adhered to include but are not limited to the following:
- a. Seat belts must be used when the vehicle is in operation.
 - b. When it is necessary to work from the vehicle while stopped in traffic, all flashers, dome lights, beacon lights and other warning devices must be used.
 - c. When a County vehicle is being used in a way that is not normal, i.e., while flushing in center of street, plowing snow, spreading salt, loading snow, etc., all flashers, beacon lights, and other warning devices must be used.
 - d. All operators of County vehicles are expected to be defensive drivers. A defensive driver has been defined as: one who is careful to commit no driving errors himself;

who makes allowances for the lack of skill of others, and does not allow hazards of weather and road conditions or the actions of pedestrians and other drivers to involve him/her in an accident. He/she keeps continually on alert, recognizes an accident producing situation far enough in advance to apply necessary preventive action and concedes the right-of-way when necessary to prevent an accident.

- e. No radar detection devices shall be used in or on a County vehicle.
- f. No key should be left in the ignition of the vehicle.
- g. No talking on cell-phones while driving unless using a hands-free headset or other such device.

7. Operating instructions include the following in event of vehicle breakdowns:

- a. During all work hours, the driver should contact the repair station designated by the County and describe the problem. The phone number of the repair station shall be placed in the information packet in the glove compartment of the vehicle.

III. VEHICLE DOCUMENTATION

A. Rule

No employee shall operate a County vehicle unless it contains all required vehicle documentation.

B. Regulations

- 1. Each County vehicle shall contain the following documentation:
 - a. vehicle registration form;
 - b. County insurance card;
 - c. blank Report of Motor Vehicle Accident form (New York State MV-104 form);
 - d. accident, breakdown and emergency instructions.

IV. MOTOR VEHICLE MAINTENANCE

A. Rules

- 1. The department head is responsible for providing the schedule of maintenance.

B. Regulations

- 1. Gas and oil for all County vehicles shall be obtained only from County designated facilities. Employees will not be reimbursed for gas or oil purchased from private garages, except when approved by the department head or his designee, or when the vehicle has been authorized for an official trip outside the County or in cases of emergency subject to departmental procedure.
- 2. If an employee notices while operating a County vehicle that it is in need of repair, he/she is responsible for reporting this to the County department head, if applicable.

If a vehicle is unsafe, the employee shall not operate the vehicle, and shall immediately notify his/her supervisor and the department head, if applicable.

- 3. Marking of County vehicles will be as follows:
 - a. All County owned vehicles should be marked. Vehicles exempt from this requirement shall only be those designated by the County Manager.
 - b. The format of marking of the general service vehicles is as follows:
 - i. Both front doors are to be marked with the County logo.
 - ii. A number will also be issued and applied to the vehicle. Special markings can be approved by the County Manager.
 - c. No personal accessories or emblems are to be attached to a County vehicle.

V. MISCELLANEOUS

A. Appearance Code

- 1. All County vehicles shall be washed and the interior cleaned as often as necessary, when weather permits, to maintain a neat appearance. It is the responsibility of the user to leave the vehicle in a clean and safe condition.
- 2. All County vehicles will have a sticker on back of vehicles showing the toll free number and asking "How is my driving? Call 1-800-688-7188, ext. 1712".

ACKNOWLEDGEMENT OF RECEIPT OF SENECA COUNTY MOTOR VEHICLE RULES AND REGULATIONS

I, _____, hereby acknowledge that I have received and read the SENECA COUNTY MOTOR VEHICLE RULES AND REGULATIONS, effective _____ and agree to abide by its terms.

Signature: _____

Date: _____

Please send to: Department Head GENERAL WORK USE

ACKNOWLEDGEMENT OF RECEIPT OF SENECA COUNTY MOTOR VEHICLE RULES AND REGULATIONS

I, _____, hereby acknowledge that I have received and read the SENECA COUNTY MOTOR VEHICLE RULES AND REGULATIONS, effective _____ and agree to abide by its terms.

I further acknowledge that I have received a _____ assignment for vehicle number _____.

Signature: _____

Date: _____

Please send to: Department Head ASSIGNMENT

**SUPERVISORS ADOPT COUNTY POLICY RE: WORK PLACE VIOLENCE PREVENTION
AND THREAT REPORTING**

RESOLUTION NO. 224-07, moved by Mr. Reynolds, seconded by Mr. Mooney and adopted by 750 ayes.

RESOLVED, that the Seneca County Board of Supervisors adopts the following policy and directs the Personnel Office to distribute said policies to the employees.

SENECA COUNTY POLICY WORK PLACE VIOLENCE PREVENTION / THREAT REPORTING

- I. Policy Statement
- II. Policy Objective
- III. Scope
- IV. Definitions
- V. Reporting of incidents
- VI. Responsibilities
- VII. Education
- VIII. Confidentiality
- IX. Retaliation
- X. Administrative Procedures
- XI. Threat Summary (form)

I. Policy Statement

Seneca County has a long-standing commitment to promoting a safe and secure work environment for all its employees. All County employees and elected County Officials are expected to maintain a work environment free from violence, threats of harassment, intimidation or coercion. While these behaviors are not prevalent in Seneca County's workplaces, no organization is immune.

The purpose of this policy is to address the issue of potential workplace violence, prevent workplace violence from occurring to the fullest extent possible, and set forth procedures to be followed when such violence has occurred.

Specifically, the County prohibits the following:

- 1. Non-specific threats of violence by employee
- 2. Specific threats of violence by employee
- 3. Threats of violence directed against an employee by a non-employee
- 4. Violent confrontation by a spouse or significant other with an employee over a personal/domestic dispute

5. Threats or threatening conduct by disgruntled or ex-employees
6. Violent altercations between two employees or employee and supervisor
7. Multiple assaults by intruder

II. Policy Objective

Seneca County prohibits workplace violence. Violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property will not be tolerated. Complaints involving workplace violence will not be ignored and will be given the serious attention they deserve. Individuals who violate this policy may be removed from County property and employees may be subject to disciplinary action up to and including termination, consistent with County policies, rules and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution. The County, at the request of an employee, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee on County property unless necessary to transact County-related business. This policy particularly applies in cases where the employee suspects that an act of violence will result from an encounter with said individual(s).

III. Scope

All County employees, elected County Officials, vendors, contractors, consultants, and others, who do business with the County, whether in a County facility or where official County business is conducted, are covered by this policy. This policy also applies to other persons not affiliated with the County, such as former employees and visitors. When employees have complaints about other employees, they should contact their immediate supervisor. If the complaint involves their immediate supervisor they should contact their department head.

IV. Definitions

1. Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, or the County's ability to provide services to the public.

Examples of workplace violence include, but are not limited to:

- Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing others, or waving arms and fists).
- Intentional physical contact for the purpose of causing harm (such as slapping, stabbing, punching, striking, shoving, or other physical attack).
- Menacing or threatening behavior (such as throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively; or making oral or written statements specifically intended to frighten, coerce, or threaten) where a reasonable

person would interrupt such behavior as constituting evidence of intent to cause harm to individuals or property.

- Possessing firearms, imitation firearms, knives or other dangerous weapons, instruments or materials shall be covered under County Policy number 101.605, Section 34.

V. Reporting of incidents

1. General Reporting Responsibilities

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any County employee or elected official. Workplace violence should promptly be reported using the threat summary form at the end of this policy. Additionally, County employees and elected officials are encouraged to report behavior that they reasonably believe poses a potential for workplace violence as defined in Section IV. It is important that all employees and elected officials take this responsibility seriously to effectively maintain a safe working environment.

2. Imminent or Actual Violence

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call 911 immediately.

3. Commitment of a Crime

All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to the appropriate law enforcement agency.

4. False Reports

Employees and elected officials who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action and/or referral to law enforcement authorities as appropriate.

VI Responsibilities

1. Elected Officials and Department Heads

Elected Officials and Department Heads shall be responsible for the implementation of this policy. The responsibility includes dissemination of this policy to all employees, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, and ensuring that all administrators and supervisors are aware of their responsibilities under this policy through internal communications and training.

2. Supervisors

Each employee designated with supervisory responsibility (hereinafter "supervisor") is responsible within his/her area of jurisdiction for the implementation of this policy. Supervisors must report any complaint of workplace violence made to him/her and any other incidents of workplace violence of which he/she becomes aware or reasonably believes to exist. Supervisors are expected to

inform their immediate supervisor promptly about any complaints, acts, or threats of violence even if the situation has been addressed and resolved. After having reported such complaint the supervisor should keep it confidential and not disclose it further, except as necessary during the investigation process and/or subsequent proceedings.

Supervisors are required to call 911 immediately in the event of imminent or actual violence involving weapons or potential physical injuries.

3. Employees

Employees must report workplace violence, as defined above, to their supervisor. Employees who are advised that a workplace violence incident has occurred or has been observed must report this to their supervisor immediately. Recurring or persistent workplace violence that an employee reasonably believes is not being addressed satisfactorily, or violence that is, or has been, engaged in by the employee's supervisor should be brought to the attention of the department head.

Employees who have obtained Orders of Protection are expected to notify their supervisor and provide a list of locations which are designated as protected areas.

Victims of domestic violence who believe the violence may extend into the workplace, or employees who believe that domestic or other personal matters may result in their being subject to violence extending into the workplace, are encouraged to notify their supervisor. Confidentiality will be maintained to the fullest extent possible.

Upon hiring, and annually thereafter, employees will have copies of this policy made available to them. Additionally, the policy will be posted throughout County buildings and be placed on the County's intranet, as appropriate.

4. County Safety Officer

The County Safety Officer is responsible to insure that new employees or transferred employees have a copy of the Workplace Violence Policy and Procedures made available to them and also insuring County employees receive appropriate training. The County Safety Officer will also be responsible for annually disseminating this policy to County personnel, as well as posting the policy appropriately throughout county buildings and other work sites.

5. Workplace Violence Advisory Team

The County shall establish a Workplace Violence Advisory Team. This Team, will assist the County in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; assessing the potential problem of workplace violence at its sites; assessing the County's readiness for dealing with workplace violence; evaluating incidents to prevent future occurrences; and utilizing prevention, intervention, and interviewing techniques in responding to workplace violence. This Team will also develop workplace violence prevention tools (such as

pamphlets, guidelines and handbooks) to further assist in recognizing and preventing workplace violence at County buildings and work sites. This Team shall include representatives from County departments, as deemed appropriate by the County Legislature.

VII. Education

The County is responsible for the dissemination and enforcement of this policy as described herein, as well as for providing opportunities for training in the prevention and awareness of workplace violence.

The County Safety Officer, department heads and elected officials are responsible to assist in identifying available training opportunities, as well as other resources and tools, (such as reference materials detailing workplace violence warning signs) that can be incorporated into County prevention materials for dissemination to County Employees.

VIII. Confidentiality

The County shall maintain the confidentiality of investigations of workplace violence to the fullest extent possible. The County will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this policy and that the safety and well being of County employees would be served by such action.

IX. Retaliation

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action may be subject to discipline up to and including termination.

X. Administrative Procedures

A. Review of Threat

The administrator to whom the employee reports the threat will review the threat with that employee and with any other appropriate staff.

B. Completion of Threat Summary

That administrator will begin to complete the Threat Summary form during the interview(s).

C. Notification of Other Administrators

The supervisor will notify all other administrators (as appropriate) immediately thereafter.

{NOTE: The situation may dictate that the other administrators be notified even before all the details are known so that they can secure the workplace and warn others, as appropriate. }

D. Safeguarding the Workplace

1. The administrator to whom the employee reported the threat will take steps to safeguard the workplace. Arrangements will be made in consultation with the Department Head if

he/she is immediately available and may include notification of employees and law enforcement officials, if there is good reason to warrant such action.

2. The administrator should consult with the Sheriff, the County Attorney and other county officials as the situation dictates.
3. The administrator will make a reasonable effort to notify staff working in the field, if the threat is likely to impact them.

E. Timeliness of Reporting

It is the policy of Seneca County to react timely and reasonably to work-related threats against employees and/or their property. Because there are limits to Seneca County's ability to provide effective safeguards, primary responsibility for protecting against harm must remain with the threatened employee through the exercise of vigilance, common sense and his/her rights to police protection as a citizen. Nothing in this procedure limits the threatened employee from exercising his/her legal rights to make additional arrangements for protections which do not impede his/her ability to perform his/her work duties as agreed to with the Department Head.

F. Legal Action

Only the Department Head (or in his/her absence, the Acting/Deputy Department Head), shall initiate legal action on behalf of the County beyond notification of and coordination with law enforcement officials, with the approval of the County Manager and County Attorney.

G. Distribution of Threat Summary

1. If the employee's own administrator was absent when the report was made, the substitute administrator will provide a copy of the Threat Summary to the administrator as soon as possible, regardless of the expected duration of the threat. The employee's administrator will be responsible for taking any necessary action from that point.
2. As soon as the Threat Summary is reasonably complete, (usually within one workday), the administrator to whom the threat was first reported will give it to the Department Head's secretary to be kept on file. As the investigation proceeds, the administrator in charge of the case at any given point in time will update that official file as significant events occur. Updates might include:
 - i. Reports that the threatening individual stalked the employee at home;
 - ii. documentation of additional threats;
 - iii. further actions taken by the department or law enforcement; etc.
3. The official file will be kept current by any administrator who takes the investigation over from a substitute administrator.

H. After-hours Threats

If a work-related threat is received after work hours, the employee should immediately make arrangements to protect themselves (i.e., call a police agency and follow their instructions). The employee should then immediately notify their administrator or a substitute administrator, regardless of the time of day. The Seneca County Sheriff's Department should be given and will maintain a list of administrator's home phone numbers.

XI. Threat Summary

Date and time threat was received _____

Date and time threat was made _____

Who is threatened? _____

Who threatened them? _____

Address _____

Phone Number: _____ Date of Birth: _____

{DSS ONLY: Attach a WMS or CSMS inquiry screen, if available }

How the threat was made:

_____ In person

_____ On agency grounds

_____ At home

_____ Telephone

_____ Written

_____ Other

Detail the threat (if written, attach copy):

Has this happened before? (When? Same circumstances?)

Is there a catalyst? _____

Who else is involved in making the threat? (family, friends)

What units or employees are known to be at risk?

Location of employees at risk:

_____ In the office

_____ On-call
_____ Out of the office
_____ Home

What was the immediate action taken? _____

History of the person making the threat? _____

Is the agency about to take an action which may exacerbate the situation?

Police Notified:

Department _____ Name of Officer _____

Date _____ Time _____

Department _____ Name of Officer _____

Date _____ Time _____

Department _____ Name of Officer _____

Date _____ Time _____

Who was notified WITHIN the agency? (If notification was in writing, attach copy)

Who was notified OUTSIDE the agency? (If notification was in writing, attach copy)

Other actions taken: _____

**SUPERVISORS APPROVE AGREEMENT WITH BARTON & LOGUIDICE FOR ANALYSIS
OF INDIAN CREEK BRIDGE**

RESOLUTION NO. 225-07, moved by Mr. Davidson, seconded by Mr. Kaiser and adopted by 750 ayes.

WHEREAS, the New York State Department of Transportation has red flagged the Indian Creek Bridge on County Road 132 (East Lake Road) in the Town of Romulus; and

WHEREAS, the New York State Department of Transportation has further indicated that the County may be able to reduce the weight limit on the bridge for a temporary solution until such time as the bridge can be repaired; and

WHEREAS, Barton & Loguidice has submitted a proposal to complete a Level I Road Rating Analysis at a cost not to exceed \$2,000; and

WHEREAS, funds are available in the Highway Road Construction Account 5112-2000 (Road Construction – CHIPS); now, therefore be it

RESOLVED, that the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to sign an agreement with Barton & Loguidice to complete a Level I Road Rating Analysis on Indian Creek Bridge on County Road 132 at a cost not to exceed \$2,000.

**CHAIRMAN OF THE BOARD OF SUPERVISORS IS AUTHORIZED AND DIRECTED TO
SIGN A CONTRACT WITH BARTON AND LOGUIDICE FOR PROFESSIONAL
ENGINEERING SERVICE FOR THE HEALTH BUILDING**

RESOLUTION NO. 226-07, moved by Mrs. Amidon, seconded by Mr. Same and adopted by 750 ayes.

WHEREAS, a request for proposals was sent out for the assessment of the Heating, Ventilation, and Air Conditioning systems serving the Seneca County Health Building located at 31 Thurber Drive;

WHEREAS, the current HVAC system is over twenty years old and made up of three different systems; that are not adequately heating and cooling the building;

WHEREAS, the first step in the process is to contract with a professional engineering firm to develop a plan to assist the county on the best option for a new HVAC system;

WHEREAS, Jason McCormick, consulting County Engineer has reviewed the proposals and recommends the County retain Barton and Loguidice P.C. for the services;

WHEREAS, Barton and Loguidice P.C. has agreed to provide professional engineering services for a lump sum fee of \$6,700;

WHEREAS, there are funds available in both the Public Health (10-115-5-4010-4801) and Mental Health (10-115-5-4320-4801) 2007 budgets for this capital project

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign a contract with Barton and Loguidice P.C. for professional engineering services.

SUPERVISORS APPOINT PETER WORMUTH TO COMMUNITY SERVICES BOARD

RESOLUTION NO. 227-07, moved by Mrs. Amidon, seconded by Mrs. Teichner and adopted by 750 ayes.

WHEREAS, there are vacancies on the Community Services Board and its Alcoholism and Substance Abuse Subcommittee, and

WHEREAS, the Community Services Board has moved to recommend the appointment of Peter Wormuth to the Community Services Board and its Alcoholism and Substance Abuse Subcommittee,

WHEREAS, the Board of Supervisors' Mental Hygiene, Public Health & Human Services Committee supports and approves the recommendation; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby appoint Peter Wormuth, 2008 Gravel Road, Seneca Falls, NY 13148 to a four-year term to expire August 28, 2011.

**SUPERVISORS AUTHORIZE THE PURCHASE OF A NEW VEHICLE FOR
THE MENTAL HEALTH DEPARTMENT**

RESOLUTION NO. 228-07, moved by Mrs. Amidon, seconded by Mr. Davidson and adopted by 750
ayes.

WHEREAS, the Mental Health Department has received start up money from the NYS Office of Mental Health for the Child Plus program; and part of this program is to do home visits to children who need or require mental health therapy in a home setting;

WHEREAS, the purchase of a new vehicle would be used for this program as well as to replace a 1997 van with 192,000 miles used to transport patients to appointments;

WHEREAS, the department has solicited bids for this purchase, of which 7 were received; and Mike Barnard Chevrolet, Buick, Corp. of Geneva, NY has submitted the lowest bid at \$18,233.21 for a Chevrolet Impala;

WHEREAS, the funds are available in the 2007 Mental Health Budget in account 10-115-5-4320-2600; and this purchase is 100% State Aid funded; at no county cost; now, therefore be it

RESOLVED, Supervisors authorize the purchase of a new 2008 Chevrolet Impala from Mike Barnard Chevrolet-Buick Corp. of Geneva, NY to be used for the programs in the Mental Health Department.

New Business

Mr. Mooney stated that the Town Board of Waterloo recently voted to increase the Veterans Exemption tax to the maximum amount allowable by NYS, and is currently more than the county's exemption.

A discussion occurred regarding the interviews conducted by the supervisors for the county manager position. Chairman Barto directed Dr. Dresser to coordinate with the Personnel Committee regarding dates, times, and locations. Ms. Secor suggested that department heads be allowed to sit-in on the interviews but not participate.

Suspension of the Rules:

Mr. Same made the motion to suspend the rules of order to introduce resolutions not pre-filed. Mrs. Amidon seconded the motion. The motion was carried

**SUPERVISORS AWARD CONTRACT TO A.A.C. CONTRACTING, INC. FOR
DEMOLITION OF PARSONS HOUSE AND TREASURER AUTHORIZED TO AMEND 2007
SENECA COUNTY BUDGET FOR SAID DEMOLITION**

RESOLUTION NO. 229-07, moved by Mr. Davidson, seconded by Mr. Robinson and adopted by 750 ayes.

WHEREAS, an asbestos survey was completed on the property known as the Parsons House, located at 5692 Rt. 96, Romulus, NY that indicated asbestos was present, and

WHEREAS, A quote was received from A. A. C. Contracting, Inc. 175 Humboldt St. Suite 200, Rochester, NY 14610 for demolition and asbestos abatement in the amount of \$19,925, and

WHEREAS, Seneca Meadows Landfill has agreed to waive all tipping fees for said demolition and asbestos abatement, now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign a contract with A.A.C. Contracting, Inc. for demolition and asbestos abatement of the property known as the Parsons House, in an amount not to exceed \$19,925 to be paid from account 1015.4820 – County Manager Parsons Demolition, and be it

FURTHER RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to amend the 2007 Seneca County budget by appropriating the sum of \$19,925 from the Building Reserve fund to the County Manager account 1015.4820 – Parsons House demolition.

**DESIGNATE SENECA COUNTY GOVERNMENT AS TOURISM PROMOTION AGENCY
AND AUTHORIZE APPLICATION FOR MATCHING FUNDS PROGRAM IN 2007 - 08**

RESOLUTION NO. 230-07, moved by Mr. Kaiser, seconded by Mr. Shipley and adopted by 750 ayes.

WHEREAS, the Seneca County Board of Supervisors desires to enhance the general economy of Seneca County through the promotion and marketing of tourism attractions, conventions, trade shows, special events, and other directly related and supporting tourism assets; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on August 28, 2007; now, therefore be it

RESOLVED, that the New York State Department of Economic Development be requested to designate the County Government of Seneca as Seneca County's Tourism Promotion Agency for purposes of the Matching Funds Program in 2007-08, and be it

FURTHER RESOLVED, that the Chairman of the Board of Supervisors be authorized on behalf of Seneca County to sign an application for New York State financial assistance in 2007 under the Matching Funds Program, and be it

FURTHER RESOLVED, the Seneca County will commit up to \$90,000 from the Seneca County Room Tax in 2007-08 to provide the County's share of the Matching Funds Program.

DESIGNATE SENECA COUNTY CHAMBER OF COMMERCE TOURISM PROMOTION AGENCY AS OF DECEMBER 15, 2007 (DEFEATED)

RESOLUTION NO. 231-07, moved by Mr. Kaiser, seconded by Mr. Mooney and defeated by 355 nays (Davidson, Dresser, Same, Lafler, Anglim, Amidon, Teichner), 335 ayes (Kaiser, Mooney, Reynolds, Barto, Smith, Shipley) and 60 abstentions (Robinson).

RESOLVED, that the Seneca County Board of Supervisors hereby designates Seneca Country Chamber of Commerce as Tourism Promotion Agency as of December 15, 2007; authorizes as of said date Seneca County Chamber of Commerce to make any necessary applications to the State of New York and to receive matching funds and to represent the county in tourism promotion efforts.

Following a discussion regarding the Grand Jury indictment of some Sheriff deputies and Sheriff Connolly, Mrs. Amidon made a motion to bring to the floor a non-binding resolution requesting the Board of Supervisors ask for the resignation of Sheriff Connolly. Mrs. Teichner seconded the motion. The motion needed a unanimous vote to carry. Chairman Barto stated that he was going to vote Nay. A roll call vote was requested. The motion failed by 619 nays (Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Lafler, Anglim, Mooney, Robinson, and Shipley) and 131 ayes (Amidon, Teichner, Same).

Following a discussion regarding parliamentary procedure and the Rules of Order of the Seneca County Board of Supervisors, Mrs. Amidon made a motion to bring to the floor a resolution to refer the allegations in the Grand Jury indictment to the Governor and request he review the matter and take any necessary and appropriate action under the laws of NYS. The motion needed a unanimous vote to carry. A roll call vote was requested, lacking 91 votes for a unanimous vote (Smith, Shipley). The motion failed. The matter was referred to the Public Safety committee for the September 11 meeting.

Special Order of the Day

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